



THE STATUTES OF THE REPUBLIC OF SINGAPORE

BANISHMENT ACT 1959

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Banishment Act 1959

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An Act relating to banishment and expulsion from Singapore of persons other than citizens.

[16 September 1963]

Short title

1. This Act is the Banishment Act 1959.

Interpretation

2. In this Act, unless the context otherwise requires —
 - “banishment order” means an order made by the Minister under section 5;
 - “exempted person” means a person exempted from sections 5 and 8 by an order made under section 12;
 - “expulsion order” means an order made by the Minister under section 8;
 - “warrant of arrest and detention” means a warrant issued under section 3.

Warrant of arrest and detention

3.—(1) Where it appears to the Minister, on receiving written information submitted to him by the Commissioner of Police, that there are reasonable grounds for believing that the banishment of any person whom the Minister is satisfied is not a citizen of Singapore or an exempted person is conducive to the good of Singapore, the Minister may issue a warrant for the arrest and detention of that person.

(2) A warrant of arrest and detention shall be in accordance with Form 1 in the Schedule.

Execution of warrant of arrest and detention

4.—(1) The police or prison officer executing a warrant of arrest and detention shall notify the substance thereof to the person arrested or detained and, if so required, shall show him the warrant or a copy thereof under the hand of the authority by whom it was issued.

(2) Where in execution of a warrant of arrest and detention any person is arrested or is required to be further detained in prison after the expiration of any sentence of imprisonment passed upon him, the officer executing the warrant shall without unnecessary delay, and in any case within 24 hours (excluding the time of any necessary journey) from the arrest or from the expiration of the sentence, produce the person arrested or so detained before a Magistrate who shall, upon production of the warrant duly signed and upon proof of the identity of the person arrested or detained with the person named in the warrant, by order endorsed on the warrant, commit the person to prison, there to be detained in accordance with the tenor of the warrant:

Provided that if that person proves that he is a citizen of Singapore or an exempted person the Magistrate shall order that person forthwith to be released.

Banishment order

5.—(1) Where the Minister is satisfied after such inquiry or on such written information as he may consider necessary or sufficient that the banishment from Singapore of any person not being a citizen of Singapore or an exempted person would be conducive to the good of Singapore, the Minister may make an order that the person be banished from Singapore either for the term of his natural life or for such other term as may be specified in such order.

(2) A banishment order shall be in accordance with Form 2 in the Schedule and shall be signed by the Minister.

(3) As soon as possible after the making of a banishment order against any person, a copy of the order shall be served on the person by the officer in charge of the prison in which the person may be confined or by a police officer not below the rank of sergeant; and the officer serving the copy shall notify the person against whom it is made that he may at any time within 14 days of the service apply to the General Division of the High Court for an order that the banishment order be set aside on the ground that he is a citizen of Singapore or an exempted person.

[40/2019]