

# **Statutes (Miscellaneous Amendments and Repeal) Act 2000 (Act No. 28 of 2000)**

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**REPUBLIC OF SINGAPORE**  
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The following Act was passed by Parliament on 9th October 2000 and assented to by the President on 16th October 2000:—

**STATUTES (MISCELLANEOUS AMENDMENTS AND REPEAL) ACT 2000**

**(No. 28 of 2000)**

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I assent.

S R NATHAN,  
*President.*  
*16th October 2000.*

**Date of Commencement: 1st November 2000**

An Act to amend certain statutes of the Republic of Singapore and to repeal certain statutes that are obsolete.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

**Short title and commencement**

1.—(1) This Act may be cited as the Statutes (Miscellaneous Amendments and Repeal) Act 2000 and, with the exception of section 6, shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

(2) The Minister may appoint different dates for the coming into operation of the different provisions of this Act.

(3) Section 6 shall come into operation on 1st October 2000.

### **Amendment of Interpretation Act**

2.—(1) Section 2 of the Interpretation Act (Cap.1, 1999 Ed.) is amended —

(a) by inserting, immediately after the definition of “animal” in subsection (1), the following definition:

“ “appoint” includes re-appoint”;

(b) by inserting, immediately after the definition of “consular officer” in subsection (1), the following definition:

“ “contravene”, in relation to a provision of a written law, includes a failure to comply with a requirement or condition in that provision”; and

(c) by inserting, immediately after subsection (1), the following subsection:

“(1A) Where a word or expression is defined in a written law, then, unless the contrary intention appears, other parts of speech and grammatical forms of that word or expression, and cognate expressions, have corresponding meanings in that law.”.

(2) The Interpretation Act is amended by inserting, immediately after section 7, the following section:

#### **“Examples and illustrations**

7A. Where an Act includes an example or illustration of the operation of a provision —

(a) the example or illustration shall not be taken to be exhaustive; and

(b) if the example or illustration is inconsistent with the provision, the provision prevails.”.

(3) The Interpretation Act is amended by renumbering section 10 as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

“(2) Where a written law is to come into operation on a day specified by a notification made under the written law, the notification may specify different days for different provisions of the written law to come into operation.”.

(4) Section 16 of the Interpretation Act is amended by deleting subsection (2) and substituting the following subsections:

“(2) A reference in this section to the repeal of a written law in whole or in part includes a reference to —

- (a) a repeal effected by implication;
- (b) the abrogation or limitation of the effect of the written law or part; and
- (c) the exclusion of the application of the written law or part to any person, subject-matter or circumstance.

(3) Where a written law expires, lapses or otherwise ceases to have effect, this section applies as if the written law had been repealed by another written law.

(4) A reference in this section to a part of a written law includes a reference to any provision of, or words, figures, drawings or symbols in, the written law.”.

(5) The Interpretation Act is amended by inserting, immediately after section 26, the following section:

**“Reference to Act to include subsidiary legislation**

**26A.** Unless the contrary intention appears, a reference in any written law to an Act is to be construed so as to include a reference to any subsidiary legislation made under that Act.”.

(6) The Interpretation Act is amended by inserting, immediately after section 32, the following section:

**“Power of majority, quorum, etc., of board, etc.**

**32A.—**(1) Where a written law confers a power or function or imposes a duty upon a statutory body consisting of not fewer than 3 persons, the power may be exercised, or the function or duty may be performed, by a majority of those persons.

(2) Where a statutory body consists of 3 or more persons —

- (a) a quorum is constituted at a meeting of the body by a number of members of the body equal to —
  - (i) at least one-half of the number of members provided for in the written law establishing the body, if that number is a fixed number; and
  - (ii) if the number of persons is not so fixed but is within a range having a maximum or minimum, at least one-half of

the number of members in office;

- (b) an act or thing done by a majority of the members of the body present at the meeting, if those members constitute a quorum, is to be regarded as having been done by the body.

(3) At a meeting of a statutory body, the chairman or other member presiding shall have a casting as well as a deliberative vote in all matters in which a decision is taken by vote.

(4) This section is subject to any provision to the contrary in any written law.

(5) In this section, “statutory body” means a board, commission, committee or similar body, whether corporate or unincorporate, established under a written law.”.

(7) The Interpretation Act is amended by inserting, immediately after section 48, the following section:

**“Service of documents**

**48A.**—(1) Where a written law authorises or requires a document to be served on a person, whether the expression “serve”, “give” or “send” or any other expression is used, then, unless the contrary intention appears, the document may be served —

- (a) in the case of an individual —
  - (i) by delivering it to the individual personally; or
  - (ii) by leaving it at, or by sending it by pre-paid post to, the usual or last known address of the place of residence or business of the individual;
- (b) in the case of a partnership —
  - (i) by delivering it to the secretary or other like officer of the partnership; or
  - (ii) by leaving it at, or by sending it by pre-paid post to, the principal or last known place of business of the partnership in Singapore;
- (c) in the case of a body corporate —

- (i) by delivering it to the secretary or other like officer of the body corporate; or
- (ii) by leaving it at, or by sending it by pre-paid post to, the registered office or a principal office of the body corporate in Singapore.

