

Annex B – Offences for which Caning will be Removed or Made Discretionary

(A) Offences for which caning will be removed

Offence	Reason	Punishment (Post-Amendment)
1. Railways Act 1905		
a. Section 86: Obstructing engine or carriages or endangering safety of passengers.	(i) Offence no longer of significant public concern.	Fine of up to \$1,000 or imprisonment of up to 20 years, or both.
b. Section 87: Wilful act or omission endangering passenger.	(ii) There may be no eventual harm caused. (iii) Alternative forms of punishment are adequate.	Fine of up to \$200 or imprisonment of up to 7 years, or both.
2. Road Traffic Act 1961		
a. Section 67A: Enhanced penalties for certain repeat offences.	(iii) Alternative forms of punishment are adequate.	Up to 3 times the punishment that the offender would otherwise have been liable for the conviction. Where imprisonment is imposed, the punishment shall not exceed 10 years.
3. Penal Code 1871		
a. Section 195: Giving or fabricating false evidence with intent to procure conviction of an offence punishable with imprisonment.	(ii) There may be no eventual harm caused. (iii) Alternative forms of punishment are adequate.	Liable to the punishment for the offence that the offender had attempted to procure a conviction for, except for caning.
a. Section 401: Punishment for belonging to a gang of thieves.	(i) Offence no longer of significant public concern. (ii) There may be no eventual harm caused.	Imprisonment of up to 7 years.

	(iii) Alternative forms of punishment are adequate.	
4. Women’s Charter 1961		
a. Section 140(2): Second or subsequent prostitution-related offences.	(iii) Alternative forms of punishment are adequate.	Imprisonment of up to 10 years, and may also be sentenced to a fine of up to \$150,000.
b. Section 146(2): Second or subsequent offence of living on or trading in prostitution		
5. Vandalism Act 1966		
a. Section 3: Acts of vandalism not involving public property, property with a public function, or property that is of national, cultural, or religious significance.	(iii) Alternative forms of punishment are adequate.	Fine of up to \$2,000 or imprisonment of up to 3 years.

(B) Offences for which mandatory caning will be made discretionary

Offence	Reasons	Punishment (Post-Amendment)
1. Penal Code 1871		
a. Section 130B: Piracy by the law of nations.	(iii) Alternative forms of punishment are adequate.	Life imprisonment, and may also be sentenced to caning. If, while committing or attempting to commit piracy, he murders, attempts to murder, or does any act that is likely to endanger the life of another person, the death penalty will be applied instead.

b. Section 382: Theft after preparation made for causing death or hurt in order to commit theft.	(ii) There may be no eventual harm caused. (iii) Alternative forms of punishment are adequate.	Imprisonment of up to 10 years, and may also be sentenced to caning.
c. Section 393: Attempt to commit robbery.		Imprisonment of between 2 and 7 years, and may also be sentenced to caning.
d. Section 399: Making preparation to commit gang-robbery		Imprisonment of between 3 and 10 years, and may also be sentenced to caning.
e. Section 400: Belonging to gang-robbers		Life imprisonment or imprisonment of up to 10 years, and may also be sentenced to caning.
f. Section 402: Assembling to commit gang-robbery		Imprisonment of up to 7 years, and may also be sentenced to caning.
g. Section 384: Extortion	(iii) Alternative forms of punishment are adequate.	Imprisonment of between 2 and 7 years, and may also be sentenced to caning.
h. Section 385: Putting person in fear of harm in order to commit extortion	(ii) There may be no eventual harm caused. (iii) Alternative forms of punishment are adequate.	Imprisonment of between 2 and 5 years, and may also be sentenced to caning.
i. Section 387: Putting person in fear of death or of grievous hurt in order to commit extortion		Imprisonment of between 2 and 7 years, and may also be sentenced to caning.

2. Corrosive and Explosive Substances and Offensive Weapons Act 1958		
a. Section 3: Possession of corrosive or explosive substance for purpose of causing hurt	(ii) There may be no eventual harm caused. (iii) Alternative forms of punishment are adequate.	Imprisonment of up to 10 years, may also be sentenced to caning.
b. Section 6: Carrying offensive weapons in public places otherwise than with lawful authority or for a lawful purpose		Imprisonment of up to 3 years, may also be sentenced to caning.
c. Section 7: Carrying, having in possession or under control, manufacturing, selling or hiring, lending or giving any scheduled weapon other than for a lawful purpose		For first-time offenders, imprisonment of up to 5 years, and may also be sentenced to caning. For second-time or subsequent offenders, imprisonment of between 2 and 8 years, and may also be sentenced to caning.
3. Prevention of Human Trafficking Act 2014		
a. Section 4(1)(b): Second or subsequent offence of trafficking in persons	(iii) Alternative forms of punishment are adequate.	Fine of up to \$150,000 and imprisonment of up to 15 years, and may also be sentenced to caning of up to 9 strokes.
b. Section 6(2)(b): Second or subsequent offence of receiving payments in connection with exploitation of trafficked victims		
4. Vandalism Act 1966		
a. Section 3: Acts of vandalism involving public property, property that is essential to the wellbeing of the public or the proper functioning of Singapore, or	(iii) Alternative forms of punishment are adequate.	Fine of up to \$2,000 or imprisonment of up to 3 years and may also be sentenced to caning of up to 8 strokes.

property that is of national, cultural, or religious significance.		
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