

Cross-Border Railways (Border Control Co-location) Bill

Bill No. 10/2026.

Read the first time on 7 April 2026.

CROSS-BORDER RAILWAYS (BORDER CONTROL CO-LOCATION) ACT 2026

(No. of 2026)

ARRANGEMENT OF SECTIONS

PART 1

PRELIMINARY

Section

1. Short title and commencement
2. Purpose of Act
3. General interpretation
4. Meanings of “ordinary CIQ power” and “special CIQ power”
5. Meanings of “ordinary checking”, “special checking” and associated terms for railway security
6. Meanings of train “in transit” and terms associated with cross-border incident management

PART 2

CO-LOCATION OF BORDER CONTROL AREA IN SINGAPORE

7. Malaysia’s CIQ zone in Singapore
8. Singapore law applies within Malaysia designated area, etc.

PART 3

BORDER CLEARANCE AND RAILWAY SECURITY
CHECKS BY MALAYSIA IN SINGAPORE*Division 1 — Recognition of Malaysian preclearance officers*

Section

9. Recognising Malaysian border protection service officers
10. Deemed recognised Malaysian border protection service officers
11. How long is recognition in effect
12. Withdrawing recognition of Malaysian border protection service officer

Division 2 — Powers of Malaysian preclearance officers

13. Extent of Malaysian border clearance and railway security checks
14. Limits on screening and search procedures
15. Limits on detention of goods and people
16. Limits on questioning or interviewing
17. Limits on CIQ power for public health reasons
18. Limits on arrest

Division 3 — Malaysian controlled items

19. Detention of Malaysian controlled items
20. Voluntary discarding not prevented unless forbidden thing, etc.

PART 4

BORDER CLEARANCE AND RAILWAY
SECURITY CHECKS BY SINGAPORE IN MALAYSIA

21. Minister may send Singapore border protection service officers outside Singapore
22. Preconditions for section 21 order
23. Nomination to be Singapore preclearance officer
24. Same powers and immunities as in Singapore for Singapore preclearance officers in Malaysia
25. Application of Singapore border control laws in Singapore designated area
26. Modification of Singapore laws for cross-border railway preclearance outside Singapore, etc.

PART 5

MANAGEMENT OF CROSS-BORDER INCIDENTS

Section

27. Definitions for Part 5
28. Incident management operations in respective territories
29. Cross-border incident site
30. Extent of incident management operations in Singapore by Malaysian incident management officers
31. Limits on arrest by Malaysian incident management officer
32. Same powers and immunities as in Singapore for Singapore incident management officers in Malaysia
33. Minister may send Singapore border protection service officers outside Singapore for incident management
34. Preconditions for section 33 order

PART 6

DATA RESIDENCY AND INVIOABILITY

35. Malaysian protected information
36. Inviolability of Malaysian protected material in defined area
37. Singapore protected information
38. Singapore protected material

PART 7

CRIMINAL JURISDICTION

39. Concurrent criminal jurisdiction for conduct within defined zone, etc.
40. Consent of Public Prosecutor

PART 8

GENERAL MATTERS

41. Wearing of Malaysian border protection service uniforms
42. Malaysian officers deemed to be public servants, etc.
43. Protection of Malaysian officers
44. Disapplication of Act if non-reciprocating
45. Adding or amending Schedules
46. Presentation to Parliament

PART 9

AMENDMENTS TO OTHER ACTS

Division 1 — Civil Defence Act 1986

Section

47. New section 105AA
48. Amendment of section 105A
49. Amendment of section 105D
50. New section 105E

Division 2 — Coroners Act 2010

51. Amendment of section 24
52. Amendment of section 25
53. Amendment of Second Schedule

Division 3 — Cross-Border Railways Act 2018

54. Amendment of section 2
55. Amendment of section 58
56. Amendment of section 59
57. Amendment of section 60
58. Amendment of section 61

Division 4 — Customs Act 1960

59. New section 35
60. New section 38A
61. Amendment of section 52
62. Amendment of section 105

Division 5 — Immigration Act 1959

63. Amendment of section 5
64. Amendment of section 23A
65. New Part 5B

Division 6 — Infectious Diseases Act 1976

66. Amendment of section 2
67. New sections 45C and 45D

Division 7 — National Registration Act 1965

68. New section 16A

Division 8 — Passports Act 2007

69. New section 47A

Division 9 — Police Force Act 2004

Section

- 70. Amendment of section 56
- 71. New section 56A
- 72. Amendment of section 59

Division 10 — Registration of Births and Deaths Act 2021

- 73. New section 50A

Division 11 — Regulation of Imports and Exports Act 1995

- 74. Amendment of section 25
 - 75. New section 39AA
 - First Schedule — Treaties
 - Second Schedule — Johor Bahru — Singapore Rapid Transit System Link
-

A BILL

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An Act to provide in accordance with treaties for co-locating border clearance of people and goods travelling by train on cross-border railways between Singapore and Malaysia and for other coordination arrangements at the border, and for other matters connected therewith, and to make related and consequential amendments to certain other Acts.

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

PART 1
PRELIMINARY

Short title and commencement

1. This Act is the Cross-Border Railways (Border Control Co-location) Act 2026 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Purpose of Act

2. The purpose of this Act is to give effect to the provisions in treaties respecting arrangements —

(a) for the co-location of border clearance of people and goods travelling by cross-border train between Singapore and peninsular Malaysia, where —

(i) Malaysian border protection service officers are authorised to conduct border clearance in Singapore of people and goods travelling by cross-border train bound for peninsular Malaysia; and

(ii) Singapore border protection service officers are authorised to conduct border clearance in peninsular Malaysia of people and goods travelling by cross-border train bound for Singapore; and

(b) for coordination between Singapore and Malaysia in railway security matters and managing cross-border incidents affecting a cross-border railway.

General interpretation

3.—(1) In this Act —

“authorised point of entry” or “authorised point of departure” means a place in Singapore that is declared as such under section 5 of the Immigration Act 1959;

“biological agent” and “toxin” have the meanings given by section 2 of the Biological Agents and Toxins Act 2005;

“border clearance” includes to exercise CIQ powers concerning the admission into Malaysia from Singapore or vice versa of people and goods travelling by cross-border train on a cross-border railway bound for peninsular Malaysia from Singapore or bound for Singapore from peninsular Malaysia, as the case may be; 5

“CIQ power” means an ordinary CIQ power or a special CIQ power;

“conduct”, as a verb, means —

(a) to do an act or omit to do an act — 10

(i) on a single occasion; or

(ii) on a number of occasions over a period of time; or

(b) to both do an act and omit to do an act —

(i) on a single occasion; or 15

(ii) on a number of occasions over a period of time;

“corrosive substance” has the meaning given by section 2 of the Corrosive and Explosive Substances and Offensive Weapons Act 1958;

“country” includes territory; 20

“creature” means —

(a) any fish;

(b) any reptile;

(c) any amphibian;

(d) any bird; 25

(e) any mammal (other than man);

(f) any invertebrate, regardless of the stage of development it is in; or

(g) any eggs, or any reptile eggs, amphibian eggs, fish eggs, invertebrate eggs or monotreme eggs; 30

“crew” means an individual while on duty or carrying out work in —

- (a) the operation of a cross-border train used for or in connection with providing a cross-border train service;
- (b) the planning or scheduling of train services provided using a cross-border railway, or any activity that is ancillary to that planning or scheduling;
- (c) managing and controlling train services provided using a cross-border railway (including train traffic management), or any activity that is ancillary to that managing and controlling;
- (d) the selling of tickets or provision of other passenger services for travel on a cross-border train used for or in connection with providing a cross-border train service; or
- (e) the maintenance of —
 - (i) any cross-border train used for or in connection with providing a cross-border train service; or
 - (ii) any part of a cross-border railway on which a cross-border train service is provided;

“cross-border incident” has the meaning given by section 6(2);

“cross-border railway” means a railway that —

- (a) has a railway network with a terminus in Singapore and runs to any part of peninsular Malaysia; and
- (b) is constructed under the Cross-Border Railways Act 2018;

“cross-border train” means a train used for or in connection with providing a cross-border train service;

“cross-border train service” means a passenger train service provided using a cross-border railway;

“dangerous thing” means an object or a thing that is —

- (a) a gun, an explosive, a weapon or a noxious substance within the meaning of the Guns, Explosives and Weapons Control Act 2021;
- (b) any other pointed or bladed item capable of being used to cause bodily injury to the individual in possession of the item or to others; 5
- (c) a biological agent or toxin;
- (d) a corrosive substance; or
- (e) any other toxic, radioactive or flammable thing, or any other thing (whether or not of a similar kind), that is or could be used in a dangerous or threatening way; 10

“derailment” includes any instance where one or more wheels of a train come off the normal running surface of the track;

“detain” has the meaning given by section 5(5); 15

“document” means any thing in or on which information of any description is recorded or stored, whether in electronic or other form;

“employee”, in relation to a person (*A*), means an individual who — 20

- (a) is directly employed by *A* under a contract of service to do work;
- (b) is contracted or engaged by *A* otherwise than under a contract of service to do work in connection with any business or undertaking carried on by *A*; or 25
- (c) is under an arrangement (like a loan or secondment) making available temporarily to *A* the services of the individual to do work in connection with any business or undertaking carried on by *A*,

and includes an individual employed under a contract of service by a person who is contracted or engaged by *A* to do work in connection with any business or undertaking carried 30

on by *A*, but only while the individual is at work in connection with *A*'s business or undertaking;

“forbidden thing” has the meaning given by section 20(4);

5 “goods” means movable property of any kind and, without limiting the generality of the expression, includes any creature, plant, money, thing, document, vessel and aircraft;

“in transit” has the meaning given by section 6(1);

“incident management operations” has the meaning given by section 6(2);

10 “inspecting”, in relation to any property, includes handling the property, opening it and examining or moving its contents;

“land” includes any foreshore or open space;

15 “maintain” or “maintenance” includes repair, alteration, reconditioning and examination, and the detection and rectification of any faults;

20 “Malaysia designated area”, for a cross-border railway, means an area in Singapore designated in a map by the Malaysian Government and the Singapore Government under the treaty relating to that cross-border railway to be the designated area for Malaysia in respect of that cross-border railway;

25 “Malaysian border control law”, for a cross-border railway, means any Malaysian law specified in the relevant Schedule relating to that cross-border railway, being a law connected with immigration, customs, health, veterinary and phytosanitary controls, consumer protection or transport;

“Malaysian border protection service” means any of the following agencies or departments of the Malaysian Government:

(a) Fire and Rescue Department of Malaysia;

30 (b) Immigration Department of Malaysia;

(c) Malaysia Civil Defence Force;

(d) Malaysian Maritime Enforcement Agency;

- (e) Malaysian Quarantine and Inspection Services;
- (f) Malaysian Border Control and Protection Agency;
- (g) National Anti-Drugs Agency;
- (h) Royal Malaysia Police (Travel Control Office);
- (i) Royal Malaysian Customs Department; 5
- (j) any other agency or department specified in the relevant Schedule relating to the cross-border railway;

“Malaysian border protection service officer” means an individual who is an employee of the Malaysian Government and performing duties in any of the Malaysian border protection services; 10

“Malaysian controlled item” has the meaning given by section 19(5);

“Malaysian Government” means the Government of Malaysia; 15

“Malaysian incident management officer” has the meaning given by section 27;

“Malaysian preclearance officer” means a Malaysian border protection service officer who —

- (a) is recognised under section 9 as a Malaysian preclearance officer in respect of a cross-border railway specified in the recognition; or 20

- (b) is deemed by section 10 recognised as a Malaysian preclearance officer in respect of a cross-border railway, 25

but only while on duty or carrying out work in that capacity;

“Malaysia’s CIQ zone in Singapore” means the part of the Malaysia designated area of a cross-border railway demarcated under section 7(1);

“medical examination” includes a medical examination conducted by means of telemedicine; 30

“natural catastrophe” means a storm, weather phenomenon, storm tide, tsunami, flood, a volcanic eruption or an earthquake, a landslip or other occurrence of a similar kind;

“opening of a cross-border railway” has the meaning given by section 45(3) of the Cross-Border Railways Act 2018;

“ordinary checking” has the meaning given by section 5(1);

“ordinary CIQ power” means a power described in section 4(1) and (2);

“passenger”, for a cross-border train, means an individual embarking or intending to embark on the cross-border train for the purpose of travelling onboard and includes any of the following:

(a) a Malaysian border protection service officer or a Singapore border protection service officer;

(b) an independent safety auditor, a rail safety inspector or other like official making an investigation or inspection for the purposes of any written law or Malaysian law about ensuring the safety of the operations of the cross-border railway while on duty or carrying out work in that capacity;

“personal property”, in relation to an individual, means things worn or carried by an individual or apparently in the possession or immediate control of the individual;

“premises” means any land, vessel, train or other vehicle, or a part of any land, vessel, train or other vehicle;

“preparatory work” means work that is preparatory to conducting border clearance or railway security checks;

“proceedings” means —

(a) any civil proceedings or criminal proceedings before any court in Singapore, and includes a coroner’s inquiry;

(b) any arbitration or mediation proceedings in Singapore;

(c) any proceedings in Parliament or a committee of Parliament; or

(d) any other proceedings before any tribunal, authority, person or body in Singapore that has power by or under any written law to require the production of documents or answering of questions, or constituted and vested by or under any written law to make a decision of an administrative character;

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“quarantinable disease” means a disease that —

(a) is caused or is suspected to be caused by a micro-organism or any agent of disease;

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(b) is capable or is suspected to be capable of transmission by any means to human beings; and

(c) is, if left not investigated or unchecked, likely to result in an epidemic of the disease;

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“quarantine” means the compulsory detention in isolation of any individual or goods for the purpose of preventing or managing the risk of the contagion of a quarantinable disease —

(a) entering Singapore or Malaysia, as the case may be; or

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(b) emerging, establishing themselves or spreading within Singapore or Malaysia, as the case may be;

“railway accident”, in relation to a cross-border railway, means an occurrence associated with the cross-border railway where —

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(a) a cross-border train used for or in connection with providing a cross-border train service using the cross-border railway —

(i) is destroyed or seriously damaged; or

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(ii) is abandoned, disabled or stranded;

(b) an individual dies, or is seriously injured, as a result of the occurrence;

(c) a collision as follows happens, or happens directly as a result of the occurrence:

(i) a collision between any of the cross-border trains used for or in connection with providing a cross-border train service using the cross-border railway, but not an impact between such trains associated with normal railway operating circumstances;

(ii) a collision between a cross-border train used for or in connection with providing the cross-border train service and an individual, a creature or another vehicle; or

(d) any of the following happens directly as a result of the occurrence:

(i) a derailment of a cross-border train used for or in connection with providing a cross-border train service using the cross-border railway;

(ii) an explosion or a fire;

(iii) serious damage to the railway infrastructure of that cross-border railway or any railway track in or on that railway infrastructure;

“railway infrastructure”, for any cross-border railway, means any of the following buildings or structures, within or outside Singapore, that is used for or in connection with the cross-border railway:

(a) a train station;

(b) a railway tunnel;

(c) a viaduct;

(d) a bridge;

(e) a railway yard;

(f) a maintenance facility for trains and maintenance or engineering vehicles used for or in connection with the railway;

- “railway security checks” means carrying on any ordinary checking mentioned in section 5(1) or special checking mentioned in section 5(2) for the purpose of safeguarding against any railway security incident associated with a cross-border railway; 5
- “railway security incident” has the meaning given by section 54 of the Cross-Border Railways Act 2018;
- “relevant Schedule”, for a cross-border railway, means the Schedule to this Act which contains provisions relating to that cross-border railway, including powers of specified persons and applicable laws; 10
- “restrict” includes allow on conditions;
- “scanning search”, of an individual or an individual’s personal property, has the meaning given by section 5(5);
- “screening”, of an individual or an individual’s personal property, has the meaning given by section 5(5); 15
- “Singapore border control law”, for a cross-border railway, means any written law specified in the relevant Schedule relating to the cross-border railway, being a law connected with immigration, customs, health, veterinary and phytosanitary controls, consumer protection or transport; 20
- “Singapore border protection service” means —
- (a) any of the following Ministries or departments of the Singapore Government:
- (i) the Singapore Civil Defence Force; 25
 - (ii) the Singapore Customs;
 - (iii) the Singapore Police Force;
 - (iv) the Singapore Prison Service;
 - (v) the Central Narcotics Bureau;
 - (vi) the Immigration & Checkpoints Authority; 30
 - (vii) the Ministry of Health;

(b) any of the following Singapore public sector agencies:

(i) the Communicable Diseases Agency;

(ii) the Health Sciences Authority;

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(iii) the National Environment Agency; or

(c) any other Ministry or department of the Singapore Government or other Singapore public sector agency specified in the relevant Schedule relating to the cross-border railway;

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“Singapore border protection service officer” means an individual who is an employee of the Singapore Government or a Singapore public sector agency and performing duties in any of the Singapore border protection services, and includes a health officer appointed under section 4(1) of the Infectious Diseases Act 1976;

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“Singapore controlled item” means any thing the import of which into Singapore is prohibited or restricted by or under any written law and that is included in the list consolidated jointly by the Malaysian Government and the Singapore Government under any of the treaties;

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“Singapore designated area”, for a cross-border railway, means an area in peninsular Malaysia designated in a map by the Malaysian Government and the Singapore Government under the treaty relating to the cross-border railway to be the designated area for Singapore in respect of that cross-border railway;

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“Singapore Government” means the Government of the Republic of Singapore;

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“Singapore incident management officer” has the meaning given by section 27;

“Singapore preclearance officer” means a Singapore border protection service officer who —

(a) is nominated by the Minister under Part 4 to be a Singapore preclearance officer; and

(b) is accepted in Malaysia as a Singapore preclearance officer in respect of a cross-border railway,

but only while on duty or carrying out work in that capacity;

“Singapore public sector agency” has the meaning given by section 2(1) of the Public Sector (Governance) Act 2018;

“Singapore’s CIQ zone in Malaysia” means the part of the Singapore designated area of a cross-border railway where entry into and remaining within by any Malaysian border protection service officer is only by or with the express and prior consent of the Singapore Government;

“special checking” has the meaning given by section 5(2);

“special CIQ power” means a power described in section 4(3);

“substance” includes —

(a) any gas, liquid or solid;

(b) any organism or part of an organism;

(c) any material that is produced from an organism;

(d) any radioactivity or electromagnetic radiation; and

(e) a combination of substances;

“thing” includes a substance and a creature;

“ticket” means any form of authorisation, issued for the carriage of any passenger on a cross-border train service;

“track” means any combination of rails, rail connections, rail joints, rail fastenings, sleepers, ballast, points and crossing, or any substitute devices if used;

“train” means a vehicle (with or without wheels) of a kind that operates on a railway and is used or capable of being used —

- (a) as a means of transport of passengers or cargo, or both passengers and cargo; or
- 5 (b) for movement on the railway in order to maintain the railway;

Examples

10 Any train and rolling stock, coaches, wagons, maintenance or engineering vehicles or other railway equipment that is designed for movement along a line of railway.

Any locomotive, engine, track car, tender, flanger and railway crane.

“treaty” means any agreement or arrangement —

- (a) whose parties are Singapore and any foreign country;
- (b) that relates to a cross-border railway; and
- 15 (c) that is specified in the First Schedule in relation to the cross-border railway;

“tribunal” means any authority, person or body that —

- (a) has power by or under any written law to require the production of documents or answering of questions; or
- 20 (b) is constituted and vested by or under any written law to make a decision of an administrative character.

