Fisheries (Amendment) Bill

Bill No. 27/2026.

Read the first time on 3 November 2026.

A BILL

i n t i t u l e d

An Act to amend the Fisheries Act 1966 and to make consequential and related amendments to certain other Acts.

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 is the Fisheries (Amendment) Act 2026 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of long title

2. In the Fisheries Act 1966 (called in this Act the principal Act), in the long title, after "the control of the", insert "import, export,".

Amendment of section 2

3. In the principal Act, in section 2 —

(*a*) in the definition of "authorised officer", replace "Director-General" with "Agency";

(*b*) delete the definition of "Director-General";

(*c*) in the definition of "fish", delete "marine sponges,";

(*d*) before the definition of "fishing stakes", insert —

> "" "fishing gear" means a physical device (or part of a physical device) or combination of items that may be placed on or in the water or on the sea-bed with the intended purpose of capturing or harvesting, or controlling for subsequent capture or harvesting, any fish, and includes fishing stakes, nets and lures;";

(*e*) replace the definition of "fishing vessel" with —

> "" "fishing vessel" means any ship or boat or any other description of vessel used for one or both of the following:
>
> (*a*) fishing;
>
> (*b*) the transport of all or any of the following:
>
> (i) fish;
>
> (ii) personnel, or fishing gear or any other materials, required

for fishing or for the aquaculture of fish in the territorial waters of Singapore;";

(*f*) after the definition of "inland waters", insert —

""licensee" means a person who holds a licence issued under section 6;";

(*g*) in the definition of "processed fish", replace the full-stop at the end with a semi-colon; and

(*h*) after the definition of "processed fish", insert —

""regulatory action" means any action in section 8D(1) or (2) that the Agency may take or takes against a licensee.".

Amendment of section 3

4. In the principal Act, in section 3 —

(*a*) in subsection (1), replace "Director-General shall be" with "Agency is";

(*b*) in subsections (2) and (4), replace "Director-General" wherever it appears with "Agency"; and

(*c*) replace subsection (3) with —

"(3) The Agency may delegate all or any of the powers conferred or duties imposed upon it by this Act (except the power of delegation conferred by this subsection and the powers under sections 25(1) and 27), to the Chief Executive (as defined in section 2 of the Singapore Food Agency Act 2019), or an officer of the Agency.

(3A) A delegation of any power or duty by the Agency under subsection (3) may authorise the delegate to subdelegate the power or duty to an authorised officer.".

Amendment of section 5

5. In the principal Act, in section 5(1)(*b*), replace "Director-General" with "Agency".

Replacement of section 6 and deletion of section 7

6. In the principal Act, replace sections 6 and 7 with —

"**Licences**

6.—(1) The Agency may, subject to the provisions of this Act, issue to any person a licence, on any conditions that the Agency may specify —

(*a*) exempting the person from any prohibition or obligation imposed by Part 4; or

(*b*) for any activity or thing required to be licensed under this Act.

(2) Without limiting subsection (1), a licence may include —

(*a*) for a licence for a fishing vessel — any condition concerning responsible management of instruments and appliances on the fishing vessel;

(*b*) for a licence for fishing gear — any condition concerning responsible management of the fishing gear, including the markings required on the fishing gear (whether to denote ownership or otherwise), use, disposal and the records to be maintained for any matter concerning the fishing gear; and

(*c*) for any licence — any condition for the provision to the Agency or any authorised officer of any document, information, particular, record or report, whether pursuant to a request by the Agency or authorised officer, periodically, on the occurrence of any event, or otherwise.

(3) A condition mentioned in subsection (2)(*a*) or (*b*) may adopt or incorporate by reference any standard or code of practice (whether or not by the Agency), as in force at a particular time or as amended from time to time —

(*a*) wholly or partially;

(*b*) with or without any addition, omission or substitution; or

(*c*) specifically or by reference.

(4) The Agency may specify any condition of a licence to be a condition which must continue to be complied with during any period of suspension of the licence imposed under section 8D.".

Amendment of section 8

7. In the principal Act, in section 8(2) and (3), replace "Director-General" with "Agency".

New sections 8A to 8D

8. In the principal Act, after section 8, insert —

"**Validity of licences**

8A.—(1) A licence issued under this Act is valid for the place or purpose specified in the licence (if any).

(2) Subject to subsection (3), a licence issued under this Act remains valid —

(*a*) for the period specified in the licence, unless revoked under section 8D before the expiry of that period; or

(*b*) if no period of validity is specified in the licence, unless revoked under section 8D.

(3) A licence suspended under section 8D is not valid for the period of suspension.

(4) Despite subsection (3), section 8D continues to apply during the period of suspension as if the licence were not suspended (including for any matter in section 8D(1) occurring during that period).

Non-transferability of licences

8B. Licences issued under this Act are not transferable.

Modifying, removing or imposing conditions of licences, etc.

8C.—(1) The Agency may modify or remove any condition of, or impose any new condition on, a licence issued under section 6 without compensating the licensee concerned.

(2) Before modifying any condition of or imposing any new condition on a licence (called in this section the intended change), the Agency must serve on the licensee written notice of the intended change, unless the Agency considers that it is not practicable or desirable in the particular circumstances of the case to do so.

(3) The written notice must specify —

(*a*) the intended change; and

(*b*) the time (being at least 14 days after the date of service of the written notice on the licensee) within which any written representation may be given to the Agency, or any representation by the licensee heard, with respect to the intended change.

(4) The Agency must consider any representation made by the licensee under subsection (3)(*b*), and —

(*a*) may proceed with the intended change;

(*b*) may proceed with the intended change with any amendment (including any new condition) as the Agency thinks fit having regard to the representation; or

(*c*) may not proceed with the intended change,

and must serve on the licensee written notice of the Agency's decision.

(5) If no representation is made to the Agency within the time mentioned in subsection (3)(*b*) or if any representation made under that provision is withdrawn, the Agency —

(*a*) may proceed with the intended change; or

(*b*) may not proceed with the intended change,

and must serve on the licensee written notice of the Agency's decision.

Regulatory action concerning licence

8D.—(1) The Agency may revoke (without compensation) a licence issued under this Act if the Agency is satisfied that —

(*a*) the licensee is contravening or not complying with, or has contravened or failed to comply with —

(i) any condition of the licence or (during a period of suspension of the licence) a condition mentioned in section 6(4); or

(ii) any provision of this Act (including during a period of suspension of the licence);

(*b*) the licensee, or any officer or employee of the licensee, is convicted of a prescribed offence committed during the term of the licence or an immediately prior licence (including during a period of suspension of either licence); or

(*c*) the licence had been obtained by the licensee by fraud or misrepresentation.

(2) However, the Agency may, in lieu of revoking the licence under subsection (1), do (without compensation) one or more of the following:

(*a*) issue a written warning to the licensee;

(*b*) direct the licensee to pay, within a period specified in the direction, a financial penalty of any amount that the Agency thinks fit, but not exceeding $5,000 for each contravention of or non-compliance with any matter in subsection (1)(*a*) or for each other ground of regulatory action;

(*c*) suspend the licence for not more than 6 months.

(3) Subsection (2)(*b*) does not apply where the contravention or non-compliance is an offence under this Act.

(4) Before the Agency takes any regulatory action, the Agency must serve on the licensee written notice of the intended regulatory action, unless —

(*a*) the Agency considers that it is not practicable or desirable in the particular circumstances of the case to do so; or

(*b*) the licensee has been dissolved or wound up or has otherwise ceased to exist.

(5) The written notice must specify —

(*a*) the intended regulatory action;

(*b*) the ground or grounds in subsection (1) on which the Agency intends to rely; and

(*c*) the time (being at least 14 days after the date of service of the written notice on the licensee) within which any written representation may be given to the Agency, or any representation by the licensee heard, with respect to the intended regulatory action.

(6) The Agency must consider any representation made by the licensee under subsection (5)(*c*), and —

(*a*) may proceed with the intended regulatory action (including with any modification as the Agency thinks fit);

(*b*) may not proceed with the intended regulatory action; or

(*c*) may proceed with a different regulatory action,

and must serve on the licensee written notice of the Agency's decision.

(7) If no representation is made to the Agency within the time mentioned in subsection (5)(*c*) or if any representation made under that provision is withdrawn, the Agency —

(*a*) may proceed with the intended regulatory action; or

(*b*) may not proceed with the intended regulatory action,

and must serve on the licensee written notice of the Agency's decision.

(8) The decision of the Agency mentioned in subsection (6)(*a*) or (*c*) or (7)(*a*) (as the case may be) does not take effect until —

(*a*) the expiry of the period allowed under section 24A for the licensee to appeal to the Minister against the decision; and

(*b*) if an appeal is made in the period allowed under section 24A for the licensee to appeal —

(i) the determination or rejection of the appeal by the Minister or his or her designate under section 24A; or

(ii) (if the appeal is withdrawn) the withdrawal of the appeal.

(9) If the written notice under subsection (4) is served on the licensee and the licence expires before the Agency can take any regulatory action under this section, the Agency —

(*a*) may (despite the expiry of the licence) continue to exercise its powers under this section to take such regulatory action as may be appropriate against the former licensee; or

(*b*) may not continue with any further action under this section.

(10) For the purposes of subsection (9)(*a*), a reference in this section to a licensee includes a reference to a former licensee.

(11) The suspension of a licence pursuant to any regulatory action under this section does not prevent —

(*a*) the continuing, during the period of suspension, of any other regulatory action commenced in respect of the licence before the period of suspension; or

(*b*) the commencing, during the period of suspension, of any other regulatory action in respect of the licence.".

New Part 3A

9. In the principal Act, after Part 3, insert —

"PART 3A

AUTHORISATIONS

Purpose of this Part

8E.—(1) The purpose of this Part is to implement catch and trade documentation schemes arising from —

(*a*) Singapore's participation in, or cooperation with, an intergovernmental organisation or arrangement; or

(*b*) any international treaty or convention to which Singapore is a party.

(2) Every person exercising a power or discretion conferred under this Part must have regard to the requirements of the applicable intergovernmental organisation or arrangement, or international treaty or convention, as the case may be.