(2) Nothing in subsection (1) —

- (a) affects the operation of any written law that authorises the service of a document otherwise than as provided in that subsection; or
- (b) affects the power of a court to authorise service of a document otherwise than as provided in that subsection.”.

### **Amendment of Air Navigation Act**

3. Section 3 of the Air Navigation Act (Cap. 6, 1985 Ed.) is amended —

- (a) by deleting the word “or” at the end of subsection (1)(a);
- (b) by inserting, immediately after paragraph (a) of subsection (1), the following paragraph:

“(b) for the purpose of discharging an obligation binding on Singapore by virtue of its being a member of an international organisation or a party to an international agreement; or”;

- (c) by re-lettering the existing paragraph (b) of subsection (1) as paragraph (c);
- (d) by inserting, immediately after paragraph (A) of subsection (2), the following paragraph:

“(la) for prohibiting aircraft of a specified description or origin or registered in a specified country or territory from landing in, flying over or taking off from Singapore, in order to discharge or facilitate the discharge of an obligation binding on Singapore by virtue of its being a member of an international organisation or a party to an international agreement;”;  
and

- (e) by deleting the marginal note and substituting the following section heading:

**“Power to give effect to international obligations and regulate air navigation”.**

#### **Amendment of Legal Profession Act**

4. The Legal Profession Act (Cap. 161, 1997 Ed.) is amended —

- (a) by inserting, immediately after subsection (10) of section 130B, the following subsections:

“(11) Notwithstanding section 27 of the Companies Act (Cap. 50), a Joint Law Venture which is a limited company need not have the word “Limited” or “Berhad” as part of its name and a Joint Law Venture which is a private company need not have the word “Private” or “Sendirian” as part of its name.

(12) The directors of a Joint Law Venture which is a limited company shall ensure that every invoice or official correspondence of the Joint Law Venture bears the statement that it is incorporated with limited liability.”; and

- (b) by deleting the words “resident in Singapore and practising in or employed by a foreign law firm” in paragraph (b) of section 130I(1) and substituting the words “practising in or employed by a foreign law firm, a Singapore law firm or a Joint Law Venture”.

#### **Amendment of Medical Registration Act**

5. The Medical Registration Act (Cap. 174, 1998 Ed.) is amended by inserting, immediately after section 57, the following section:

##### **“Jurisdiction of Courts**

**57A.** A Magistrate’s Court or a District Court shall have jurisdiction to hear and determine all offences under this Act and, notwithstanding anything to the contrary in the Criminal Procedure Code (Cap. 68), shall have power to impose the full penalty or punishment in respect of any offence under this Act.”.

#### **Amendment of Mental Disorders and Treatment Act**

6. The Mental Disorders and Treatment Act (Cap. 178, 1985 Ed.) is amended by deleting the definition of “medical officer” in section 2 and substituting the following definition:

““medical officer” means a registered medical practitioner in the service of the Government and includes a registered medical practitioner who is employed in any hospital or medical institution and who is designated by name or office by the Director of Medical Services in writing for the purposes of this Act;”.

### **Amendment of Monetary Authority of Singapore Act**

7. The Monetary Authority of Singapore Act (Cap. 186, 1999 Ed.) is amended by inserting, immediately after section 27, the following section:

#### **“Directions to discharge Government’s international obligations**

**27A.**—(1) The Authority may, from time to time, issue such directions to a financial institution or class of financial institutions as the Authority considers necessary in order to discharge or facilitate the discharge of any obligation binding on Singapore by virtue of a decision of the Security Council of the United Nations.

(2) A financial institution to which a direction is issued shall comply with it notwithstanding any other duty imposed on the financial institution by any rule of law, written law or contract; and the financial institution shall not in carrying out any act in compliance with the direction be treated as being in breach of any such rule of law, written law or contract.

(3) A financial institution shall not disclose any direction issued to it if the Authority notifies the financial institution that the Authority is of the opinion that the disclosure of the direction is against the public interest.

(4) A financial institution which fails or refuses to comply with a direction issued to it, or which discloses a direction issued to it in contravention of subsection (3), shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$20,000.”.

### **Amendment of Moneylenders Act**

8. The Moneylenders Act (Cap. 188, 1985 Ed.) is amended —

- (a) by repealing section 17;
- (b) by deleting the words “stamped” and “duly stamped” in the 3rd line and in the 6th line of section 20(5), respectively; and
- (c) by deleting the words “stamp duties,” in the 4th and 5th lines of section 26.

