

WOMEN'S CHARTER

(CHAPTER 353)

(Original Enactment: Ordinance 18 of 1961)

REVISED EDITION 2009

(31st October 2009)

An Act to provide for monogamous marriages and for the solemnization and registration of such marriages; to amend and consolidate the law relating to divorce, the rights and duties of married persons, the protection of family, the maintenance of wives, incapacitated husbands and children and the punishment of offences against women and girls; and to provide for matters incidental thereto.

[Act 7 of 2016 wef 01/07/2016]

[15th September 1961]

PART XI

OFFENCES AGAINST WOMEN AND GIRLS

Offences relating to prostitution

140.—(1) Any person who —

- (a) sells, lets for hire or otherwise disposes of or buys or hires or otherwise obtains possession of any woman or girl with intent that she shall be employed or used for the purpose of prostitution either within or without Singapore, or knowing or having reason to believe that she will be so employed or used;
- (b) procures any woman or girl to have either within or without Singapore carnal connection except by way of marriage with any male person or for the purpose of prostitution either within or without Singapore;
- (c) by threats or intimidation procures any woman or girl to have carnal connection except by way of marriage with any male person either within or without Singapore;
- (d) brings into Singapore, receives or harbours any woman or girl knowing or having reason to believe that she has been procured for the purpose of having carnal connection except by way of marriage with any male person or for the purpose of prostitution either within or without Singapore and with intent to aid such purpose;
- (e) knowing or having reason to believe that any woman or girl has been procured by threats or intimidation for the purpose of having carnal connection except by way of marriage with any male person, either within or without Singapore, receives or harbours her with intent to aid such purpose;
- (f) knowing or having reason to believe that any woman or girl has been brought into Singapore in breach of section 142 or has been sold or purchased in breach of paragraph (a) receives or harbours her with intent that she may be employed or used for the purpose of prostitution either within or without Singapore;

- (g) detains any woman or girl against her will on any premises with the intention that she shall have carnal connection except by way of marriage with any male person, or detains any woman or girl against her will in a brothel;
- (h) detains any woman or girl in any place against her will with intent that she may be employed or used for the purpose of prostitution or for any unlawful or immoral purpose;
- (i) has carnal connection with any girl below the age of 16 years except by way of marriage; or
- (j) attempts to do any act in contravention of this section,

shall be guilty of an offence and shall on conviction be punished with imprisonment for a term not exceeding 5 years and shall also be liable to a fine not exceeding \$10,000.

[26/80]
[Act 7 of 2016 wef 01/07/2016]

(2) Any male person who is convicted of a second or subsequent offence under subsection (1)(a), (b), (c), (d), (e) or (f) shall, in addition to any term of imprisonment awarded in respect of such offence, be liable to caning.

[26/80]

(3) For the purposes of this section, it shall be presumed until the contrary is proved that —

- (a) a person who takes or causes to be taken into a brothel any woman or girl has disposed of her with the intent or knowledge mentioned in subsection (1)(a);
- (b) a person who receives any woman or girl into a brothel has obtained possession of her with the intent or knowledge mentioned in subsection (1)(a);
- (c) a person has detained a woman or girl in any brothel or place against her will if, with intent to compel or induce her to remain therein, that person —
 - (i) withholds from that woman or girl any wearing apparel or any other property belonging to her or any wearing apparel commonly or last used by her;
 - (ii) where wearing apparel or any other property has been lent or hired out or supplied to that woman or girl, threatens her with legal proceedings if she takes away such wearing apparel or property; or
 - (iii) threatens that woman or girl with legal proceedings for the recovery of any debt or alleged debt or uses any other threat whatsoever.

(4) Subject to subsection (5) and notwithstanding anything in section 79 of the Penal Code (Cap. 224), a reasonable mistake as to the age of a girl shall not be a defence to a charge of an offence under subsection (1)(i).

[51/2007]

(5) In the case of a man who at the time of the alleged offence was below the age of 21 years, the presence of a reasonable mistaken belief that the girl was of or above the age of 16 years shall be a valid defence to a charge of an offence under subsection (1)(i), provided that at the time of the offence, he has not previously been charged in court for an offence under subsection (1)(i), or section 376A, 376B, 376C or 376E of the Penal Code, or section 7 of the Children and Young Persons Act (Cap. 38).

[51/2007]

Traffic in women and girls

141.—(1) Any person who buys, sells, procures, traffics in, or brings into or takes out of Singapore for the purpose of such traffic, and whether or not for the purpose of present or subsequent prostitution, any woman or girl, shall be guilty of an offence and shall on conviction be punished with imprisonment for a term not exceeding 5 years and shall also be liable to a fine not exceeding \$10,000.

[Act 7 of 2016 wef 01/07/2016]

(2) No person shall be charged with an offence under this section if he satisfies the Director that the woman or

girl brought into or taken out of Singapore by him or intended to be brought into or taken out of Singapore by him was so brought into or taken out of Singapore or is intended to be so brought into or taken out of Singapore for the purpose of her marriage or adoption and that such marriage or adoption can be solemnized or made and has been or will be solemnized or made under the laws and customs for the time being in force in Singapore.

Importation of woman or girl by false pretences

142. Any person who by or under false pretence, false representation or fraudulent or deceitful means made or used either within or without Singapore brings into, or takes out of, or assists in bringing into, or assists in taking out of, Singapore any woman or girl —

- (a) with intent that she shall be employed or used for the purpose of prostitution either within or without Singapore;
- (b) knowing or having reason to believe that she will be so employed or used; or
- (c) whether or not for the purpose of present or future prostitution,

shall be guilty of an offence and shall on conviction be punished with imprisonment for a term not exceeding 5 years and shall also be liable to a fine not exceeding \$10,000.

