



# THE STATUTES OF THE REPUBLIC OF SINGAPORE

## PROBATION OF OFFENDERS ACT 1951

### 2020 REVISED EDITION

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# Probation of Offenders Act 1951

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An Act to provide for the probation of offenders.

[9 July 1951]

### **Short title**

1. This Act is the Probation of Offenders Act 1951.

### **Interpretation**

2. In this Act —

“approved institution” means an institution approved under section 12;

“Chief Probation Officer” means the person appointed to be the Chief Probation Officer under section 3;

“community service officer” means any officer appointed as a community service officer under section 346(9)(a) of the Criminal Procedure Code 2010;

“court” does not include a court martial;

“police officer” has the same meaning as in the Police Force Act 2004;

“prison officer” has the same meaning as in the Prisons Act 1933 and includes the Commissioner of Prisons and a Superintendent of Prisons appointed under that Act;

“probation committee” means a group of persons appointed to carry out the duties under section 4;

“probation officer” means a person appointed to be a probation officer under section 3;

“probation order” has the meaning assigned to it by section 5;

“probation period” means the period for which a probationer is placed under supervision by a probation order;

“probationer” means a person for the time being under supervision by virtue of a probation order;

“volunteer probation officer” means a person appointed to be a volunteer probation officer under section 3(2); and

references to any court by which a probation order or an order for conditional discharge was made shall include where that court no longer exists references to a court exercising the same jurisdiction as the court by which the order was made.

*[15/2010; 1/2014]*

### **Appointment of Chief Probation Officer and probation officers**

**3.—**(1) The Minister may appoint a Chief Probation Officer and such number of probation officers as may be necessary for the purposes of this Act.

(2) The Minister may, on such terms and conditions as he thinks fit, appoint a person who is not employed as a police officer or prison officer to be a volunteer probation officer.

(3) The Chief Probation Officer shall have and shall be entitled to exercise, in addition to the powers vested in him by virtue of this Act or any rules made thereunder, all the powers of a probation officer.

(4) All persons appointed under this section shall be deemed to be public servants within the meaning of the Penal Code 1871.

### **Probation committees**

4. The Minister may appoint a probation committee or committees consisting of such persons as he thinks fit, who shall review the work of probation officers and volunteer probation officers in individual cases, and perform such duties in connection with probation as may be prescribed by rules made under this Act.

### **Probation**

5.—(1) Where a court by or before which a person is convicted of an offence (not being an offence the sentence for which is fixed by law) is of the opinion that having regard to the circumstances, including the nature of the offence and the character of the offender, it is expedient to do so, the court may, instead of sentencing him, make a probation order, that is to say, an order requiring him to be under the supervision of a probation officer or a volunteer probation officer for a period to be specified in the order of not less than 6 months nor more than 3 years:

Provided that where a person is convicted of an offence for which a specified minimum sentence or mandatory minimum sentence of imprisonment or fine or caning is prescribed by law, the court may make a probation order if the person —

- (a) has attained 16 years of age but has not attained 21 years of age at the time of his conviction; and
- (b) has not been previously convicted of any such offence referred to in this proviso, and for this purpose section 11(1) shall not apply to any such previous conviction.

[7/89; 37/93]

(2) A probation order may in addition require the offender to comply during the whole or any part of the probation period with such requirements as the court, having regard to the circumstances of the case, considers necessary for securing the good conduct of the