(2) For the purposes of this Act, an individual in Singapore may be treated as seeking to enter, or seeking to import any thing into, 25 peninsular Malaysia if he or she —

- (a) is seeking to board a cross-border train from an authorised point of departure on or along a cross-border railway; and
- (b) is a passenger or crew of a cross-border train that is bound for peninsular Malaysia used for or in connection with providing a cross-border train service on the cross-border railway with no planned stops within Singapore after he or she boards that train.
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Meanings of “ordinary CIQ power” and “special CIQ power”

4.—(1) An ordinary CIQ power is to require an individual seeking to enter peninsular Malaysia from Singapore, or to enter Singapore from peninsular Malaysia, by travelling on a cross-border train on a cross-border railway, to do all or any of the following: 5

(a) to present to a Malaysian preclearance officer in Singapore, or a Singapore preclearance officer in peninsular Malaysia —

(i) the individual’s travel document;

(ii) evidence of any visa required by or under a Malaysian border control law for the individual to enter Malaysia, or a Singapore border control law for the individual to enter Singapore, as the case may be; and 10

(iii) the individual’s ticket if he or she is a passenger; 15

(b) to provide one or more personal identifiers in the manner required by or under a Malaysian border control law for the individual to enter Malaysia, or a Singapore border control law for the individual to enter Singapore, as the case may be; 20

(c) if the individual is seeking to import into Malaysia or Singapore (as the case may be) any thing —

(i) to present the individual’s documents relating to the proposed import into Malaysia or Singapore (as the case may be) of the thing; and 25

(ii) to allow a Malaysian preclearance officer in Singapore or a Singapore preclearance officer in Malaysia (as the case may be) to inspect the thing;

(d) to undergo a medical examination, or to undergo supervised or voluntary isolation or quarantine; 30

(e) to provide any information (including the individual’s signature and health information) required by or under a Malaysian border control law for the individual to enter or to import any thing into Malaysia, or a Singapore border

control law for the individual to enter or to import any thing into Singapore, as the case may be.

(2) The other ordinary CIQ powers are all or any of the following:

(a) to question or interview an individual seeking to enter peninsular Malaysia from Singapore, or to enter Singapore from peninsular Malaysia, by travelling on a cross-border train on a cross-border railway (as the case may be) in connection with —

(i) his or her seeking to enter, or to import any thing into, Malaysia; or

(ii) his or her seeking to enter, or to import any thing into, Singapore;

(b) to refuse an individual mentioned in paragraph (a) —

(i) entry into Malaysia or Singapore;

(ii) exit from Malaysia or Singapore;

(iii) permission to import any thing into Malaysia or Singapore; or

(iv) permission to export any thing from Malaysia or Singapore.

(3) The special CIQ powers are to require an individual seeking to enter peninsular Malaysia from Singapore, or to enter Singapore from peninsular Malaysia, by travelling on a cross-border train on a cross-border railway, to do, or to refrain from doing, anything that is specified in the relevant Schedule relating to that cross-border railway.

(4) In subsection (1) —

“personal identifier”, for an individual, means all or any of the following:

(a) the individual’s signature;

(b) the individual’s fingerprint or handprint;

(c) a photograph or other image of the individual’s face and shoulders;

- (d) any other physiological data about the individual necessary for identifying or authenticating the identity of the individual where using a biometric authenticating system;

“travel document” means a document (such as but not limited to a passport) that is issued for travel purposes by or on behalf of — 5

- (a) the Singapore Government;
- (b) the Malaysian Government;
- (c) the government of another foreign country; or 10
- (d) an international organisation,

and it does not matter whether the document is or is not also issued for another purpose.

Meanings of “ordinary checking”, “special checking” and associated terms for railway security 15

5.—(1) Ordinary checking for the purposes of railway security checks relating to a cross-border railway is carrying out all or any of the following:

- (a) patrolling, watching, guarding or controlling access to any part of a Malaysia designated area or a Singapore designated area (as the case may be) of the cross-border railway to deter and detect unauthorised access by people, vehicles or other things into any part of the train or track and to otherwise maintain the integrity of access control systems to the Malaysia designated area or Singapore designated area; 20 25
- (b) patrolling and keeping under surveillance any part within a Malaysia designated area or a Singapore designated area of the cross-border railway —
 - (i) to inquire into, secure, and cause the removal of unattended or suspicious things; 30
 - (ii) to assess, identify and respond to unknown substances; or

(iii) to deter unauthorised possession of any dangerous thing or forbidden thing on board a cross-border train on a cross-border railway or in the train station;

(c) screening of any individual —

5 (i) in preparation for him or her boarding a cross-border train on a cross-border railway; or

(ii) in order for the individual to enter or remain in any part of a Malaysia designated area or a Singapore designated area of the cross-border railway;

10 (d) conducting a strip search or body search of an individual mentioned in paragraph (c) with the consent of the individual;

(e) questioning or interviewing an individual subject to railway security checks;

15 (f) detaining an individual and only for so long as is reasonably necessary to conduct a screening, strip search or body search of the individual;

(g) requiring an individual to present to a Malaysian preclearance officer in Singapore or a Singapore preclearance officer in peninsular Malaysia (as the case may be) the individual's ticket if he or she is a passenger of a cross-border train.

25 (2) Special checking for the purposes of railway security checks relating to a cross-border railway is carrying out all or any activity that is specified in the relevant Schedule relating to that cross-border railway as special checking.

(3) Subject to subsection (4), if —

(a) an individual is at a screening point; and

(b) the individual must receive clearance in order —

30 (i) to board a cross-border train; or

(ii) to enter or remain in any part of —

(A) an authorised point of entry or authorised point of departure along or on a cross-border railway; or

(B) a Malaysia designated area or Singapore designated area of a cross-border railway,

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the individual is taken, for all purposes, to consent to each search procedure that may be conducted at the screening point.

(4) Subsection (3) does not apply to a search procedure if —

(a) the procedure is a strip search or body search;

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(b) the individual refuses to undergo the procedure.

(5) In this Act —

“body search”, of an individual, means a search of the individual’s body, including an examination of any orifice or cavity of the individual’s body;

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“clothing” includes any gloves, footwear (such as socks or stockings), hat, belt, jewellery, or other accessories;

“detain”, by a Malaysian border protection service officer or a Singapore border protection service officer, where the expression is used in the context other than quarantine, means to keep in the company (not necessarily immediate) of, and to be restricted in movement by, the Malaysian border protection service officer or the Singapore border protection service officer (as the case may be), and includes to keep or cause to be kept, in such detention;

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“frisk search” means a search of a clothed individual in which the individual conducting the search may run or pat his or her hand over the body of the individual being searched, whether outside or inside the clothing (other than any underclothing) of that individual being searched;

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“scanning search” means a search of an individual, or of any personal property of the individual that is intended for

carrying on board a cross-border train, by electronic or other means —

(a) without touching the individual or the individual's personal property (as the case may be) other than a swab; and

(b) without requiring the individual to remove his or her clothing;

“screening”, of an individual or an individual's personal property, means all or any of the following, but not a strip search or body search:

(a) conducting a scanning search of the individual, or of any personal property of the individual that is intended for carrying on board a cross-border train;

(b) requiring the individual to turn out his or her pockets for any contents and inspecting any of those contents;

(c) where the results of the search procedure in paragraph (a) or (b) indicate that additional search procedures are necessary in order to screen the individual properly, all or any of the following:

(i) conducting a frisk search of the individual;

(ii) requiring the individual to remove one or more clothing worn by the individual that may be conveniently removed and inspecting the clothing;

(d) inspecting any personal property of the individual that is intended for carrying on board a cross-border train, including —

(i) requiring the individual to move, and if it is considered necessary, empty or remove, the contents of any bag, basket or other receptacle worn or carried by the individual or apparently in the possession or immediate control of the individual; and

- (ii) inspecting any of those contents or the bag, basket or other receptacle or both;

“screening point” means a place in an authorised point of entry or authorised point of departure on or along a cross-border railway where any screening occurs;

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“strip search” means a search in which the individual searched is required to remove most or all of his or her clothes.

(6) To be clear, this Act does not affect Part 9 of the Cross-Border Railways Act 2018.

Meanings of train “in transit” and terms associated with cross-border incident management

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6.—(1) For the purposes of this Act, a cross-border train is in transit when —

- (a) the cross-border train is on a track of a cross-border railway; and
- (b) the cross-border train is in the stage of operation described in the relevant Schedule relating to that cross-border railway.

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(2) In this Act —

“cross-border incident” means a railway occurrence that involves or is associated with —

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- (a) the defined zone of a cross-border railway; or
- (b) a cross-border train that is in transit on a cross-border railway;

“defined zone”, for a cross-border railway, means any part of the railway infrastructure of the cross-border railway that is prescribed in the relevant Schedule for the purposes of managing cross-border incidents relating to that cross-border railway;

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“incident management operations” means —

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- (a) activities undertaken in relation to a railway occurrence —

- (i) to help injured people and prevent or reduce loss of human life, illness or injury to humans associated with the railway occurrence;
- (ii) to help prevent or reduce property loss or damage, or damage to the environment associated with the railway occurrence; or
- (iii) to protect people or goods from danger or potential danger associated with the railway occurrence;

Examples

Search and rescue, firefighting, environmental hazard control, and critical medical assistance or medical evacuation.

- (b) activities undertaken to respond to, or minimise, the adverse effects of a railway occurrence; or
- (c) carrying out ordinary checks or special checks for the purposes of railway security checks relating to a cross-border railway affected by a railway occurrence, so far as relevant;

“railway occurrence” means all or any of the following which is occurring or has occurred:

- (a) a railway accident;
- (b) a railway security incident involving or associated with a cross-border railway;
- (c) a natural catastrophe;
- (d) an explosion or a fire, a chemical, fuel or oil spill, a gas leak or a poor air quality episode involving smoke;
- (e) a serious public order incident affecting the public or a threat of such an incident occurring;
- (f) a discovery of unaccompanied, unattended or unidentified goods onboard a cross-border train or on a track of a cross-border railway in suspicious circumstances;

- (g) an event in which critical medical assistance or medical evacuation must be provided to any passenger or crew of a cross-border railway, any individual conducting incident management operations or any other individual affected by any occurrence mentioned in paragraph (a), (b), (c), (d) or (e);

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“serious public order incident” means anyone engaging in conduct that —

- (a) involves serious violence to any individual;
- (b) causes serious damage to property;
- (c) causes death;
- (d) endangers any individual’s life, including the life of the individual engaging in the conduct;
- (e) involves releasing into the environment or any part of the environment, or distributing or otherwise exposing the public to, any dangerous thing; or
- (f) otherwise causes a serious risk to the health or safety of people.

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PART 2

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CO-LOCATION OF BORDER CONTROL AREA IN SINGAPORE

Malaysia’s CIQ zone in Singapore

7.—(1) The Minister must demarcate an area within the Malaysia designated area of a cross-border railway to be Malaysia’s CIQ zone in Singapore where entry into and remaining within by any Singapore border protection service officer is only by or with the express and prior consent of the Malaysian Government.

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(2) The Minister must cause to be displayed prominently, at all times at the perimeter of any Malaysia designated area, adequate notices about the Malaysia designated area.

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Singapore law applies within Malaysia designated area, etc.

8. To be clear, Singapore law applies to and in relation to, and may be administered and enforced in, any Malaysia designated area of a cross-border railway.

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PART 3

BORDER CLEARANCE AND RAILWAY SECURITY CHECKS BY MALAYSIA IN SINGAPORE

Division 1 — Recognition of Malaysian preclearance officers

Recognising Malaysian border protection service officers

10 **9.**—(1) Subject to subsections (2), (4) and (5), the Minister may from time to time recognise a Malaysian border protection service officer as a Malaysian preclearance officer in relation to a cross-border railway specified in the recognition.

15 (2) The Minister may decide to recognise a Malaysian border protection service officer as a Malaysian preclearance officer only after receiving a written nomination of the Malaysian Government regarding that officer.

20 (3) The written nomination of the Malaysian Government may be communicated to the Minister through a person authorised by the Malaysian Government to do so.

(4) The Minister must decide to recognise or refuse to recognise (as the case may be) a Malaysian border protection service officer as a Malaysian preclearance officer —

25 (a) no later than the 30th day after receiving a written nomination of the Malaysian Government regarding that officer; or

(b) within any longer period that the Minister and the Malaysian Government agree in any particular case.

30 (5) The Minister may recognise only so many Malaysian border protection service officers as are necessary for the purposes of the secure conduct of border clearance and railway security checks by Malaysian preclearance officers in Singapore with reasonable speed

and efficiency of people and goods travelling by cross-border train bound for peninsular Malaysia using the cross-border railway specified in the recognition.

(6) The Minister may, without giving any reason, refuse to recognise any particular Malaysian border protection service officer as a Malaysian preclearance officer despite the nomination of the Malaysian Government.

Deemed recognised Malaysian border protection service officers

10.—(1) This section applies where the Malaysian Government gives written notice to the Minister that —

- (a) a serious unplanned incident associated with a cross-border railway is occurring or has occurred; and
- (b) additional Malaysian border protection service officers identified in or identifiable from the notice are necessary to conduct, in Singapore, border clearance and railway security checks of people and goods travelling by cross-border train bound for peninsular Malaysia, so as to substantially assist in either or both the following:
 - (i) restoring the reliable and secure provision of those border clearance and railway security checks in Singapore;
 - (ii) reducing the impact of the serious unplanned incident on the health or safety of people in or on property in the Malaysia designated area or its immediate vicinity.

(2) Upon an acknowledgement of receipt by the Minister of a written notice given under subsection (1) relating to a cross-border railway, every Malaysian border protection service officer identified in or identifiable from the notice is deemed recognised as a Malaysian preclearance officer in relation to the cross-border railway for the period specified or described in the relevant Schedule relating to that cross-border railway.

(3) In this section, a serious unplanned incident associated with a cross-border railway means any occurrence happening in Singapore or outside Singapore that is an unplanned or uncontrolled occurrence specified or described in the relevant Schedule relating to that cross-border railway.

How long is recognition in effect

11.—(1) Any recognition by the Minister under section 9 takes effect on the date the decision to recognise is made or on a later date stated in the decision.

(2) A recognition under section 9 of a particular Malaysian border protection service officer as a Malaysian preclearance officer has effect until the happening of any of the following events, whichever is earliest:

- (a) the recognition is withdrawn under section 12;
- (b) the expiry of the validity period specified in the recognition (which in no case exceeds 5 years after the decision to recognise is made);
- (c) the individual ceases to be a Malaysian border protection service officer.

20 Withdrawing recognition of Malaysian border protection service officer

12.—(1) The Minister must withdraw any recognition under section 9 of any particular Malaysian border protection service officer after receiving any notice from the Malaysian Government that the Malaysian Government cancels its written nomination of the particular Malaysian border protection service officer given under section 9(2).

(2) In addition, the Minister may, at any time and without giving any reason, withdraw any recognition under section 9 of any particular Malaysian border protection service officer.

Division 2 — Powers of Malaysian preclearance officers

Extent of Malaysian border clearance and railway security checks

13.—(1) A Malaysian preclearance officer recognised in relation to a cross-border railway may, within a Malaysia designated area of the cross-border railway which is within an authorised point of departure for the cross-border railway, conduct border clearance and railway security checks of people and goods travelling by any cross-border train bound for peninsular Malaysia using that cross-border railway —

(a) to the extent that is conferred by or under a Malaysian border control law on the Malaysian preclearance officer; and

(b) subject to the limits mentioned in sections 14 to 18, the relevant Schedule relating to that cross-border railway, and section 44.

(2) In addition, before the opening of a cross-border railway, a Malaysian preclearance officer recognised in relation to the cross-border railway may perform any preparatory work —

(a) within a Malaysia designated area of the cross-border railway which is within an authorised point of departure for that cross-border railway; and

(b) subject to the limits mentioned in sections 14 to 18, the relevant Schedule relating to that cross-border railway, and section 44.

(3) Every Malaysian preclearance officer conducting border clearance or railway security checks or performing preparatory work in a Malaysia designated area remains under the orders of his or her own commanding officers.

(4) To be clear, if any cross-border train used on a cross-border railway is stationed in Singapore in preparation for departure for peninsular Malaysia with any passenger or goods onboard such that all or any part of the train is outside of the Malaysia designated area of that cross-border railway, a Malaysian preclearance officer may not

exercise any of his or her CIQ powers in relation to an individual onboard that train even if the individual is pursued there.

Limits on screening and search procedures

5 **14.—(1)** A Malaysian preclearance officer recognised in relation to a cross-border railway may conduct screening or a search procedure in respect of an individual and the individual's personal property that is intended for carrying on board a cross-border train only —

(a) in the sequence prescribed in the relevant Schedule relating to the cross-border railway; and

10 (b) if the individual —

(i) is seeking to enter peninsular Malaysia; and

(ii) is within the Malaysia designated area of the cross-border railway and is about to enter Malaysia's CIQ zone in Singapore.

15 (2) A Malaysian preclearance officer may conduct screening or a search procedure only in such a way that a Singapore border protection service officer has a clear and unobstructed line of sight of the individual when the individual is being screened by the Malaysian preclearance officer.

20 (3) A Malaysian preclearance officer may conduct a strip search or body search of an individual mentioned in subsection (1) only if —

(a) the individual consents to the search;

25 (b) the Malaysian preclearance officer believes on reasonable grounds that it is necessary to conduct a strip search or body search of that individual for the purposes of the search and that the seriousness and urgency of the circumstances require a strip search or body search to be conducted; and

(c) all the conditions in subsection (4) are met.

30 (4) If a strip search or body search is to be conducted, the search —

(a) must be conducted in a private area;

- (b) must be conducted by a Malaysian preclearance officer who is of the same sex as the individual being searched;
- (c) must not be conducted in the presence or view of another individual who is not of the same sex as the individual being searched; and
- (d) must not be conducted in the presence or view of another individual whose presence is not necessary for the purposes of the search.

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Limits on detention of goods and people

15.—(1) A Malaysian preclearance officer may —

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- (a) remove or take possession of any thing found during any screening or a search procedure, or when otherwise conducting border clearance or a railway security check, including any thing —
 - (i) that is a dangerous thing;
 - (ii) that is a Malaysian controlled item; or
 - (iii) where it is unclear to the Malaysian preclearance officer whether it is a dangerous thing or a Malaysian controlled item, and there are discrepancies, either —
 - (A) in the documents accompanying the thing itself; or
 - (B) between the documents accompanying the thing and the thing itself,
- that suggest that it may be unwise for the officer to rely on the documents to clear the import of that thing into Malaysia; and
- (b) detain any individual who was wearing or carrying the thing removed or taken possession of under paragraph (a), or apparently having possession or immediate control of that thing.

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(2) Subject to subsection (3), the Malaysian preclearance officer must transfer custody of any thing he or she removed and took possession of, and any individual he or she detained, under subsection (1) to an appropriate Singapore border protection service officer.

(3) A Malaysian preclearance officer must not keep any thing or detain any individual for longer than is necessary to make arrangements to transfer custody of the thing or individual to an appropriate Singapore border protection service officer, including escorting to deliver into custody.

Limits on questioning or interviewing

16. A Malaysian preclearance officer may conduct questioning or interviewing —

- (a) in a part of a Malaysia designated area that is not a room or other fully enclosed room or space; and
- (b) without the presence of any Singapore border protection service officer.

Limits on CIQ power for public health reasons

17.—(1) A Malaysian preclearance officer recognised in relation to a cross-border railway may require an individual seeking to enter peninsular Malaysia to undergo a medical examination within the Malaysia designated area of the cross-border railway, or to undergo supervised or voluntary isolation or quarantine (as the case may be) where the Malaysian preclearance officer suspects, or has reasonable grounds to believe, that —

- (a) the individual —
 - (i) is a carrier of, or is infected with, an infectious disease;
 - (ii) has undergone a medical examination in connection with an infectious disease but has not received a conclusive result of that medical examination; or
 - (iii) has been exposed to the risk of infection from that infectious disease; or

- (b) the individual is seeking to enter Malaysia from a country outside Malaysia during a period when there is an outbreak or suspected outbreak of the infectious disease in that country.

