

Miscellaneous Offences (Public Order and Nuisance) (Amendment) Bill

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Bill No: 2/1996

Read the first time: 18th January 1996

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Miscellaneous Offences (Public Order and Nuisance) (Amendment) Bill

Bill No. 2/1996

Read the first time on 18th January 1996.

An Act to amend the Miscellaneous Offences (Public Order and Nuisance) Act (Chapter 184 of the 1990 Revised Edition).

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 Miscellaneous Offences (Public Order and Nuisance) (Amendment) Act 1996 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 4

2. Section 4 of the Miscellaneous Offences (Public Order and Nuisance) Act (referred to in this Act as the principal Act) is amended by inserting, immediately after the words “a Magistrate’s Court” in the third line, the words “or a District Court”.

Amendment of section 9

3. Section 9 of the principal Act is amended by deleting “\$1,000” in the fourth line and substituting “\$5,000”.

Amendment of section 10

4. Section 10(1) of the principal Act is amended by deleting “\$1,000” and substituting “\$5,000”.

Amendment of section 13

5. Section 13 of the principal Act is amended —

- (a) by deleting “\$1,000” in the third line and substituting “\$5,000”; and
- (b) by deleting paragraph (f).

New sections 13A to 13D

6. The principal Act is amended by inserting, immediately after section 13, the following sections:

“Intentional harassment, alarm or distress

13A.—(1) Any person who in a public place or in a private place, with intent to cause harassment, alarm or distress to another person —

- (a) uses threatening, abusive or insulting words or behaviour; or
- (b) displays any writing, sign or other visible representation which is threatening, abusive or insulting,

thereby causing that person or any other person harassment, alarm or distress, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000.

(2) It is a defence for the accused to prove —

- (a) that he was inside a dwelling-house and had no reason to believe that the words or behaviour used, or the writing, sign or other visible representation displayed, by him would be heard or seen by a person outside that dwelling-house or any other dwelling-house; or
- (b) that his conduct was reasonable.

Harassment, alarm or distress

13B.—(1) Any person who in a public place or in a private place —

- (a) uses threatening, abusive or insulting words or behaviour; or
- (b) displays any writing, sign or other visible representation which is threatening, abusive or insulting,

within the hearing or sight of any person likely to be caused harassment, alarm or distress thereby shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

(2) It is a defence for the accused to prove —

- (a) that he had no reason to believe that there was any person within hearing or sight who was likely to be caused harassment, alarm or distress;
- (b) that he was inside a dwelling-house and had no reason to believe that the words or behaviour used, or the writing, sign or other visible representation displayed, would be heard or seen by a person outside that dwelling-house or any other dwelling-house; or
- (c) that his conduct was reasonable.

Fear or provocation of violence

13C. Any person who in a public place or in a private place —

- (a) uses towards another person threatening, abusive or insulting words or behaviour; or
- (b) distributes or displays to another person any writing, sign or other visible representation which is threatening, abusive or insulting,

with intent to cause that person to believe that immediate unlawful violence will be used against him or another person by any person, or to provoke the immediate use of unlawful violence by that person or another person, or whereby that person is likely to believe that such violence will be used or it is likely that such violence will be provoked shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

Threatening, abusing or insulting public servant

13D.—(1) Any person who in a public place or in a private place —

- (a) uses any indecent, threatening, abusive or insulting words or behaviour towards a public servant in the execution of his duty as such public servant; or
- (b) distributes or displays to a public servant in the execution of his duty as such public servant any writing, sign or other visible representation which is indecent, threatening, abusive or insulting,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding one year.

(2) For the purpose of this section, “public servant” has the same meaning as in the Penal Code and includes any other officer who, by virtue of any other written law, is deemed to be a public servant within the meaning of the Penal Code [Cap. 224].”.

Amendment of section 14

7. Section 14(2) of the principal Act is amended —

- (a) by inserting, immediately after the word “premises” in the second line, the words “or in any public place”; and
- (b) by inserting, immediately after the word “premises” in the fourth line, the words “or proceed to the public place”.