[26/80]

[Act 7 of 2016 wef 01/07/2016]

Permitting girl below the age of 16 to use premises for sexual penetration

143. Any person who is the owner or occupier of any premises, or who has, or acts or assists in, the management or control of any premises, induces or knowingly permits a girl below the age of 16 years to resort to or be on those premises for the purpose of engaging in sexual penetration except by way of marriage with any male person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 years or to both.

[26/80; 51/2007]

Permitting mental defective to use premises for sexual penetration

144.—(1) Subject to subsection (2), any person who is the owner or occupier of any premises or who has, or acts or assists in, the management or control of any premises, induces or knowingly permits a woman who is a mental defective to resort to or be on those premises for the purpose of engaging in sexual penetration except by way of marriage with any male person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 years or to both.

[26/80; 51/2007]

(2) A person shall not be guilty of an offence under this section because he induces or knowingly permits a mental defective to resort to or be on any premises for the purpose mentioned, if he does not know and has no reason to suspect her to be a mental defective.

[26/80]

Causing or encouraging prostitution of, sexual penetration with, or indecent assault on, girl below the age of 16

145.—(1) Any person who causes or encourages the prostitution of, or the commission of unlawful sexual penetration of or an indecent assault on, a girl below the age of 16 years for whom he is responsible shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 years or to both.

[26/80; 51/2007]

(2) Where a girl has become a prostitute, or has engaged in unlawful sexual penetration, or has been indecently assaulted, a person shall be deemed for the purposes of this section to have caused or encouraged it, if he knowingly allowed her to consort with or to enter or continue in the employment of, any prostitute or person of known immoral character.

[\[26/80; 51/2007\]](#)

(3) The persons who are to be treated for the purposes of this section as responsible for a girl are (subject to subsection (4)) —

- (a) any person who is her parent or legal guardian;
- (b) any person who has actual possession or control of her, or to whose charge she has been committed by her parent or legal guardian or by a person having the custody of her; and
- (c) any other person who has the custody, charge or care of her.

[\[26/80\]](#)

(4) In subsection (3) —

“legal guardian”, in relation to any girl, means any person who is for the time being her guardian, having been appointed according to law by deed or will or by order of a court of competent jurisdiction;

“parent”, in relation to any girl, does not include a person deprived of the custody of her by order of a court of competent jurisdiction but (subject to that), in the case of a girl who has been adopted under the Adoption of Children Act (Cap. 4), or any enactment thereby repealed, means her adopters and, in the case of a girl who is illegitimate (and has not been so adopted), means her mother and any person who has been adjudged to be her putative father.

[\[26/80\]](#)

(5) If, on a charge of an offence against a girl under this section, the girl appears to the court to have been below the age of 16 years at the time of the offence charged, she shall be presumed for the purposes of this section to have been so, unless the contrary is proved.

[\[26/80\]](#)

Persons living on or trading in prostitution, etc.

146.—(1) Any person who knowingly lives wholly or in part on the earnings of the prostitution of another person (being a woman or girl) shall be guilty of an offence and shall on conviction be punished with imprisonment for a term not exceeding 5 years and shall also be liable to a fine not exceeding \$10,000.

[\[Act 7 of 2016 wef 01/07/2016\]](#)

(1A) Any person who knowingly solicits, receives or agrees to receive any gratification as an inducement or reward for providing any service, and who by providing that service does or will aid the prostitution of another person (being a woman or girl), shall be guilty of an offence and shall on conviction be punished with imprisonment for a term not exceeding 5 years and shall also be liable to a fine not exceeding \$10,000.

[\[Act 7 of 2016 wef 01/07/2016\]](#)

(2) Any male person who is convicted of a second or subsequent offence under this section shall, in addition to any term of imprisonment imposed in respect of such offence, be liable to caning.

(3) Where any person is proved to live with or be habitually in the company of any prostitute or is proved to have exercised control, direction or influence over the movements of any prostitute in such a manner as to show that the person is aiding, abetting or compelling her prostitution with any other person or generally, the person shall, in the absence of proof to the contrary, be deemed to be knowingly living on the earnings of prostitution.

(4) In this section, “gratification” includes —

- (a) money or any gift, loan, fee, reward, commission, valuable security or other property or interest in property of any description, whether movable or immovable;
- (b) any office, employment or contract;
- (c) any payment, release, discharge or liquidation of any loan, obligation or other liability whatsoever, whether in whole or in part; and
- (d) any other service, favour or advantage of any description whatsoever.

[\[Act 7 of 2016 wef 01/07/2016\]](#)

Remote communication service operated or maintained for offering or facilitating provision of sexual services, etc.

146A.—(1) A person in Singapore who, in the course of business, operates or maintains in Singapore a remote communication service that —

- (a) offers or facilitates the provision by a woman or girl to another person of sexual services in return for payment or reward; or
- (b) organises, manages or supervises the provision of sexual services referred to in paragraph (a), which may include inviting others to receive or participate in providing those services,

shall be guilty of an offence and shall be liable on conviction —

- (i) to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding 3 years or to both; and
- (ii) in the case of a second or subsequent conviction, to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 5 years or to both.

(2) To avoid doubt, the reference in subsection (1) to the provision by a woman or girl to another person of sexual services in return for payment or reward includes, but is not limited to, a reference to the prostitution of the woman or girl.

(3) In subsection (1), “remote communication service” means —

- (a) any website, web service or Internet application;
- (b) any service using voice telephony;
- (c) any service using a messaging system; or
- (d) any other kind of electronic or other technology for facilitating communication.