(2) In this section, “infectious disease” has the meaning given in the relevant Schedule for the cross-border railway concerned.

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Limits on arrest

18. No Malaysian preclearance officer in Singapore may make an arrest when in Singapore conducting border clearance or railway security checks.

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Division 3 — Malaysian controlled items

Detention of Malaysian controlled items

19.—(1) The powers under this section may be exercised by a Singapore border protection service officer at an authorised point of departure on or along a cross-border railway in relation to the following:

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- (a) an individual who is seeking to enter, or to import goods into, peninsular Malaysia by travelling on a cross-border train on the cross-border railway but not yet allowed by any Singapore border protection service officer to exit Singapore;
- (b) any personal property of an individual mentioned in paragraph (a) that is intended for carrying on board a cross-border train on the cross-border railway.

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(2) A Singapore border protection service officer may —

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(a) require an individual —

- (i) to present the individual’s documents and any other information required by or under a Malaysian border control law for the individual to import into Malaysia any Malaysian controlled item which is or is among the individual’s personal property that is intended for carrying on board the cross-border train; and

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- (ii) to allow a Singapore border protection service officer to inspect the personal property mentioned in sub-paragraph (i);
- 5 (b) question or interview an individual in connection with any Malaysian controlled item which is or is among the individual's personal property that is intended for carrying on board the cross-border train;
- 10 (c) conduct screening or a search procedure in respect of an individual and his or her personal property that is intended for carrying on board the cross-border train;
- (d) remove or take possession of any of the following found during any inspection, screening or a search procedure, or when otherwise conducting border clearance or a railway security check:
- 15 (i) a dangerous thing;
- (ii) a Malaysian controlled item not covered by any document required by or under a Malaysian border control law for the individual to import into Malaysia the Malaysian controlled item;
- 20 (iii) any thing where it is unclear to the Singapore border protection service officer whether it is a dangerous thing or a Malaysian controlled item, and there are discrepancies, either —
- 25 (A) in the documents accompanying the thing itself; or
- (B) between the documents accompanying the thing and the thing itself,
- 30 that suggest that it may be unwise for the officer to rely on the documents as authorising the import of that thing into Malaysia; and
- (e) detain any individual wearing or carrying the thing removed or taken possession of under paragraph (d), or apparently having possession or immediate control of that thing.

(3) To be clear, it is immaterial that the goods removed or taken possession of are not goods the export of which is prohibited or restricted under written law.

(4) This section does not limit the exercise of any power of seizure or forfeiture which is vested under any other written law in a Singapore border protection service officer. 5

(5) In this Act, “Malaysian controlled item” means any thing which is prescribed by the Minister by regulations in the *Gazette*, being a thing the import of which into Malaysia is prohibited or restricted by or under any Malaysian border control law and that is included in the list consolidated jointly by the Malaysian Government and the Singapore Government under any of the treaties. 10

Voluntary discarding not prevented unless forbidden thing, etc.

20.—(1) Nothing in section 19 prevents a Singapore border protection service officer allowing an individual to discard, within the authorised point of departure on or along a cross-border railway, any thing found in the individual’s possession during any inspection, screening or search procedure, or when otherwise conducting border clearance or a railway security check, under that section instead of the Singapore border protection service officer removing or taking possession of that thing. 15 20

(2) However, where any thing found by a Singapore border protection service officer during any inspection, screening or search procedure under section 19 — 25

(a) is a forbidden thing;

(b) is a live creature;

(c) is of such a nature or in such condition that it would be dangerous or not reasonably practicable for the individual concerned to discard it within an authorised point of departure on or along a cross-border railway; or 30

(d) is evidential material that may be relevant to an investigation into an offence reasonably suspected to

have been committed by the individual or another person under any written law,

the Singapore border protection service officer must remove or take possession of that thing.

5 (3) To be clear, this section does not limit the exercise of any power of seizure or forfeiture which is vested under any other written law in a Singapore border protection service officer.

(4) In this section —

10 “cash” has the meaning given by section 59(1) of the Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits) Act 1992;

“forbidden thing” means a dangerous thing, or a Malaysian controlled item, that —

(a) is a gun;

15 (b) is or contains a bomb, mine or grenade; or

(c) is a sharp, pointed or bladed weapon capable of being used to cause bodily injury to the individual in possession of the item or to others;

Examples

20 Axe, bayonet, sword, karambit, dagger, spear, push knife or trench knife.

(d) is or contains a controlled drug specified in Part 1, 2 or 3 of the First Schedule to the Misuse of Drugs Act 1973; or

25 (e) is cash, the total value of which exceeds the amount prescribed under section 60 of the Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits) Act 1992 at the material time;

30 “gun” means an object or a thing that, if used in the way for which it is or was designed or adapted, is or was capable of being aimed at a target and causing hurt or injury by —

- (a) propelling a bullet, shot or other projectile (which may or may not contain any noxious substance); or
- (b) discharging any noxious substance, corrosive substance or other toxic substance.

PART 4

5

BORDER CLEARANCE AND RAILWAY SECURITY CHECKS BY SINGAPORE IN MALAYSIA

Minister may send Singapore border protection service officers outside Singapore

21.—(1) Subject to section 22, the Minister may order such number of Singapore border protection service officers as to the Minister seems expedient to proceed outside Singapore as Singapore preclearance officers to conduct border clearance or railway security checks within a Singapore designated area of a cross-border railway in respect of people and goods travelling by any cross-border train bound for Singapore from peninsular Malaysia using that cross-border railway. 10 15

(2) In addition to subsection (1), the Minister may, before the opening of a cross-border railway, order such number of Singapore border protection service officers as to the Minister seems expedient to proceed outside Singapore as Singapore preclearance officers to perform any preparatory work within a Singapore designated area of the cross-border railway. 20

(3) This Part does not affect Part 13A of the Civil Defence Act 1986 and Part 5 of the Police Force Act 2004. 25

Preconditions for section 21 order

22. The Minister must not make an order under section 21(1) or (2) ordering any Singapore border protection service officer to proceed to peninsular Malaysia as a Singapore preclearance officer unless —

- (a) the Singapore border protection service officer is nominated under section 23; 30

- (b) the Malaysian Government accepts in Malaysia the officer as a Singapore preclearance officer in respect of a cross-border railway; and
- (c) the Minister is satisfied that adequate provisions have been or will immediately be made by or under Malaysian law for the proper conduct by Singapore preclearance officers of border clearance or railway security checks, or performing of any preparatory work, within a Singapore designated area of the cross-border railway, which must include provision that all Singapore preclearance officers serving in that Singapore designated area under this Part —
- (i) remain under the orders of their own commanding officers; and
 - (ii) are conferred with the powers, duties and privileges of officers of the equivalent Malaysian border protection service in Malaysia.

Nomination to be Singapore preclearance officer

23.—(1) The Minister may nominate, from among Singapore border protection service officers, such number of officers to be Singapore preclearance officers for any or both of the following purposes:

- (a) to conduct border clearance or railway security checks in peninsular Malaysia within a Singapore designated area of a cross-border railway in respect of people and goods travelling by any cross-border train bound for Singapore from peninsular Malaysia using that cross-border railway;
- (b) to perform any preparatory work in peninsular Malaysia within a Singapore designated area of a cross-border railway.

(2) The Minister must, without delay, inform the Malaysian Government of the identity of every officer nominated under subsection (1).

Same powers and immunities as in Singapore for Singapore preclearance officers in Malaysia

24.—(1) Except as otherwise expressly provided, every Singapore preclearance officer conducting border clearance or railway security checks or performing any preparatory work in a Singapore designated area of a cross-border railway has —

- (a) the same powers, rights and immunities under the applicable Singapore border control law; and
- (b) so far as possible, to perform the same duties,

as when conducting the border clearance or railway security checks or performing that preparatory work in Singapore.

(2) Every Singapore border protection service officer serving as a Singapore preclearance officer may, within the Singapore designated area of the cross-border railway in peninsular Malaysia, conduct border clearance and railway security checks of people and goods travelling by any cross-border train bound for Singapore from peninsular Malaysia using a cross-border railway —

- (a) to the extent that is conferred by or under a Singapore border control law on a Singapore preclearance officer; and
- (b) subject to the limits mentioned in the following provisions as those provisions apply, with the necessary modifications, to such a Singapore preclearance officer serving in peninsular Malaysia as they apply to a Malaysian preclearance officer conducting border clearance or railway security checks in a Malaysia designated area of the cross-border railway in Singapore:

- (i) sections 14 to 18;

- (ii) the relevant Schedule relating to that cross-border railway.

(3) In addition, before the opening of a cross-border railway, a Singapore border protection service officer serving as a Singapore preclearance officer may perform any preparatory work —

- (a) within the Singapore designated area of the cross-border railway in peninsular Malaysia; and
- (b) subject to the limits mentioned in the following provisions as those provisions apply, with the necessary modifications, to such a Singapore preclearance officer serving in peninsular Malaysia as they apply to a Malaysian preclearance officer conducting border clearance or railway security checks in a Malaysia designated area of the cross-border railway in Singapore:
 - (i) sections 14 to 18;
 - (ii) the relevant Schedule relating to that cross-border railway.

Application of Singapore border control laws in Singapore designated area

25.—(1) The provisions of any Singapore border control law —

- (a) providing for the conduct of border clearance or railway security checks or preparatory work by a Singapore border protection service officer; or
- (b) containing prohibitions and restrictions on the import of Singapore controlled items,

(except the Immigration Act 1959, the Customs Act 1960 and the Infectious Diseases Act 1976) apply within any Singapore designated area of a cross-border railway at which pre-clearance procedures are carried out subject to the modifications in this section and section 26.

(2) A Singapore border control law mentioned in subsection (1) affecting an individual who is entering or arriving or has entered or arrived in Singapore, or any goods that are about to be or are recently imported into Singapore, extends to apply to —

- (a) any individual who is travelling to Singapore on a pre-cleared train journey on a cross-border railway and arrives or is due to arrive at a Singapore designated area (which is outside Singapore) of the cross-border railway; and

(b) any goods worn or carried or apparently in the possession or immediate control of an individual mentioned in paragraph (a).

(3) To be clear, nothing in this section authorises the collection, within any Singapore designated area of a cross-border railway, of any taxes, customs duties or excise duties on any goods imported into the customs territory.

(4) In this section —

“customs duties”, “customs territory” and “excise duties” have the meanings given by section 3(1) of the Customs Act 1960;

“pre-clearance procedures” and “pre-cleared train journey” have the meanings given by section 36D of the Immigration Act 1959.

Modification of Singapore laws for cross-border railway preclearance outside Singapore, etc.

26.—(1) Any provision of a Singapore border control law mentioned in section 25(1) that authorises or requires a Singapore border protection service officer to use a place in Singapore —

(a) for questioning or interviewing, for the purposes of any such Singapore border control law, any individual entering or arriving by land in Singapore from a place outside Singapore; or

(b) for inspecting or examining, for such purposes, the personal property of such an individual,

applies as if the reference to the use of a place in Singapore by a Singapore border protection service officer were a reference to the use of an appropriate space within the Singapore designated area by a Singapore border protection service officer who is a Singapore preclearance officer; and it does not matter whether the space is or is not a customs station, a customs office or an examination station.

(2) Any reference in any provision of such a Singapore border control law to a Singapore border protection service officer (however called) as the provision affects a person within the Singapore

designated area is a reference only to a Singapore border protection service officer who is a Singapore preclearance officer.

5 (3) Any conduct engaged in outside Singapore within a Singapore designated area of a cross-border railway that, if engaged in within Singapore, would constitute an offence under any provision of any Singapore border control law as modified by section 25 and this section, is to be treated for the purposes of that provision as if the person engaged in that conduct in Singapore.

10 (4) An individual who engaged in any conduct mentioned in subsection (3) may be tried and punished for that conduct by a court in Singapore.

15 (5) However, any provision of any Singapore border control law mentioned in subsection (1) that authorises any Singapore border protection service officer to arrest an individual does not apply to or in relation to any individual who engaged in any conduct mentioned in subsection (3) until the individual is within Singapore.

(6) To be clear, it does not matter whether the conduct engaged in constitutes an offence under the laws of Malaysia, and this section does not affect sections 39 and 40.

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PART 5

MANAGEMENT OF CROSS-BORDER INCIDENTS

Definitions for Part 5

27. In this Part —

25 “Malaysian incident management officer” means a Malaysia border protection service officer whose function or duty includes —

- (a) preserving, restoring or maintaining order in any train station in Malaysia and its immediate vicinity;
- (b) the protection of life and property at fires;
- 30 (c) preventing, managing or controlling of quarantinable diseases in Malaysia; and

(d) protecting people from injury or death, and public property from damage or loss, whether arising from criminal acts or in any other way,

but only while on duty or carrying out work in that capacity;

“Singapore incident management officer” means a Singapore border protection service officer whose function or duty includes —

(a) preserving, restoring or maintaining order in any train station in Singapore and its immediate vicinity;

(b) the protection of life and property at fires;

(c) preventing, managing or controlling of quarantinable diseases in Singapore; and

(d) protecting people from injury or death, and public property from damage or loss, whether arising from criminal acts or in any other way,

but only while on duty or carrying out work in that capacity.

Incident management operations in respective territories

28. Subject to sections 30, 31 and 32, where a cross-border incident is occurring or has occurred and the conduct of incident management operations is necessary —

(a) a Singapore incident management officer may conduct incident management operations in the premises in section 29, even if those premises are in peninsular Malaysia; or

(b) a Malaysian incident management officer may conduct incident management operations in the premises in section 29, even if those premises are in Singapore,

in the circumstances specified in the relevant Schedule relating to the cross-border railway that the cross-border incident involves or is associated with.

Cross-border incident site

29. The premises where incident management operations in relation to a railway occurrence that is a cross-border incident may be conducted are —

- 5 (a) the premises where the cross-border incident is occurring or has occurred; and
- (b) any other premises in the immediate vicinity of the premises in paragraph (a) as is reasonably necessary for the effective conduct of those incident management
- 10 operations.

Extent of incident management operations in Singapore by Malaysian incident management officers

30.—(1) Subject to section 44, a Malaysian incident management officer may conduct incident management operations in Singapore —

- 15 (a) to the extent that is conferred by or under a Malaysian law on the Malaysian incident management officer; and
- (b) subject to the limits mentioned in the following:
 - 20 (i) sections 14 to 18 so far as these apply to carrying out ordinary checks or special checks for the purposes of railway security checks during incident management operations;
 - (ii) section 31;
 - (iii) the relevant Schedule relating to that cross-border railway so far as these apply to other activities
 - 25 undertaken during incident management operations.

(2) Every Malaysian incident management officer conducting incident management operations under the provisions of this Part remains under the orders of his or her own commanding officers.

Limits on arrest by Malaysian incident management officer

30 **31.** No Malaysian incident management officer in Singapore may make an arrest when in Singapore conducting incident management operations relating to a cross-border incident.

Same powers and immunities as in Singapore for Singapore incident management officers in Malaysia

32.—(1) Except as otherwise expressly provided, a Singapore incident management officer conducting incident management operations under section 28 in Malaysia has —

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(a) the same powers, rights and immunities under the applicable Singapore border control law for —

(i) preserving, restoring or maintaining public order;

(ii) the protection of life and property;

(iii) preventing, managing or controlling of quarantinable diseases in Singapore;

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(iv) protecting people from injury or death, and public property from damage or loss, whether arising from criminal acts or in any other way;

(v) responding to, or minimising, the adverse effects of a railway occurrence; or

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(vi) carrying out ordinary checking or special checking for the purposes of railway security checks relating to a cross-border railway affected by a railway occurrence, so far as relevant; and

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(b) so far as possible, to perform the same duties,

as when conducting incident management operations in Singapore.

(2) Every Singapore incident management officer may conduct incident management operations under section 28 in peninsular Malaysia —

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(a) to the extent that is conferred under written law on the Singapore incident management officer; and

(b) subject to the limits mentioned in the following provisions as those provisions apply, with the necessary modifications, to such a Singapore incident management officer serving in peninsular Malaysia as they apply to a Malaysian incident management officer conducting

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incident management operations in Singapore by virtue of section 30:

- (i) sections 14 to 18 so far as these apply to carrying out ordinary checks or special checks for the purposes of railway security checks during incident management operations;
- (ii) section 31;
- (iii) the relevant Schedule relating to that cross-border railway so far as these apply to other activities undertaken during incident management operations.

(3) The provisions of any Singapore border control law for the purposes in subsection (1)(a) or (b), or otherwise providing for the conduct of incident management operations, apply within any premises in section 29, even if those premises are in peninsular Malaysia, subject to the modifications mentioned in this section.

Minister may send Singapore border protection service officers outside Singapore for incident management

33.—(1) Subject to section 34, the Minister may, in connection with any treaty respecting arrangements for coordination between Singapore and Malaysia in railway security matters and managing cross-border incidents affecting a cross-border railway, order such number of Singapore border protection service officers as to the Minister seems expedient to proceed outside Singapore to carry out duties in peninsular Malaysia as a Singapore incident management officer.

(2) This Part does not affect Part 13A of the Civil Defence Act 1986 and Part 5 of the Police Force Act 2004.

Preconditions for section 33 order

34. The Minister must not make an order under section 33(1) ordering any Singapore border protection service officer to proceed to peninsular Malaysia as a Singapore incident management officer unless the Minister is satisfied that adequate provisions have been or will immediately be made by or under Malaysian law for the proper conduct by Singapore incident management officers of incident

management operations in peninsular Malaysia in relation to a railway occurrence that is a cross-border incident, which must include provision that all Singapore incident management officers conducting incident management operations in peninsular Malaysia in relation to a railway occurrence that is a cross-border incident — 5

- (a) remain under the orders of their own commanding officers; and
- (b) are conferred with the powers, duties and privileges of officers of the equivalent Malaysian border protection service and equivalent Malaysian incident management officers in Malaysia. 10

PART 6

DATA RESIDENCY AND INVIOABILITY

Malaysian protected information

35.—(1) All Malaysian protected information — 15

- (a) is to be treated as if the information were collected or generated in Malaysia; and
- (b) is governed by the laws of Malaysia, including those relating to protection, access, use or disclosure of the information. 20

(2) To be clear, the Personal Data Protection Act 2012 and Parts 3A, 3B, 3C, 3D and 4 of the Cybersecurity Act 2018 do not apply to or in relation to —

- (a) any Malaysian protected information; and
- (b) any Malaysian protected material containing Malaysian protected information. 25

(3) In this section and section 36 —

“Malaysian protected information” means any information that is collected or generated in Singapore by —

- (a) any Malaysian preclearance officer in the course of conducting border clearance or railway security 30

checks or performing any preparatory work within a Malaysia designated area; or

- (b) any Malaysian incident management officer in the course of conducting incident management operations in Singapore in relation to a cross-border incident;

“Malaysian protected material” means any document or equipment that is supplied by the Malaysian Government for the use of —

- (a) any Malaysian preclearance officer in the course of conducting border clearance or railway security checks or performing any preparatory work within a Malaysia designated area in Singapore; or

- (b) any Malaysian incident management officer in the course of conducting incident management operations in Singapore in relation to a cross-border incident,

whether or not containing any Malaysian protected information.

Inviolability of Malaysian protected material in defined area

36.—(1) Subject to subsections (5) and (6), all Malaysian protected material shall —

- (a) be immune from search, requisition, confiscation, expropriation, or any other form of interference by or under any written law;
- (b) be immune from seizure or forfeiture, or any order to give evidence or for production, for or in connection with any proceedings or any investigation for an offence;
- (c) be immune from attachment, foreclosure or other taking for or in connection with —
- (i) any process for the satisfaction of any judgment, order or arbitration award (whether interim or final) of any court or tribunal in Singapore; or

(ii) any other proceedings;

(d) not be subject to distress; and

(e) not be admissible in evidence in any proceedings,

for the time the Malaysian protected material is installed, kept or situated within a defined area in Singapore. 5

(2) Every Malaysian protected material that is installed, kept or situated within a defined area in Singapore remains the property of the Malaysian Government, whether or not it has become in whole or in part a fixture.