Application of this Part

8F. The Minister may by order in the *Gazette* prescribe any species or class of fish (or part of a fish) as a fish to which this Part applies (called in this Part a Part 3A fish).

Authorisation to import or export Part 3A fish

8G.—(1) A person must not import or export any consignment of any Part 3A fish except with the prior authorisation of the Agency for the import or export (as the case may be) thereof.

(2) The Minister may by order in the *Gazette* prescribe what constitutes or does not constitute import or export for the purposes of this Part.

(3) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction —

(*a*) to a fine not exceeding $30,000 or to imprisonment for a term not exceeding 6 months or to both; and

(*b*) where the person is a repeat offender — to a fine not exceeding $60,000 or to imprisonment for a term not exceeding 12 months or to both.

(4) For the purposes of subsection (3), a person is a repeat offender if —

(*a*) the person is convicted or found guilty of an offence in relation to the import or export of a consignment of any Part 3A fish (called in this subsection the relevant conviction); and

(*b*) on an earlier occasion within the period of 5 years immediately before the date of the relevant conviction, the person was convicted or found guilty of an offence under subsection (3) in relation to —

(i) if the relevant conviction was in relation to an import of a consignment of any Part 3A fish — the import of another consignment of Part 3A fish, whether such import occurred before, on or after the day of the firstmentioned import; or

(ii) if the relevant conviction was in relation to an export of a consignment of any Part 3A fish — the export of another consignment of Part 3A fish, whether such export occurred before, on or after the day of the firstmentioned export.

Cancellation of authorisation

8H.—(1) Where —

(*a*) the Agency grants to any person an authorisation under section 8G(1); and

(*b*) the Agency subsequently reasonably suspects that any information or document given to the Agency for the authorisation is false or misleading (including by reason of an omission of a particular),

the Agency may cancel the authorisation.

(2) Before cancelling an authorisation, the Agency must serve on the person granted the authorisation (called in this section a grantee) written notice of the intended cancellation, unless the Agency considers that it is not practicable or desirable in the particular circumstances of the case to do so.

(3) The written notice must specify —

(*a*) the intended cancellation; and

(*b*) the time (being at least 14 days after the date of service of the written notice on the grantee) within which any written representation may be given to the Agency, or any representation by the grantee heard, with respect to the intended cancellation.

(4) The Agency must consider any representation made by the grantee under subsection (3)(*b*), and —

(*a*) may proceed with the intended cancellation; or

(*b*) may not proceed with the intended cancellation,

and must serve on the grantee written notice of the Agency's decision.

(5) If no representation is made to the Agency within the time mentioned in subsection (3)(*b*) or if any representation made under that provision is withdrawn, the Agency —

(*a*) may proceed with the intended cancellation; or

(*b*) may not proceed with the intended cancellation,

and must serve on the grantee written notice of the Agency's decision.

(6) To avoid doubt —

(*a*) the grantee may make another application for the same type of authorisation that was cancelled, and any grant of an authorisation pursuant to such application does not prevent the application of section 22D in relation to the information or document given for the authorisation that was cancelled; and

(*b*) this section also applies to an authorisation granted pursuant to paragraph (*a*).

Holding orders

8I.—(1) This section applies where the Agency or an authorised officer reasonably suspects that —

(*a*) a person has imported any consignment of any Part 3A fish or is attempting to export any consignment of any Part 3A fish in contravention of section 8G(1); or

(*b*) any information or document given for an authorisation granted under section 8G is false or misleading (including by reason of an omission of a particular).

(2) The Agency or authorised officer may issue a holding order to the person mentioned in subsection (1)(*a*) or the person granted the authorisation (as the case may be) (each called *X*) —

(*a*) requiring any Part 3A fish to which the contravention or authorisation (as the case may be) relates and which is in *X*'s possession or under *X*'s control in Singapore, to be held in a place approved in writing by the Agency or an authorised officer (called in this section approved holding place); and

(*b*) prohibiting any dealings with such Part 3A fish.

(3) The Agency or an authorised officer must, following the issue of a holding order under subsection (2), take steps to verify whether section 8G(1) has been contravened, or ascertain the

veracity of the information or document in question, as the case may be.

(4) Without affecting section 22D, the Agency or an authorised officer must lift the holding order for any Part 3A fish if —

(*a*) in the case of a holding order issued in connection with an import of the Part 3A fish —

(i) the Agency or authorised officer is satisfied that authorisation was granted for the import; or

(ii) *X* provides the Agency with the information and documents required for the grant of an authorisation of the import;

(*b*) in the case of a holding order issued in connection with an attempted export of the Part 3A fish —

(i) the Agency or an authorised officer is satisfied that authorisation was granted for the export; or

(ii) *X* applies for and is granted authorisation for the export;

(*c*) in the case of a holding order issued in connection with any false or misleading information or document — the Agency or an authorised officer is satisfied that —

(i) the information or document is not false or misleading in a material particular; or

(ii) the information or document is false or misleading in a material particular, and *X* provides the correct information or document; and

(*d*) in any case — the Authority gives *X* permission to deal with the Part 3A fish under subsection (8).

(5) To avoid doubt, nothing in this section prevents an authorised officer or a police officer from seizing at any time under section 23 any Part 3A fish that is the subject of the

holding order, and the holding order ceases to have effect upon the seizure.

(6) Where a holding order is issued in relation to any Part 3A fish, any authorisation granted for the export of any of the Part 3A fish is cancelled, to the extent that any such Part 3A fish has not already been exported.

(7) To avoid doubt —

(*a*) section 8H does not apply to the cancellation of an authorisation under subsection (6);

(*b*) if the holding order is lifted, *X* whose authorisation was cancelled under subsection (6) may make another application for an authorisation for the export of the Part 3A fish in question;

(*c*) any grant of an authorisation pursuant to paragraph (*b*) does not prevent the application of section 22D in relation to the information or document given for the authorisation that was cancelled;

(*d*) section 8H and this section apply in relation to an authorisation granted pursuant to paragraph (*b*); and

(*e*) the lifting of a holding order does not prevent the application of section 8G(3) in relation to a contravention of section 8G(1).

(8) The Agency may, at the request of *X*, permit *X* to deal with any Part 3A fish that is the subject of the holding order if —

(*a*) the Part 3A fish is perishable or may rapidly depreciate in value;

(*b*) the Part 3A fish is decayed or putrefied; or

(*c*) it is desirable to dispose of the Part 3A fish without delay for any other reason.

(9) Without affecting the requirements under any other written law, the permission the Agency may give is any of the following:

(*a*) if the Part 3A fish is still alive — to treat (as may be necessary and if not incurably diseased or injured), and then dispose of, the Part 3A fish in any manner and within the time that the Agency thinks fit;

(*b*) to destroy or otherwise dispose of the Part 3A fish (including, where the disposal is by way of sale, after any processing of the Part 3A fish) in any manner and within the time that the Agency thinks fit.

(10) *X* is responsible for —

(*a*) any costs associated with the holding of the Part 3A fish at the approved holding place, including any costs of removing the Part 3A fish to the approved holding place and (if the holding order is lifted) of removing the Part 3A fish from the approved holding place; and

(*b*) any costs associated with any removal from the approved holding place for and the treatment and disposal of the Part 3A fish, pursuant to subsection (9).".

New Part 3B

10. In the principal Act, before Part 4, insert —

"PART 3B

ILLEGAL, UNREPORTED AND UNREGULATED FISHING

Division 1 — General

Purpose of this Part

8J.—(1) The purpose of this Part is to implement various measures under the United Nations Food and Agriculture Organization Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported, and Unregulated Fishing (called in this Part the Port State Measures Agreement or PSMA).

(2) Every person exercising a power or discretion conferred under this Part must have regard to the Port State Measures Agreement.

Interpretation of this Part

8K. In this Part —

"designated port" means the part of the port which the Minister by order in the *Gazette* prescribes as the designated port;

"fish" means all species of living marine resources, whether processed or not;

"MPA Act" means the Maritime and Port Authority of Singapore Act 1996;

"port" and "Port Master" have the meanings given by section 2 of the MPA Act;

"regional economic integration organization" means a regional economic integration organization to which its member States have transferred competence over matters covered by the PSMA, including the authority to make decisions binding on its member States in respect of those matters;

"regional fisheries management organization" or "RFMO" means an intergovernmental fisheries organisation or arrangement that has the competence to establish fishery conservation and management measures to conserve one or more species of living marine resources that are adopted and applied consistent with the relevant rules of international law, for a specific area of the ocean (called in this Part the area of competence of the RFMO);

"Singapore vessel" means a vessel that —

(*a*) is registered, provisionally or otherwise, under the Merchant Shipping Act 1995 and whose registry is not closed or deemed to be closed or suspended under that Act; or

(*b*) is licensed under any rules made under this Act;

"State" means any country or territory, and includes Singapore.

Meanings of "IUU fishing activity" and "infringing vessel", and determination of infringing vessels

8L.—(1) In this Part, "illegal, unreported or unregulated fishing activity" or "IUU fishing activity" means any of the following activities:

(*a*) any fishing activity that is illegal, unreported or unregulated;

(*b*) any fishing related activity in support of any fishing activity in paragraph (*a*).

(2) For the purpose of subsection (1)(*a*), a fishing activity is illegal if it is conducted —

(*a*) in waters under the jurisdiction of a State —

(i) without the permission of the State; or

(ii) otherwise in contravention of —

(A) the laws of the State (other than Singapore); or

(B) in the case of Singapore, the prescribed laws;

(*b*) in the area of competence of an RFMO by a vessel flying the flag of a State that is a party to the RFMO — in contravention of the fishery conservation and management measures adopted by the RFMO by which the flag State is bound; or

(*c*) in any other prescribed circumstances.

(3) For the purpose of subsection (1)(*a*), a fishing activity is unreported if —

(*a*) it is not reported or is misreported to the relevant authority of any State, in contravention of the laws of the State; or

(*b*) (without affecting paragraph (*a*)) for any fishing activity in waters within the area of competence of an RFMO — it is not reported or is misreported in contravention of the reporting procedures of the RFMO.

