

Employment Agencies (Bail and Personal Bond) Rules 2011

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No. S 173

EMPLOYMENT AGENCIES ACT ([CHAPTER 92](#))

EMPLOYMENT AGENCIES (BAIL AND PERSONAL BOND) RULES 2011

In exercise of the powers conferred by section 29(1)(l) of the [Employment Agencies Act](#), the Minister for Manpower hereby makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Employment Agencies (Bail and Personal Bond) Rules 2011 and shall come into operation on 1st April 2011.

Definitions

2. In these Rules, unless the context otherwise requires —

“released person” means any person who is released on bail or on his personal bond, as the case may be;

“surrender to custody”, in relation to a released person, means to surrender himself into the custody of the court or an employment agency inspector, as the case may be, according to the bail or bond conditions at the day, time and place appointed for him to do so.

When person must be released on bail or personal bond

3.—(1) When any person —

- (a) is arrested by an employment agency inspector; and
- (b) is prepared at any time to give bail while in the custody of the employment agency

inspector,

the person shall be released on bail by any employment agency inspector in accordance with [rule 5](#).

(2) Instead of taking bail from a person referred to in [paragraph \(1\)](#), the person may be released by an employment agency inspector if the person signs a personal bond without sureties in accordance with [rule 5](#).

Amount of bond

4. The amount of every bond executed under [rule 5](#) shall be fixed with due regard to the circumstances of the case as being sufficient to secure the attendance of the person to be released on bail or on personal bond.

Bond to be executed

5.—(1) Before any person is released on bail, a bond for such sum of money as the employment agency inspector thinks sufficient shall be signed by the person and every surety required by the employment agency inspector to execute the bond.

(2) Before any person is released on personal bond, a bond for such sum of money as the employment agency inspector thinks sufficient shall be signed by the person.

(3) The employment agency inspector may impose such conditions as he thinks necessary before releasing a person on bail or on personal bond under [rule 3](#).

(4) A condition of the bond executed under [paragraph \(1\)](#) or [\(2\)](#) may include the condition that the person released on bail or on personal bond shall —

- (a) surrender to custody at the day, time and place appointed for him to do so;
- (b) attend at the day, time and place mentioned in the bond or at such other time and place as may be required by an employment agency inspector, and continue so to attend until otherwise directed by an employment agency inspector;
- (c) if required by an employment agency inspector, appear when called upon by any court to answer the charge;
- (d) as long as the bond remains in force, not proceed beyond the limits of Singapore without the permission of an employment agency inspector;
- (e) not commit any offence while released on bail or on personal bond; and
- (f) not interfere with any witness or otherwise obstruct the course of justice whether in relation to himself or any other person.

(5) Any permission granted under [paragraph \(4\)\(d\)](#) shall be evidenced by an endorsement on the bond specifying the period of time and the place to which the permission extends.

(6) No such permission shall be granted except on the personal application of the person so released on bail or on personal bond and in the presence of his surety or sureties, if any.

Person to be released

6.—(1) A person to be released on bail or on his personal bond shall be released by an employment agency inspector as soon as the bond has been signed —

(a) in the case where the person is released on bail, by the person and every surety required by the employment agency inspector to execute the bond; or

(b) in the case where the person is released on personal bond, by the person.

(2) Nothing in these Rules shall be deemed to require the release of any person liable to be arrested for some matter other than that in respect of which the bond was executed.

Released person to give address for service

7.—(1) A released person shall give to the employment agency inspector releasing him an address where he can be served all notices under the [Act](#).

(2) A surety of a person released on bail shall give to the employment agency inspector an address where he can be served all notices under the [Act](#).

Arrest on breach of bond for appearance in court

8. When any person who is bound by any bond taken under [rule 5](#) to appear before a court does not so appear, the court shall issue a warrant directing that that person shall be arrested and produced before it.

Duties of surety

9.—(1) Every surety must —

(a) ensure that the released person surrenders to custody, or makes himself available for investigations or attends court at the day, time and place appointed for him to do so;

(b) keep in daily communication with the released person and lodge a police report within 24 hours of losing contact with him; and

(c) ensure that the released person is within Singapore unless the released person has been permitted by the court to leave Singapore.

(2) If the surety is in breach of any of his duties, the court may, having regard to all the circumstances of the case, forfeit the whole or any part of the amount of the bond.

(3) The court may order that any amount forfeited under [paragraph \(2\)](#) be paid by instalments.

Security instead of sureties

10. When any employment agency inspector requires a person to sign a bond with one or more sureties before releasing him on bail, the employment agency inspector may permit him to enter into a personal bond and provide security acceptable to the employment agency inspector.

Procedure on forfeiture of bond

11.—(1) If it is proved to the satisfaction of a court that any bond taken under [rule 5](#) has been forfeited, the court —

(a) shall record the grounds of such proof;

(b) may summon before it any person bound by the bond; and

(c) may call upon the person to pay the bond amount or to show cause why he should not pay it.

(2) If sufficient cause is not shown and the bond amount is not paid, the court may proceed to recover the bond amount by issuing a warrant for the attachment and sale of the property belonging to the person.

(3) If the bond amount is not paid and cannot be recovered by such attachment and sale, the person shall be liable, by order of the court which issued the warrant, to imprisonment for a term which may extend to 6 months.

(4) The court may remit any portion of the bond amount mentioned and enforce payment in part only.

Appeal from orders

12. All orders made under [rule 11](#) by any Magistrate's Court or District Court shall be appealable.

Power to direct levy of amount due on bond

13. The District Court may direct any Magistrate's Court to levy the amount due on a bond to appear or attend at the District Court.

Made this 30th day of March 2011.

LOH KHUM YEAN
*Permanent Secretary,
Ministry of Manpower,
Singapore.*

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(To be presented to Parliament under [section 29\(2\) of the Employment Agencies Act](#)).