

Constitution of the Republic of Singapore (Amendment) Bill

Bill No. 3/2010.

Read the first time on 11th March 2010.

A BILL

intituled

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

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

Short title and commencement

1. This Act may be cited as the Constitution of the Republic of Singapore (Amendment) Act 2010 and shall come into operation on such date as the President may, by notification in the *Gazette*, appoint.

5 **Amendment of Article 9**

2. Article 9(4) of the Constitution of the Republic of Singapore (referred to in this Act as the Constitution) is amended by inserting, immediately after the words “be produced before a Magistrate”, the words “, in person or by way of video-conferencing link (or other similar technology) in accordance with law,”.

Amendment of Article 39

3. Article 39(1) of the Constitution is amended by deleting the words “not exceeding 6” in paragraph (b) and substituting the words “not exceeding 9”.

15 **Amendment of Third Schedule**

4. Section 18 of the Third Schedule to the Constitution is amended by deleting subsection (2).

Amendment of Fourth Schedule

5. Section 1 of the Fourth Schedule to the Constitution is amended —

20 (a) by deleting subsection (1); and

(b) by deleting the words “has so resolved under subsection (1)” in subsection (2) and substituting the words “first sits after any General Election”.

Saving

25 6. Section 4 shall have effect in relation to every application for citizenship that is made before the date of commencement of that section and pending on that date.

EXPLANATORY STATEMENT

This Bill seeks to amend the Constitution of the Republic of Singapore —

- (a) to enable a person who is arrested and not released to be produced (within 48 hours) before a Magistrate by way of video-conferencing link or other similar technology;
- (b) to raise the maximum number of non-constituency Members of Parliament that the Parliamentary Elections Act (Cap. 218) may provide from 6 to 9;
- (c) to make nominated Members of Parliament a permanent feature of the Parliament; and
- (d) to abolish the advisory committee which advises the Minister for Home Affairs before he refuses any application for citizenship.

Clause 1 relates to the short title and commencement.

Clause 2 amends Article 9(4) to enable a person who is arrested and not released to be produced (within 48 hours) before a Magistrate by way of video-conferencing link or other similar technology. The circumstances under which production by way of video-conferencing link or other similar technology is permissible will be provided by law.

Clause 3 amends Article 39(1)(b) by raising the maximum number of non-constituency Members of Parliament that the Parliamentary Elections Act may provide from 6 to 9.

Clause 4 repeals section 18(2) of the Third Schedule thereby abolishing the advisory committee which advises the Minister for Home Affairs before he refuses any application for citizenship.

Clause 5 amends section 1 of the Fourth Schedule by abolishing the requirement for a resolution to be passed by the Parliament before nominated Members of Parliament may be appointed. As amended, appointments of nominated Members can then be made at any time within 6 months after the Parliament first sits after a General Election. Every Parliament will have such number of nominated Members of Parliament as the Special Select Committee of Parliament nominates to the President for appointment. The maximum number of nominated Members of Parliament remains unchanged at 9.

Clause 6 is a transitional provision to deal with applications for citizenship which are pending when the advisory committee is abolished by clause 4. The advisory committee is abolished with immediate effect. No pending application for citizenship made before the commencement of clause 4 has to continue to be considered by the advisory committee.

EXPENDITURE OF PUBLIC MONEY

This Bill will not involve the Government in any extra financial expenditure.