(4) For the purposes of subsection (1)(*a*), unless otherwise prescribed, a fishing activity is unregulated if —

(*a*) it is conducted in an area of competence of an RFMO by a vessel that is —

(i) without nationality; or

(ii) flying the flag of a State that is not a party to the RFMO,

and in a manner that is inconsistent with or that contravenes the fishery conservation and management measures of that RFMO; or

(*b*) it is conducted —

(i) in an area of the ocean or for fish stocks in relation to which no fishery conservation and management measures have been established by any RFMO; and

(ii) in a manner that is inconsistent with any State responsibilities for the conservation of living marine resources under international law.

(5) For the purpose of subsection (1)(*b*), a fishing related activity is any activity in support of or in preparation for fishing, including —

(*a*) landing, packaging, processing, transhipping or transporting of fish not previously landed at a port; and

(*b*) provisioning of personnel, fuel, gear or other supplies at sea.

(6) In this Part, "infringing vessel" means any vessel that has been used for any IUU fishing activity.

(7) For the purposes of this Part, the Agency may determine a vessel to be an infringing vessel if the Agency has reason to believe that the vessel has been used for any IUU fishing activity based on one or more of the following:

(*a*) the inclusion of the vessel on a list of vessels that are infringing vessels adopted by an RFMO;

(*b*) information from a credible source (whether obtained by the Agency or provided to the Agency) —

(i) that the vessel has been used for any IUU fishing activity;

(ii) that the vessel has not cooperated with any State or RFMO in connection with any matter or requirement imposed pursuant to the PSMA;

(iii) as to the number of inspections of the vessel carried out by one or more States pursuant to the PSMA, and the results of the inspections;

(iv) as to the validity of the registration of the vessel; or

(v) as to the position of the vessel at any point in time (whether based on any vessel monitoring and surveillance system, satellite imagery, vessel log or otherwise) and whether there is a legitimate reason for such position, or whether there is a legitimate reason for any inability to identify the position of the vessel at any point in time.

Division 2 — Prohibitions and obligations relating to vessels

Vessels to report arrival

8M.—(1) Without affecting any requirements under the MPA Act or the Immigration Act 1959 in relation to the arrival of a vessel and its passengers and crew in Singapore, the owner,

agent or master of any vessel (other than a container vessel) arriving at the designated port must —

(*a*) report or cause to be reported to the Agency by such means as the Agency may direct, the arrival of the vessel; and

(*b*) provide to the Agency within such time before the arrival and by such means as the Agency may specify —

(i) a general declaration of arrival in such form as the Agency may determine;

(ii) the clearance from the last port;

(iii) a list of passengers on board;

(iv) a list of crew;

(v) a copy of the manifest of goods on board the vessel; and

(vi) any other information and documents that may be required by the Agency.

(2) The owner, agent or master of any vessel who fails to comply with subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $10,000.

(3) The owner, agent or master of any vessel who, in complying with subsection (1), provides the Agency with any information that is false or misleading shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $5,000.

Vessels determined to be infringing vessels prohibited from entering or remaining in port

8N.—(1) Any vessel (not being a Singapore vessel) which the Agency determines to be an infringing vessel is prohibited from entering or remaining in the port.

(2) Nothing in subsection (1) prohibits the entry into or the remaining in the port of the vessel if —

(*a*) subject to sections 48(1) and 49(1) of the MPA Act, the Port Master is satisfied that the entry into or the remaining in the port is necessary for reasons of force majeure, because the vessel is in danger or distress, or to enable the vessel to receive assistance essential to the safety of the vessel;

(*b*) subject to sections 48(1) and 49(1) of the MPA Act, the Port Master is satisfied that the entry into or the remaining in the port is necessary for the purpose of any person on board the vessel who is in danger or distress, receiving assistance in connection with the danger or distress; or

(*c*) the Agency or the Port Master (as may be prescribed) is satisfied that the vessel is a prescribed vessel, or is to enter or remain in the port for a prescribed purpose.

(3) The Agency must notify the Port Master of any vessel to which subsection (1) applies that is seeking to enter, or has entered, the port and upon being so notified, unless subsection (2) applies, the Port Master must exercise his or her powers under section 48(2) or 49(2A) (as the case may be) of the MPA Act in relation to the vessel.

(4) Without affecting subsection (3), where any vessel to which subsection (1) applies is seeking to enter or has entered the port, the Agency or an authorised officer may by written order require the agent of the vessel to —

(*a*) notify the master of the vessel that the vessel, as the case may be —

(i) must not enter the port; or

(ii) must leave the port within the time specified in the order (which may be extended in any particular case);

(*b*) where the vessel has entered the port and any crew has disembarked from the vessel, recall such crew to the vessel; and

(*c*) comply with any prohibition or direction of the Port Master given pursuant to subsection (3).

(5) An agent of a vessel who fails to comply with a written order under subsection (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $5,000.

Vessels determined to be infringing vessels, etc., prohibited from using port

8O.—(1) This section applies to any vessel in the port —

(*a*) which the Agency determines —

(i) is an infringing vessel;

(ii) does not have a valid and applicable authorisation to be used for the fishing or fishing related activity concerned required by its flag State;

(iii) does not have a valid and applicable authorisation to be used for the fishing or fishing related activity concerned required by a coastal State in respect of areas under the national jurisdiction of that State;

(iv) is carrying any fish on board that was taken in contravention of applicable requirements of a coastal State in respect of areas under the national jurisdiction of that State; or

(v) is carrying any fish on board that its flag State does not confirm within a reasonable period of time, on the request of the Agency, to have been taken in accordance with any applicable requirements of an RFMO; or

(*b*) which is a prescribed vessel.

(2) The use of the port by the vessel, including for any of the following purposes, is prohibited:

(*a*) landing, transhipping, storage, handling, packaging and processing of any fish not previously landed;

(*b*) refuelling;

(*c*) resupplying;

(*d*) maintenance and drydocking.

(3) Nothing in subsection (2) prohibits any use of the port by the vessel —

(*a*) which the Port Master is satisfied is essential to the safety or health of any person on board the vessel, or the safety of the vessel; or

(*b*) to the extent prescribed, if the vessel is a vessel which the Agency or the Port Master (as may be prescribed) is satisfied is a prescribed vessel, or is in the port for a prescribed purpose.

(4) Except to the extent that subsection (3) applies, the Agency or an authorised officer may by written order require an agent of the vessel —

(*a*) to notify the master of the vessel that —

(i) the vessel is not entitled to any use of the port; and

(ii) any use of the port by the vessel which has commenced must cease; and

(*b*) if the agent is providing or making arrangements for the provision of goods or services to the vessel or any person on board the vessel, to —

(i) not provide or otherwise cease the provision of the goods or services, or cease the making of such arrangements, as the case may be; and

(ii) notify any marine services provider which the agent has arranged with to provide goods or services to the vessel or any person on board the vessel, to not provide or otherwise cease the provision of the goods or services.

(5) An agent of a vessel who fails to comply with a written order under subsection (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $5,000.

Singapore vessels

8P.—(1) Where the owner of a Singapore vessel uses the vessel, or causes or permits the vessel to be used, or is reckless as to whether the vessel is used, for any IUU fishing activity, the owner shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $50,000 or to imprisonment for a term not exceeding 2 years or to both.

(2) Without affecting subsection (1), where the master of a Singapore vessel uses the vessel, or causes or permits the vessel to be used, or is reckless as to whether the vessel is used, for any IUU fishing activity, the master shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $50,000 or to imprisonment for a term not exceeding 2 years or to both.

(3) Subsections (1) and (2) apply —

(*a*) whether or not the IUU fishing activity took place within or outside of the territorial waters of Singapore; and

(*b*) whether or not the vessel was, at the time of such use, under a bareboat or any other form of charter by the owner to any other person.

Division 3 — Inspections of vessels, and dealing with crew, cargo of vessel, etc.

Inspections of vessels, etc.

8Q.—(1) Where any power under section 22C(1)(*a*) or (*c*) in relation to any person on board a vessel, or under section 23 to enter and search the vessel, is to be exercised in order to determine whether the vessel is a vessel described in section 8O(1), the Agency or an authorised officer may —

(*a*) if the vessel is in the port and it would be more appropriate or convenient for the power to be

exercised at a location other than where the vessel is anchored or berthed — request the Port Master to exercise his or her power under section 43 of the MPA Act to direct the vessel to be removed to that other location; and

(*b*) if the vessel is not in the port and the vessel is a Singapore vessel — by written order require the owner of the vessel to order the vessel to return to Singapore and attend at a location in the port specified in the written order within the period specified in the written order.

(2) The owner of the vessel must comply with a written order under subsection (1)(*b*) even if, at the time the written order is given, the vessel is under a bareboat or any other form of charter by the owner to any other person.

(3) In addition, the Agency or an authorised officer may by written order require the agent of the vessel to inform all persons on board the vessel that, from the time the agent so notifies the persons on board the vessel and until completion of the exercise of those powers —

(*a*) all such persons must not, except with the permission of the Agency or an authorised officer, disembark from the vessel, but must remain on board and render such assistance to the Agency or authorised officer as the Agency or authorised officer may require; and

(*b*) any cargo on board the vessel at the time of the notification must not be landed or otherwise removed from the vessel, and any landing or removal of the cargo which has commenced must cease.

(4) Where —

(*a*) any power is to be exercised under section 22C(1)(*a*) or (*c*) in relation to any crew of the vessel; and

(*b*) that crew has disembarked from the vessel,

the Agency or an authorised officer may by written order require the agent of the vessel to recall the crew to the vessel, and subsection (3)(*a*) applies to the crew upon the return of the crew to the vessel.

(5) Any owner of a vessel who fails to comply with a written order under subsection (1)(*b*) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $5,000.

(6) Any agent of a vessel who fails to comply with a written order under subsection (3) or (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $5,000.

Division 4 — Miscellaneous

Disclosure of information

8R.—(1) Where a vessel has been denied entry into the port or use of the port, the Agency —

(*a*) must inform the flag State of the vessel concerned of such denial; and

(*b*) may inform any of the following of the denial:

(i) any relevant coastal State;

(ii) any relevant RFMO;

(iii) any other prescribed person.