[Act 7 of 2016 wef 01/07/2016]

Suppression of places of assignation

147.—(1) Any person who keeps, manages or assists in the management of a place of assignation shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding 3 years or to both and, in the case of a second or subsequent conviction, to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 5 years or to both.

(2) Any person who keeps, manages or assists in the management of a club or a place of public resort which is used as a place of assignation shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 5 years or to both and, in the case of a second or subsequent conviction, to a fine not exceeding \$15,000 or to imprisonment for a term not exceeding 10 years or to both.

Suppression of brothels

148.—(1) Any person who keeps, manages or assists in the management of a brothel shall be guilty of an offence under this section.

(2) Any person who is the tenant, lessee, occupier or person in charge of any place which is used as a brothel shall, unless he proves that he has no knowledge that the place is used as a brothel, be guilty of an offence under this section.

(3) Any person who being the tenant, lessee, occupier or person in charge of any place lets such place or any part thereof shall, notwithstanding such letting, be guilty of an offence under subsection (2) if the place or any part thereof is used as a brothel, unless he proves that he has no knowledge that the place or any part thereof is used as a brothel.

(4) Any person who being the owner of any place or the agent of that owner lets the same or any part thereof with the knowledge that the place or some part thereof is to be used as a brothel or is wilfully a party to the continued use of the place or any part thereof as a brothel shall, notwithstanding such letting, be guilty of an offence under this section.

(5) Any person who is guilty of an offence under this section shall be liable on conviction to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding 3 years or to both and, in the case of a second or subsequent conviction, to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 5 years or to both.

(6) In any proceedings under this Part, any evidence given by any police officer not below the rank of sergeant that any place has been used as a brothel or a place of assignation shall, until the contrary is proved, be deemed to be sufficient evidence of the fact.

[26/80]

Notice to owner and occupier

149.—(1) Where the Director has reason to believe that a place is being used as a brothel or as a place of assignation, he may serve or cause to be served a notice in the prescribed form on the owner of the place, as well as the occupier thereof.

(2) If the owner or occupier is not otherwise known, service shall be made on the person inscribed in the books kept under any written law for the time being in force as the owner or occupier of the place; and if the name of the owner or occupier is not inscribed in those books or if the name of the owner or occupier cannot by the exercise of due diligence be found, then the notice may be served by affixing it to the principal outer door or upon the outside of any door or window or any conspicuous part of the place.

(3) Every occupier receiving a notice under this section shall forthwith inform the owner or the person from whom he rents the place of the fact of receipt of the notice who shall in like manner inform the owner or the person from whom he rents the place and so on till the notice is brought to the knowledge of the owner, each tenant being responsible for bringing the notice to the knowledge of his immediate lessor.

(4) Any occupier who refuses or omits to inform the owner or the person from whom he rents the premises that a notice under this section has been received shall be liable to prosecution under section 225C of the Penal Code (Cap. 224).

(5) If, in proceedings under this Part, it is proved that the notice under subsection (1) has been served on the owner or occupier of a place, it shall be presumed that the place is so kept, managed or used to the knowledge or with the permission of the owner or occupier of the place.

Determination of tenancy of places on conviction for permitting use as brothel, etc.

150.—(1) Upon the conviction of the occupier of any place for any offence under section 147 or 148 in respect of the place, the owner of the place shall within one month require the person so convicted to deliver up possession of the place to the owner, and in the event of the person so convicted failing within one month of being so required to deliver up possession as aforesaid, the owner of the place shall be entitled to determine the lease or contract of tenancy but without prejudice to the rights or remedies of any party to the lease or contract accrued before the date of such determination.

(2) Where the owner of any place has determined the lease or contract of tenancy in accordance with subsection (1) and the occupier has not delivered up possession of the place after such determination, a Magistrate's Court may, on the application of the owner, make a summary order for the delivery of possession of the place to the owner.

(3) If the occupier disobeys any order made by a Magistrate's Court under subsection (2), he shall be liable to the penalty prescribed in that behalf in section 188 of the Penal Code (Cap. 224).

Demolition of structural contrivances for facilitating the running of a place of assignation or of a brothel

151. Whenever it appears to a court, upon the trial of any offence under section 147 or 148, that the place in or in respect of which the offence is alleged to have been committed is a place of assignation or a brothel, and that the same is fitted or provided with any means or contrivances such as staircases, doors and partitions, ladders, planks, platforms, posts, palings, fences, locks, bars, bolts or any other things which appear to it to have been specially erected or constructed for the purpose of facilitating the carrying on of a place of assignation or of a brothel at the place, the court shall order the demolition of such means or contrivances.

Authority of courts to issue arrest and search warrants

152. If any court has reason to believe that any place is used by a woman or girl for the purpose of prostitution and that any other person residing in or frequenting the house is living wholly or in part on the immoral earnings of that woman or girl, the court may issue a warrant authorising the Director or any public officer nominated by the Minister or any police officer not below the rank of sergeant to enter and search the place and to arrest such person.

[21/73]

Trials in camera in certain cases

153.—(1) When any person is charged with or convicted of having committed any offence under this Part, or of having committed or attempted to commit or attempted to cause the commission of any offence under section 354, 354A, 375, 376, 376A, 376B, 376C, 376D, 376E, 376F, 376G or 377B of the Penal Code in respect of any woman or girl, the court conducting a preliminary inquiry into, or trying the offence, or hearing any appeal or special case or any point reserved by a Judge of the High Court in relation to the offence, may order that all proceedings before it shall be dealt with in camera.

[51/2007]

(2) Whenever any such order is made, the court shall not be deemed an open court, and the court shall order that no person shall have access to or be or remain in the court except such persons as are necessary for the purpose of the proceedings.