(3) Where any Malaysian protected material contains any information, that information — 10

(a) is to be treated as if the information were stored in Malaysia; and

(b) is governed by the laws of Malaysia,

for the time the Malaysian protected material is installed, kept or situated within a defined area in Singapore. 15

(4) To be clear, the Personal Data Protection Act 2012 and Parts 3A, 3B, 3C, 3D and 4 of the Cybersecurity Act 2018 do not apply to or in relation to the information mentioned in subsection (3).

(5) However, subsection (1) does not prevent a Singapore border protection service officer conducting a scanning search or screening of a Malaysian preclearance officer, or of any personal property of a Malaysian preclearance officer, in the course of the Singapore border protection service officer carrying out railway security checks or exercising CIQ powers. 20
25

(6) Subsection (1) does not apply to or in relation to any particular Malaysian protected material in respect of which the Malaysian Government has waived the application of subsection (1), but the Malaysian Government is not taken to have submitted to the jurisdiction of the courts of Singapore by reason only because of that waiver. 30

(7) For the purposes of subsections (1), (2) and (3), a defined area in Singapore means any of the following:

- (a) Malaysia’s CIQ zone in Singapore;
- (b) the railway station along a cross-border railway where Malaysia’s CIQ zone in Singapore falls within or abuts;
- (c) any train platform within the railway station in paragraph (b);
- (d) a cross-border train;
- (e) a vehicle parking facility or vehicle set down facility in Singapore that is for passengers of a cross-border railway mentioned in paragraph (b) and that the Minister, after consulting the Malaysian Government, specifies;
- (f) a pedestrian facility (such as ramps, overhead bridges, footpaths, escalators, stairs and lifts) for or connected or facilitating access between the railway station in paragraph (b) and any place mentioned in paragraph (a), (c), (d) or (e);
- (g) any premises mentioned in section 29 where incident management operations are being conducted by any Malaysian incident management officer in relation to a railway occurrence that is a cross-border incident.

Singapore protected information

37.—(1) All Singapore protected information —

- (a) is to be treated as if the information were collected or generated in Singapore; and
- (b) is governed by the laws of Singapore, including those relating to protection, access, use or disclosure of the information.

(2) In this section, “Singapore protected information” means any information that is collected or generated in peninsular Malaysia by —

- (a) any Singapore preclearance officer in the course of conducting border clearance or railway security checks or performing any preparatory work within a Singapore designated area of a cross-border railway; or

- (b) any Singapore incident management officer in the course of conducting incident management operations in peninsular Malaysia in relation to a cross-border incident.

Singapore protected material

38.—(1) Every Singapore protected material that is installed, kept or situated within a defined area in Malaysia remains the property of the Singapore Government, whether or not it has become in whole or in part a fixture. 5

(2) Where any Singapore protected material contains any information, that information — 10

(a) is to be treated as if the information were stored in Singapore; and

(b) is governed by the laws of Singapore,

for the time the Singapore protected material is installed, kept or situated within a defined area in Malaysia. 15

(3) For the purposes of subsections (1) and (2), a defined area in Malaysia means any of the following:

(a) a Singapore designated area of a cross-border railway;

(b) the railway station along a cross-border railway where a Singapore designated area in paragraph (a) falls within or abuts; 20

(c) any train platform within the railway station in paragraph (b);

(d) a cross-border train;

(e) a vehicle parking facility or vehicle set down facility in peninsular Malaysia that is for passengers of a cross-border railway mentioned in paragraph (b) and that the Malaysian Government specifies; 25

(f) a pedestrian facility (such as ramps, overhead bridges, footpaths, escalators, stairs and lifts) in peninsular Malaysia for or connected or facilitating access between 30

the railway station in paragraph (b) and any place mentioned in paragraph (a), (c), (d) or (e);

- (g) any premises mentioned in section 29 where incident management operations are being conducted by any Singapore incident management officer in relation to a railway occurrence that is a cross-border incident.

(4) In this section, “Singapore protected material” means any document or equipment that is supplied by the Singapore Government for the use of —

- (a) any Singapore preclearance officer in the course of conducting border clearance or railway security checks or performing any preparatory work within a Singapore designated area of a cross-border railway; or
- (b) any Singapore incident management officer in the course of conducting incident management operations in peninsular Malaysia in relation to a cross-border incident, whether or not containing any information.

PART 7

CRIMINAL JURISDICTION

Concurrent criminal jurisdiction for conduct within defined zone, etc.

39.—(1) Any conduct engaged in by a person —

- (a) on board a cross-border train when it is in transit; or
- (b) within any defined zone of a cross-border railway,
- that, if engaged in within Singapore, would constitute an offence under any written law, is to be treated for the purposes of that written law as if the person engaged in that conduct in Singapore.

(2) A person who engaged in any conduct mentioned in subsection (1) may be tried and punished for that conduct by a court in Singapore unless —

- (a) the person is subject to the criminal jurisdiction of the country in which the conduct was engaged in; and
- (b) the authorities in that country —
 - (i) are not subject to any obligation to cede jurisdiction to the Singapore authorities in respect of that conduct; and
 - (ii) bring criminal proceedings against the person in that country.

Consent of Public Prosecutor

40. No proceedings are to be instituted in any court against a person for any offence if the person is one over whom jurisdiction is claimed by virtue of section 39 unless the Public Prosecutor consents.

PART 8

GENERAL MATTERS

Wearing of Malaysian border protection service uniforms

41.—(1) Nothing in the Decorations and Uniforms Act 1922 prohibits or makes unlawful a Malaysian border protection service officer who is recognised as a Malaysian preclearance officer in relation to a cross-border railway or is a Malaysian incident management officer —

- (a) wearing any uniform of the Malaysian border protection service he or she is an officer of; or
- (b) wearing or showing any insignia, decoration, medal, bar, clasp, ribbon, stripe or emblem associated with being that Malaysian border protection service officer,

when he or she is acting in the course of his or her duty conducting border clearance and railway security checks, or performing any preparatory work, in the Malaysia designated area of the cross-border railway or conducting incident management operations under this Act.

(2) In this section —

“insignia”, in relation to any of the Malaysian border protection services, includes any badge of rank, logo, symbol, representation, device or other item that is generally recognised as being used by an officer of the Malaysian border protection service concerned;

“uniform”, in relation to any of the Malaysian border protection services, includes any accessory of an officer of the Malaysian border protection service concerned that is generally recognised as a part of the uniform of that Malaysian border protection service.

Malaysian officers deemed to be public servants, etc.

42.—(1) Every —

(a) Malaysian preclearance officer while on duty or carrying out work, in that capacity, conducting border clearance or railway security checks, or performing any preparatory work, within a Malaysia designated area in Singapore; or

(b) Malaysian incident management officer while on duty or carrying out work, in that capacity, conducting incident management operations in Singapore in relation to a cross-border incident,

is deemed to be a public servant for the purposes of the provisions in subsection (2).

(2) The provisions for the purposes of subsection (1) are any of the following:

(a) section 6 of the Protection from Harassment Act 2014;

(b) sections 152, 189, 332, 333 and 353 of the Penal Code 1871.

Protection of Malaysian officers

43.—(1) Subject to subsection (2) and section 44, an individual is immune from any proceedings, or any disciplinary proceedings or other like administrative means, before any court, tribunal, authority,

person or body in Singapore insofar as those proceedings relate to anything the individual did or omitted to do in the exercise of powers, or in the discharge of any duty —

(a) as a Malaysian preclearance officer in the course of conducting border clearance or railway security checks or performing any preparatory work within a Malaysia designated area in Singapore; or

(b) as a Malaysian incident management officer in the course of conducting incident management operations in Singapore in relation to a cross-border incident,

and the immunity continues to apply despite the individual ceasing to be a Malaysian preclearance officer or a Malaysian incident management officer.

(2) Subsection (1) does not apply to or in relation to any particular Malaysian preclearance officer or a Malaysian incident management officer in respect of whom the Malaysian Government has waived the application of subsection (1), but the Malaysian Government is not taken to have submitted to the jurisdiction of the courts of Singapore by reason only because of that waiver.

(3) A certificate by or on behalf of a representative of the Malaysian Government is conclusive evidence on any question in any proceedings whether a Malaysian preclearance officer or a Malaysian incident management officer did or omitted to do anything in the exercise of powers, or in the discharge of any duty —

(a) conducting as a Malaysian preclearance officer border clearance and railway security checks of people and goods travelling by any cross-border train bound for peninsular Malaysia;

(b) performing any preparatory work; or

(c) conducting any incident management operations in relation to a cross-border incident.

(4) To be clear, this section does not prevent any proceedings, or any disciplinary proceedings by an employer with a view to disciplining an individual employed or engaged by the employer or

other like administrative means, being taken against a Malaysian preclearance officer or a Malaysian incident management officer in respect of his or her conduct in the course of —

- (a) conducting border clearance or railway security checks or performing any preparatory work within a Malaysia designated area in Singapore; or
- (b) conducting incident management operations in Singapore in relation to a cross-border incident,

as the case may be.

(5) This section does not affect the State Immunity Act 1979.

Disapplication of Act if non-reciprocating

44.—(1) Subject to subsection (2), the Minister may make regulations prescribing that —

- (a) this Act does not apply in relation to any Malaysian preclearance officer or any Malaysian incident management officer, whether generally or for specified classes of cases; or
- (b) the application of this Act in relation to any Malaysian preclearance officer or any Malaysian incident management officer is subject to modifications or exceptions.

(2) Regulations may be made under this section only if the Minister is satisfied that any duty, power, protection or privilege accorded under Malaysian law to —

- (a) any Singapore preclearance officer in the course of conducting border clearance or railway security checks or performing preparatory work within a Singapore designated area in peninsular Malaysia; or

(b) any Singapore incident management officer in the course of conducting incident management operations in peninsular Malaysia in relation to a cross-border incident, is substantially less favourable than that accorded by this Act to —

(c) a Malaysian preclearance officer for conducting border clearance or railway security checks or performing preparatory work within a Malaysia designated area in Singapore; or

(d) a Malaysian incident management officer for conducting incident management operations in Singapore in relation to a cross-border incident.

(3) In making regulations under subsection (1)(b), the Minister must have regard to the nature and extent any duty, power, protection or privilege accorded under Malaysian law to any officer mentioned in subsection (2)(a) or (b) is substantially less favourable than that accorded by this Act to an officer mentioned in subsection (2)(c) or (d).

Adding or amending Schedules

45.—(1) The Minister may, by regulations, add or delete a Schedule, or amend any of the Schedules.

(2) The Minister may, in any regulations made under subsection (1) —

(a) prescribe matters required, permitted or convenient to be prescribed for carrying out the provisions in treaties respecting arrangements for the co-location of border clearance of people and goods travelling by cross-border train between Singapore and peninsular Malaysia; and

(b) make such saving or transitional provisions as may be necessary or expedient consequent on the making of the regulations.

(3) No regulation made under this Act is deemed to be invalid because it deals with any matter provided for by any written law, or because of repugnancy to or inconsistency with any Act other than the Constitution.

Presentation to Parliament

46. All regulations made under this Act must be presented to Parliament as soon as possible after publication in the *Gazette*.

PART 9

5 AMENDMENTS TO OTHER ACTS

Division 1 — Civil Defence Act 1986

New section 105AA

47. In the Civil Defence Act 1986, in Part 13A, before section 105A, insert —

10 “Definitions for Part 13A

105AA. In this Part —

“cross-border incident” and “incident management operations” have the meanings given by section 6(2) of the Cross-Border Railways (Border Control Co-location) Act 2026;

“cross-border incident site”, for a cross-border incident, means the premises mentioned in section 29 of the Cross-Border Railways (Border Control Co-location) Act 2026 associated with the cross-border incident;

“cross-border railway” means a railway that —

(a) has a railway network with a terminus in Singapore and runs to any part of peninsular Malaysia; and

(b) is constructed under the Cross-Border Railways Act 2018;

“cross-border train” means a train used for or in connection with providing a cross-border train service;

“cross-border train service” means a passenger train service provided using a cross-border railway;

“Malaysian incident management officer” and “Singapore incident management officer” have the meanings given by section 27 of the Cross-Border Railways (Border Control Co-location) Act 2026;

“treaty” has the meaning given by section 3(1) of the Cross-Border Railways (Border Control Co-location) Act 2026.”

Amendment of section 105A

48. In the Civil Defence Act 1986, in section 105A, after subsection (1), insert —

“(1A) The Minister may make an order under subsection (1) for the purpose of enabling any member of the Force to carry on incident management operations in any place in peninsular Malaysia where a cross-border incident is occurring or has occurred, despite no civil defence emergency taking place in such territory but subject to section 105E.”

Amendment of section 105D

49. In the Civil Defence Act 1986, in section 105D, replace subsection (2) with —

“(2) No proceedings are to be instituted in any court against a person for any offence if the person is one over whom jurisdiction is claimed by virtue of subsection (1) unless the Public Prosecutor consents.”

New section 105E

50. In the Civil Defence Act 1986, after section 105D, insert —

“Extent of powers for incident management operations for cross-border incidents

105E.—(1) A member of the Force who is a Singapore incident management officer carrying out incident management operations relating to a cross-border incident may exercise the powers under this Act as if to respond to and deal with a civil

defence emergency, using only force that is reasonable in the circumstances and subject to the following modifications:

- (a) section 4(2)(c), (e), (g) and (h) does not apply;
- (b) section 4(2)(d) applies as if the reference to public authorities includes a reference to Malaysian incident management officers;
- (c) section 101A(1)(b) applies as if the reference to a vehicle includes a reference to a cross-border train, vessel or an aircraft;
- (d) section 101A(1)(d) does not apply;
- (e) section 101A(1)(g) applies as if the reference to disposing of the thing seized were deleted and replaced with transferring custody of the thing seized to a Malaysian incident management officer if Malaysia is responsible for managing the cross-border incident under a treaty;
- (f) the incident management operations are carried out only —
 - (i) during or immediately after the cross-border incident happening;
 - (ii) within the cross-border incident site for that cross-border incident; and
 - (iii) with the prior consent of the Government of Malaysia for the specific cross-border incident unless the cross-border incident —
 - (A) is an explosion or a fire;
 - (B) involved the release into the environment or exposing the public to any toxic chemical, any dangerous, hazardous, radioactive or harmful substance, or any biological agent, or toxin; or

(C) requires search and rescue services or critical medical assistance or medical evacuation to be provided.

(2) To avoid doubt, no member of the Force who is a Singapore incident management officer may make an arrest when carrying on in peninsular Malaysia any incident management operations relating to a cross-border incident.”

Division 2 — Coroners Act 2010

Amendment of section 24

51. In the Coroners Act 2010, in section 24 —

(a) in subsection (1)(c), delete “or” at the end;

(b) in subsection (1)(d), replace the full-stop at the end with a semi-colon;

(c) in subsection (1), after paragraph (d), insert —

“(e) the death occurred (even if outside Singapore) on board, or as a result of an occurrence on board, a cross-border train when the person, at the time of death, was on a journey to or from somewhere in Singapore, and that cross-border train enters or returns to Singapore with the body of the deceased; or

(f) the cause or suspected cause of the death (even if it occurred outside Singapore) is connected with a cross-border incident and the body of the deceased is sent to Singapore pursuant to incident management operations.”; and

(d) after subsection (2), insert —

“(3) In this section —

“cross-border railway” and “cross-border train” have the meanings given by section 3(1) of

the Cross-Border Railways (Border Control Co-location) Act 2026;

5 “cross-border incident” and “incident management operations” have the meanings given by section 6(2) of the Cross-Border Railways (Border Control Co-location) Act 2026.”.

Amendment of section 25

10 **52.** In the Coroners Act 2010, in section 25(3)(d), after “occurred outside Singapore”, insert “where the death is not one mentioned in section 24(1)(e) or (f).”.

Amendment of Second Schedule

53. In the Coroners Act 2010, in the Second Schedule, after item 10, insert —

15 “10A. Any death mentioned in section 24(1)(e) or (f).”.

Division 3 — Cross-Border Railways Act 2018

Amendment of section 2

54. In the Cross-Border Railways Act 2018, in section 2 —

20 (a) in the definition of “bilateral railway agreement”, in paragraph (b), replace “, a redacted copy of which the Minister makes available for inspection at a public office prescribed” with “and which is prescribed by the Minister”; and

25 (b) in the definition of “cross-border railway security agency”, replace “under” with “by”.

Amendment of section 58

55. In the Cross-Border Railways Act 2018, in section 58, replace “Minister may designate a person or body of persons to be” with “LTA is”.

Amendment of section 59

56. In the Cross-Border Railways Act 2018, in section 59 —

- (a) in subsection (1), delete paragraph (c);
- (b) in subsection (1)(d), replace “paragraph (a), (b) or (c)” with “paragraph (a) or (b)”; 5
- (c) after subsection (1), insert —

“(1A) However, subsection (1)(d) does not authorise the giving of a security directive to any of the following persons:

- (a) a Singapore border protection service; 10
- (b) any Malaysian preclearance officer;
- (c) any Malaysian border protection service to which a Malaysian preclearance officer belongs.”;

- (d) in subsection (6)(e), delete “the LTA,”; and 15
- (e) after subsection (6), insert —

“(7) In subsection (1A), “Malaysian border protection service”, “Malaysian preclearance officer” and “Singapore border protection service” have the meanings given by section 3(1) of the Cross-Border Railways (Border Control Co-location) Act 2026.” 20

Amendment of section 60

57. In the Cross-Border Railways Act 2018, in section 60 —

- (a) in subsection (1)(a)(i), after “cross-border railway”, insert “outside of an excluded zone”; 25
- (b) in subsection (1)(a)(ii), replace “mentioned in section 59(1)(a) to (d)” with “to whom a security directive may be given under section 59(1)”; 30
- (c) in subsection (1)(b), replace “mentioned in paragraph (a)” with “which the cross-border railway security agency or a

police officer may enter and inspect under this section, unless prohibited by section 36 of the Cross-Border Railways (Border Control Co-location) Act 2026”;

5 (d) in subsection (1)(f), after “a relevant person”, insert “unless prohibited by section 36 of the Cross-Border Railways (Border Control Co-location) Act 2026”;

(e) in subsection (1)(h), after “in paragraph (g)”, insert “unless prohibited by section 36 of the Cross-Border Railways (Border Control Co-location) Act 2026”;

10 (f) after subsection (1), insert —

“(1A) Despite subsection (1)(a)(i), the cross-border railway security agency or a police officer authorised by the cross-border railway security agency may enter and inspect any excluded zone of a cross-border railway with the express and prior consent of the Government of Malaysia.”; and

(g) after subsection (3), insert —

“(4) For the purposes of subsections (1) and (1A), “excluded zone”, for a cross-border railway, means the part of the cross-border railway that —

(a) is demarcated under section 7(1) of the Cross-Border Railways (Border Control Co-location) Act 2026 to be Malaysia’s CIQ zone in Singapore for that cross-border railway; or

(b) is any other part of the Malaysia designated area (as defined in the Cross-Border Railways (Border Control Co-location) Act 2026) for that cross-border railway and is not a departure train platform.”.

Amendment of section 61

- 58.** In the Cross-Border Railways Act 2018, in section 61 —
- (a) in subsection (1), after “affecting section 60”, insert “but subject to section 36 of the Cross-Border Railways (Border Control Co-location) Act 2026”; and
 - (b) in subsection (2), after “subsection (3)”, insert “but subject to section 36 of the Cross-Border Railways (Border Control Co-location) Act 2026”.