(2) Where the Agency undertakes any inspection under section 8Q, the Agency —

(*a*) must provide the results of its inspection to the master and the flag State of the vessel concerned; and

(*b*) may provide the results of its inspection to any of the following:

(i) any State or regional economic integration organization where there is evidence that the vessel was used for IUU fishing activities within the waters under the jurisdiction of the

State or regional economic integration organization;

(ii) any RFMO where there is evidence that the vessel was used for IUU fishing activities within the waters under the area of competence of the RFMO;

(iii) the State of which the vessel's master is a national;

(iv) the Food and Agriculture Organization of the United Nations;

(v) any other prescribed person.".

Amendment of section 9

11. In the principal Act, in section 9 —

(*a*) in the section heading, replace "**fishing implements**" with "**fishing gear**"; and

(*b*) replace "fishing stakes, nets, lures or fishing implements" with "any fishing gear".

Amendment of section 13

12. In the principal Act, in section 13, delete subsection (2).

Amendment of section 14

13. In the principal Act, in section 14 —

(*a*) renumber the section as subsection (1) of that section;

(*b*) in subsection (1), replace "fishing stake, net" with "fishing gear";

(*c*) in subsection (1), replace "Director-General" wherever it appears with "Agency"; and

(*d*) after subsection (1), insert —

"(2) This section does not apply in relation to any fish that is the subject of an offence under Part 3A, or

any fish found on board a Singapore vessel that is the subject of an offence under Part 3B.".

Amendment of section 15

14. In the principal Act, in section 15, after subsection (3), insert —

"(4) This section does not apply in relation to any fish in respect of which an offence under Part 3A is reasonably suspected to have been committed, or which is found on board a Singapore vessel in respect of which an offence under Part 3B is reasonably suspected to have been committed.".

Amendment of section 16

15. In the principal Act, in section 16 —

(*a*) in subsection (1), replace "fishing stake, net" with "fishing gear";

(*b*) in subsection (2), replace "A Magistrate" with "Without affecting subsection (1), a Magistrate"; and

(*c*) in subsection (2), replace "fishing stakes" wherever it appears with "fishing gear".

Replacement of section 18

16. In the principal Act, replace section 18 with —

"**Composition of offences**

18.—(1) An authorised officer specially authorised by the Agency for the purposes of this section may compound any offence under a provision of this Act (including one that has been repealed, where the offence was compoundable at the time it was committed) that is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding the lower of the following:

(*a*) one half of the amount of the maximum fine that is prescribed for the offence;

(*b*) $5,000.

(2) On payment of the sum of money, no further proceedings are to be taken against that person in respect of the offence.".

Replacement of section 20 and new section 20A

17. In the principal Act, replace section 20 with —

"**Offences by corporations**

20.—(1) Where, in a proceeding for an offence under this Act, it is necessary to prove the state of mind of a corporation in relation to a particular conduct, evidence that —

(*a*) an officer, employee or agent of the corporation engaged in that conduct within the scope of his or her actual or apparent authority; and

(*b*) the officer, employee or agent had that state of mind,

is evidence that the corporation had that state of mind.

(2) Where a corporation commits an offence under this Act, a person —

(*a*) who is —

(i) an officer of the corporation; or

(ii) an individual involved in the management of the corporation and in a position to influence the conduct of the corporation in relation to the commission of the offence; and

(*b*) who —

(i) consented or connived, or conspired with others, to effect the commission of the offence;

(ii) is in any other way, whether by act or omission, knowingly concerned in, or is party to, the commission of the offence by the corporation; or

(iii) knew, or ought reasonably to have known, that the offence by the corporation (or an offence of the same type) would be or is being committed, and failed to take all reasonable steps to prevent or stop the commission of that offence,

shall be guilty of the same offence as is the corporation, and shall be liable on conviction to be punished accordingly.

(3) A person mentioned in subsection (2) may rely on a defence that would be available to the corporation if it were charged with the offence with which the person is charged and, in doing so, the person bears the same burden of proof that the corporation would bear.

(4) To avoid doubt, this section does not affect the application of —

(*a*) Chapters 5 and 5A of the Penal Code 1871; or

(*b*) the Evidence Act 1893 or any other law or practice regarding the admissibility of evidence.

(5) To avoid doubt, subsection (2) also does not affect the liability of the corporation for an offence under this Act and applies whether or not the corporation is convicted of the offence.

(6) In this section —

"corporation" includes a limited liability partnership within the meaning given by section 2(1) of the Limited Liability Partnerships Act 2005;

"officer", in relation to a corporation, means any director, partner, chief executive, manager, secretary or other similar officer of the corporation, and includes —

(*a*) any person purporting to act in any such capacity; and

(*b*) for a corporation whose affairs are managed by its members, any of those members as if the member were a director of the corporation;

"reasonable steps", in relation to the commission of an offence, includes, but is not limited to, any action (if any) of the following kinds as is reasonable in all the circumstances:

(*a*) action towards —

(i) assessing the corporation's compliance with the provision creating the offence; and

(ii) ensuring that the corporation arranged regular professional assessments of its compliance with the provision;

(*b*) action towards ensuring that the corporation's employees, agents and contractors are provided with information, training, instruction and supervision appropriate to them to enable them to comply with the provision creating the offence so far as the provision is relevant to them;

(*c*) action towards ensuring that —

(i) the equipment and other resources; and

(ii) the structures, work systems and other processes,

relevant to compliance with the provision creating the offence are appropriate in all the circumstances;

(*d*) action towards creating and maintaining a corporate culture that does not direct, encourage, tolerate or lead to non-compliance with the provision creating the offence;

"state of mind" of a person includes —

(*a*) the knowledge, intention, opinion, belief or purpose of the person; and

(*b*) the person's reasons for the intention, opinion, belief or purpose.

(7) The Minister may make rules in the *Gazette* to provide for the application of any provision of this section, with any modifications that the Minister considers appropriate, to any corporation formed or recognised under the law of a country or territory outside Singapore.

Offences by unincorporated associations or partnerships

20A.—(1) Where, in a proceeding for an offence under this Act, it is necessary to prove the state of mind of an unincorporated association or a partnership in relation to a particular conduct, evidence that —

(*a*) an employee or agent of the unincorporated association or partnership engaged in that conduct within the scope of his or her actual or apparent authority; and

(*b*) the employee or agent had that state of mind,

is evidence that the unincorporated association or partnership (as the case may be) had that state of mind.

(2) Where an unincorporated association or a partnership commits an offence under this Act, a person —

(*a*) who is —

(i) an officer of the unincorporated association or a member of its governing body;

(ii) a partner in the partnership; or

(iii) an individual involved in the management of the unincorporated association or partnership and in a position to influence the conduct of the unincorporated association or partnership (as the case may be) in relation to the commission of the offence; and

(*b*) who —

(i) consented or connived, or conspired with others, to effect the commission of the offence;

(ii) is in any other way, whether by act or omission, knowingly concerned in, or is party to, the commission of the offence by the unincorporated association or partnership; or

(iii) knew, or ought reasonably to have known, that the offence by the unincorporated association or partnership (or an offence of the same type) would be or is being committed, and failed to take all reasonable steps to prevent or stop the commission of that offence,

shall be guilty of the same offence as is the unincorporated association or partnership (as the case may be) and shall be liable on conviction to be punished accordingly.

(3) A person mentioned in subsection (2) may rely on a defence that would be available to the unincorporated association or partnership if it were charged with the offence with which the person is charged and, in doing so, the person bears the same burden of proof that the unincorporated association or partnership would bear.

(4) To avoid doubt, this section does not affect the application of —

(*a*) Chapters 5 and 5A of the Penal Code 1871; or

(*b*) the Evidence Act 1893 or any other law or practice regarding the admissibility of evidence.

(5) To avoid doubt, subsection (2) also does not affect the liability of an unincorporated association or a partnership for an offence under this Act and applies whether or not the unincorporated association or partnership is convicted of the offence.

(6) In this section —

"officer", in relation to an unincorporated association (other than a partnership), means the president, the secretary, or any member of the committee of the unincorporated association, and includes —

(*a*) any person holding a position analogous to that of president, secretary or member of a committee of the unincorporated association; and

(*b*) any person purporting to act in any such capacity;

"partner" includes a person purporting to act as a partner;

"reasonable steps" has the meaning given by section 20(6);

"state of mind" of a person includes —

(*a*) the knowledge, intention, opinion, belief or purpose of the person; and

(*b*) the person's reasons for the intention, opinion, belief or purpose.

(7) The Minister may make rules in the *Gazette* to provide for the application of any provision of this section, with any modifications that the Minister considers appropriate, to any unincorporated association or partnership formed or recognised under the law of a country or territory outside Singapore.".

New sections 22A to 22D

18. In the principal Act, in Part 5, before section 23, insert —

"**Power to demand names and addresses**

22A.—(1) Any authorised officer or police officer who reasonably believes that any person has committed an offence under this Act may require that person to provide evidence of his or her identity, and the person must then provide any evidence of his or her identity that the authorised officer or police officer (as the case may be) may require.

(2) Any authorised officer or police officer may require any owner or occupier of any premises to provide the owner's or occupier's name and address and any other proof of identity or particulars that the authorised officer or police officer may require for the purposes of this Act.

(3) Any person who, upon being required by any authorised officer or police officer to provide any evidence or particulars under subsection (1) or (2), refuses to do so or wilfully mis-states the person's name and address or gives false evidence or particulars shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $20,000 or to imprisonment for a term not exceeding 6 months or to both.

Power to obtain information or documents

22B.—(1) An authorised officer or police officer may by written notice require any person to provide for inspection, within a reasonable period specified in the notice, and in the form and manner that may be specified in the notice, all information and documents which —

(*a*) relate to any matter necessary for the purpose of administering, enforcing or monitoring compliance with this Act; and

(*b*) are —

(i) within the knowledge of the person; or

(ii) in the custody or under the control of the person.