(3) The court shall order proceedings before it to be dealt with in camera in any case where the girl in respect of whom an offence referred to in subsection (1) is alleged to have been committed has not attained the age of 16 years.

[51/2007]

(4) A person must not publish or broadcast any information or picture referred to in the following paragraphs:

- (a) the name or address of any woman or girl in respect of whom an offence referred to in subsection (1) is alleged to have been committed;
- (b) any particulars given, in any proceedings in any court relating to an offence referred to in subsection (1), which identify, or are calculated to lead to the identification of, any woman or girl in respect of whom that offence is alleged to have been committed;
- (c) the name and address of any witness, in any proceedings in any court relating to an offence referred to in subsection (1), which may lead to the identification of any woman or girl in respect of whom that offence is alleged to have been committed;
- (d) the particulars of any evidence given by any witness, in any proceedings in any court relating to an offence referred to in subsection (1), which may lead to the identification of any woman or girl in respect of whom that offence is alleged to have been committed;

- (e) any picture of, or any picture including a picture of —
- (i) any woman or girl in respect of whom an offence referred to in subsection (1) is alleged to have been committed; or
 - (ii) any witness in any proceedings in any court relating to an offence referred to in subsection (1).

[Act 7 of 2016 wef 01/07/2016]

- (5) If any information or picture is published or broadcast in contravention of subsection (4) —
- (a) in the case of the publication of the information or picture as part of a newspaper or periodical publication, every proprietor, editor, publisher or distributor of the newspaper or periodical publication;
 - (b) in the case of the publication of the information or picture otherwise than as part of a newspaper or periodical publication, the person who publishes or distributes the information or picture; or
 - (c) in the case of the broadcast of the information or picture, every person who transmits or provides the programme in which the information or picture is broadcast, and every person having functions in relation to the programme corresponding to those of the editor of a newspaper or periodical publication,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 3 years or to both.

[Act 7 of 2016 wef 01/07/2016]

- (6) In this section —

“broadcast” means sounds or visual images —

- (a) broadcast by wireless telegraphy, or by means of a high frequency distribution system over wire or other paths provided by a material substance, and intended for general reception;
- (b) broadcast through the Internet or any website, web service or Internet application, whether or not intended for general reception; or
- (c) broadcast through any messaging system;

“publish”, in relation to any information or picture, means to bring the information or picture to the notice of the public or a section of the public by any means, including (to avoid doubt) through —

- (a) the Internet or any website, web service or Internet application; or
- (b) any messaging system.

[Act 7 of 2016 wef 01/07/2016]

Trial of offences

154.—(1) All offences under this Part shall be triable by a District Court.

[15/2010 wef 02/01/2011]

(2) No prosecution shall be instituted in respect of any such offence without the consent of the Director or the Public Prosecutor or his deputy.

[15/2010 wef 02/01/2011]

(3) Any District Court may, notwithstanding anything in the Criminal Procedure Code (Cap. 68), impose the full punishment prescribed by this Part in respect of any offence.

(4) Prosecutions in respect of offences committed under this Part may, with the authorisation of the Public Prosecutor, be conducted by the Director or any public officer of such department that the Minister is charged with responsibility for authorised in writing in that behalf by the Director.

[15/2010 wef 02/01/2011]

Detention pending judicial proceedings

155.—(1) Any court inquiring into or trying an offence punishable under this Part or under section 309, 312, 313, 317, 354, 370, 371, 372, 373, 373A, 375, 376, 376A, 376B, 376C, 376D, 376E, 376F, 376G or 377B of the Penal Code (Cap. 224) or defined in section 321, 322, 339, 340, 350, 351, 360, 361 or 362 of the Penal Code may order any woman or girl in respect of whom the offence is alleged to have been committed to be detained temporarily until the determination of the proceedings against the person accused.

[51/2007]

(2) Where an order is made under subsection (1), the Director shall receive such woman or girl and shall put her in a place of safety and shall there detain her until the determination of the proceedings.

(3) Notwithstanding the determination of the proceedings against the accused person, the Director may, by warrant under his hand, order the detention in a place of safety of any woman or girl referred to in this section whom he considers is in need of protection, and thereupon such arrangements shall be made for her welfare as the Director considers necessary.

(4) In exercising his powers under subsection (3), the Director shall not contravene section 161.

Director may examine women and girls and person in charge of them

156.—(1) If the Director has reasonable cause to believe that —

- (a) any woman or girl has been brought into Singapore either after having been purchased or by fraud, misrepresentation or any false pretence whether or not for the purpose of prostitution or of being sent from Singapore;
- (b) the custody of any woman or girl has been acquired either after having been purchased or by fraud, misrepresentation or any false pretence whether or not for the purpose of prostitution or of being sent from Singapore;
- (c) any woman or girl has been purchased either within or without Singapore for the purpose of being used, trained or disposed of as a prostitute; or
- (d) any woman or girl is being detained against her will for the purpose of prostitution or of being sent from Singapore for immoral purposes,

the Director, or any person authorised in that behalf by him in writing, may require the woman or girl and any person who appears to have the custody or control of her to appear before him at any reasonable time and at any convenient place.

(2) The Director may examine the woman or girl as to her reasons for entering or being in Singapore and may examine the person respecting the woman or girl, and the woman or girl and the person shall be legally bound to answer such questions truthfully to the best of their ability.

