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The following Act was passed by Parliament on 4th November 2014 and assented to by the President on 10th December 2014:—

REPUBLIC OF SINGAPORE

No. 39 of 2014.

I assent.

TONY TAN KENG YAM,
President.
10th December 2014.



An Act to amend the Constitution of the Republic of Singapore (1999 Reprint).

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

Short title and commencement

1. This Act may be cited as the Constitution of the Republic of Singapore (Amendment) Act 2014 and shall come into operation on such date as the President may, by notification in the *Gazette*, appoint.

Amendment of Article 2

2. Article 2(1) of the Constitution of the Republic of Singapore (referred to in this Act as the Constitution) is amended —

(a) by deleting the definition of “Judge of the Supreme Court” and substituting the following definition:

“ “Judge of the Supreme Court” means the Chief Justice, a Judge of Appeal or a Judge of the High Court;”;

(b) by inserting, immediately after the words “count for pension” in the definition of “remuneration”, the words “or gratuity”; and

(c) by inserting, immediately after the words “grant of pensions” in the definition of “remuneration”, the words “or gratuities”.

Amendment of Article 22

3. Article 22(1) of the Constitution is amended by deleting the words “Judges and Judicial Commissioners of the Supreme Court” in paragraph (a) and substituting the words “Judges of the Supreme Court, and the Judicial Commissioners, Senior Judges and International Judges of the Supreme Court”.

Amendment of Article 35

4. Article 35 of the Constitution is amended —

(a) by deleting paragraph (a) of clause (11) and substituting the following paragraph:

“(a) be prescribed in regulations made by the President and published in the *Gazette*; or”;
and

(b) by inserting, immediately after clause (11), the following clause:

“(11A) Regulations made under clause (11)(a) may provide that any gratuity payable in respect of service as the Attorney-General shall be charged on and paid out of the Consolidated Fund.”.

New Article 35A

5. The Constitution is amended by inserting, immediately after Article 35, the following Article:

“Deputy Attorneys-General

35A.—(1) The President may, on the advice of the Prime Minister, appoint one or more Deputy Attorneys-General from individuals who are eligible for appointment as the Attorney-General.

(2) Before tendering any advice to the President under clause (1), the Prime Minister must consult the Attorney-General and the Chairman of the Public Service Commission.

(3) However, the Prime Minister need not consult any person under clause (2) if he is satisfied that it is impracticable to do so because of the infirmity of body or mind of that person or for any other reason.

(4) A Deputy Attorney-General is, subject to the general direction and control of the Attorney-General, to perform such duties of the Attorney-General referred to in Article 35(7) or (8) as may be assigned by the Attorney-General, and shall be responsible to the Attorney-General for that due performance.

(5) In the performance of his duties, a Deputy Attorney-General has the right of audience in, and takes precedence over any person (other than the Attorney-General) appearing before, any court or tribunal in Singapore.

(6) A Deputy Attorney-General holds office —

- (a) until the end of the specific period he is appointed for (without prejudice to re-appointment); or
- (b) if no period is so specified, until he attains 60 years of age.

(7) The President may, on the advice of the Prime Minister, permit a Deputy Attorney-General who has attained the age of 60 years to remain in office for such fixed period as may be agreed between the Deputy Attorney-General and the Government.

(8) However, a Deputy Attorney-General may at any time earlier resign his office by writing under his hand addressed to the President or may be earlier removed under clause (9).

(9) A Deputy Attorney-General may be removed from office by the President on the advice of the Prime Minister.

(10) The Prime Minister may advise the President for the purposes of clause (9) only on the following grounds, with which a tribunal consisting of the Chief Justice and 2 other Judges of the Supreme Court nominated for that purpose by the Chief Justice must concur:

- (a) the inability of the Deputy Attorney-General concerned to discharge the functions of his office (whether arising from infirmity of body or mind or any other cause);
- (b) any misbehaviour of the Deputy Attorney-General concerned.

(11) A Deputy Attorney-General is to be paid such remuneration and allowances as may from time to time be determined (all of which are charged on and paid out of the Consolidated Fund), and his terms of service are —

- (a) to be prescribed in regulations made by the President and published in the *Gazette*; or
- (b) to be determined by the President in so far as they are not determined by or under any such law.

(12) The terms of service of a Deputy Attorney-General must not be altered to his disadvantage during his continuance in office; and in so far as any of those terms of service depend upon his option, any terms that he opts for shall be taken to be more advantageous to him than any for which he might have opted.

(13) The tribunal referred to in clause (10) is to regulate its own procedure and may make rules for that purpose.

(14) To avoid doubt, nothing done by a Deputy Attorney-General shall be invalid by reason only that he has attained the age at which he is required by this Article to vacate his office.”.

Amendment of Article 69

6. Article 69 of the Constitution is amended —

- (a) by inserting the word “and” at the end of clause (1)(a);
- (b) by deleting paragraphs (b) and (c) of clause (1) and substituting the following paragraph:

“(b) not more than 20 members.”;

- (c) by inserting, immediately after clause (1), the following clauses:

“(1A) Up to 10 members may be permanent members appointed for life.

(1B) Unless appointed for life, a member shall be appointed for a period of 3 years.”; and

- (d) by deleting the words “clause (1)(c)” in clause (3) and substituting the words “clause (1B)”.

Amendment of Article 94

7. Article 94 of the Constitution is amended by deleting clauses (2) to (5) and substituting the following clauses:

“(2) The Court of Appeal shall consist of the Chief Justice and the Judges of Appeal.