(2) The power to require a person to provide any information or document for inspection under subsection (1) includes the power —

(*a*) to require the person to provide an explanation of the information or document;

(*b*) if the information or document is not provided, to require the person to state, to the best of the knowledge and belief of the person, where it is;

(*c*) if the information is recorded otherwise than in legible form, to require the information to be made available to the authorised officer or police officer in legible form; and

(*d*) if the information or document is kept in electronic form —

(i) to access any computer or other equipment (including a mobile communication device) in which the information or document is contained or to which the information or document is available; and

(ii) to require any person having charge of, or otherwise concerned with the operation of, the computer or equipment to provide assistance in gaining access to the information or document contained in or available to the computer or equipment, including assistance through the provision of any username, password, access code or other authentication information required to gain access to it.

(3) For the purposes of subsection (1), the power to inspect any information or document includes the power to take possession of any thing containing the information (but not a mobile phone or wearable device (such as a smart watch) designed or capable of being used for any communicative function) or the document if, in the opinion of the authorised officer or police officer concerned —

(*a*) the inspection or copying of or the taking of any extract from the thing or document cannot reasonably be performed without taking possession;

(*b*) the thing or document may be interfered with or destroyed unless possession is taken; or

(*c*) the thing or document may be evidential material or may be required as evidence in making any determination whether a vessel is a vessel described

in section 8O(1) or in any regulatory action or criminal action instituted or commenced under this Act.

(4) For the purposes of subsection (1), if any information or document is in an electronic form contained in or available to a computer or other equipment in any premises, inspection of the information or document includes the power to take extracts from, or make copies of, such information or document, including the power —

(*a*) to use or operate the computer or other equipment in the premises to make one or more copies of the information or document; and

(*b*) to transfer the information or document to a disk, tape or other storage device that —

(i) is brought to the premises for the exercise of the power; or

(ii) is in the premises and the use of which for that purpose has been agreed in writing by the occupier of the premises,

and to remove the disk, tape or other storage device from those premises.

(5) The Agency is entitled without payment to keep any information or document, or any copy or extract thereof, provided to the Agency or an authorised officer under this section.

(6) Any person who fails to comply with a written notice under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $20,000 or to imprisonment for a term not exceeding 6 months or to both.

Power to examine, secure attendance, etc.

22C.—(1) For the purpose of investigating any offence under this Act, or for the Agency to make a determination whether a vessel is a vessel described in section 8O(1), an authorised officer or a police officer may do all or any of the following:

(*a*) examine orally any person who appears to be acquainted with any of the facts or circumstances of the case —

(i) whether before or after that person or anyone else is charged with an offence in connection with the case; and

(ii) whether or not the person is to be called as a witness in any inquiry, trial or other proceeding in connection with the case;

(*b*) issue a written notice requiring any person within the limits of Singapore, who appears to be acquainted with any of the facts or circumstances of the case, to attend before the authorised officer or police officer;

(*c*) require any person, whom the authorised officer or police officer has reason to believe has any document or article in his or her possession or custody, or under his or her control that is relevant to the investigation, to produce that document or article.

(2) Any person examined under this section is bound to state truly what he or she knows of the facts and circumstances of the case, except that he or she need not say anything that might expose him or her to a criminal charge, penalty or forfeiture.

(3) A statement made by any person examined under this section must —

(*a*) be reduced to writing;

(*b*) be read over to him or her;

(*c*) if he or she does not understand English, be interpreted in a language that he or she understands; and

(*d*) after correction (if necessary), be signed by him or her.

(4) If any person fails, without reasonable excuse, to comply with a written notice issued to him or her by an authorised officer or a police officer under subsection (1)(*b*), the authorised

officer or police officer may report the failure to a Magistrate who may then, in his or her discretion, issue a warrant ordering the person to comply with the written notice.

(5) An authorised officer or a police officer may take possession or make copies of any document or article produced to him or her under subsection (1)(*c*) for further investigation.

(6) Any person who fails, without reasonable excuse, to comply with any requirement made of him or her under subsection (1)(*c*) by an authorised officer or a police officer shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $20,000 or to imprisonment for a term not exceeding 6 months or to both.

Making of false statements, etc.

22D.—(1) Where —

(*a*) a person is required to give any information or document under this Act (including for the purposes of any application under or for the purposes of any provision of this Act);

(*b*) the person gives any information or document that is false or misleading in a material particular (including by reason of an omission of a material particular); and

(*c*) the person knows or ought reasonably to know the information or document to be false or misleading in a material particular,

the person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $20,000 or to imprisonment for a term not exceeding 6 months or to both.

(2) This section does not apply to the giving of any information or document pursuant to a condition of a licence mentioned in section 6(2)(*c*).

(3) In this section, "give", in relation to any information, includes making a statement orally, in writing or in any other way.".

Amendment of section 23

19. In the principal Act, in section 23 —

(*a*) in subsection (1), replace paragraphs (*a*) and (*b*) with —

"(*a*) stop and detain any vessel or vehicle that the authorised officer or police officer reasonably suspects —

(i) has been or is being used for any fishing contrary to the provisions of this Act, or for any IUU fishing activity as defined in section 8L;

(ii) has been or is being used for carrying —

(A) any fish or fishing gear contrary to the provisions of this Act;

(B) any fish imported or intended to be exported without authorisation required under Part 3A, or under an authorisation obtained using any false or misleading information or document (including by reason of an omission of a particular); or

(C) any fish caught through any IUU fishing activity as defined in section 8L; or

(iii) (in the case of a vessel) is a vessel described in section 8O(1);

(*aa*) seize any vessel or vehicle mentioned in paragraph (*a*) that the authorised officer or police officer reasonably suspects was used or intended to be used to commit an offence under this Act, or is or contains evidence of

any such offence, and any engine, fish, processed fish, fishing gear, instruments or other appliances therein;

(*b*) search and examine any fishing gear, instruments or other appliances used in catching fish and effect the removal and destruction of any unlicensed fishing gear;";

(*b*) in subsection (1), replace paragraph (*e*) with —

"(*e*) enter and search any vessel, vehicle or place in or at which the authorised officer or police officer reasonably suspects that there is to be found —

(i) any fish mentioned in paragraph (*a*)(ii), or fishing gear contrary to the provisions of this Act;

(ii) any evidential material of a contravention of this Act or any condition of a licence or authorisation issued or granted under this Act; or

(iii) any evidential material that is relevant to determining whether the vessel is a vessel described in section 8O(1),

and —

(iv) examine, seize, remove or detain any engine, fish, processed fish, fishing gear, instruments or other appliances found therein, or take samples from any fish or processed fish;

(v) examine, seize, remove or detain any books, records, documents or other articles found therein or thereat; or

(vi) exercise all the powers mentioned in section 23A with respect to any computer or associated device found therein or thereat."; and

(*c*) after subsection (2), insert —

"(3) An authorised officer or a police officer —

(*a*) must prepare and sign a list of all things seized under this section, recording the location where each of them is found; and

(*b*) must give a copy of that list to the owner of each thing seized, except where the thing —

(i) has been abandoned;

(ii) has no apparent or readily identifiable owner; or

(iii) has been seized in the presence of the owner or the owner's agent.

(4) Any thing seized under subsection (1)(*aa*) or (*e*) may be detained on the vessel, vehicle or place in or at which the thing is seized, or may be removed at any time from where it is seized to somewhere else specified by the authorised officer or police officer and detained there.

(5) The authorised officer or police officer may require any of the persons in subsection (6) to do one or both of the following:

(*a*) assist in any part of any detention of a thing seized;

(*b*) assist in any removal of a thing seized.

(6) The persons for the purposes of subsection (5) are the following:

(*a*) the owner of the thing detained, or removed and detained, at the time it was seized;

(*b*) the person who possessed the thing detained, or removed and detained, at the time it was seized.

(7) Subject to sections 14, 15 and 16, sections 35(8A) to (8E), 370, 371 and 372 of the Criminal Procedure Code 2010 (relating to the handling of property seized by a police officer) apply to any thing seized under this section, with the following modifications:

(*a*) a reference in section 35(8A) and (8E) of the Criminal Procedure Code 2010 to a police officer or the Public Prosecutor includes an authorised officer;

(*b*) a reference in sections 370 and 372 of the Criminal Procedure Code 2010 to a law enforcement officer includes an authorised officer.

(8) Subsection (7) does not apply to a vessel or vehicle —

(*a*) that is of more than 200 tons net; or

(*b*) that is an aircraft or a train belonging to a person carrying on a regular passenger service to and from Singapore by means of that aircraft or train.

(9) If the owner or person who had possession of the thing seized, removed and detained is convicted of or has been permitted to compound an offence under Part 3A or 3B in relation to that thing, the expenses incurred in seizing, removing, detaining, storing and disposing of the thing pursuant to this section are recoverable by the Agency and, in case of dispute or neglect to pay, may be summarily ascertained by a Magistrate's Court and may be recovered in the same manner as if they were fines imposed by that Court.".

Replacement of sections 24, 25 and 26 and new sections 23A, 23B, 24A and 24B

20. In the principal Act, replace sections 24, 25 and 26 with —

"**Inspection of computers, etc.**

23A.—(1) For the purposes of section 23(1)(*e*)(vi), the authorised officer or police officer (as the case may be) (each called in this section officer) may do all or any of the following in respect of any computer or associated device found in or at the vessel, vehicle or place mentioned in section 23(1)(*e*):

(*a*) inspect the operation of the computer or associated device, and any data contained in or available to it;

(*b*) require —

(i) the person by whom or on whose behalf the computer or associated device is or has been so used; or

(ii) any person having charge of, or otherwise concerned with the operation of, the computer or associated device,

to provide the officer with any reasonable assistance that he or she may require for the purpose of paragraph (*a*);

(*c*) without payment, make copies of, or take extracts from, any data contained in or available to the computer or associated device;

(*d*) without payment, take possession of the computer or associated device where, in the officer's opinion —

(i) the inspection of the computer or associated device, or the inspection or copying of or the taking of any extract from any data contained in or available to the computer or associated device, cannot reasonably be performed without taking possession;

(ii) the computer or associated device may be interfered with or destroyed unless possession is taken; or

(iii) the computer or associated device may be required as evidence in making any determination whether the vessel is a vessel described in section 8O(1) or in any regulatory action or criminal action instituted or commenced under this Act;

(*e*) take onto the vessel, vehicle or place any equipment and material that the officer requires for the purpose of exercising any power under this section;

(*f*) operate any electronic equipment on the vessel, vehicle or place for the purpose of exercising any power under this section.