(3) The Director may also require any person in whose custody or under whose control the woman or girl appears to be to furnish him with copies of her and the person's photograph and to furnish security to the satisfaction of the Director that she will not leave Singapore without the previous consent in writing of the Director and will not be trained or disposed of as a prostitute or for immoral purposes and will not, whether by way of adoption, marriage or otherwise, be transferred to the care and custody of any other person without the previous consent in writing of the Director and that she will be produced before the Director whenever he requires it.

(4) In default of such photographs and security being given, the Director may by warrant under his hand order the woman or girl to be removed to a place of safety and there detained until she can be returned to the place from where she was brought or until other proper provision can be made for her welfare.

(5) Where the Director has reason to believe that the woman or girl may be sent from Singapore, he may issue an order for her to be detained in a place of safety until the determination of any inquiry or until after such arrangement has been made for her welfare as the Director considers necessary.

Inspection

157.—(1) The Director or any officer generally or specially authorised in that behalf in writing by the Director may at any time visit and inspect the place where any woman or girl in respect of whom security has been furnished under section 156 lives or is believed to live or to be.

(2) The Director or any authorised officer may inquire into the condition and circumstances of the woman or girl and for the purposes of the inquiry the Director or officer may require any person to answer any question he may think proper to ask.

(3) Any person who —

- (a) obstructs or hinders or attempts to obstruct or hinder the Director or any authorised officer in the exercise of the powers conferred by this section; or
- (b) refuses to answer to the best of his knowledge and belief any question which he is legally bound to answer and which is asked of him by any officer appointed or authorised under this Part,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding 6 months or to both.

Security on departure of woman or girl from Singapore

158.—(1) Whenever the Director is of opinion that it is in the interests of any woman or girl as is referred to in section 156 that she should be permitted to leave Singapore, the Director may grant permission upon being supplied with such photographs of the woman or girl as he may require and upon security being given to his satisfaction that the person in whose custody or control she appears to be will bring her before such public officer within such period and at such destination as may be specified in the bond.

(2) The giving of such further security shall not relieve any person who furnished the security required by section 156 from any obligation under the conditions of the bond entered into under that section, other than the condition relating to departure from Singapore, unless the public officer in the territory where such woman or girl then resides obtains fresh security conditioned in the manner specified in that section.

(3) A certificate under the hand of the public officer referred to in subsection (1) that such woman or girl has not been brought before him shall in any legal proceedings be conclusive evidence to that effect, unless the court requires that officer to be called as a witness.

Woman or girl below the age of 21 trained or used for immoral purposes, etc.

159.—(1) If the Director has reasonable cause to believe that any woman or girl below the age of 21 years is being trained or used for immoral purposes or lives in or frequents any brothel or is habitually in the company of prostitutes or brothel keepers or procuresses or persons employed or living in brothels or persons directly interested in the business carried on in brothels or by prostitutes, the Director may, by warrant under his hand, order the woman or girl to be removed to a place of safety and there temporarily detained until an inquiry has been held by him.

(2) If the Director after holding such inquiry is satisfied that the woman or girl comes within subsection (1), he may, by warrant under his hand, order her to be detained in a place of safety.

Director may order detention or commitment of woman or girl in certain cases

160.—(1) Any woman or girl —

- (a) whose lawful guardian requests the Director in writing to detain her in a place of safety or to commit her to the care of a fit individual; *[Act 7 of 2016 wef 01/07/2016]*
- (b) whom the Director considers is in need of protection and whose lawful guardian cannot be found;
- (c) whom the Director believes to have been ill-treated and is in need of protection; or
- (d) whom the Director considers to be in moral danger,

may, by warrant under the hand of the Director, be ordered to be removed to a place of safety and there detained, or to be committed to the care of a fit individual, until the Director has held an inquiry as to the circumstances of the case.

[Act 7 of 2016 wef 01/07/2016]

(2) Every such inquiry shall be completed within a period of one month from the date of the woman's or girl's admission into the place of safety or commitment to the care of the fit individual (as the case may be).

[Act 7 of 2016 wef 01/07/2016]

(3) If, after holding such inquiry, the Director is satisfied that the woman or girl is in need of protection, the Director may by warrant under his hand order that the woman or girl be detained in a place of safety, or committed to the care of a fit individual, for such period as he may determine.

[26/80]
[Act 7 of 2016 wef 01/07/2016]

(4) Where a girl has been detained in a place of safety, or committed to the care of a fit individual, at the request of the girl's lawful guardian, the girl may be detained or committed for such period as the Director determines is necessary for the girl's rehabilitation, despite any request made by the girl's lawful guardian for the girl's early release.

[Act 7 of 2016 wef 01/07/2016]
[Act 7 of 2016 wef 01/07/2016]

Period of detention or commitment of woman or girl

161.—(1) A woman or girl shall not be detained under this Part, except for the purpose of an inquiry, after such arrangements have been made for her welfare as the Director considers necessary or after she attains the age of 21 years or marries.

[Act 7 of 2016 wef 01/07/2016]

(2) A woman or girl must not be committed under section 160(3) to the care of a fit individual, and a woman or girl who has been so committed ceases to be in the care of a fit individual, after the woman or girl attains the age of 21 years or marries.

[Act 7 of 2016 wef 01/07/2016]
[Act 7 of 2016 wef 01/07/2016]

Marriage not to be contracted without consent of Director

162. No woman or girl detained under the provisions of this Part or in respect of whom security has been furnished under section 156(3) shall contract any form of marriage without the previous consent in writing of the Director.

[14/69]

Women and girls in urgent need of refuge

163.—(1) Any woman or girl may on her own application be received by the Director into a place of safety, or be committed by the Director to the care of a fit individual, if the Director is satisfied that the woman or girl is in urgent need of refuge.

