

Short title and commencement

1. This Act may be cited as the Regulation of Imports and Exports (Amendment) Act 2011 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

5 Amendment of section 2

2. The Regulation of Imports and Exports Act (referred to in this Act as the principal Act) is amended —

(a) by deleting the definition of “export” and substituting the following definition:

10 ““export” means to take or cause to be taken out of Singapore by land, water or air and includes the placing of any goods in a conveyance for the purpose of the goods being taken out of Singapore but does not include the taking out
15 from Singapore of goods in transit or goods that have been transhipped”.

(b) by deleting the definition of “goods in transit” and substituting the following definition:

20 ““goods in transit” means goods that have been brought into Singapore by land, water or air, where the goods are to be taken out of Singapore on the same conveyance on which they are brought into Singapore without any landing in
Singapore”;

25 (c) by deleting the definition of “import” and substituting the following definition:

30 ““import” means to bring or cause to be brought into Singapore by land, water or air from any place which is outside Singapore but does not include the bringing into Singapore of goods in transit or goods which are to be transhipped”; and

(d) by deleting the definition of “tranship” and substituting the following definition:

5 “tranship” means to bring or cause to be brought into Singapore on a conveyance any goods by land, water or air from any place which is outside Singapore, and thereafter to take or cause to be taken out of Singapore the goods by land, water or air —

- (a) on the same conveyance after landing of the goods; or
- (b) on a different conveyance, with or without landing of the goods,
- 10 under a through bill of lading, through air waybill or through manifest;”.

Amendment of section 3

15 **3.** Section 3 of the principal Act is amended by deleting the words “who has made” in subsection (2)(k) and substituting the words “making”.

Amendment of section 31

4. Section 31 of the principal Act is amended —

20 (a) by inserting, immediately after paragraph (iii) of subsection (1), the following paragraphs:

- “(iiiA) a prosecution of such offence under such written law (other than this Act) as may be prescribed;
- (iiiB) enabling a public agency to enforce such provision of written law (other than this Act) as may be prescribed;
- 25 (iiiC) enabling a public agency to investigate a suspected offence under such provision of written law (other than this Act) as may be prescribed;
- 30 (iiiD) subject to subsection (1A), enabling a public agency to compile statistics and to do any of the following:

(A) to provide the statistics to another public agency;

(B) to publish the statistics a form that does not identify, and is not reasonably capable of being used to identify, any person;

(iiiE) subject to subsection (1A), enabling a public agency to take steps to ensure public health or safety, or the security of Singapore;”;

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

“(1A) No particulars, information or document referred to in subsection (1) may be published, disclosed or communicated pursuant to paragraph (iiiD) or (iiiE) of that subsection except with the approval of the Minister.

(1B) The approval of the Minister referred to in subsection (1A) may be given in respect of —

(a) a specific public agency or a class of public agencies; and

(b) a specific request for particulars, information or documents, or requests for particulars, information or documents falling within such class as the Minister may in his approval specify.

(1C) For the purposes of subsection (1)(iiiE), the particulars or information in question may be provided to the public agency through another public agency.

(1D) Nothing in subsection (1) shall prevent the Minister, and any public officer assisting the Minister and duly authorised by the Minister for the purposes of this subsection, from having access to such particulars, information or document referred to in subsection (1) as may be necessary for the performance of his official duties in connection with this Act or the advancement or development of trade.”; and

(c) by deleting the full-stop at the end of the definition of “prescribed agreement” in subsection (6), and by inserting immediately thereafter the following definition:

5 ““public agency” means a public officer, an organ of state or a ministry or department of the Government, or a public authority established by or under any written law for a public purpose or a member, an officer or an employee, or any department, thereof.”.

10 **Amendment of section 39**

5. Section 39 of the principal Act is amended by deleting the word “minimum fine” in subsection (1)(a) and substituting the word “maximum fine”.

EXPLANATORY STATEMENT

This Bill seek to amend the Regulation of Imports and Exports Act (Cap 272A) (“the Act”).

Clause 1 relates to the short title and commencement.

Clause 2 amends section 2(1) (Interpretation) by deleting the definitions of “export”, “goods in transit”, “export” and “tranship” and substituting new definitions to bring the definitions in line with the methodology of trade statistics compilation under the United Nations general trade system.

Clause 3 makes a technical amendment to section 3(2)(k) (Regulations for registration, regulation and control of importation and exportation, etc.) to clarify that regulations may be made for the registration of persons who are making declarations under the Act or any regulations made thereunder, rather than registration of persons who have made declarations.

Clause 4 amends section 31(1) (Information not to be published or disclosed) to expand on the circumstances in which the Director-General of Customs may communicate or disclose any particulars, information or document that has been furnished for the purposes of the Act or any regulations made thereunder, to a public agency. In some of these circumstances, the approval of the Minister for Trade and Industry is required. Where the communication or disclosure is being made to enable a public agency to ensure public health and safety, or the security of Singapore, the particulars or information in question may be communicated or disclosed to the public agency through another public agency.

Clause 4 also amends section 31(6) by including a new definition for “public agency”.

Clause 5 amends section 39 (Composition of offences) to substitute “minimum fine” with “maximum fine” as the Act does not prescribe minimum fines.

EXPENDITURE OF PUBLIC MONEY

This Bill will not involve the Government in any extra financial expenditure.

Note 1:HD2/LYL/RIE (Amd) Bill 2013-1 (jw 2.7.13)