(2) In this section, "data" includes any computer program or computer software installed in a computer and any computer output (within the meaning given by section 2(1) of the Computer Misuse Act 1993).

Obstructing officers in execution of duties

23B. Any person who intentionally obstructs, hinders or impedes an authorised officer or a police officer in the performance or execution of his or her duty or anything which he or she is authorised, empowered or required to do under this Act shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $20,000 or to imprisonment for a term not exceeding 6 months or to both.

Service of documents

24.—(1) A document that is permitted or required by this Act to be given to a person may be served as described in this section.

(2) A document permitted or required by this Act to be given to an individual may be given —

(*a*) by delivering it to the individual personally;

(*b*) by sending it by post to the address specified by the individual for the service of documents or, if no address is so specified, the individual's residential address or business address;

(*c*) by leaving it at the individual's residential address with an adult apparently resident there, or at the individual's business address with an adult apparently employed there;

(*d*) by affixing a copy of the document in a conspicuous place at the individual's residential address or business address;

(*e*) by sending it by fax to the fax number last known to the person giving or serving the document as the fax number for the service of documents on the individual;

(*f*) by sending it by email to the individual's last email address; or

(*g*) if the document is to be served on the master of a vessel, by leaving it for the master on board that vessel with the person who is or appears to be in command or charge of the vessel.

(3) A document permitted or required by this Act to be given to a partnership (other than a limited liability partnership) may be given —

(*a*) by delivering it to any partner, secretary or other similar officer of the partnership;

(*b*) by leaving it at, or by sending it by post to, the partnership's business address;

(*c*) by sending it by fax to the fax number used at the partnership's business address; or

(*d*) by sending it by email to the partnership's last email address.

(4) A document permitted or required by this Act to be given to a body corporate (including a limited liability partnership) or an unincorporated association may be given —

(*a*) by delivering it to the secretary or other similar officer of the body corporate or unincorporated association, or the limited liability partnership's manager;

(*b*) by leaving it at, or by sending it by post to, the registered office or principal office in Singapore of the body corporate or unincorporated association;

(*c*) by sending it by fax to the fax number used at the registered office or principal office in Singapore of the body corporate or unincorporated association; or

(*d*) by sending it by email to the last email address of the body corporate or unincorporated association.

(5) In addition, a document permitted or required by this Act to be given to an individual, a partnership, a body corporate or an unincorporated association may be given —

(*a*) by giving an electronic notice to the individual, partnership, body corporate or unincorporated association (called in this section an addressee) by the addressee's chosen means of notification, stating that the document is available and how the addressee may use the addressee's chosen means of access to access the document's contents; or

(*b*) by any other method authorised by rules made under section 27 for the service of documents of that kind if the addressee consents expressly to service of a document of that kind in that way.

(6) A document given under this section by fax, email or post takes effect —

(*a*) if the document is sent by fax and a notification of successful transmission is received, on the day of transmission;

(*b*) if the document is sent by email, at the time that the email becomes capable of being retrieved by the person to whom it is sent; or

(*c*) if the document is sent by post, 2 days after the day the document was posted (even if it is returned undelivered).

(7) However, the giving of any document under this Act on a person by email or by an electronic notice at the person's chosen means of notification, may be effected only with the person's express prior consent to service of the document of that kind in that way.

(8) Where a document is to be served on the master of a vessel and there is no master, the document may be served as follows, in accordance with this section:

(*a*) if the master cannot be found, on the managing owner of the vessel;

(*b*) if there is no managing owner, on some agent of the owner residing in Singapore;

(*c*) if no such agent is known, by affixing a copy thereof to the mast of the vessel.

(9) This section does not apply to documents to be served in proceedings in court.

(10) In this section —

"business address" means —

(*a*) in the case of an individual, the individual's usual or last known place of business in Singapore; or

(*b*) in the case of a partnership (other than a limited liability partnership), the partnership's principal or last known place of business in Singapore;

"chosen means of access", for an addressee on whom is or is to be served a document permitted or required by this Act, means an electronic means the addressee agrees

with the person giving the document as the means by which the addressee may access that document's contents;

"chosen means of notification", for an addressee on whom is or is to be given a document permitted or required by this Act, means an electronic means that the addressee nominates to the person giving the document as the means by which the addressee may be notified that such a document has been given to the addressee;

"document" includes a notice, a direction or an order permitted or required by this Act to be given;

"last email address" means the last email address given by the addressee concerned to the person giving the document as the email address for the service of documents under this Act;

"post" includes prepaid registered post;

"residential address" means an individual's usual or last known place of residence in Singapore.

Appeal to Minister

24A.—(1) A person may appeal to the Minister against any of the following decisions of the Agency:

(*a*) a refusal to issue a licence under section 6;

(*b*) a modification or imposition of a condition of a licence under section 8C;

(*c*) taking a regulatory action under section 8D;

(*d*) a refusal to grant an authorisation under section 8G;

(*e*) the cancellation of an authorisation under section 8H.

(2) An appeal under subsection (1) by a person (called in this section an appellant) must —

(*a*) be made in a prescribed manner;

(*b*) specify the grounds on which it is made; and

(*c*) be made within a prescribed period after the date of receipt of the decision that is appealed against.

(3) The Minister may reject an appeal of an appellant who fails to comply with subsection (2).

(4) The Minister is not under any duty to hear, consider or determine any appeal if it appears that the bringing of the appeal is, or the proceedings of the appeal are, frivolous or vexatious.

(5) The Minister may determine an appeal by —

(*a*) dismissing the appeal and confirming the decision appealed against;

(*b*) allowing the appeal and referring the matter back to the Agency to reconsider the case; or

(*c*) allowing the appeal and substituting or varying the decision appealed against.

(6) The Minister's decision under subsection (5) is final.

(7) Every appellant must be notified of the Minister's decision under subsection (5).

(8) Subject to section 8D(8)(*b*), an appeal against a decision does not affect the operation of the decision appealed against or prevent the taking of any action to implement the decision, and unless otherwise directed by the Minister, the decision appealed against must be complied with until the determination of the appeal.

(9) The Minister may designate any of the following office-holders in his or her Ministry to hear and determine, in the Minister's place, any appeal made under this section:

(*a*) the Second Minister, if any;

(*b*) any Minister of State or Senior Minister of State;

(*c*) any Parliamentary Secretary or Senior Parliamentary Secretary,

and a reference to the Minister in this section includes a reference to a person designated under this subsection.

Protection from personal liability

24B. No liability shall lie against —

(*a*) any authorised officer;

(*b*) the Chief Executive of the Agency or an officer of the Agency; or

(*c*) any other person acting under the direction of the Agency,

for anything done or purported to be done, or omitted to be done, in good faith and with reasonable care in the execution or purported execution of any provision in this Act.

Exemption

25.—(1) The Agency may, with the approval of the Minister, by order in the *Gazette*, exempt —

(*a*) any person, vessel, fishing gear, equipment or activity; or

(*b*) any class of persons, vessels, fishing gear, equipment or activities,

from any provision of this Act, either generally or in a particular case and subject to any conditions that the Agency thinks fit to impose.

(2) An exemption under subsection (1) may be given to a person in lieu of issuing the person a licence under section 6(1)(*a*), in relation to any prohibition or obligation imposed by Part 4.

Recovery and payment of fees, etc.

26.—(1) Any fee or charge, or financial penalty, to be paid to the Agency under this Act may be recovered by it in any court of competent jurisdiction as if it were a simple contract debt.

(2) All financial penalties collected by the Agency under section 8D, and all composition sums collected by the Agency under section 18, must be paid into the Consolidated Fund.".

Amendment of section 27

21. In the principal Act, in section 27 —

(*a*) replace subsection (1) with —

"(1) The Agency may, with the approval of the Minister, make rules to prescribe anything that is required or permitted to be prescribed, or is otherwise necessary or convenient for carrying out or giving effect to any provision of this Act.";

(*b*) in subsection (2), after paragraph (*r*), insert —

"(*ra*) to prohibit or to regulate and control the use of fishing vessels and fishing gear;";

(*c*) in subsection (2), replace paragraph (*s*) with —

"(*s*) (without limiting paragraph (*ra*)) to license fishing vessels and fishing gear;";

(*d*) in subsection (2)(*zc*), replace "Director-General" with "Agency";

(*e*) in subsection (2)(*zc*), replace "he" with "the Agency";

(*f*) in subsection (2)(*zd*), delete "and" at the end;

(*g*) in subsection (2)(*ze*), replace the full-stop at the end with "; and"; and

(*h*) in subsection (2), after paragraph (*ze*), insert —

"(*zf*) to provide that any contravention by any person of any provision of any rule is an offence the penalty on conviction for which may be a fine not exceeding $20,000 or imprisonment for a term not exceeding 6 months or both.".

Miscellaneous amendments

22.—(1) In the principal Act, in the following provisions, replace "his" wherever it appears with "his or her":

Section 5(1)(*a*) and (2)

Section 19(*b*)

Section 23(2).

(2) In the principal Act, in the following provisions, replace "he" wherever it appears with "he or she":

Section 10(2)

Section 17

Section 19(*a*)

Section 23(2).

Amendment of Food Safety and Security Act 2025

23. In the Food Safety and Security Act 2025 —

(*a*) in section 372, delete paragraph (*a*);

(*b*) in the Second Schedule, in paragraph 10(1)(*a*), replace sub-paragraph (iv) with —

"(iv) before the commencement of section 372, under section 24A of the Fisheries Act 1966 against a refusal to grant or to revoke a licence to erect, operate or maintain a fish culture farm, or a variation or imposition of any condition on such a licence; or"; and

(*c*) in the Second Schedule, in paragraph 12, delete sub-paragraph (*d*).