[Act 7 of 2016 wef 01/07/2016]

(2) Where the situation warrants it, the person in charge of any place of safety may receive into that place of safety any woman or girl who makes an application to her.

(3) Where the person in charge of a place of safety receives any woman or girl into that place of safety in accordance with subsection (2), she shall, within 48 hours of the admission of the woman or girl, produce her before the Director with a full report of the circumstances.

(4) A woman or girl must not be received under this section into a place of safety, or committed under subsection (1) to the care of a fit individual, after the woman or girl attains the age of 21 years or marries.

[Act 7 of 2016 wef 01/07/2016]

(5) A woman or girl who has been received under this section into a place of safety, or committed under subsection (1) to the care of a fit individual, ceases to be in the care of the place of safety or fit individual (as the case may be), after the woman or girl attains the age of 21 years or marries.

[Act 7 of 2016 wef 01/07/2016]

Transfer of women or girls from one place of safety to another place of safety within Singapore, etc.

164.—(1) Whenever an order has been made under section 155(3), 156 or 159 for the detention of a woman or girl in a place of safety and it appears to the Director to be expedient in the interests of the woman or girl that she should be transferred from such place of safety to another place of safety within Singapore, it shall be lawful for the Director to issue an order that she shall be so transferred.

[Act 7 of 2016 wef 01/07/2016]

(2) Where an order has been made under section 160 for the detention of a woman or girl in a place of safety, and it appears to the Director that the taking of one of the following courses of action is expedient in the interests of the woman or girl, the Director may order the taking of that course of action:

- (a) the transfer of the woman or girl from that place of safety to another place of safety within Singapore;
- (b) the discharge of the woman or girl from that place of safety, and the commitment of the woman or girl to the care of a fit individual.

[Act 7 of 2016 wef 01/07/2016]

(3) Where an order has been made under section 160 for the commitment of a woman or girl to the care of a fit individual, and it appears to the Director that the taking of one of the following courses of action is expedient in the interests of the woman or girl, the Director may order the taking of that course of action:

- (a) the transfer of the woman or girl from the care of that fit individual to the care of another fit individual;
- (b) the withdrawal of the woman or girl from the care of that fit individual, and the detention of the woman or girl in a place of safety within Singapore.

[Act 7 of 2016 wef 01/07/2016]

(4) Where a woman or girl is detained in a place of safety in Singapore on the request in writing of her lawful guardian under section 160(1)(a), she must not be transferred or discharged from that place of safety under subsection (2), unless her lawful guardian has given approval in writing for that transfer or discharge.

[Act 7 of 2016 wef 01/07/2016]

(5) Where a woman or girl is committed to the care of a fit individual on the request in writing of her lawful guardian under section 160(1)(a), she must not be transferred or withdrawn from the care of that fit individual under subsection (3), unless her lawful guardian has given approval in writing for that transfer or withdrawal.

[Act 7 of 2016 wef 01/07/2016]

[Act 7 of 2016 wef 01/07/2016]

Removal of women or girls to Malaysia, Brunei Darussalam or Hong Kong by order of Minister

165.—(1) Whenever an order has been made under section 155(3), 156, 159 or 160 for the detention of a woman or girl in a place of safety and it appears to the Minister to be expedient in the interests of the woman or girl that she should be removed from such place of safety and transferred to a place of safety established in Malaysia, Brunei Darussalam or Hong Kong under the provisions of any law for the time being in force in

Malaysia, Brunei Darussalam or Hong Kong, as the case may be, for the protection of women and girls, it shall be lawful for the Minister to issue an order that she shall be removed to such place of safety established in Malaysia, Brunei Darussalam or Hong Kong.

(2) No woman or girl admitted into a place of safety in Singapore on the request in writing of her lawful guardian under section 160(1)(a) shall be so removed from such place of safety except with the approval in writing of her lawful guardian.

(3) The order for removal under this section shall be addressed to the person in charge of the place of safety in which the woman or girl is detained and shall direct such person to deliver her to the person mentioned in that order for removal at such place in Malaysia, Brunei Darussalam or Hong Kong and in such manner as may be specified in that order for the purpose of transfer as aforesaid; and the woman or girl shall be delivered up and shall be transferred accordingly.

(4) The Minister may direct that any condition, not inconsistent with the provisions of this Part, which may be prescribed by the provisions of any law for the time being in force in Malaysia, Brunei Darussalam or Hong Kong for the reception of women and girls from Singapore into Malaysia, Brunei Darussalam or Hong Kong, and the detention therein of such women and girls shall be observed.

(5) Any woman or girl removed under this Part to a place of safety in Malaysia, Brunei Darussalam or Hong Kong may, if she so desires, on being discharged from such place of safety, be returned to Singapore.

Appeal

166. An appeal shall lie from any order made by the Director under this Part to the Minister whose decision shall be final and shall not be questioned in any court.

Women and girls may be received into and detained in Singapore

167.—(1) Whenever the government of Malaysia, Brunei Darussalam or Hong Kong makes a representation to the Minister that it is expedient that any woman or girl whose detention in a place of safety has been ordered by the authority empowered by the law of such territory should be removed to Singapore for detention in a place of safety within Singapore, and satisfies the Minister that provision will be made for the payment of all expenses that may be incurred in the reception, maintenance and detention of, or otherwise in relation to, the woman or girl, the Minister, if it appears to him that there is sufficient accommodation for the woman or girl in a place of safety within Singapore, may by warrant under his hand in the prescribed form direct the woman or girl, when brought into Singapore, to be received therein and conveyed to a place of safety specified in such warrant and to be there detained until discharged in due course of law or until further order.

(2) The representation mentioned in subsection (1) shall be delivered under the hand of the Minister or the officer for the time being charged with the responsibility for making such a representation on behalf of the government concerned.