### **Amendment of Motor Vehicles (Third-Party Risks and Compensation) Act**



9.—(1) Section 2 of the Motor Vehicles (Third-Party Risks and Compensation) Act (Cap. 189, 1985 Ed.) is amended by inserting, immediately after the definition of “Registrar”, the following definition:

““relevant amount” means \$5,000 or, where an amount has been prescribed by the Minister for the purposes of sections 6(1), 9 (2), 9 (8) and 18 (3A), the prescribed amount;”.

(2) Section 6(1) of the Motor Vehicles (Third-Party Risks and Compensation) Act is amended —

- (a) by deleting “\$5,000” in the 1st line and substituting the words “the relevant amount”; and
- (b) by inserting, immediately after the word “payment” in the penultimate line, the words “, together with any sum payable in respect of costs,”.

(3) Section 9 of the Motor Vehicles (Third-Party Risks and Compensation) Act is amended by deleting “\$5,000” in subsection (2) (a) and in the 1st line of subsection (8) and substituting in each case the words “the relevant amount”.

(4) Section 18 of the Motor Vehicles (Third-Party Risks and Compensation) Act is amended —

- (a) by deleting subsection (3) and substituting the following subsections:

“(3) Notwithstanding the provisions of any other written law, a public officer or an advocate and solicitor, acting in respect of the matters referred to in subsection (2), shall not receive or accept any payment of money for so acting other than —

- (a) such costs as are agreed between him and the Public Trustee;
- (b) taxed costs, in default of such agreement with the Public Trustee; or
- (c) such costs as the Public Trustee may determine to be the costs of the public officer or advocate and solicitor, if the public officer or advocate and solicitor fails to begin proceedings for taxation of costs within 3 months after the relevant date unless before that time the public officer or the advocate and solicitor has agreed with the Public Trustee on costs.

(3A) Subsection (3) shall not apply to a public officer or an advocate and solicitor claiming costs in respect of a judgment or

settlement for a sum not exceeding the relevant amount.

(3B) For the purposes of subsection (3)(c), “relevant date” means —

(a) the date the Public Trustee accepts or the court approves the payment referred to in section 6, as the case may be; or

(b) the date the judgment of the court referred to in section 9(1) is given,

as the case may be.”; and

(b) by deleting the words “taxed costs” in the 2nd line of subsection (5) and the 1st and 2nd lines of subsection (6) and substituting in each case the words “costs referred to in subsection 3(a), (b) or (c)”.

(5) The Motor Vehicles (Third-Party Risks and Compensation) Act is amended by inserting, immediately after section 18, the following section:

**“Public Trustee may appear in court**

**18A.** The Public Trustee shall have the right to appear and be heard in a court in any proceedings under this Act or in relation to any claim or action for damages for the death or bodily injury of any person arising out of the use of a motor vehicle.”.

**Amendment of Mutual Assistance in Criminal Matters Act**

**10.** The Mutual Assistance in Criminal Matters Act 2000 (Act 12 of 2000) is amended by inserting, immediately after section 44, the following section:

**“Regulations for provision of assistance to certain bodies**

**44A.—**(1) The Minister may make regulations for the provision by Singapore of assistance in criminal matters to such international criminal tribunal as may be prescribed in order to discharge or facilitate the discharge of any obligation binding on Singapore by virtue of its being a member of an international organisation or a party to an international agreement.

(2) Without prejudice to the generality of subsection (1), regulations may —

(a) provide for the application of the provisions of Part III to the international criminal tribunal subject to such modifications as may be specified in the regulations, including the provision of different or additional grounds for refusing assistance, providing assistance in

respect of different offences, and a different manner of providing any form of assistance;

- (b) notwithstanding the provisions of the Act, provide for forms of assistance other than those set out in Part III, including assistance by way of arresting any accused person, keeping him in custody and surrendering him to the international criminal tribunal;
- (c) confer and impose on authorised officers powers and duties which may be necessary or expedient for the purpose of providing any assistance; and
- (d) provide that any person who contravenes the regulations shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment not exceeding 12 months or to both.”.

### **Amendment of Securities Industry Act**

**11.** Section 103(11) of the Securities Industry Act (Cap. 289, 1985 Ed.) is amended by inserting, immediately after the word “prosecution” in the 1st line, the words “or an action under section 104A”.

### **Amendment of Trade Marks Act**

**12.—**(1) Section 22 of the Trade Marks Act (Cap. 332, 1999 Ed.) is amended by deleting subsection (5).

(2) Section 35 of the Trade Marks Act is amended by inserting, immediately after subsection (5), the following subsection:

“(6) Nothing in this section shall render an advocate and solicitor liable to an action under this section in respect of an act done by him in his professional capacity on behalf of a client.”.

### **Repeal of Acts**

**13.** The following Acts are repealed:

- (a) Land Officers Powers Act (Cap. 154);
- (b) Preservation of the Peace Act (Cap. 240);
- (c) Prevention of Crimes Act (Cap. 242); and
- (d) Tin and Tin-Ore (Disclosure of Smelters’ Stocks) Act (Cap. 326).