Amendment of Maritime and Port Authority of Singapore Act 1996

24. In the Maritime and Port Authority of Singapore Act 1996 —

(*a*) in section 48, in the section heading, after "**territorial waters**", insert "**, etc.**";

(*b*) renumber section 48 as subsection (1) of that section;

(*c*) in section 48, after subsection (1), insert —

"(2) The Port Master must prohibit from entering the port any vessel (not being a Singapore vessel) notified by the Singapore Food Agency (established by section 3 of the Singapore Food Agency Act 2019) to the Port Master under section 8N(3) of the Fisheries Act 1966, unless an exception in section 8N(2) of that Act applies.";

(*d*) in section 49, in the section heading, after "**territorial waters**", insert "**, etc.**"; and

(*e*) in section 49, after subsection (2), insert —

"(2A) The Port Master must direct to leave the port any vessel (not being a Singapore vessel) notified by the Singapore Food Agency to the Port Master under section 8N(3) of the Fisheries Act 1966, within the time required by the Singapore Food Agency under section 8N(4) of that Act, unless an exception in section 8N(2) of that Act applies.".

Amendment of Merchant Shipping Act 1995

25. In the Merchant Shipping Act 1995, in section 43, after subsection (1), insert —

"(1A) The Authority may close the registry of a Singapore ship (except in relation to any unsatisfied mortgages entered therein) and cancel its certificate of registry if the Singapore Food Agency (established by section 3 of the Singapore Food Agency Act 2019) determines that the ship has been used for any IUU fishing activity within the meaning given by section 8L of the Fisheries Act 1966.".

Saving and transitional provisions

26.—(1) Every appointment of a public officer or an officer of the Agency or any other statutory authority, or an auxiliary police officer appointed under the Police Force Act 2004, made by the

Director-General under section 3(2) of the principal Act (as in force immediately before the date of commencement of section 4(*b*) of this Act) before that date and that remains valid immediately before that date is treated as if it were an appointment made by the Agency under section 3(2) of the principal Act (as amended by section 4(*b*) of this Act).

(2) Every licence issued under any rules made under the principal Act and in force immediately before the date of commencement of section 6 of this Act continues as if it were a licence issued under section 6 of the principal Act (as replaced by section 6 of this Act), and that licence remains in effect for the period, place or purpose for which it was originally issued, unless earlier revoked under section 8D of the principal Act (as inserted by section 8 of this Act).

(3) Section 8D of the principal Act (as inserted by section 8 of this Act) applies to a licence mentioned in subsection (2) only in relation to —

(*a*) a contravention or failure to comply with any condition of the licence or this Act on or after the date of commencement of section 8 of this Act; or

(*b*) a prescribed offence mentioned in section 8D(1)(*b*) of the principal Act committed on or after that date,

and section 6(2)(*c*), (3) and (4) of the principal Act as in force immediately before that date continues to apply to that licence (with the reference to the Director-General replaced with a reference to the Singapore Food Agency) in relation to any act done before that date.

(4) Section 6(3) of the principal Act as in force immediately before the date of commencement of section 6 of this Act continues to apply to any appeal against —

(*a*) a refusal to issue a licence;

(*b*) a variation or imposition of an additional condition of a licence; or

(*c*) a revocation of a licence,

that is pending immediately before that date.

(5) Part 3A of the principal Act does not apply to —

(*a*) any fish imported immediately before the date of commencement of section 9 of this Act; or

(*b*) any export of any fish mentioned in paragraph (*a*) on or after that date.

(6) Any rules made under section 27 of the principal Act and in force immediately before the date of commencement of section 21(*a*) of this Act continue in force as if made under section 27 of the principal Act until it is revoked or repealed by rules made under that section.

(7) For a period of 2 years after the date of commencement of this section, the Minister may, by rules, prescribe any additional provisions of a saving or transitional nature consequent on the enactment of any provision of this Act that the Minister may consider necessary or expedient, and the rules may be made to operate retrospectively to a date no earlier than the commencement of this section.

(8) Nothing in this section affects section 16 of the Interpretation Act 1965.

EXPLANATORY STATEMENT

This Bill seeks —

(*a*) to implement catch and trade documentation schemes arising from Singapore's participation in, or cooperation with, an intergovernmental organisation or arrangement, or any international treaty or convention to which Singapore is a party;

(*b*) to implement various measures under the United Nations Food and Agriculture Organization Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported, and Unregulated Fishing (Port State Measures Agreement or PSMA);

(*c*) to enhance administration and enforcement of the Fisheries Act 1966 (the Act); and

(*d*) to make consequential and related amendments to certain other Acts.

Clause 1 relates to the short title and commencement.

Clause 2 amends the long title of the Act consequential to the amendments made by this Bill.

Clause 3 amends various definitions in section 2 and inserts various new definitions. Notably, the new definition of "fishing gear" is inserted to generically cover such physical items as fishing stakes, nets and lures.

Clause 4 amends section 3 to provide that the Singapore Food Agency (the Agency), instead of the Director-General, Food Administration, is responsible for the administration of the Act subject to the general or special directions of the Minister. Consequently, amendments are also made to section 3(2) to empower the Agency, instead of the Director-General, Food Administration, to appoint authorised officers for the purposes of the Act. New subsections (3) and (3A) empower the Agency to delegate powers conferred or duties imposed on it by the Act to the Chief Executive or an officer of the Agency, and for the delegate, in turn to subdelegate any such power or duty to any authorised officer (if authorised by the Agency to do so).

Clauses 5, 7, 13(*c*) and 21(*d*) and (*e*) make amendments to sections 5(1)(*b*), 8(2) and (3), 14(1) and 27(2)(*zc*), respectively, consequential to the amendments made by clause 4 to provide that the Agency is responsible for the administration of the Act.

Clauses 6 and 8 replace sections 6 and 7 with a new section 6 and insert new sections 8A to 8D, respectively, to enhance the regulatory regime for licences issued under the Act.

The new section 6(1) —

(*a*) retains the current section 6(1) as section 6(1)(*a*), which empowers the Agency to issue a licence exempting any person from any prohibition or obligation imposed by the provisions of the Act (essentially under Part 4 of the Act); and

(*b*) makes provision as section 6(1)(*b*) for any activity or thing required to be licensed under the Act (essentially by virtue of rules made under section 27), such as a fishing vessel licence or fishing gear licence.

Section 7 (repealed by clause 6), which provided for the validity of licences under the Act, is re-enacted in the new section 8A. The new section 8A(1) re-enacts in part the repealed section 7(1) in providing that a licence issued under the Act is valid for the place or purpose specified in the licence (if any). As to the period of validity of the licence, if no period of validity is specified in the licence, it remains valid unless suspended or revoked under the new section 8D. If a licence is suspended under the new section 8D, the power of the Agency to take regulatory action against the licensee under the new section 8D continues to apply during the period of suspension. This enables the Agency to continue during the

period of suspension any regulatory action commenced before the period of suspension, and to also commence regulatory action in respect of any matter mentioned in the new section 8D(1) which occurred during the period of suspension.

The new section 8B re-enacts the repealed subsection (3) of section 7 (repealed by clause 6) and provides that licences issued under the Act are not transferable.

The new section 8C empowers the Agency to modify or remove any condition of, or to impose any new condition on, a licence issued under the Act without compensation. The Agency must ensure the licensee is given a right to be heard in accordance with subsections (2) to (5), where it is proposed to modify a condition of or impose a new condition on the licence.

The new section 8D empowers the Agency to take regulatory action against a licensee in respect of —

(*a*) a contravention or non-compliance with a condition of the licence or the Act;

(*b*) a conviction for a prescribed offence (whether the offence was committed by the licensee or an officer or employee of the licensee) committed during the term of the licence or (if the licence has previously been renewed) an immediately prior licence; or

(*c*) a licence obtained by fraud or misrepresentation.

The Agency may revoke the licence without compensation or, instead of revoking the licence, may —

(*a*) issue a written warning to the licensee;

(*b*) direct the licensee to pay a financial penalty (not exceeding $5,000 for each contravention, non-compliance or other ground of regulatory action, as the case may be); or

(*c*) suspend the licence for a period not exceeding 6 months.

The Agency must ensure the licensee is given a right to be heard in accordance with subsections (4) to (7).

Clause 9 inserts a new Part 3A consisting of new sections 8E to 8I.

The new section 8E sets out the purpose of the new Part 3A, which is to implement catch and trade documentation schemes arising from Singapore's participation in, or cooperation with, an intergovernmental organisation or arrangement, or any international treaty or convention to which Singapore is a party.

The new section 8F empowers the Minister to prescribe the species or class of fish (or part of a fish) to which the new Part 3A applies (Part 3A fish).

The new section 8G prohibits the import and export of any Part 3A fish except with the prior authorisation of the Agency. Such imports and exports may take place by land, sea or air. The Minister is empowered to prescribe what constitutes or does not constitute imports and exports for the purposes of the new Part 3A. This provides flexibility to provide for the differing concepts under the different catch and trade documentation schemes in relation to imports and exports, which may also change over time.

The new section 8H empowers the Agency to cancel an authorisation if the Agency reasonably suspects that any information or document given to the Agency for the authorisation is false or misleading. The Agency must ensure the person granted the authorisation is given a right to be heard in accordance with subsections (2) to (5).

The new section 8I empowers the Agency or an authorised officer to issue holding orders where the Agency or authorised officer reasonably suspects that a person (*X*) has imported or is attempting to export any Part 3A fish without any authorisation required under the new section 8G or, in obtaining any authorisation, gave the Agency any information or document that is false or misleading. A holding order requires the Part 3A fish to be held at a place approved by the Agency or an authorised officer (approved holding place), and prohibits any dealing with the Part 3A fish. Where the holding order is issued in connection with any Part 3A fish, any authorisation granted for the export of the Part 3A fish is automatically cancelled.

The holding order enables the Agency or an authorised officer to take steps to verify whether there has been a contravention of the new section 8G, or the correctness of the information or document in question (as the case may be). Whilst the holding order is in force, permission may be sought from the Agency for the Part 3A fish to be disposed of in certain circumstances.