(3) Every warrant purporting to be issued in pursuance of this Part and to be under the hand of the Minister shall be received in evidence in every court without further proof and shall be evidence of the facts therein stated, and all acts done in pursuance of that warrant shall be deemed to have been authorised by law.

Women and girls so received to be subject to local law

168. Any woman or girl received into Singapore under section 167 shall be dealt with in Singapore in like manner as if her detention in a place of safety had been ordered by the Director by warrant under his hand, and shall be subject to all laws and regulations in force in Singapore.

Women and girls detained to be subject to rules

169.—(1) Every woman or girl detained under this Part shall be subject to such rules as are made under section 180.

[Act 27 of 2014 wef 01/10/2014]

(2) Every woman or girl detained or ordered to be detained under this Part who leaves any place in which she is detained otherwise than in accordance with such rules may be arrested and taken back to such place by any police officer or by any officer duly authorised thereto either specially or generally by the Director.

(3) Any person who —

- (a) induces or assists any woman or girl detained under this Part to leave or escape from the place in which she is detained; or
- (b) receives or harbours such woman or girl knowing or having reason to believe that she has escaped from a place of safety,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 6 months or to both.

[26/80]

Director may cause persons to be photographed

170.—(1) Whenever the Director, after inquiry, has reason to believe that a breach of any of the provisions of this Part is about to be or has been committed by any person, the Director may direct that the person be photographed, and his finger impressions taken.

(2) The person so directed shall submit to be photographed and to have his finger impressions taken at such time and place and in such manner as the Director may think fit and in default of so doing shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding 6 months or to both.

(3) Any person whose finger impressions and photograph have been taken under subsection (1) may apply on the expiry of 5 years from the date when such finger impressions and photograph were taken for the return of such finger impressions and photograph and the Director shall, unless the person has in such period of 5 years been convicted of any offence under this Part, deliver to the person the sheet upon which his finger impressions have been made together with the negative and all copies of any photograph taken of him, or, if no such application is received within 3 months from the period specified in this subsection, shall destroy such sheet and every such negative and photograph.

Power to summon and examine persons in certain circumstances

171.—(1) The Director may summon any person who he has reason to believe can give any information —

- (a) regarding any woman or girl in respect of whom he has reasonable cause to believe that an offence under this Part is or may be committed or who he has reasonable cause to believe is or may be liable to be dealt with under section 156, 159 or 160; or
- (b) regarding any place which he has reasonable cause to believe is being used as a brothel, a place of assignation or for the purpose of prostitution.

(2) The person so summoned shall attend at the time and place specified in the summons and shall produce all documents in his custody, possession or control relating to the woman or girl or place, as the case may be, and shall answer truthfully all questions which the Director may put to him respecting the woman or girl or place or in any way relating to the matter being inquired into, and where the inquiry relates to any woman or girl, the person shall also, if so required by the Director, produce the woman or girl, unless the person is able to satisfy the Director that he is unable to do so.

(3) The Director shall be deemed to be a public servant within the meaning of the Penal Code (Cap. 224) and may administer oaths to and examine on oath any person summoned before him for the purposes of this Part.

(4) Any person summoned who fails to attend at the time and place specified in the summons or to do any of the other acts referred to in subsection (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding 6 months or to both.

(5) The Director shall not be compellable in any judicial proceedings to answer any questions as to the grounds of his decision or belief in any case dealt with by him under this Part or as to anything which came to his knowledge in any inquiry made by him as Director.

(6) The Director may, during or after such inquiry as is referred to in subsection (2), arrest or cause to be arrested any person whom he has reasonable cause to believe to be liable to prosecution for any offence under this Part committed in respect of the woman or girl or place, and may seize and detain any article, book, document or account which he may have reason to believe to relate to such offence.

Record of evidence

172. The Director shall, at any inquiry held by him, take down and record the evidence taken by him upon such inquiry and of his decision thereon and shall furnish to the High Court a copy of such notes of evidence when called upon to do so by order of a Judge of the High Court suppressing in such copy the name of any person from whom information has been derived if he thinks it expedient to do so.

Power of search

173.—(1) The Director, or any public officer, being either a police officer not below the rank of sergeant, an immigration officer within the meaning of the Immigration Act (Cap. 133) or a public officer of such department that the Minister is charged with responsibility for, and being generally or specially authorised for that purpose in writing by the Director, may enter, and for that purpose use force if necessary, and search —

- (a) any place where the Director, person or officer has reasonable cause to believe that an offence under this Part has been or is being committed; and
- (b) any person in that place,

and may remove any woman or girl who is or may be liable to be dealt with under section 156, 159 or 160 to a place of safety to be there detained until her case is inquired into, except that no woman shall be searched other than by a woman.

[14/69; 21/73]
[Act 25 of 2012 wef 28/03/2013]

(2) Any person who refuses to be searched or refuses the Director, person or officer access to such place or otherwise obstructs or hinders him in effecting an entrance to such place or in removing any such woman or girl shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 12 months or to both.

Power of arrest and seizure

174.—(1) The Director, or any public officer, being either a police officer not below the rank of sergeant, an immigration officer within the meaning of the Immigration Act or a public officer of such department that the Minister is charged with responsibility for, and being generally or specially authorised for that purpose in writing by the Director, may arrest or cause to be arrested any person reasonably believed to be liable to prosecution for an offence under section 140, 141, 142, 143, 144, 145, 146, 147 or 148 and may seize, and for that purpose use force if necessary, and detain any article, book, document or account which he may have reason to believe to relate to such offence.

