

**Official Secrets Act
(CHAPTER 213)**

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OFFICIAL SECRETS ACT

(CHAPTER 213)

(Original Enactment: Ordinance 25 of 1935)

REVISED EDITION 2012

(30th November 2012)

An Act to prevent the disclosure of official documents and information.

[5th July 1935]

Short title

1. This Act may be cited as the Official Secrets Act.

Interpretation

2.—(1) In this Act, unless there is something repugnant in the subject or context —
“armed forces” shall be deemed to include all regular and volunteer forces of

- Singapore or of Malaysia or any visiting forces lawfully present in Singapore;
- “document” includes part of a document;
- “drawing” includes any plan, sketch, tracing, painting, print or other pictorial representation;
- “model” includes design, pattern and specimen;
- “munitions of war” includes the whole or any part of any ship, submarine, aircraft, tank or similar engine, arms and ammunition, bomb, torpedo or mine, intended or adapted for use in war, and any other article, material or device, whether actual or proposed, intended for such use;
- “office under the Government” includes any office or employment in or under any department of the Government or any specified organisation and, in the event of war, of the government of any ally of Singapore;
- “officer of police” includes any person upon whom the powers of a police officer not below the rank of sergeant are conferred by the Minister under section 18;
- “photograph” includes a photographic or process negative and any printed or other pictorial representation or drawing produced in whole or in part by photographic means;
- “prohibited place” means —
- (a) any work of defence, arsenal, naval, military or air force establishment, barrack, camp or station, factory, dockyard, mine, minefield, ship or aircraft belonging to or occupied by or on behalf of the armed forces or any telegraph, telephone, wireless or signal station or office so belonging or occupied, and any place belonging to or occupied by or on behalf of the armed forces and used for the purpose of building, repairing, making, proving, testing or storing any munitions of war, or any photographs, drawings, plans, models or documents relating thereto, or for the purpose of getting or storing any metals, oil, mechanical transport spirit or aviation spirit or minerals of use in time of war;
 - (b) any place not belonging to the armed forces where any munitions of war, oil, mechanical transport spirit, aviation spirit, fuel or supplies or any photographs, drawings, models, plans or documents relating thereto, are being made, repaired, gotten or stored under contract with, or with any person on behalf of the armed forces, or otherwise on behalf of the armed forces;
 - (c) any place belonging to or used for the purposes of the armed forces

which is for the time being declared by the Minister, by order published in the *Gazette*, to be a prohibited place for the purposes of this section on the ground that information with respect thereto, or damage thereto, would be useful to a foreign Power or to an enemy;

- (d) any railway, roadway or channel or other means of communication by land or water (including any bridges, tunnels, piers, works or structures being part thereof, or connected or used therewith), or any beach, foreshore or the whole or any part of the territorial waters of Singapore, or any searchlight, lighthouse, buoy or other navigational aid, or any public building, fire station, aerodrome or air station, or any signal telegraph or radio station, or any place used for gas, water, electricity or engineering works or other works for purposes of a public character, or any place where any munitions of war or oil, mechanical transport spirit, aviation spirit, fuel or supplies or any photographs, drawings, models, plans or documents relating thereto are being made, repaired or stored otherwise than on behalf of the armed forces, any of the aforesaid being a place which is for the time being declared by the Minister, by order published in the *Gazette*, to be a prohibited place for the purposes of this section, on the ground that information with respect thereto, or the destruction or obstruction thereof, or interference therewith would be useful to a foreign Power or to an enemy;
- (e) any area (being in the vicinity of any work of defence, arsenal, naval, military or air force establishment or station, factory, dockyard, mine, minefield, camp, ship or aircraft, belonging to or occupied by or on behalf of the armed forces) which is declared by the Minister, by order published in the *Gazette*, to be a prohibited place for the purposes of this section, on the ground that information with respect thereto, or damage thereto, would be useful to a foreign Power or to an enemy; or
- (f) any area specified in any notice under any written law for the time being in force relating to military manoeuvres or any area declared by proclamation of the Minister under such written law to be a manoeuvring ground or a firing ground, which is declared by order of the Minister to be a prohibited place for the purposes of this section;

“specified organisation” means any organisation specified in the Schedule.

[7/97; 27/2001]

(2) Expressions referring to —

- (a) communicating or receiving include any communicating or receiving, whether in whole or in part, and whether the photograph, drawing, plan, model, article, note, document or information itself or the substance, effect or description thereof is communicated or received;
- (b) obtaining or retaining any photograph, drawing, plan, model, article, note or document include the copying or causing to be copied the whole or any part of any photograph, drawing, plan, model, article, note or document; and
- (c) the communication of any photograph, drawing, plan, model, article, note or document include the transfer or transmission of the photograph, drawing, plan, model, article, note or document.

(3) The President may, by notification in the *Gazette*, amend the Schedule.

[27/2001]

Penalties for spying

3.—(1) If any person for any purpose prejudicial to the safety or interests of Singapore —

- (a) approaches, inspects, passes over or is in the neighbourhood of, or enters any prohibited place within the meaning of this Act;
- (b) makes any photograph, drawing, plan, model or note which is calculated to be or might be or is intended to be directly or indirectly useful to a foreign Power or to an enemy; or
- (c) obtains, collects, records, publishes or communicates to any other person any secret official code word, countersign or password, or any photograph, drawing, plan, model, article or note, or other document or information which is calculated to be or might be or is intended to be directly or indirectly useful to a foreign Power or to an enemy,

he shall be guilty of an offence.

(2) Any person who takes or makes any photograph, drawing, map, measurement, sounding or survey of or within a prohibited place, shall, unless he proves that the thing so taken or made is not prejudicial to the safety or interests of Singapore and is not intended to be directly or indirectly useful to a foreign Power or to an enemy, be guilty of an offence:

Provided that it shall not be an offence under this subsection to take or make, outside a prohibited place, a photograph or drawing in which such place or part thereof is included, unless it is proved that the photograph or drawing is intended to be prejudicial