Division 4 — Customs Act 1960

New section 35

- 59.** In the Customs Act 1960, after section 34, insert —
- “Disappplied provisions for passenger trains**

35. Sections 36, 39, 40, 41, 44, 45 and 47 do not apply to or in relation to the import or export of any goods by railway as the baggage of a passenger on a passenger train service.”.

New section 38A

- 60.** In the Customs Act 1960, after section 38, insert —

“Modification of provisions for cross-border railway preclearance outside Singapore

38A.—(1) The provisions of this Act which prohibit or restrict the import of any section 38 import prohibited goods extend to apply to —

- (a) any person who is travelling to Singapore on a pre-cleared train journey on a cross-border railway and arrives or is due to arrive at a Singapore designated area (which is outside Singapore) of the cross-border railway at which pre-clearance procedures are carried out; and

- (b) any goods worn or carried or apparently in the possession or immediate control of a person mentioned in paragraph (a),

as if the person were entering or arriving or had entered or arrived in Singapore, and the goods were about to be or were recently imported into Singapore.

(2) The following provisions of this Act as they affect any person or section 38 import prohibited goods mentioned in subsection (1) apply with the following modifications:

- (a) any reference in section 108(a) to goods in the course of being imported includes a reference to goods worn or carried or apparently in the possession or immediate control of a person mentioned in subsection (1)(a);

- (b) any reference in section 109(1)(b) or (2) to a customs office or customs station or police station is a reference only to any appropriate space within the Singapore designated area which is outside Singapore;

- (c) any reference in section 109(1)(b) or (2) to any person entering or having recently entered Singapore by rail includes a reference to any person who is travelling to Singapore on a pre-cleared train journey and arrives or is due to arrive at the Singapore designated area outside Singapore at which pre-clearance procedures are carried out;

- (d) any reference in any provision to an officer of customs or a proper officer of customs or senior officer of customs is a reference only to an officer of customs or a proper officer of customs or senior officer of customs who is a Singapore preclearance officer.

(3) Any conduct engaged in outside Singapore within a Singapore designated area of a cross-border railway and involving any section 38 import prohibited goods that, if

engaged in within Singapore, would constitute an offence under any provision of this Act as modified by this section, is to be treated for the purposes of that provision as if the person engaged in that conduct in Singapore.

(4) A person who engaged in any conduct mentioned in subsection (3) may be tried and punished for that conduct by a court in Singapore. 5

(5) However, any provision of this Act that authorises any officer of customs or proper officer of customs or senior officer of customs to arrest a person does not apply to or in relation to any individual who engaged in any conduct mentioned in subsection (3) until the person is within Singapore. 10

(6) To be clear, it does not matter whether the conduct engaged in constitutes an offence under the laws of Malaysia, and this section does not affect sections 39 and 40 of the Cross-Border Railways (Border Control Co-location) Act 2026. 15

(7) To be clear, nothing in this section authorises the collection, within any Singapore designated area of a cross-border railway, of any taxes, customs duties and excise duties on any goods imported into the customs territory. 20

(8) In this section —

“cross-border railway”, “Singapore designated area” and “Singapore preclearance officer” have the meanings given by section 3(1) of the Cross-Border Railways (Border Control Co-location) Act 2026; 25

“pre-clearance procedures” and “pre-cleared train journey” have the meanings given by section 36D of the Immigration Act 1959;

“section 38 import prohibited goods” means dutiable goods the import of which is prohibited, either conditionally or absolutely, by notification made under section 38.”. 30

Amendment of section 52

61. In the Customs Act 1960, in section 52(5) —

(a) in paragraph (a), delete “and” at the end; and

(b) replace paragraph (b) with —

5 “(b) by rail as the baggage of a passenger on a passenger train service; and

(c) by rail as stores for use in railway restaurant cars.”.

Amendment of section 105

10 62. In the Customs Act 1960, in section 105, delete subsection (3).

Division 5 — Immigration Act 1959

Amendment of section 5

63. In the Immigration Act 1959, in section 5, after subsection (1), insert —

15 “(1AA) The Minister may, in connection with any treaty specified in the First Schedule to the Cross-Border Railways (Border Control Co-location) Act 2026, prescribe under subsection (1) or (3) (as the case may be) an area outside
20 Singapore as an authorised point of entry, an authorised point of departure or an immigration control post for the purposes of this Act.”.

Amendment of section 23A

64. In the Immigration Act 1959, in section 23A(2)(a) and (3), replace “train checkpoint” wherever it appears with “authorised train
25 checkpoint”.

New Part 5B

65. In the Immigration Act 1959, after Part 5A, insert —

“PART 5B

CO-LOCATED BORDER CONTROL FOR
CROSS-BORDER RAILWAYS**Definitions for Part 5B****36D.** In this Part —

5

“automated clearance system” has the meaning given by section 5A(5);

“body search”, “screening” and “strip search” have the meanings given by section 5(5) of the Cross-Border Railways (Border Control Co-location) Act 2026;

10

“conduct”, as a verb, means —

(a) to do an act or omit to do an act —

(i) on a single occasion; or

(ii) on a number of occasions over a period of time; or

15

(b) to both do an act and omit to do an act —

(i) on a single occasion; or

(ii) on a number of occasions over a period of time;

“cross-border railway” means a railway that —

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(a) has a railway network with a terminus in Singapore and runs to any part of peninsular Malaysia; and

(b) is constructed under the Cross-Border Railways Act 2018;

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“cross-border train” means a train used for or in connection with providing a cross-border train service;

“cross-border train service” means a passenger train service provided using a cross-border railway;

“detain”, by a Singapore preclearance officer, where the expression is used in the context other than quarantine,

30

means to keep in the company (not necessarily immediate) of, and to be restricted in movement by, the Singapore preclearance officer, and includes to keep or cause to be kept, in such detention;

5 “immigration clearance” has the meaning given by section 5(8);

“infectious disease” means a disease that —

(a) is caused or is suspected to be caused by a micro-organism or any agent of disease;

10 (b) is capable or is suspected to be capable of transmission by any means to human beings; and

(c) is either —

15 (i) the subject of a declaration under the Infectious Diseases Act 1976 of a public health emergency; or

20 (ii) of a fatal nature, or so serious a nature that the Director-General of Public Health or the Director-General of Health assesses the disease as a concern to public health in Singapore;

“Malaysian border protection service officer” has the meaning given by section 3(1) of the Cross-Border Railways (Border Control Co-location) Act 2026;

25 “pre-clearance procedures” means procedures requiring a person within a Singapore designated area of a cross-border railway to be with an immigration officer or at an automated clearance system for immigration clearance to enter Singapore;

30 “pre-cleared train journey” means a journey on a cross-border train that —

(a) is bound directly for Singapore from peninsular Malaysia; and

(b) is declared under section 36F to be a pre-cleared train journey;

“Singapore designated area” has the meaning given by section 3(1) of the Cross-Border Railways (Border Control Co-location) Act 2026;

“Singapore preclearance officer” means an immigration officer who is a Singapore preclearance officer within the meaning of the Cross-Border Railways (Border Control Co-location) Act 2026.

Minister may send immigration officers outside Singapore

36E. The Minister may, subject to Part 4 of the Cross-Border Railways (Border Control Co-location) Act 2026, order immigration officers to proceed outside Singapore to conduct immigration clearance within a Singapore designated area as Singapore preclearance officers in connection with any treaty respecting arrangements for the co-location of border clearance of people and goods travelling by cross-border train between Singapore and peninsular Malaysia.

Pre-cleared train journey

36F.—(1) The Controller may, subject to the general or special directions of the Minister, declare —

(a) a specified train journey on a cross-border train on a specified day or specified period to be a pre-cleared train journey for the purposes of this Act; or

(b) a specified class of train journeys on a cross-border train conducted by a specified person to be pre-cleared train journeys for the purposes of this Act.

(2) A particular train journey to which a declaration under subsection (1)(a) or (b) applies is not a pre-cleared train journey if the Controller decides, before any of the passengers or crew on that journey disembark in Singapore, that it is inappropriate to treat the train journey as such and cancels the declaration insofar as it applies to that particular train journey.

Application of provisions to cross-border railway preclearance outside Singapore

5 **36G.**—(1) Subject to subsection (3), where an area outside Singapore is declared under section 5(1AA) to be an authorised point of entry or immigration control post in connection with any treaty specified in the First Schedule to the Cross-Border Railways (Border Control Co-location) Act 2026, the provisions of this Act affecting —

- 10 (a) any person travelling to Singapore for the purpose of seeking entry under a valid permit or pass;
- (b) any person who desires to enter Singapore;
- (c) any person arriving by train in Singapore from a place outside Singapore;
- 15 (d) any person arriving or due to arrive at any authorised point of entry in Singapore from a place outside Singapore; or
- (e) any person disembarking or about to disembark in Singapore,

20 extend (so far as relevant) to any person who is travelling to Singapore on a pre-cleared train journey and arrives or is due to arrive at the authorised point of entry or immigration control post outside Singapore at which pre-clearance procedures are carried out.

25 (2) Subject to subsection (3), any reference in any provision of this Act to an immigration officer as the provision relates to an authorised point of entry or immigration control post outside Singapore at which pre-clearance procedures are carried out is a reference only to an immigration officer who is a Singapore preclearance officer.

30 (3) In relation to an authorised point of entry or immigration control post outside Singapore at which pre-clearance procedures are carried out —

- (a) any train travelling to Singapore on a pre-cleared train journey that is due to leave or is leaving the authorised point of entry or immigration control post outside Singapore is taken to be a train arriving at any train checkpoint in Singapore from a place outside Singapore for the purposes of sections 23A and 23B; 5
- (b) any reference in section 25A(2B) to a direction to a person to leave Singapore by any mode of land transport or on foot is a reference to disallowing the person to board a cross-border train travelling to Singapore on a pre-cleared train journey; and 10
- (c) any reference in section 31 or 31A to prohibiting a person from disembarking or to removing a person from Singapore includes a reference to disallowing the person to board a cross-border train travelling to Singapore on a pre-cleared train journey. 15

(4) This section is subject to the limits in sections 24 and 25 of the Cross-Border Railways (Border Control Co-location) Act 2026 on the exercise of any power under this Act.

When person travelling on pre-cleared train journey enters Singapore 20

36H. To be clear, if a person is travelling to Singapore from a place outside Singapore on a pre-cleared train journey, he or she is to be treated as entering Singapore for the purposes of this Act when all the following are satisfied: 25

- (a) the person arrives at an authorised point of entry outside Singapore at which pre-clearance procedures are carried out by Singapore preclearance officers;
- (b) the person is with a Singapore preclearance officer or at an automated clearance system for immigration clearance and complies with pre-clearance procedures at the authorised point of entry outside Singapore; 30

- (c) the person —
- (i) is not refused entry into Singapore by a Singapore preclearance officer at that authorised point of entry outside Singapore; and
 - (ii) is not the subject of a no-boarding directive issued under section 9AA;
- (d) the person did not disembark anywhere else after he or she left that authorised point of entry outside Singapore and before arriving at an authorised train checkpoint in Singapore;
- (e) the person arrives in Singapore at the authorised train checkpoint in Singapore and leaves the precincts of the authorised train checkpoint otherwise than —
- (i) departing from Singapore by an approved route; or
 - (ii) under detention.

Extended criminal jurisdiction for conduct within Singapore designated area for certain offences

36I.—(1) Any conduct engaged in outside Singapore within a Singapore designated area of a cross-border railway that, if engaged in within Singapore, would constitute an offence under any of the following provisions of this Act if and as modified by this Part:

- (a) section 5(5) read with section 5(2);
- (b) section 5A(3);
- (c) section 6(3);
- (d) section 8(5);
- (e) section 9(5) or (6);
- (f) section 25A(4);
- (g) section 27(3);
- (h) section 28(4)(a), (b), (c) or (d);

- (i) section 29(4);
- (j) section 30(2);
- (k) section 36(2);
- (l) section 57(1)(a), (aa), (c), (f), (g), (i), (j), (k), (ka), (l), (m) or (n);
- (m) section 57D(1) or (2),

5

is to be treated for the purposes of that provision as if the person engaged in that conduct in Singapore.

(2) A person who engages in any conduct mentioned in subsection (1) may be tried and punished for that conduct by a court in Singapore.

10

(3) However, sections 38(1) and (3), 51(3) and 57D(6) do not apply to or in relation to any person who engaged in any conduct mentioned in subsection (1) until the person is within Singapore.

(4) To be clear, it does not matter whether the conduct engaged in constitutes an offence under the laws of Malaysia, and this section does not affect sections 39 and 40 of the Cross-Border Railways (Border Control Co-location) Act 2026.”.

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Division 6 — Infectious Diseases Act 1976

Amendment of section 2

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66. In the Infectious Diseases Act 1976, in section 2, after the definition of “surveillance”, insert —

““vehicle” includes a train used on a railway that has a railway network with a terminus in Singapore and runs to any part of peninsular Malaysia;”.

25

New sections 45C and 45D

67. In the Infectious Diseases Act 1976, after section 45B, insert —

“Modification of provisions for cross-border railway preclearance outside Singapore

5 **45C.**—(1) Sections 2A, 15, 21A(1), (2), (4), (5) and (6), 21H, 21J, 26(2), 30(1), (2), (3) and (4), 31(1), (2) and (3), 45A, 55(1)(e) and (f), (4), (8) and (9)(a), 56(3), (8) and (9) and 64 apply to persons and things within the Singapore designated area of a cross-border railway at which pre-clearance procedures are carried out as if the Singapore designated area were a place in Singapore, subject to —

10 (a) limits in section 24 of the Cross-Border Railways (Border Control Co-location) Act 2026 on the exercise of any power under this Act; and

(b) the modifications in subsection (2).

(2) For the purposes of subsection (1)(b) —

15 (a) any reference in any provision mentioned in subsection (1) to the Director-General of Health, a Health Officer or a police officer is a reference only to a Health Officer or police officer who is a Singapore preclearance officer;

20 (b) any power conferred on the Director-General of Health or any Health Officer under section 15, 45A or 55(1)(f) is exercisable in relation to a person within the Singapore designated area of a cross-border railway at which pre-clearance procedures are carried out only where the Singapore preclearance officer concerned in the Singapore designated area suspects, or has reasonable grounds to believe, that the person —

25 (i) is a carrier of, or is infected with, an infectious disease;

30 (ii) has undergone a medical examination in connection with an infectious disease but has not received a conclusive result of that medical examination;

- (iii) has been exposed to the risk of infection from an infectious disease; or
- (iv) is seeking to enter Singapore from a country or territory outside Singapore during a period when there is an outbreak or suspected outbreak of an infectious disease in that country or territory; 5
- (c) the provisions in sections 15 and 55(1)(f) extend to any person who is travelling to Singapore on a pre-cleared train journey and arrives at the Singapore designated area of a cross-border railway at which pre-clearance procedures are carried out to board the cross-border train concerned; 10
- (d) the provisions in section 21A(1) or (2) affecting any person's presence or conduct in a public place extend to any person while he or she is within the Singapore designated area of a cross-border railway at which pre-clearance procedures are carried out; 15
- (e) the provisions in sections 30(1), (2), (3) and (4), 31(1), (2) or (3) and 45A affecting any person arriving in or entering Singapore from a place outside Singapore or arriving in Singapore on an international journey by land, extend to any person who — 20
 - (i) is travelling to Singapore on a pre-cleared train journey on a cross-border train; and 25
 - (ii) arrives at the Singapore designated area of a cross-border railway at which pre-clearance procedures are carried out to board the cross-border train concerned; 30
- (f) the provisions in —
 - (i) section 26(2) prohibiting any person entering Singapore from an infected area declared under section 26(1); or

(ii) section 30(1), (2) and (3) requiring a person entering or arriving in Singapore in a vehicle by land to perform or undergo a pre-departure test before boarding the vehicle,

5 extend to any person who is travelling to Singapore on a pre-cleared train journey before he or she arrives at the Singapore designated area of a cross-border railway at which pre-clearance procedures are carried out, and not before he or she boards or is about to board the cross-border train concerned; and

10 (g) when section 30(3) or 31(1) is extended in the manner provided in paragraphs (e) and (f), any reference in section 30(4) or 31(3) to returning a person, not being a citizen of Singapore, who arrives in Singapore to the person's place of origin is a reference to refusing a person, not being a citizen of Singapore, entry into or remaining within the Singapore designated area of a cross-border railway at which pre-clearance procedures are carried out.

20 (3) In this section and section 45D —

“cross-border railway” and “Singapore designated area” have the meanings given by section 3(1) of the Cross-Border Railways (Border Control Co-location) Act 2026;

25 “pre-clearance procedures” and “pre-cleared train journey” have the meanings given by section 36D of the Immigration Act 1959.

Extended criminal jurisdiction for conduct within Singapore designated area for certain offences

30 **45D.**—(1) Any conduct engaged in outside Singapore within a Singapore designated area of a cross-border railway that, if engaged in within Singapore, would constitute an offence under section 15(4), 21A(4), 30(3), 45A(2), 55(8) or 64 is to be treated for the purposes of that provision as if the person engaged in that

35 conduct in Singapore.

(2) A person who engaged in conduct mentioned in subsection (1) may be tried and punished for that conduct by a court in Singapore.

(3) However, section 56 does not apply to or in relation to any person who engaged in any conduct mentioned in subsection (1) until the person is within Singapore. 5

(4) To be clear, it does not matter whether the conduct engaged in constitutes an offence under the laws of Malaysia, and this section does not affect sections 39 and 40 of the Cross-Border Railways (Border Control Co-location) Act 2026.”. 10

Division 7 — National Registration Act 1965

New section 16A

68. In the National Registration Act 1965, after section 16, insert —

“Extended criminal jurisdiction for conduct within Singapore designated area for certain offences 15

16A.—(1) Any conduct engaged in by a person in a Singapore designated area of a cross-border railway that, if engaged in within Singapore, would constitute an offence under —

(a) section 16(1)(e) or (h);

(b) section 16(2)(a), (b) or (d); 20

(c) section 16(3); or

(d) section 21(3),

is to be treated for the purposes of that provision as if the person engaged in that conduct in Singapore.

(2) Section 19 extends to apply to conduct engaged in by any person within a Singapore designated area of a cross-border railway that is — 25

(a) an attempt to commit, or doing any act preparatory to the commission of, an offence mentioned in subsection (1); or 30

(b) giving another person any assistance with intent to prevent, hinder or interfere with the apprehension, trial or punishment of that person for an offence mentioned in subsection (1).

5 (3) A person who engages in any conduct mentioned in subsection (1) or (2) may be tried and punished for that conduct by a court in Singapore.

10 (4) To be clear, it does not matter whether the conduct engaged in constitutes an offence under the laws of Malaysia, and this section does not affect sections 39 and 40 of the Cross-Border Railways (Border Control Co-location) Act 2026.

15 (5) Section 21 extends to apply to and in relation to any document or identity card in the possession or control of any person within a Singapore designated area of a cross-border railway and in connection with an offence mentioned in subsection (1), subject to the following modifications:

(a) any reference to a registration officer or a police officer is a reference to a registration officer or a police officer who is a Singapore preclearance officer;

20 (b) any reference to demanding the surrender of any document or identity card from any person includes a reference to transferring custody of the document or identity card surrendered to a Malaysian border protection service officer without delay.

25 (6) To be clear, sections 16(4) and 22(1) do not apply to or in relation to any person who engaged in any conduct mentioned in subsection (1) or (2) until the person is within Singapore.

30 (7) In this section, “cross-border railway”, “cross-border train”, “Malaysian border protection service officer”, “Singapore designated area” and “Singapore preclearance officer” have the meanings given by section 3(1) of the Cross-Border Railways (Border Control Co-location) Act 2026.”.

