

# **Punishment of Kidnapping Ordinance**

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**Bill No: 137/1961**

***Read the first time: 26th April 1961***

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## **Punishment of Kidnapping Ordinance**

### **Bill No. 137/1961**

*Read the first time on 26th April 1961.*

An Ordinance to provide for the punishment of the offences of abduction, wrongful restraint and wrongful confinement for ransom and other related offences and for matters incidental thereto.

Be it enacted by the Yang di-Pertuan Negara with the advice and consent of the Legislative Assembly of Singapore, as follows: —

### **Short title**

1. This Ordinance may be cited as the Punishment of Kidnapping Ordinance, 1961.

### **Interpretation**

2. In this Ordinance “abduction”, “wrongful restraint” and “wrongful confinement” shall have the meanings assigned to them in sections 362, 339 and 340 respectively of the Penal Code (Cap. 119).

### **Abduction, wrongful restraint or wrongful confinement for ransom**

3. Whoever, with intent to hold any person for ransom, abducts or wrongfully restrains or wrongfully confines such person shall be guilty of an offence and shall be punished on conviction with death or imprisonment for life and shall, if he is not sentenced to death, also be liable to caning.

### **Knowingly receiving ransom**

4. Whoever receives, has possession of or disposes of any money or property or any proceeds thereof, which has at any time been delivered as ransom in connection with any offence punishable under section 3 of this Ordinance, knowing that such money or other property has at any time been delivered as such ransom, shall be guilty of an offence and shall be punished on conviction with imprisonment for a term not exceeding ten years and shall also be liable to caning.

### **Knowingly negotiating to obtain or for payment of ransom**

5.—(1) Whoever knowingly negotiates or assists in any negotiation to obtain any ransom for the release of any person who has been wrongfully restrained or wrongfully confined shall be guilty of an offence and shall be punished on conviction with imprisonment for a term not exceeding ten years and shall also be liable to caning.

(2) Whoever knowingly negotiates or assists in any negotiation to pay or pays or provides funds for the payment of any ransom for the release of any person who has been wrongfully restrained or wrongfully confined shall be guilty of an offence and shall be punished on conviction with imprisonment for a term not exceeding seven years and shall also be liable to a fine.

### **Power to freeze bank account**

6.—(1) The Public Prosecutor may, where he is satisfied that it is likely that the money for the payment of ransom for the release of any person may be paid out of any bank account, by order direct any bank in Singapore not to pay any money out of nor to pay cheques drawn on such bank account for a specified period not exceeding one month.

(2) Any officer of a bank who complies with an order of the Public Prosecutor under subsection (1) of this section shall be relieved of any liability to any other person in respect of the payment prohibited by such order.

(3) The manager of any bank which fails to comply with an order of the Public Prosecutor under subsection (1) of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding three thousand dollars or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

### **Public Prosecutor's power to order inspection of books, accounts, receipts, vouchers or other documents**

7.—(1) Notwithstanding anything to the contrary in any other written law contained, the Public Prosecutor may, if he considers that any evidence of the commission of an offence under this Ordinance or of a conspiracy to commit, or an attempt to commit, or an abetment of such offence by a person is likely to be found in any book, account,

receipt, voucher or other document in respect of the payment of money or the delivery of property relating to such person, the spouse or child of such person or to a person reasonably believed by the Public Prosecutor to be a trustee or agent for such person or the spouse or child of such person, by order authorise any police officer of or above the rank of Assistant Superintendent named in such order to inspect any such book, account, receipt, voucher or other document and a police officer so authorised may, at all reasonable times, enter any premises specified in such order and inspect any such book, account, receipt, voucher or other document and may take copies thereof or of any relevant part thereof.

(2) Any person who fails to produce any such book, account, receipt, voucher or other document which is in his possession or control shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

(3) For the purposes of this section —

“bank” means any company carrying on the business of bankers in Singapore incorporated by or under any written law or licensed under any written law and the Post Office Savings Bank;

“book” includes ledgers, day books, cash books, account books and all other books and documents used in the ordinary course of the business of a bank or other person or body of persons, whether corporate or incorporate.

### **Public Prosecutor’s powers to obtain information**

8.—(1) In the course of any investigation or proceedings into or relating to an offence by any person under this Ordinance or of a conspiracy to commit, or an attempt to commit, or an abetment of any such offence, the Public Prosecutor may by order —

- (a) require any such person to furnish a sworn statement in writing enumerating all movable or immovable property belonging to or possessed by such person and by the spouse and children of such person, and specifying the date on which each of the properties enumerated was acquired and whether it was acquired by way of purchase, gift, bequest, inheritance or otherwise;
- (b) require any such person to furnish a sworn statement in writing of any money or other property paid or disposed of by him during such period as may be specified in the order;
- (c) require any other person to furnish a sworn statement in writing enumerating all movable or immovable property belonging to or possessed by such person where the Public Prosecutor has reasonable grounds to believe that such information may be relevant to the investigation or