

**EXTRACT OF "PENAL CODE" (CAP 224), CHAPTER VIA
"PIRACY"**

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Piracy by law of nations. Cf. 12 and 13 Victoria c. 96 (Admiralty Offences (Colonial) Act 1849)

130B. —(1) A person commits piracy who does any act that, by the law of nations, is piracy.

(2) Whoever commits piracy shall be punished with imprisonment for life and with caning with not less than 12 strokes, but if while committing or attempting to commit piracy he murders or attempts to murder another person or does any act that is likely to endanger the life of another person he shall be punished with death.

Piratical acts

130C. Whoever, while in or out of Singapore —

- (a) steals a Singapore ship;
- (b) steals or without lawful authority throws overboard, damages or destroys anything that is part of the cargo, supplies or fittings in a Singapore ship;
- (c) does or attempts to do a mutinous act on a Singapore ship; or
- (d) counsels or procures a person to do anything mentioned in paragraph (a), (b) or (c),

shall be punished with imprisonment for a term not exceeding 15 years and shall be liable to caning.

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EXTRACT OF “MARITIME OFFENCES ACT” (CAP 170B)

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Hijacking of ships

3.—(1) Subject to subsection (2), any person who unlawfully, by the use of force or by threats of any kind, seizes a ship or exercises control of a ship, shall be guilty of an offence, whatever his nationality or citizenship, whatever the state in which the ship is registered and whether the ship is in Singapore or elsewhere.

(2) Subsection (1) shall not apply to any act committed in relation to a warship, or any other ship used as a naval auxiliary or in customs or law enforcement service, unless —

- (a) the person seizing or exercising control of the ship is a citizen of Singapore;
- (b) the act is committed in Singapore; or
- (c) the ship is used in the naval, customs or law enforcement service of Singapore.

Destroying or damaging ships, etc.

4.—(1) Subject to subsection (5), any person who unlawfully and intentionally —

- (a) destroys a ship;
- (b) damages a ship or its cargo so as to endanger, or to be likely to endanger, the safe navigation of the ship; or
- (c) commits on board a ship an act of violence which is likely to endanger the safe navigation of the ship,

shall be guilty of an offence.

(2) Subject to subsection (5), any person who unlawfully and intentionally places, or causes to be placed, on a ship any device or substance which is likely to destroy the ship or is likely so to damage it or its cargo as to endanger its safe navigation shall be guilty of an offence.

(3) Nothing in subsection (2) shall be construed as limiting the circumstances in which the commission of any act may —

- (a) constitute an offence under subsection (1); or
- (b) constitute attempting or conspiring to commit or aiding, abetting, counselling, procuring or inciting the commission of the offence.

(4) Except as provided in subsection (5), subsections (1) and (2) shall apply whether any act referred to in those subsections is committed in Singapore or elsewhere, whatever the nationality or citizenship of the person committing the act and whatever the state in which the ship is registered.

(5) Subsections (1) and (2) shall not apply to any act committed in relation to a warship, or any other ship used as a naval auxiliary or in customs or law enforcement service, unless —

- (a) the person committing the act is a citizen of Singapore;
- (b) the act is committed in Singapore; or
- (c) the ship is used in the naval, customs or law enforcement service of Singapore.

Offences involving threats

6.—(1) A person shall be guilty of an offence if —

- (a) in order to compel any other person to do or abstain from doing any act, he threatens that he or some other person will do in relation to any ship an act which is an offence under section 4 (1); and
- (b) the making of that threat is likely to endanger the safe navigation of the ship.

(2) Subject to subsection (4), a person shall be guilty of an offence if —

- (a) in order to compel any other person to do or abstain from doing any act, he threatens that he or some other person will do an act which is an offence under section 5 (1); and
- (b) the making of that threat is likely to endanger the safe navigation of any ship.

(3) Except as provided in subsection (4), subsections (1) and (2) shall apply whether any act referred to in those subsections is committed in Singapore or elsewhere, whatever the nationality or citizenship of the person committing the act and whatever the state in which the ship is registered.

(4) Section 4 (5) shall apply for the purposes of subsection (1) as it applies for the purposes of section 4 (1); and section 5 (6) shall apply for the purposes of subsection (2) as it applies for the purposes of section 5 (1).

Ancillary offences

7.—(1) Any act of violence done by any person in connection with an offence under section 3, 4 or 5 committed or attempted to be committed by him shall be deemed to have been committed in Singapore and shall constitute an offence punishable under the law in force in Singapore applicable to it, wherever the act of violence was committed, whatever the state in which the ship concerned is registered (if any), and whatever the nationality or citizenship of the person committing or attempting to commit the act.

(2) Subsection (1) is without prejudice to section 180 of the Merchant Shipping Act (Cap. 179).

(3) Any person in Singapore who abets the commission elsewhere of any act which would —

- (a) but for section 3 (2), be an offence under that section;
- (b) but for section 4 (5), be an offence under that section;
- (c) but for section 5 (6), be an offence under that section; or
- (d) but for section 6 (4), be an offence under that section,

shall be guilty of an offence.

General penalties

9.—(1) Any person guilty of an offence under this Act for which no penalty is expressly provided shall be liable on conviction to be punished with imprisonment for life.

(2) For the avoidance of doubt, subsection (1) shall not apply to any act which constitutes an offence punishable under the law in force in Singapore applicable to it by virtue of section 7 (1).

Consent for prosecution

10.—(1) No prosecution shall be instituted under this Act without the written consent of the Public Prosecutor.

(2) Notwithstanding that consent has not been given in relation to the offence in accordance with subsection (1) —

- (a) a person may be arrested for an offence under this Act;
- (b) a warrant for the arrest of any person in respect of any offence under this Act may be issued and executed;
- (c) a person may be charged with an offence under this Act; and
- (d) a person charged with any offence under this Act may be remanded in custody or granted bail,

but no further steps in the proceedings in relation to the offence shall be taken until the consent of the Public Prosecutor has been obtained.

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