*Division 8 — Passports Act 2007***New section 47A**

69. In the Passports Act 2007, after section 47, insert —

“Extended criminal jurisdiction for false foreign travel documents within Singapore designated area

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47A.—(1) Any conduct engaged in by a person in a Singapore designated area of a cross-border railway that, if engaged in within Singapore, would constitute an offence under section 47(1), (2), (3), (4), (5) or (6) is to be treated for the purposes of that provision as if the person engaged in that conduct in Singapore.

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(2) A person who engages in any conduct mentioned in subsection (1) may be tried and punished for that conduct by a court in Singapore.

(3) To be clear, it does not matter whether the conduct engaged in constitutes an offence under the laws of Malaysia, and this section does not affect sections 39 and 40 of the Cross-Border Railways (Border Control Co-location) Act 2026.

15

(4) Sections 29, 30 and 31(1) extend to apply to and in relation to any document and any person within a Singapore designated area of a cross-border railway in connection with an offence mentioned in subsection (1), subject to the following modifications:

20

(a) any reference to an authorised officer, customs officer or police officer is a reference to an authorised officer, customs officer or police officer who is a Singapore preclearance officer;

25

(b) any reference to demanding the surrender, seizing or taking possession of any document from any person includes a reference to transferring custody of the document surrendered, seized or taken to a Malaysian border protection service officer without delay.

30

(5) To be clear, section 32 does not apply to or in relation to any person who engaged in any conduct mentioned in subsection (1) until the person is within Singapore.

(6) In this section, “cross-border railway”, “Malaysian border protection service officer”, “Singapore designated area” and “Singapore preclearance officer” have the meanings given by section 3(1) of the Cross-Border Railways (Border Control Co-location) Act 2026.”.

Division 9 — Police Force Act 2004

Amendment of section 56

70. In the Police Force Act 2004, in section 56(1) —

(a) in paragraph (b), delete “or” at the end;

(b) in paragraph (c), replace the comma at the end with “; or”;
and

(c) after paragraph (c), insert —

“(d) in connection with providing assistance in preserving order, or protecting persons from injury or death, and public property from damage or loss (whether arising from criminal acts or in any other way), as part of any arrangement for co-located border clearance and railway security checks under the Cross-Border Railways (Border Control Co-location) Act 2026,”.

New section 56A

71. In the Police Force Act 2004, after section 56, insert —

“Extent of powers for incident management operations for cross-border incidents

56A.—(1) Without limiting section 32 of the Cross-Border Railways (Border Control Co-location) Act 2026, a police officer or special police officer who is a Singapore incident management officer carrying out in peninsular Malaysia

incident management operations relating to a cross-border incident, may exercise the powers conferred on a police officer under any written law, using only force that is reasonable in the circumstances and subject to the following modifications:

5

(a) any reference to seizing or forfeiting any thing or detaining any person under any written law is a reference to transferring custody of the thing seized or person detained to a Malaysian incident management officer if Malaysia is responsible for managing the cross-border incident under a treaty;

10

(b) those incident management operations are carried out only —

(i) during or immediately after the cross-border incident happening;

15

(ii) within the cross-border incident site for that cross-border incident; and

(iii) with the prior consent of the Government of Malaysia for the specific cross-border incident unless the cross-border incident —

20

(A) is an explosion or a fire;

(B) involved the release into the environment or exposing the public to any toxic chemical, any dangerous, hazardous, radioactive or harmful substance, or any biological agent, or toxin; or

25

(C) requires search and rescue services or critical medical assistance or medical evacuation to be provided.

(2) However, no police officer or special police officer who is a Singapore incident management officer may make an arrest when carrying on in peninsular Malaysia any incident management operations relating to a cross-border incident.

30

(3) In this section —

“cross-border incident” and “incident management operations” have the meanings given by section 6(2) of the Cross-Border Railways (Border Control Co-location) Act 2026;

“cross-border incident site”, for a cross-border incident, means the premises mentioned in section 29 of the Cross-Border Railways (Border Control Co-location) Act 2026 associated with the cross-border incident;

“cross-border railway” means a railway that —

(a) has a railway network with a terminus in Singapore and runs to any part of peninsular Malaysia; and

(b) is constructed under the Cross-Border Railways Act 2018;

“cross-border train” means a train used for or in connection with providing a cross-border train service;

“cross-border train service” means a passenger train service provided using a cross-border railway;

“Malaysian incident management officer” and “Singapore incident management officer” have the meanings given by section 27 of the Cross-Border Railways (Border Control Co-location) Act 2026;

“treaty” has the meaning given by section 3(1) of the Cross-Border Railways (Border Control Co-location) Act 2026.”.

Amendment of section 59

72. In the Police Force Act 2004, in section 59, replace subsection (2) with —

“(2) No proceedings are to be instituted in any court against a person for any offence if the person is one over whom jurisdiction is claimed by virtue of subsection (1) unless the Public Prosecutor consents.”.

*Division 10 — Registration of Births and Deaths Act 2021***New section 50A**

73. In the Registration of Births and Deaths Act 2021, after section 50, insert —

“Extended criminal jurisdiction for possessing false certificate, etc. 5

50A.—(1) Any conduct engaged in by a person in a Singapore designated area of a cross-border railway that, if engaged in within Singapore, would constitute an offence under section 50(c) is to be treated for the purposes of that provision as if the person engaged in that conduct in Singapore. 10

(2) A person who engaged in any conduct mentioned in subsection (1) may be tried and punished for that conduct by a court in Singapore.

(3) To be clear, it does not matter whether the conduct engaged in constitutes an offence under the laws of Malaysia, and this section does not affect sections 39 and 40 of the Cross-Border Railways (Border Control Co-location) Act 2026. 15

(4) Section 44 extends to apply to and in relation to any document that is produced by a person within a Singapore designated area of a cross-border railway, with respect to an offence mentioned in subsection (1), subject to the following modifications: 20

(a) any reference to the Registrar-General is a reference only to a Registrar, a Supervising Deputy Registrar, an Assistant Registrar or a registration officer who — 25

(i) is delegated the power or function of the Registrar-General under that section; and

(ii) is a Singapore preclearance officer;

(b) any reference to taking possession of any document from any person includes a reference to transferring custody of the document taken to a Malaysian border protection service officer without delay. 30

(5) In this section, “cross-border railway”, “Malaysian border protection service officer”, “Singapore designated area” and “Singapore preclearance officer” have the meanings given by section 3(1) of the Cross-Border Railways (Border Control Co-location) Act 2026.”.

Division 11 — Regulation of Imports and Exports Act 1995

Amendment of section 25

74. In the Regulation of Imports and Exports Act 1995, in section 25, delete subsection (2).

New section 39AA

75. In the Regulation of Imports and Exports Act 1995, after section 39, insert —

“Modification of provisions for cross-border railway preclearance outside Singapore

39AA.—(1) The provisions of this Act and any regulations made under this Act which prohibit or restrict the import of any goods are modified by and subject to sections 24, 25 and 26 of the Cross-Border Railways (Border Control Co-location) Act 2026 where a Singapore controlled item is involved.

(2) To be clear —

- (a) any reference in section 17 or any regulations made under this Act to goods about to be, or recently imported, includes a reference to any goods of any person who is travelling to Singapore on a pre-cleared train journey and who arrives or is due to arrive at the Singapore designated area outside Singapore at which pre-clearance procedures are carried out, wearing or carrying or apparently having possession or immediate control of those goods;

- (b) any reference in section 19 or 20 to a police station or examination station is a reference only to any appropriate room or space within the Singapore designated area outside Singapore;
- (c) any reference in section 21 or any regulations made under this Act to any person entering or having recently entered Singapore by land includes a reference to any person who is travelling to Singapore on a pre-cleared train journey and arrives or is due to arrive at the Singapore designated area outside Singapore at which pre-clearance procedures are carried out; 5
- (d) sections 21 and 26 and any regulations made under this Act that authorises any authorised officer or senior authorised officer to arrest an individual do not apply to or in relation to any individual until the individual is within Singapore; and 10
- (e) any reference in any provision in Part 4 to the Director-General or an authorised officer or a senior authorised officer as the provision affects a person within the Singapore designated area is a reference only to an authorised officer or a senior authorised officer who is a Singapore preclearance officer. 15
- (3) In this section —
- “pre-clearance procedures” and “pre-cleared train journey” have the meanings given by section 36D of the Immigration Act 1959; 25
- “Singapore controlled item”, “Singapore designated area” and “Singapore preclearance officer” have the meanings given by section 3(1) of the Cross-Border Railways (Border Control Co-location) Act 2026.”. 30

FIRST SCHEDULE

Section 3(1)

TREATIES

<i>First column</i> <i>Cross-border railway</i>	<i>Second column</i> <i>Treaty</i>
<p>5</p> <p>10</p> <p>15</p> <p>20</p> <p>25</p> <p>1. The railway called the Johor Bahru — Singapore Rapid Transit System Link that spans across the Straits of Johore for the provision of a passenger train service between the Bukit Chagar station in Johor Bahru, Malaysia and the Woodlands North Station in Singapore, and all the railway infrastructure of that railway.</p>	<p>(1) The agreement between the Government of the Republic of Singapore and the Government of Malaysia concerning the Johor Bahru — Singapore Rapid Transit System Link signed on 16 January 2018, and as amended by the Amending Letters to the agreement dated 30 July 2020 (also known as the Rapid Transit System Link Bilateral Agreement).</p> <p>(2) The Supplementary Agreement between the Government of the Republic of Singapore and the Government of Malaysia concerning the Johor Bahru — Singapore Rapid Transit System Link signed on 4 December 2025, which is supplemental to the Rapid Transit System Link Bilateral Agreement.</p>

SECOND SCHEDULE

Sections 3(1), 4(3), 5(2), 6(1) and (2),
10(2) and (3), 13(1) and (2), 14(1),
24(2) and (3), 28, 30(1) and 32(2)

JOHOR BAHRU — SINGAPORE RAPID TRANSIT SYSTEM LINK

5

Application

1. This Schedule applies to and in relation to the cross-border railway mentioned in item 1 of the First Schedule only, and any reference to a cross-border railway in this Schedule is a reference to the cross-border railway mentioned in item 1 of the First Schedule.

10

Definitions

2.—(1) In this Schedule —

“infectious disease” means a quarantinable disease that —

(a) is the subject of a declaration by or under a Malaysian border control law of a public health emergency; or

15

(b) is of a fatal nature, or so serious a nature that the Ministry of Health Malaysia, Disease Control Division assesses the disease as a concern to public health in Malaysia;

“Malaysia’s southernmost railway station” means the railway station in peninsular Malaysia on the cross-border railway called the Bukit Chagar station in Johor Bahru, Malaysia;

20

“Singapore’s northernmost railway station” means the railway station in Singapore on the cross-border railway called the Woodlands North Station.

25

(2) For the purposes of this Schedule, an individual may be treated as refused entry into Malaysia if a Malaysian preclearance officer refuses the individual permission to enter in the exercise of the officer’s CIQ powers.

Additional Malaysian border protection services

3. For the purposes of section 3(1), a Malaysian border protection service includes the following:

30

(a) the Ministry of Health Malaysia, Disease Control Division;

(b) the Ministry of Health Malaysia, Food Safety and Quality Programme;

(c) the Ministry of Health Malaysia, Pharmacy Enforcement Division;

SECOND SCHEDULE — *continued*

(d) the Ministry of Home Affairs Malaysia, Regulatory and Enforcement Division.

Special CIQ powers and special railway security checks

5 4.—(1) For the purposes of sections 4(3) and 5(2), the special CIQ powers and the special checks that a Malaysian preclearance officer in Singapore may exercise when conducting border clearance or railway security checks in Singapore within the Malaysia designated area of the cross-border railway, are as follows:

- 10 (a) carry, or have in his or her possession or under his or her control, or use, any baton, handcuffs or 2-way communication equipment, when he or she is acting in the course of his or her duty conducting border clearance or railway security checks;
- 15 (b) detain with the use of reasonable force any individual —
- (i) seeking to enter Malaysia but who is prohibited by a Malaysian border control law from entering Malaysia; or
- (ii) seeking to enter Malaysia but who is otherwise refused clearance to enter Malaysia;
- (c) detain with the use of reasonable force any individual whom the Malaysian preclearance officer has reasonable grounds to suspect —
- 20 (i) is committing or has committed an offence under any Malaysian border control law;
- (ii) is behaving or has behaved in a disorderly, indecent, offensive or threatening manner in the Malaysia designated area;
- 25 (iii) is or has been disrupting the orderly conduct of any border clearance or railway security checks in the Malaysia designated area;
- (iv) is creating or has created a nuisance of a public nature in the Malaysia designated area; or
- 30 (v) is or is likely to threaten the safety of a cross-border train or of any passenger or crew of a cross-border train or the individual himself or herself;
- (d) conduct a strip search or body search of an individual mentioned in sub-paragraph (c) without the consent of the individual;
- 35 (e) detain with the use of reasonable force any individual mentioned in section 17.

SECOND SCHEDULE — *continued*

(2) To be clear, this paragraph is subject to sections 14 and 15 and the limits in paragraphs 9, 10 and 11.

(3) In this paragraph and paragraph 12 —

“baton” includes a truncheon and a nightstick; 5

“handcuffs” means handcuffs, leg braces, flexi cuffs or any other similar means of restraint.

When train is “in transit”

5.—(1) For the purposes of section 6(1)(b), a cross-border train on the cross-border railway bound for Singapore from peninsular Malaysia is in transit — 10

(a) from the moment the cross-border train first moves under its own power for the purpose of departing peninsular Malaysia’s southernmost railway station travelling towards Singapore; and

(b) until the earliest of the following moments: 15

(i) just before the cross-border train arrives at Singapore’s northernmost railway station on that cross-border railway;

(ii) just before the cross-border train returns to arrive at peninsular Malaysia’s southernmost railway station on that cross-border railway without it arriving at Singapore’s northernmost railway station on that cross-border railway. 20

(2) For the purposes of section 6(1)(b), a cross-border train on the cross-border railway bound for peninsular Malaysia from Singapore is also in transit —

(a) from the moment the cross-border train first moves under its own power for the purpose of departing Singapore’s northernmost railway station travelling towards peninsular Malaysia; and 25

(b) until the earliest of the following moments:

(i) just before the cross-border train arrives at peninsular Malaysia’s southernmost railway station on that cross-border railway; 30

(ii) just before the cross-border train returns to arrives at Singapore’s northernmost railway station on that cross-border railway without it arriving at peninsular Malaysia’s southernmost railway station on that cross-border railway. 35

SECOND SCHEDULE — *continued*

(3) In this paragraph, a reference to a train arriving at a railway station includes a reference to an occasion when a train on a railway passes —

(a) a signal at the railway station with authority; or

5 (b) a stop signal, or a signal with no indication, at the railway station, without authority.

Where is “defined zone”

10 6.—(1) For the purposes of the definition of “defined zone” in section 6(2), the defined zone of the cross-border railway is any part of the railway infrastructure of the cross-border railway that —

(a) is or is part of —

(i) a bridge, viaduct or tunnel across the Straits of Johore; or

(ii) the train tracks of the cross-border railway in or on that bridge, viaduct or tunnel or part thereof; and

15 (b) lies between Pier 47 and Pier 48.

(2) In this paragraph —

“Pier 47” means a part of —

(a) a bridge, viaduct or tunnel across the Straits of Johore; or

20 (b) the train tracks of the cross-border railway in or on that bridge, viaduct or tunnel or part thereof,

that is within the territory of Malaysia, and which is more particularly delineated in the map attached to the treaty relating to the cross-border railway;

“Pier 48” means a part of —

25 (a) a bridge, viaduct or tunnel across the Straits of Johore; or

(b) the train tracks of the cross-border railway in or on that bridge, viaduct or tunnel or part thereof,

30 that is within the territory of Singapore, and which is more particularly delineated in the map attached to the treaty relating to the cross-border railway.

SECOND SCHEDULE — *continued***Serious unplanned incident requiring extra Malaysian border protection service officers**

7. For the purposes of section 10(1), a “serious unplanned incident” relating to the cross-border railway means any of the following occurrences happening in Singapore or outside Singapore: 5

- (a) a disruption, malfunction, outage or other failure in any system used by Malaysian border protection service officers or Singapore border protection service officers that has a severe and widespread impact on the respective countries’ border clearance operations or railway security operations concerning the cross-border railway; 10
- (b) a resumption of any cross-border train service using the cross-border railway, following any suspension (but not a delay or re-timing) of the cross-border train service because of any of the following:
 - (i) any technological disruption, malfunction or outage or other system failure; 15
 - (ii) a railway accident;
 - (iii) a railway security incident associated with the cross-border railway;
- (c) an epidemic or a pandemic, or the spread of any disease affecting humans, that is declared by or under a Malaysian law or Singapore law to be a public health emergency or constitutes a serious threat to public health; 20
- (d) any other unplanned or uncontrolled occurrence affecting the cross-border railway that the Malaysian Government and Singapore Government agree is a “serious unplanned incident” for the purposes of section 10(1). 25

Period Malaysian border protection service officers deemed recognised

8. For the purposes of section 10(2), every Malaysian border protection service officer identified in a written notice given under section 10(1) relating to the cross-border railway is deemed to be a Malaysian preclearance officer in relation to the cross-border railway for either of the following periods starting the date of the acknowledgement of receipt under section 10(2) of that notice: 30

- (a) 3 days;
- (b) a longer period that — 35
 - (i) is recommended by the Malaysian Government in the written notice for a purpose in section 10(1)(b); and

SECOND SCHEDULE — *continued*

(ii) is agreed to by the Minister.

Sequence of border clearance and railway security checks

5 9. For the purposes of section 14(1)(a), a Malaysian preclearance officer recognised in relation to the cross-border railway may conduct screening or a search procedure in respect of an individual and the individual's personal property that is intended for carrying on board a cross-border train only after border clearance and railway security checks of the individual by any Singapore border protection service officer is completed.

Limits on detaining people

10 10. In detaining any individual in a Malaysia designated area of the cross-border railway, a Malaysian preclearance officer —

(a) must not subject the individual to more restriction than is necessary to prevent the individual from escaping from the officer's custody;

15 (b) must as soon as is practicable transfer custody of the individual to an appropriate Singapore border protection service officer; and

(c) must not detain the individual for longer than is necessary to make arrangements to transfer custody of the individual to the appropriate Singapore border protection service officer, including escorting to deliver into custody.

Limits on detaining for public health reasons

11. In detaining for public health reasons, any individual in a Malaysia designated area of the cross-border railway, a Malaysian preclearance officer —

25 (a) may require the individual to wear either or both specified clothing and equipment that is designed to prevent an infectious disease from emerging, establishing itself or spreading;

(b) must not subject the individual detained to more restriction than is necessary to prevent the individual from escaping from the officer's custody;

30 (c) must as soon as is practicable either —

(i) transfer custody of the individual in sub-paragraph (a) to an appropriate Singapore border protection service officer; or

35 (ii) direct the individual concerned to undergo a medical examination within the Malaysia designated area, or to undergo supervised or voluntary isolation or quarantine; and

SECOND SCHEDULE — *continued*

(d) must not detain the individual in sub-paragraph (a) for longer than is necessary —

(i) to make arrangements in sub-paragraph (c)(i) to transfer custody of the individual to an appropriate Singapore border protection service officer (including escorting to deliver into custody); or

(ii) to give the directions in sub-paragraph (c)(ii).

Carrying batons, handcuffs, etc.

12.—(1) Nothing in the Miscellaneous Offences (Public Order and Nuisance) Act 1906 or the Infrastructure Protection Act 2017 prohibits or makes unlawful a Malaysian preclearance officer recognised in relation to the cross-border railway carrying, or having in his or her possession or under his or her control, or use, any baton, handcuffs or 2-way communication equipment, when he or she is acting in the course of his or her duty conducting border clearance or railway security checks in the Malaysia designated area of the cross-border railway.