X is responsible for the costs associated with holding the Part 3A fish at an approved holding place, and costs associated with the removal of the Part 3A fish, and with the treatment and disposal of the Part 3A fish.

Any Part 3A fish that is the subject of a holding order may at any time be seized under section 23.

Clause 10 inserts a new Part 3B consisting of new sections 8J to 8R.

The new section 8J sets out the purpose of the new Part 3B, which is to implement measures under the Port State Measures Agreement or PSMA.

The new section 8K contains definitions for the new Part 3B. Notably, in the new Part 3B, “infringing vessel” means any vessel that has been used for any IUU fishing activity, which is defined in the new section 8L.

The new section 8L defines “IUU fishing activity” to mean any fishing activity that is illegal, unreported or unregulated, or any fishing-related activity in support

of such illegal, unreported or unregulated fishing activity. Article 1(e) of the PSMA incorporates the definition of "illegal, unreported and unregulated fishing" by reference to paragraph 3 of the United Nations Food and Agriculture Organization's 2001 International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. As the purpose of the new Part 3B is to implement measures under the PSMA, subsections (2), (3) and (4) adopt those definitions of "illegal", "unreported" and "unregulated" fishing activities, respectively, as appropriate. The new section 8L also defines "infringing vessel" and sets out a non-exhaustive list of grounds the Agency may rely on to determine a vessel to be an infringing vessel.

The new section 8M requires the owner, agent or master of a vessel (other than a container vessel) arriving at a designated port, to report the vessel's arrival and certain other information to the Agency.

The new section 8N prohibits any vessel (not being a Singapore vessel within the meaning of new section 8K) which the Agency determines to be an infringing vessel from entering or remaining in the port of Singapore, subject to certain exceptions, in particular, where the vessel entering or remaining in the port is necessary for reasons of force majeure or to receive certain essential services.

Where a vessel is prohibited from entering or remaining in the port, the Agency must notify the Port Master, who must in turn exercise the powers under section 48 or 49 (as the case may be) of the Maritime and Port Authority of Singapore Act 1996 (as amended by clause 24) to prohibit the vessel from entering the port or to direct the vessel to leave the port, as the case may be.

The new section 8O prohibits infringing vessels (including Singapore vessels) and certain other vessels from using the port. The prohibition is subject to certain exceptions, in particular, where the use of the port is essential to the safety or health of any person on board the vessel, or the safety of the vessel.

The new section 8P creates an offence for the owner or master of a Singapore vessel to use or cause or permit the vessel to be used, or who is reckless as to whether the vessel is used, for any IUU fishing activity.

The new section 8Q empowers the Agency to, among other things, order vessels to be brought to a specified location in the port to facilitate the exercise of powers under sections 22C and 23.

The new section 8R permits the Agency to share information with certain persons concerning denials of entry to and use of the port by vessels which the Agency determines to be infringing vessels, and the results of inspections under the new section 8Q.

Clause 11 makes consequential amendments to section 9 in light of the new definition of "fishing gear" in section 2.

Clause 12 deletes section 13(2), which provides, among other things, for the breach of a restriction or condition of a licence to be an offence. The new section 8D allows the Agency to take regulatory action for breaches of licence conditions instead.

Clause 13(*b*) makes a consequential amendment to section 14 in light of the new definition of "fishing gear" in section 2. Clause 13(*d*) disapplies section 14 in relation to fish to which the new Part 3A or 3B relates. The new section 23(7) inserted by clause 19(*c*) applies to such fish.

Clause 14 inserts a new subsection (4) in section 15, to disapply section 15 in relation to fish to which the new Part 3A or 3B relates. The new section 23(7) inserted by clause 19(*c*) applies to such fish.

Clause 15 makes consequential amendments to section 16 in light of the new definition of "fishing gear" in section 2, as well as a technical amendment to section 16(2).

Clause 16 replaces section 18 to empower an authorised officer specially authorised by the Agency to compound any offence under a provision of the Act (including a provision that has been repealed, where the offence was compoundable at the time it was committed) which is prescribed as a compoundable offence. The maximum composition amount of $1,000 is also changed to the lower of —

(*a*) one half of the amount of the maximum fine that is prescribed for the offence in question; and

(*b*) $5,000.

Clause 17 replaces section 20 and inserts a new section 20A to insert standard provisions providing for the liability of officers of offenders who are corporations or unincorporated associations or partnerships.

Clause 18 inserts new sections 22A to 22D.

The new section 22A empowers an authorised officer or a police officer to obtain the particulars of any person who is reasonably believed to have committed an offence under the Act.

The new section 22B empowers an authorised officer or a police officer to obtain from any person information and documents necessary for administering, enforcing or monitoring compliance with the Act, that are within the knowledge of the person or in the custody or under the control of the person. The new section 22B also provides for inspection of the information or document, and the taking of extracts from, or making copies of, the information or document, free of charge.

The new section 22C contains enhanced powers of gathering information in investigating offences under the Act or for the Agency to make a determination

whether a vessel is a vessel described in section 8O(1). An authorised officer or a police officer may require any person who appears to be acquainted with any relevant fact or circumstance to attend before the authorised officer or police officer to answer any question, to provide information, or to provide for inspection of any document.

The new section 22D creates an offence of giving any information or document required under the Act that is false or misleading in a material particular (including by reason of an omission of a material particular).

Clause 19 amends section 23 to extend the powers under the section to matters under the new Parts 3A and 3B, to provide for the taking of samples of any fish or processed fish, to empower the examination, seizure, removal and detention of books, records, documents and other articles found in the course of a search under the section, and to provide for powers in relation to computers and associated devices encountered in the course of a search under the section.

The new section 23(7) also provides that, subject to sections 14, 15 and 16 of the Act, sections 35(8A) to (8E), 370, 371 and 372 of the Criminal Procedure Code 2010 relating to the handling of property seized by a police officer apply, with the necessary modifications, to any thing seized under section 23(1). Subsections (8A) to (8E) of section 35 of the Criminal Procedure Code 2010 are inserted by section 14(*a*) of the Anti-Money Laundering and Other Matters Act 2024.

Clause 20 replaces sections 24, 25 and 26 and inserts new sections 23A, 23B, 24A and 24B.

The new section 23A empowers an authorised officer or a police officer to inspect a computer or associated device where new section 23(1)(*e*)(vi) applies. The authorised officer or police officer may require reasonable assistance from the person by whom or on whose behalf the computer or associated device is used or has been used, or from any person in charge of or who operates the computer or associated device.

In addition, the authorised officer or police officer may, without payment, make copies of or take extracts from any data contained in or available to the computer or associated device, and may take possession of the computer or associated device in specified circumstances. The authorised officer or police officer may also take onto any vessel, vehicle or place any equipment and material, and operate any equipment thereat, for the purpose of exercising any power under the new section 23A.

The new section 23B creates an offence for intentionally obstructing, hindering or impeding an authorised officer or a police officer in the performance or execution of his or her duty or anything which he or she is authorised, empowered or required to do under the Act.

The new section 24 deals with the service of documents permitted or required by the Act to be given to a person. It is a standard provision in many Acts. The new section 24 does not deal with service of court documents like summonses, as these are regulated by the Rules of Court or other written laws.

The new section 24A sets out the decisions under the Act which are appealable to the Minister and the appeal procedure, which includes making the appeal within a prescribed period after the date of receipt of the decision that is appealed against. The Minister's decision on appeal is final; there is no further appeal or reconsideration against the Minister's decision, even if the Minister substitutes his or her decision for the decision appealed against.

Subject to the new section 8D(8)(*b*), the making of an appeal against a decision does not affect the operation of the decision appealed against or prevent the taking of any action to implement the decision, and, unless otherwise directed by the Minister, the decision appealed against must be complied with until the determination of the appeal. Under the new section 8D(8)(*b*), where a decision of the Agency to take regulatory action under section 8D is appealed against, the decision does not take effect until the determination or rejection of the appeal by the Minister (or his or her designate) or the withdrawal of the appeal (as the case may be).

The Minister may designate other political office-holders in his or her Ministry to hear and determine any appeal under this section in the Minister's place.

The new section 24B is a standard provision in many Acts. It protects from personal liability any authorised officer, a delegate under the new section 3(3), or any other person acting under the direction of the Agency, for anything done or purported to be done or omitted to be done in the execution or purported execution of any provision of the Act, provided that it is done, purportedly done or omitted to be done in good faith and with reasonable care.

The new section 25 provides for a power of exemption to now be exercised by the Agency, with the approval of the Minister, generally in relation to any provision of the Act to any person, vessel, fishing gear, equipment or activity, or any class of persons, vessels, fishing gear, equipment or activities. Where an activity that is prohibited under Part 4 may be permitted to be carried out under a licence, instead of issuing a licence, the activity may be permitted by way of an exemption.

The new section 26 allows the Agency to recover any fee, charge or financial penalty under the Act in any court of competent jurisdiction as if it were a simple contract debt. All financial penalties and composition sums must be paid into the Consolidated Fund.

Clause 21 amends section 27 to empower the Agency, with the approval of the Minister, to make rules for purposes of the Act, in place of the Minister. The clause also clarifies the rule-making powers under section 27 by including powers to

prohibit or regulate and control the use of fishing vessels and fishing gear, and to set a maximum punishment provision for offences under the rules.

Clause 22 makes technical amendments to various provisions of the Act to adopt gender neutral language.

Clause 23 makes consequential amendments to section 372 of, and the Second Schedule to, the Food Safety and Security Act 2025.

Clause 24 amends sections 48 and 49 of the Maritime and Port Authority of Singapore Act 1996, consequent to the insertion of the new section 8N.

Clause 25 makes a consequential amendment to section 43 of the Merchant Shipping Act 1995 to empower the Maritime and Port Authority of Singapore to close the registry of a Singapore ship and cancel its certificate of registry if the Agency determines that the ship has been used for or to support any IUU fishing activity.

Clause 26 sets out saving and transitional provisions and empowers the Minister to prescribe additional provisions of a saving or transitional nature for the amendments proposed by the Bill.

EXPENDITURE OF PUBLIC MONEY

This Bill will involve the Government in extra financial expenditure, the exact amount of which cannot at present be ascertained.