[14/69; 21/73]
[Act 25 of 2012 wef 28/03/2013]

(2) Where any person is arrested by the Director or any person mentioned in subsection (1), the Director or person making the arrest shall comply with sections 68 and 85 of the Criminal Procedure Code 2010 as if he were a police officer.

[15/2010 wef 02/01/2011]

(3) Any person who obstructs or hinders the Director or any person mentioned in subsection (1) in the arrest of any such suspected person or in the seizure or detention of any such article, book, document or account shall be

guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 12 months or to both.

Presumption arising out of warrants

175.—(1) Every warrant or summons purporting to be issued in pursuance of this Part and to be under the hand and seal of the Director shall be received in evidence in any court without further proof and shall be prima facie evidence of the facts therein stated.

(2) All acts done in pursuance of such warrant or summons shall be deemed to have been authorised by law.

Appointment of officers

176. The Minister may, by notification in the *Gazette*, appoint such officers as he may think fit for the purposes of this Part and may by that notification confer upon those officers all or any of the powers conferred and duties imposed upon the Director by this Part.

Minister may establish places of safety

177. The Minister may, by order published in the *Gazette*, establish such places of safety as may be necessary for the purposes of this Part.

Restriction on publication of information on place of safety or resident of place of safety

177A.—(1) A person must not, without the Director's approval, publish or broadcast any information or picture that identifies, or is likely to lead to the identification of —

- (a) the location of a place of safety; or
- (b) any resident of a place of safety as a resident of the place of safety.

(2) If any information or picture is published or broadcast in contravention of subsection (1) —

- (a) in the case of the publication of the information or picture as part of a newspaper or periodical publication, every proprietor, editor, publisher or distributor of the newspaper or periodical publication;
- (b) in the case of the publication of the information or picture otherwise than as part of a newspaper or periodical publication, the person who publishes or distributes the information or picture; or
- (c) in the case of the broadcast of the information or picture, every person who transmits or provides the programme in which the information or picture is broadcast, and every person having functions in relation to the programme corresponding to those of the editor of a newspaper or periodical publication,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 and, in the case of a second or subsequent conviction, to a fine not exceeding \$10,000.

(3) This section does not apply to any of the following:

- (a) the publication in the *Gazette* (in electronic or other form) of any order under section 177;
- (b) the publication under the Revised Edition of the Laws Act (Cap. 275) of any revised edition of subsidiary legislation (in electronic or other form) which relates to any order under section 177;
- (c) the publication of any order under section 177, any revised edition of subsidiary legislation referred to in paragraph (b), or any copy of any such order or revised edition of subsidiary legislation, on —
 - (i) any legislation website maintained by the Government; or
 - (ii) any website licensed by the Government to maintain a collection of subsidiary legislation made under this Act.

(4) In this section —

“broadcast” means sounds or visual images —

- (a) broadcast by wireless telegraphy, or by means of a high frequency distribution system over wire or other paths provided by a material substance, and intended for general reception;
- (b) broadcast through the Internet or any website, web service or Internet application, whether or not intended for general reception; or
- (c) broadcast through any messaging system;

“publish”, in relation to any information or picture, means to bring the information or picture to the notice of the public or a section of the public by any means, including (to avoid doubt) through —

- (a) the Internet or any website, web service or Internet application; or
- (b) any messaging system.

[Act 7 of 2016 wef 01/07/2016]

Boards of Visitors

178.—(1) The Minister may, by notification in the *Gazette*, appoint for every place of safety a Board of Visitors to advise and make recommendations to the Director on such matters as he may refer to it.

(2) A Board of Visitors may be appointed for one or more places of safety as the Minister thinks fit.

(3) A Board of Visitors shall consist of such number of persons as the Minister may determine.

[30/96]

(4) Every person appointed under subsection (1) may enter at reasonable times any place of safety and make such inquiry or examination therein as appears to him necessary and shall also make such report as the Minister may require.

[30/96]

(5) Notwithstanding subsection (1), the Minister may direct a Board of Visitors —

- (a) to visit any place which is established for the purposes of care and reception of women and girls and which is not a place of safety; and
- (b) to make such inquiry or examination therein as appears to the Board necessary and also to make such report as the Minister may require.

[30/96]

(6) Any person who refuses admittance to any place of safety or any place referred to in subsection (5) to any member of a Board of Visitors, the Director or any officer deputed by the Director for the purpose or who offers any hindrance or obstruction to any such persons after his identity is reasonably established shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

[30/96]

Discharge Committees

179.—(1) The Minister may appoint for every place of safety a Discharge Committee which shall advise and make recommendations to the Director on the discharge and aftercare of women and girls in such place of safety.

(2) A Discharge Committee may be appointed in respect of one or more places of safety as the Minister thinks fit.

(3) A Discharge Committee shall consist of such number of persons as the Minister may determine.

[30/96]

(4) The Discharge Committee shall review all cases of women and girls when they have been detained for 6 months, and may, after such review, recommend to the Director that any woman or girl shall be discharged or

released on licence.

[9/67; 14/69; 26/80]

(5) The Director, on the advice of the Discharge Committee, shall have power to order the discharge or the release on licence of any woman or girl who has been detained in a place of safety for 6 months and on such conditions as may be stated by him in that order.

[26/80]

(6) Any woman or girl released from a place of safety on licence by order of the Director, who breaks the conditions of her licence, shall be brought before the Director, who shall have power to order the return of the woman or girl to the place of safety from which she was released, to be detained there for such further period as the Director considers necessary, except where the woman or girl concerned, by reason of any act or omission committed while on licence, renders herself liable to prosecution for any offence, in which case she shall be brought before the appropriate court.

[26/80]