(2) However, a Malaysian preclearance officer must not use any baton or handcuffs on an individual to subject the individual to more restriction than is necessary to prevent the individual from —

(a) inflicting any bodily injury to himself or herself or others;

(b) damaging any property in the Malaysia designated area;

(c) creating any disturbance in the Malaysia designated area; or

(d) escaping from custody.

(3) A Malaysian preclearance officer must not use any baton or handcuffs on an individual for the purpose of punishment.

Assistance by Malaysian preclearance officer to Singapore border protection services and vice versa

13.—(1) Upon the request of a Singapore border protection service officer in Singapore who has determined that there are reasonable grounds to suspect that an offence has been committed under any written law, a Malaysian preclearance officer may render assistance to the Singapore border protection services, including by doing any of the following within the Malaysia designated area of the cross-border railway:

(a) by searching for an individual specified or described by a Singapore border protection service officer;

SECOND SCHEDULE — *continued*

(b) by detaining with the use of reasonable force any individual specified or described by a Singapore border protection service officer.

(2) Upon the request of a Malaysian border protection service officer in peninsular Malaysia who has determined that there are reasonable grounds to suspect that an offence has been committed under any Malaysian law, a Singapore preclearance officer may render assistance to the Malaysian border protection services, including by doing any of the following within the Singapore designated area of the cross-border railway:

(a) by searching for an individual specified or described by a Malaysian border protection service officer;

(b) by detaining with the use of reasonable force any individual specified or described by a Malaysian border protection service officer.

(3) The rendering of assistance under this paragraph is to be treated as conducting railway security checks for the purposes of this Act.

Incident management operations in defined zone

14.—(1) For the purposes of section 28, a Singapore incident management officer may conduct incident management operations in relation to a cross-border incident —

(a) if the cross-border incident is a railway occurrence —

(i) that is occurring or has occurred within the defined zone of the cross-border railway but does not involve a cross-border train in transit;

(ii) that involves a cross-border train in transit bound from Singapore to peninsular Malaysia and the cross-border train is parked or its propulsion system is shut down or placed in “sleep” mode with no part of the train extending beyond Pier 47; or

(iii) that involves a cross-border train in transit bound from peninsular Malaysia to Singapore and the cross-border train is parked or its propulsion system is shut down or placed in “sleep” mode with the nose of the train projecting beyond Pier 48; and

(b) if the Singapore incident management officer must enter on any premises beyond Pier 48 when northbound, the prior consent of the Malaysian Government is given for the conduct of those incident management operations.

SECOND SCHEDULE — *continued*

(2) For the purposes of section 28, a Malaysian incident management officer may conduct incident management operations in relation to a cross-border incident —

(a) if the cross-border incident is a railway occurrence — 5

- (i) that is occurring or has occurred within the defined zone of the cross-border railway but does not involve a cross-border train in transit;
- (ii) that involves a cross-border train in transit bound from peninsular Malaysia to Singapore and the cross-border train is parked or its propulsion system is shut down or placed in “sleep” mode with no part of the train extending beyond Pier 48; or 10
- (iii) that involves a cross-border train in transit bound from Singapore to peninsular Malaysia and the cross-border train is parked or its propulsion system is shut down or placed in “sleep” mode with the nose of the train projecting beyond Pier 47; and 15

(b) if the Malaysian incident management officer must enter on any premises beyond Pier 47 when southbound, the prior consent of the Singapore Government is given for the conduct of those incident management operations. 20

(3) However, sub-paragraphs (1)(b) and (2)(b) do not apply with respect to incident management operations relating to a cross-border incident —

(a) that — 25

- (i) is an explosion or a fire;
- (ii) involves the release into the environment or exposing the public to any toxic chemical, any dangerous, hazardous, radioactive or harmful substance, or any biological agent, or toxin; or 30
- (iii) requires search and rescue services or critical medical assistance or medical evacuation to be provided; and

(b) that is not also, and does not become, a serious public order incident affecting the public or a threat of such an incident occurring.

(4) Where sub-paragraph (3) applies, the following prior notice must be given in lieu of obtaining prior consent: 35

SECOND SCHEDULE — *continued*

(a) if any Singapore incident management officer must enter on any premises beyond Pier 48 when northbound to conduct any incident management operations in sub-paragraph (1), an appropriate Singapore incident management officer must notify the Malaysian Government before the conduct of those incident management operations;

(b) if any Malaysian incident management officer must enter on any premises beyond Pier 47 when southbound to conduct any incident management operations in sub-paragraph (2), an appropriate Malaysian incident management officer must notify the Singapore Government before the conduct of those incident management operations.

(5) In this paragraph, “Pier 47” and “Pier 48” have the meanings given by paragraph 6(2).

Extent of powers for incident management operations

15.—(1) For the purposes of section 30(1)(b)(iii), the limits on a Malaysian incident management officer conducting incident management operations within any cross-border incident site in section 29 in relation to a cross-border incident are as follows:

(a) search for and rescue endangered individuals and animals (if any) and evacuate them from the cross-border incident site to areas of safety;

(b) provide first aid to casualties and for their removal for medical treatment or to areas of safety;

(c) control the movement of people, creatures or vehicles within, into, out of or around the cross-border incident site, including closing to pedestrian or vehicular traffic any road and stopping the movement of any cross-border train;

(d) enter, break into, take possession of, remove or destroy, or cause to be taken possession of, removed or destroyed, any train, aircraft, vehicle, vessel or thing for the purpose of —

(i) extinguishing or preventing the spread of any fire;

(ii) reducing or minimising the effect of any toxic chemical, any dangerous, hazardous, radioactive or harmful substance or any biological agent, or toxin, which has been released or distributed; or

(iii) searching for and rescuing individuals endangered by the cross-border incident;

SECOND SCHEDULE — *continued*

- (e) remove any train, aircraft, vehicle, vessel or thing in the cross-border incident site which is impeding the incident management operations;
 - (f) remove from the cross-border incident site any individual who, by that individual's presence or otherwise, interferes with the carrying on of incident management operations; 5
 - (g) seize any creature, vegetation or thing within the cross-border incident site which the incident management officer has reason to suspect has been contaminated by being exposed to any toxic chemical, any dangerous, hazardous, radioactive or harmful substance or any biological agent, or toxin, and destroy or otherwise dispose of the creature, vegetation or thing; 10
 - (h) require any individual whom the incident management officer has reason to suspect has been exposed to any toxic chemical, any dangerous, hazardous, radioactive or harmful substance or any biological agent, or toxin, to undergo medical examination and medical treatment; 15
 - (i) take into the cross-border incident site, and use, any equipment or materials the incident management officer reasonably requires for the purpose of carrying on incident management operations there, including carrying, or having in his or her possession or under his or her control, or using, any firearms, tasers or other less lethal weapons; 20
 - (j) shut off or disconnect, or order any person having the control thereof to shut off or disconnect, the supply of electricity to any premises.
- (2) Also, a Malaysian incident management officer may exercise a power mentioned in this paragraph using only force that is reasonable in the circumstances. 25

Malaysian border control laws

16. The Malaysian border control laws include the following Acts and subsidiary legislation made thereunder, as amended from time to time: 30
- (1) Access to Biological Resources and Benefit Sharing Act 2017 [Act 795]
 - (2) Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2001 [Act 613]
 - (3) Arms Act 1960 [Act 206]
 - (4) Biosafety Act 2007 [Act 678] 35
 - (5) Chemical Weapons Convention Act 2005 [Act 641]

SECOND SCHEDULE — *continued*

- (6) Control of Smoking Products for Public Health Act 2024 [Act 852]
- (7) Control of Supplies Act 1961 [Act 122]
- (8) Copyright Act 1987 [Act 332]
- 5 (9) Countervailing and Anti-Dumping Duties Act 1993 [Act 504]
- (10) Customs Act 1967 [Act 235]
- (11) Dangerous Drugs Act 1952 [Act 234]
- (12) Destruction of Disease-Bearing Insects Act 1975 [Act 154]
- 10 (13) Drug and Substance Dependents and Misusers (Treatment and Rehabilitation) Act 1983 [Act 283]
- (14) Excise Act 1976 [Act 176]
- (15) Film Censorship Act 2002 [Act 620]
- (16) Financial Services Act 2013 [Act 758]
- (17) Food Act 1983 [Act 281]
- 15 (18) Immigration Act 1959/63 [Act 155]
- (19) International Trade in Endangered Species Act 2008 [Act 686]
- (20) Islamic Financial Services Act 2013 [Act 759]
- (21) Land Public Transport Act 2010 [Act 715]
- (22) Malaysia Border Control and Protection Agency Act 2024 [Act 860]
- 20 (23) Malaysian Quarantine and Inspection Services Act 2011 [Act 728]
- (24) Medical Device Act 2012 [Act 737]
- (25) Medicines (Advertisement and Sale) Act 1956 [Act 290]
- (26) Minor Offences Act 1955 [Act 336]
- (27) National Anti-Drug Agency Act 2004 [Act 638]
- 25 (28) Official Secrets Act 1972 [Act 88]
- (29) Passports Act 1966 [Act 150]
- (30) Penal Code [Act 574]
- (31) Poisons Act 1952 [Act 366]
- (32) Police Act 1967 [Act 344]
- 30 (33) Prevention and Control of Infectious Diseases Act 1988 [Act 342]

SECOND SCHEDULE — *continued*

- (34) Printing Presses and Publications Act 1984 [Act 301]
- (35) Printing of Qur’anic Texts Act 1986 [Act 326]
- (36) Protected Areas and Protected Places Act 1959 [Act 298]
- (37) Sale of Drugs Act 1952 [Act 368] 5
- (38) Sales Tax Act [Act 806]
- (39) Strategic Trade Act 2010 [Act 708]
- (40) Trademark Act 2019 [Act 815]
- (41) Wildlife Conservation Act 2010 [Act 716]

Singapore border control laws

10

17. For the purposes of section 3(1), the “Singapore border control laws” include the following Acts and subsidiary legislation made thereunder:

- (1) Active Mobility Act 2017
- (2) Animals and Birds Act 1965
- (3) Arms Offences Act 1973 15
- (4) Biological Agents and Toxins Act 2005
- (5) Chemical Weapons (Prohibition) Act 2000
- (6) Computer Misuse Act 1993
- (7) Control of Plants Act 1993
- (8) Copyright Act 2021 20
- (9) Coroners Act 2010
- (10) Corrosive and Explosive Substances and Offensive Weapons Act 1958
- (11) Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits) Act 1992
- (12) Countervailing and Anti-Dumping Duties Act 1996 25
- (13) Criminal Procedure Code 2010
- (14) Cross-Border Railways Act 2018
- (15) Currency Act 1967
- (16) Customs Act 1960
- (17) Cybersecurity Act 2018 30

SECOND SCHEDULE — *continued*

- (18) Endangered Species (Import and Export) Act 2006
- (19) Environmental Protection and Management Act 1999
- (20) Evidence Act 1893
- 5 (21) Films Act 1981
- (22) Fire Safety Act 1993
- (23) Food Safety and Security Act 2025
- (24) Goods and Services Tax Act 1993
- (25) Guns, Explosives and Weapons Control Act 2021
- 10 (26) Health Products Act 2007
- (27) Healthcare Services Act 2020
- (28) Immigration Act 1959
- (29) Infectious Diseases Act 1976
- (30) Intoxicating Substances Act 1987
- 15 (31) Medicines Act 1975
- (32) Miscellaneous Offences (Public Order and Nuisance) Act 1906
- (33) Misuse of Drugs Act 1973
- (34) National Registration Act 1965
- (35) Newspaper and Printing Presses Act 1974
- 20 (36) Official Secrets Act 1935
- (37) Passports Act 2007
- (38) Penal Code 1871
- (39) Personal Data Protection Act 2012
- (40) Poisons Act 1938
- 25 (41) Police Force Act 2004
- (42) Radiation Protection Act 2007
- (43) Regulation of Imports and Exports Act 1995
- (44) Sale of Food Act 1973
- (45) Small Motorised Vehicles (Safety) Act 2020
- 30 (46) Telecommunications Act 1999

SECOND SCHEDULE — *continued*

- (47) Tobacco and Vapourisers Control Act 1993
- (48) Undesirable Publications Act 1967
- (49) Wholesome Meat and Fish Act 1999
- (50) Wildlife Act 1965

EXPLANATORY STATEMENT

This Bill seeks to enable Singapore to fulfil her treaty obligations with Malaysia respecting arrangements —

- (a) for the co-location of border clearance by the countries' respective border protection service officers, of people and goods travelling by cross-border train between Singapore and peninsular Malaysia; and
- (b) for coordination between Singapore and Malaysia in railway security matters and managing cross-border incidents affecting a cross-border railway.

Under Parts 2 and 3 of the Bill, Malaysian border protection service officers recognised by Singapore will be authorised to conduct in Singapore border clearance for Malaysia and railway security checks of people and goods bound by cross-border train for peninsular Malaysia, and as part of this process of preclearance, exercise specific powers within Singapore on the admission of people and goods into Malaysia. These are powers which are exercisable in a designated area in Singapore and are powers conferred by Malaysian law extended to apply in Singapore subject to limits in the Bill.

Part 4 of the Bill empowers the Minister to send Singapore border protection service officers recognised by Malaysia to conduct in peninsular Malaysia border clearance for Singapore and railway security checks of people and goods bound by cross-border train for Singapore from peninsular Malaysia, and as part of this process of preclearance, exercise specific powers within peninsular Malaysia on the admission of people and goods into Singapore. Singapore border protection service officers may exercise powers in peninsular Malaysia only within a designated area in peninsular Malaysia and to the extent conferred by Singapore written law.

Passengers and crew on a cross-border train will be processed in the normal way for Singapore's immigration clearance in peninsular Malaysia before the train departs for Singapore. The Bill envisages that upon arrival in Singapore, no

further immigration clearance would be ordinarily necessary, and the passengers and crew can enter Singapore quickly and conveniently.

Part 5 of the Bill seeks to enable effective response to, or minimising of, the adverse effects of a railway occurrence occurring when a cross-border train is moving across or about to move across the border between Singapore and peninsular Malaysia, or an incident occurring on or around the cross-border railway at that border, by giving effect to coordination arrangements in the treaties between the incident management officers of the respective countries and the exercise of specific powers within each other's territories.

Parts 6 and 7 deal with data sovereignty and extended criminal jurisdiction.

Part 8 contains a mix of provisions, including conferring of immunity on Malaysian preclearance officers and Malaysian incident management officers for discharging their duties in Singapore, and when this may be lifted.

The Bill is not limited to giving effect just to the agreement between Malaysia and Singapore concerning the Johor Bahru — Singapore Rapid Transit System Link (RTS Link). The Bill is capable of accommodating similar treaties providing for other future co-location of border clearance by the respective countries of people and goods travelling by cross-border train between Singapore and peninsular Malaysia.

Part 9 makes amendments to the Cross-Border Railways Act 2018 and certain other Acts that are consequential on the enactment of or are related to the purposes of the Bill.

Direct amendments are made to the Acts which deal with the key aspects of border clearance, railway security and incident management operations. Indirect amendments are made to several other laws via clauses 24, 25, 26 and 32.

The First Schedule contains a list of treaties. The Second Schedule contains provisions connected with the RTS Link only.

PART 1

PRELIMINARY

Clause 1 relates to the short title and commencement.

Clause 2 is a purpose clause.

Clause 3 contains various definitions of terms used in several Parts of the Bill, and signposts references to expressions that are defined elsewhere in the Bill, as in clauses 4, 5 and 6.

The exercise of powers conducting border clearance and railway security checks will be restricted —

- (a) for a Singapore border protection service officer — to the Singapore designated area in peninsular Malaysia; and
- (b) for a Malaysian border protection service officer — to the Malaysia designated area in Singapore.

These areas are agreed on under the treaties and are defined in clause 3 as the “Singapore designated area” and the “Malaysia designated area”.

Clauses 4 and 5 contain definitions necessary to support provisions for the conduct of border clearance and railway security checks by the Malaysian border protection service officers and Singapore border protection service officers when deployed in Singapore and in peninsular Malaysia, respectively.

Clause 4 defines 2 key expressions viz, “ordinary CIQ power” and “special CIQ power” for the conduct of border clearance. The ordinary CIQ powers are baseline powers necessary for conducting border clearance operations for people and goods travelling by any cross-border train bound for peninsular Malaysia from Singapore, and vice versa, using the cross-border railway.

Special CIQ powers are additional powers which may be unique to a particular cross-border railway. These are listed in the relevant Schedule relating to the cross-border railway concerned. For the RTS Link, special CIQ powers are defined in the Second Schedule.

Clause 5 defines terms which are associated with railway security. As in clause 4, there are 2 key expressions viz, “ordinary checking” and “special checking” for the purposes of railway security checks.

“Ordinary checking” is defined as a suite of baseline powers necessary for the conduct of railway security checks relating to a cross-border railway. This includes patrolling, screening of any individual in preparation for him or her boarding a cross-border train on a cross-border railway, and questioning or interviewing an individual.

“Screening” is defined to cover conducting a scanning search, requiring the individual screened to turn out his or her pockets for any contents and inspecting any of those contents.

A “scanning search” of an individual or an individual’s personal property is defined as a search by electronic or other means without touching the individual or the individual’s personal property other than a swab, and without requiring the individual to remove his or her clothing.

For example, passing a portable electronic device or other device over an individual or his or her baggage, requiring an individual to pass by or walk through an X-ray booth or metal detection equipment, and applying a swab of the individual’s luggage to an explosive trace detection equipment or narcotics detectors to the swab.

Where the results of either search procedure indicate that additional search procedures are necessary in order to screen the individual properly, screening includes conducting a frisk search of the individual and requiring the individual to remove one or more clothing worn by the individual that may be conveniently removed and inspecting the clothing.

For example, if there are any prompts by the full body scanner or CT scanner which a train passenger has walked through, the passenger would be directed to empty the items from his or her bags or clothing or shoes.

“Screening” further includes inspecting any personal property of an individual that is intended for carrying on board a cross-border train.

However, neither “screening” nor “scanning search” covers a strip search or body search of an individual. As defined, the term “ordinary checking” includes conducting a strip search or body search of an individual only with the consent of the individual.

“Special checking” for the purposes of the railway security checks are additional powers which are more invasive and may be unique to a particular cross-border railway. These are listed in the relevant Schedule relating to the cross-border railway concerned.

For the purposes of the RTS Link, the meanings of “special CIQ power” and “special checking” are defined in the Second Schedule as being the same.

Clause 6 defines terms necessary to support Part 5 relating to the conduct of incident management operations by a Singapore incident management officer in peninsular Malaysia, or by a Malaysian incident management officer in Singapore where these are necessary after a cross-border incident has occurred.

A “cross-border incident” is defined to mean a railway occurrence (defined in clause 6, too) that involves or is associated with —

- (a) a particular part of a cross-border railway which is at the frontier between both countries (called in the Bill the defined zone); or
- (b) a cross-border train when moving across or about to move across the border between Singapore and Malaysia. The Bill uses the phrase “train in transit” to describe when a train is in this border crossing phase.

“Incident management operations” is also defined in clause 6. The definition covers activities undertaken in relation to a railway occurrence to respond to, or minimise, the adverse effects of the railway occurrence (such as search and rescue, firefighting, environmental hazard control, and critical medical assistance or medical evacuation) and the carrying out of ordinary checking or special checking for the purposes of railway security checks relating to a cross-border railway affected by a railway occurrence, so far as relevant.

PART 2

CO-LOCATION OF BORDER CONTROL AREA
IN SINGAPORE

Clause 7 empowers the Minister to demarcate an area within the Malaysia designated area to be Malaysia's CIQ zone in Singapore where entry into and remaining within by any Singapore border protection service officer is only by or with the express and prior consent of the Malaysian Government.

Malaysia's CIQ zone is the space allocated to Malaysian preclearance officers to go about their business (essentially, the operation of Malaysian border controls as defined in the respective treaties) in Singapore.

Though the application of Malaysian law extends to the Malaysia designated area in Singapore, clause 8 makes it clear that Singapore law continues to apply within.

PART 3

BORDER CLEARANCE AND RAILWAY SECURITY
CHECKS BY MALAYSIA IN SINGAPORE

Part 3 has 3 Divisions consisting of 12 clauses.

Only a Malaysian border protection service officer who is recognised or deemed recognised by Singapore in respect of a cross-border railway as a Malaysian preclearance officer may conduct border clearance and railway security checks in Singapore of people and goods travelling by any cross-border train bound for peninsular Malaysia using the cross-border railway.

Division 1 deals with the process of recognising Malaysian preclearance officers.

Clause 9 authorises the Minister to recognise a Malaysian border protection service officer as a Malaysian preclearance officer in relation to a cross-border railway specified in the recognition. The recognition is granted only upon a written nomination of the Malaysian Government.

Clause 10 deals with when a Malaysian border protection service officer is deemed recognised. The clause seeks to allow for a Malaysian border protection service officer without prior recognition by Singapore under clause 9.

This applies in exceptional circumstances, which are described in the Second Schedule as serious unplanned incidents and there is a need for additional Malaysian border protection service officers to conduct, in Singapore, border clearance and railway security checks of people and goods travelling by cross-border train bound for peninsular Malaysia, so as to substantially assist in restoring the reliable and secure provision of those border clearance and railway

security checks in Singapore or reducing the impact of the serious unplanned incident.

A Malaysian border protection service officer who is recognised or deemed recognised under clause 9 or 10 is referred to in the Bill as a Malaysian preclearance officer.

Clause 11 provides for how long a recognition granted under clause 9 is in effect.

Clause 12 authorises the Minister to withdraw recognition of any Malaysian border protection service officer granted under clause 9. This is necessary where the Malaysian Government cancels its written nomination of the particular Malaysian border protection service officer.

Division 2 covers the powers of a Malaysian preclearance officer in Singapore.

Under the Bill, a Malaysian preclearance officer is authorised to exercise specific powers in Singapore in order to conduct border clearance for Malaysia and railway security checks.

Under clause 13, these are powers which are conferred by Malaysian law extended to apply in Singapore and as limited by clauses 14 to 18 (for ordinary CIQ powers and ordinary checking) and the Second Schedule (for special CIQ powers and special checking).

Under clause 13, these powers are also only exercisable within a Malaysia designated area in Singapore which is within an authorised point of departure for the cross-border railway.

Clause 13 also confers similar powers for preparatory work to be done before the opening of the cross-border railway concerned.

Clause 14 contains limits on when and how screening and search procedures may be conducted by a Malaysian preclearance officer in Singapore.

Clause 15 contains limits on any power to detain goods and people exercisable by a Malaysian preclearance officer in Singapore. The Malaysian preclearance officer must, without undue delay, transfer custody of any thing he or she removed and took possession of, and any individual he or she detained, to an appropriate Singapore border protection service officer.

Clause 16 contains limits on the power to question or interview exercisable by a Malaysian preclearance officer in Singapore.

Clause 17 contains limits on powers exercisable for public health reasons by a Malaysian preclearance officer in Singapore.

Clause 18 provides that a Malaysian preclearance officer in Singapore is not authorised to make an arrest when in Singapore conducting border clearance or railway security checks.

Division 3 deals with Malaysian controlled items detected in Singapore during border clearance on a cross-border railway.

The term “Malaysian controlled item” is defined by clause 19(5) to mean any thing which is prescribed by the Minister by regulations. This has to be a thing the import of which into Malaysia is prohibited or restricted by or under any Malaysian border control law and that is included in the list consolidated jointly by the Malaysian Government and the Singapore Government under any of the treaties.

Clause 19 confers on any Singapore border protection service officer at an authorised point of departure on or along a cross-border railway, power to check for and detain a Malaysian controlled item which is or is among a train passenger’s or train crew’s personal property that is intended for carrying on board the cross-border train.

It does not matter that the goods removed or taken possession of are not goods the export of which is prohibited or restricted under Singapore’s written law. However, clause 19 does not affect the exercise of any power of seizure or forfeiture which is vested under any other Singapore written law, such as those affecting export.

Clause 20 deals with the situation where a train passenger or train crew at the authorised point of departure on or along a cross-border railway does not voluntarily discard a Malaysian controlled item found during an inspection or check under clause 19.

A Singapore border protection service officer at the authorised point of departure on or along a cross-border railway may, as part of Singapore’s border clearance process, remove or take possession of a Malaysian controlled item which the train passenger or train crew has under his or her charge or control.

Clause 20 supplements railway security by providing power for a Singapore border protection service officer to refuse a train passenger or train crew voluntarily discarding any Malaysian controlled item found during an inspection or check of the passenger or crew, if it is dangerous or not reasonably practicable for the passenger or crew concerned to discard it within the authorised point of departure on or along the cross-border railway. Clause 20 confers power on the Singapore border protection service officer to remove and take possession of the Malaysian controlled item.

PART 4

BORDER CLEARANCE AND RAILWAY
SECURITY CHECKS BY SINGAPORE IN MALAYSIA

Part 4 consists of 6 clauses covering the deployment of Singapore border protection service officers to exercise specific powers in peninsular Malaysia in the conduct of border clearance for Singapore and railway security checks.

Clause 21 empowers the Minister to send Singapore border protection service officers to exercise specific powers in the Singapore designated area in peninsular Malaysia in the conduct of border clearance for Singapore and railway security checks.

Clause 21 also empowers the Minister, before the opening of a cross-border railway, to send such officers to perform preparatory work in the Singapore designated area in peninsular Malaysia.

Clause 22 specifies the preconditions which must be met before the Minister may make an order under clause 21 sending Singapore border protection service officers to exercise specific powers in the Singapore designated area in peninsular Malaysia.

The first condition is that the Singapore border protection service officer to be sent has to be nominated under clause 23 and the Malaysian Government recognises in Malaysia the officer as a Singapore preclearance officer in respect of the cross-border railway specified in the recognition.

Secondly, the Minister has to be satisfied that adequate provisions have been or will immediately be made by or under Malaysian law for the proper conduct by Singapore preclearance officers of border clearance or railway security checks, or performing of any preparatory work, within a Singapore designated area of the cross-border railway.

The Minister will specially be looking to whether all Singapore preclearance officers serving in the Singapore designated area will remain under the orders of their own commanding officers, and are conferred with the powers, duties and privileges of officers of the equivalent Malaysian border protection service in Malaysia.

Clause 23 is about the Minister nominating a Singapore preclearance officer and the Minister's duty to inform the Malaysian Government of the identity of every officer so nominated.

Clause 24 provides that by default, every Singapore preclearance officer conducting border clearance or railway security checks or performing any preparatory work in a Singapore designated area, which is outside Singapore, has the same powers, rights and immunities under the applicable Singapore border

control law, as when conducting the border clearance or railway security checks or performing that preparatory work in Singapore.

Every Singapore border protection service officer serving as a Singapore preclearance officer outside Singapore may conduct border clearance and railway security checks only within the Singapore designated area of the cross-border railway, and only to the extent that is conferred by or under a Singapore border control law on a Singapore preclearance officer.

Clause 24 also provides that the limits in Part 3 and the Second Schedule applicable to a Malaysian preclearance officer in Singapore conducting border clearance and railway security checks of people and goods travelling by any cross-border train bound for peninsular Malaysia from Singapore using a cross-border railway apply similarly to the powers of a Singapore preclearance officer in the Singapore designated area conducting border clearance and railway security checks of people and goods travelling by any cross-border train bound for Singapore from peninsular Malaysia using the same cross-border railway.

For example, a Singapore preclearance officer in peninsular Malaysia is not authorised to make an arrest when in peninsular Malaysia conducting border clearance or railway security checks, because of clause 18 which applies to a Malaysian preclearance officer in Singapore.

Many of the powers of conducting border clearance or railway security checks are exercisable in connection with the commission of an offence. However, Singapore courts have general jurisdiction to try offences committed within Singapore. Singapore courts also have jurisdiction to try offences committed outside Singapore only if it is provided in any Singapore law that the offence is triable in Singapore. Hence, Singapore law must apply in the Singapore designated area and provide that the overseas conduct constitutes a crime under Singapore law, in order for those powers to be exercisable.

Clause 25 therefore provides that certain Singapore border control laws apply within the Singapore designated area of a cross-border railway at which pre-clearance procedures are carried out. The Singapore laws apply subject to the modifications in clauses 25 and 26.

These are Singapore laws relating to conducting border clearance or railway security checks or preparatory work, or containing prohibitions and restrictions on the import of Singapore controlled items. There is a non-exhaustive list of Singapore border control laws for the RTS Link specified in the Second Schedule.

For example, these laws apply to a traveller and goods bound for Singapore in a Singapore designated area as if the traveller is entering or had entered, and the goods are being imported or had been imported into, Singapore.

This practically results in an extended meaning of “import” being applied to Singapore controlled items which a train passenger or train crew at the Singapore designated area in peninsular Malaysia has as part of his or her baggage with a view to bringing it into Singapore. This seeks to enable inspection and examination of goods for the purposes of the applicable Singapore border control law within the Singapore designated area outside Singapore, before the goods have entered Singapore territory. The modified meaning is not intended to affect the law of attempts.

The exceptions to clause 25 are the Immigration Act 1959, the Customs Act 1960 and the Infectious Diseases Act 1976 which are directly amended in Part 9.

Clause 25 does not authorise the collection, within any Singapore designated area of a cross-border railway, of any taxes, customs duties and excise duties on any goods imported into the customs territory.

Clause 26 modifies certain Singapore border control laws to adapt them to the circumstances of the co-located border control arrangements in peninsular Malaysia for cross-border railways, without altering what is Singapore territory.

PART 5

MANAGEMENT OF CROSS-BORDER INCIDENTS

Clause 27 contains definitions of “Malaysian incident management officer” and “Singapore incident management officer”.

Clause 28 provides that a Singapore incident management officer may conduct incident management operations in peninsular Malaysia, or a Malaysian incident management officer may conduct incident management operations in Singapore, where a cross-border incident is occurring or has occurred in the circumstances specified in the relevant Schedule relating to the cross-border railway that the cross-border incident involves or is associated with and the conduct of incident management operations is necessary.

Clause 29 defines the cross-border incident site within which incident management operations may be conducted.

Clause 30 sets out the extent of incident management operations in Singapore that may be conducted by Malaysian incident management officers. This is in terms similar to clause 13.

Clause 31 provides that a Malaysian incident management officer in Singapore cannot make an arrest when in Singapore conducting incident management operations relating to a cross-border incident.

Clause 32 states that a Singapore incident management officer conducting incident management operations in Malaysia has the same powers, rights and immunities under the applicable Singapore border control law as when conducting incident management operations in Singapore, unless limited by the Bill.

For example, a police officer called on to respond to a terrorist attack affecting a cross-border railway when a cross-border train is or will be, upon arriving at the cross-border incident site which may lie in the Malaysian side of the common border, able to use his or her powers under Singapore law to protect people from injury or death due to the terrorist attack and to preserve, restore or maintain order and to perform his or her duties as a police officer under section 63 of the Criminal Procedure Code 2010 and his or her duties are set out in section 4(2) of the Police Force Act 2004. He or she will be authorised to bear arms as provided in section 22 of the Police Force Act 2004.

Clause 32 also states the extent that incident management operations in Malaysia may be conducted by Singapore incident management officers. It is in terms similar to clause 23.

Clause 33 empowers the Minister to send Singapore border protection service officers to exercise specific powers in peninsular Malaysia in the conduct of incident management operations. The provision supplements provisions in the Civil Defence Act 1986 and the Police Force Act 2004 which have provisions for sending their officers to serve outside Singapore.

Clause 34 specifies the preconditions which must be met before the Minister may make an order under clause 33 sending Singapore border protection service officers to exercise specific powers in peninsular Malaysia in the conduct of incident management operations.

PART 6

DATA RESIDENCY AND INVIOABILITY

Part 6 confers special protection for Malaysian protected information and Malaysian protected material.

“Malaysian protected information” is defined in clause 35(3) to mean any information that is collected or generated in Singapore by —

- (a) any Malaysian preclearance officer in the course of conducting border clearance or railway security checks or performing any preparatory work within a Malaysia designated area; or
- (b) any Malaysian incident management officer in the course of conducting incident management operations in relation to a cross-border incident.

“Malaysian protected material” is defined in clause 35(3) to mean any document or equipment that is supplied by the Malaysian government for the use of —

- (a) any Malaysian preclearance officer in the course of conducting border clearance or railway security checks or performing any preparatory work within a Malaysia designated area; or
- (b) any Malaysian incident management officer in the course of conducting incident management operations in relation to a cross-border incident.

It does not matter whether the document or equipment contains any Malaysian protected information.

For example, a laptop, iPad or thumb drive supplied by the Malaysian government for use by a Malaysian immigration officer serving as a Malaysian preclearance officer in Singapore, would be Malaysian protected material even though the device is a new issue and empty of any contents.

Clause 35 provides that all Malaysian protected information is to be treated as if the information were collected or generated in Malaysia and thus governed by the Malaysian law.

This provision disapplies the Personal Data Protection Act 2012 and parts of the Cybersecurity Act 2018 of Singapore to and in relation to Malaysian protected information, and any Malaysian protected material containing Malaysian protected information. Access, use or disclosure of Malaysian protected information is therefore determined solely by Malaysian law.

Clause 36 provides for inviolability of Malaysian protected material when the material is in a certain space at the authorised point of departure in Singapore for a cross-border railway. That space is defined in clause 36(7) and extends beyond the Malaysia designated area.

However, there is an exception for a Singapore border protection service officer to conduct a scanning search or screening of a Malaysian preclearance officer, or of any personal property of a Malaysian preclearance officer, in the course of the Singapore border protection service officer carrying out railway security checks or exercising CIQ powers.

The Malaysian Government can waive the inviolability.

Clauses 37 and 38 are the equivalent provisions protecting Singapore protected information and Singapore protected material in peninsular Malaysia.

PART 7

CRIMINAL JURISDICTION

Generally, Singapore courts have jurisdiction to try offences committed within Singapore. Singapore courts have jurisdiction to try offences committed outside Singapore only if it is provided in any Singapore law that the offence is triable in Singapore.

Hence, Singapore law must provide that the overseas conduct constitutes a crime under Singapore law, even though the conduct occurred outside Singapore, and that the offence is triable in Singapore before there can be a trial before a Singapore court.

Clause 39 provides that Singapore has criminal jurisdiction for conduct engaged in by a person —

- (a) on board a cross-border train when it is in transit; or
- (b) within any defined zone of a cross-border railway,

that, if engaged in within Singapore, would constitute an offence under any Singapore law. This is in addition to the usual criminal jurisdiction of Singapore courts over conduct engaged in within the territory of Singapore.

On the other hand, the authority in the overseas territory where the conduct was engaged in, remains entitled to exercise the criminal jurisdiction in respect of that conduct.

Therefore, the exception to clause 39 is if Malaysia, the authority in the territory where the conduct was engaged in, is entitled to exercise the criminal jurisdiction of Malaysia in respect of that conduct, does not cede that jurisdiction to Singapore, and does in fact bring criminal proceedings against the person in Malaysia.

Clause 40 provides that the consent of the Public Prosecutor is needed before proceedings in a Singapore court are to be instituted against a person for an offence if the person is a person over whom jurisdiction is claimed. This is to ensure that jurisdictional claims between the 2 countries are sorted out first.

PART 8

GENERAL MATTERS

Clause 41 displaces the prohibitions in the Decorations and Uniforms Act 1922 to allow a Malaysian border protection service officer who is recognised as a Malaysian preclearance officer in relation to a cross-border railway or is a Malaysian incident management officer to wear in Singapore any uniform of the Malaysian border protection service he or she is an officer of when he or she is acting in the course of his or her duty.

Clause 42 declares every Malaysian preclearance officer while on duty or carrying out work, in that capacity, conducting border clearance or railway security checks or performing any preparatory work within a Malaysia designated area in Singapore, to be a public servant for the purposes of specified provisions in the Penal Code 1871 and the Protection from Harassment Act 2014.

The same treatment is conferred on every Malaysian incident management officer while on duty or carrying out work, in that capacity, conducting incident management operations in Singapore in relation to a cross-border incident.

This will extend to the Malaysian officers the same level of protection as Singapore public servants against abuse against them in the performance of duties under the co-location arrangements.

Clause 43 confers immunity from any proceedings (including disciplinary proceedings or other like administrative means) before any court, tribunal, authority, person or body in Singapore on —

- (a) any Malaysian preclearance officer for any act or omission in Singapore in the course of conducting border clearance or railway security checks or performing any preparatory work within a Malaysia designated area; or
- (b) any Malaysian incident management officer for any act or omission in Singapore in the course of conducting incident management operations in relation to a cross-border incident.

The Malaysian Government may waive this immunity at its discretion.

In practical as well as legal terms, Malaysia, not Singapore, will have jurisdiction over Malaysian preclearance officers and Malaysian incident management officers for their acts or omissions carried out in the course of official duties in Singapore.

Clause 44 provides for the exclusion of any Malaysian preclearance officer or any Malaysian incident management officer from the Bill. This may be done via regulations made by the Minister.

Those regulations may be made only if the Minister is satisfied that any duty, power, protection or privilege accorded under Malaysian law to —

- (a) any Singapore preclearance officer in the course of conducting border clearance or railway security checks or performing preparatory work within a Singapore designated area in peninsular Malaysia; or

- (b) any Singapore incident management officer in the course of conducting incident management operations in peninsular Malaysia in relation to a cross-border incident,

is substantially less favourable than that accorded by the Bill to their Malaysian counterparts discharging similar duties in Singapore.

Clause 45 empowers the Minister to make regulations to add or delete a Schedule (such as where there is a new treaty providing for co-location arrangements for CIQ functions in respect of another cross-border railway), or to amend any of the Schedules.

Clause 46 requires all regulations made by the Minister under the Bill to be presented to Parliament as soon as possible after publication in the *Gazette*.

PART 9

AMENDMENTS TO OTHER ACTS

Division 1 — Civil Defence Act 1986

Part 13A of the Civil Defence Act 1986 already empowers the Minister to deploy members of the Singapore Civil Defence Force (SCDF) to serve outside Singapore.

Clauses 47 to 50 make amendments to Part 13A of the Civil Defence Act 1986 to adapt to the requirements where incident management operations outside Singapore are necessary to address cross-border incidents affecting a cross-border railway.

A new section 105AA is inserted by clause 47, setting out definitions for Part 13A of the Civil Defence Act 1986, which pertain to incident management operations to address cross-border incidents affecting a cross-border railway.

Clause 48 extends section 105A of the Civil Defence Act 1986 to cover the Minister making an order for the purpose of enabling any SCDF member to carry on incident management operations in any place in peninsular Malaysia where a cross-border incident is occurring or has occurred. This order may be made despite no civil defence emergency taking place in the Malaysian territory.

However, the preconditions in section 105A(3) of the Civil Defence Act 1986 must still be met before such an order may be made under the amended section 105A. These preconditions are the same as those set out in clause 21 for other Singapore border protection service officers.

Clause 49 amends section 105D(2) to ensure consistency with clause 40.

Clause 50 inserts a new section 105E which modifies certain powers of SCDF members under the Civil Defence Act 1986, in order to adapt to the limits in clause 23.

Division 2 — Coroners Act 2010

Clause 51 amends section 24 of the Coroners Act 2010 so that coronial jurisdiction may be asserted where —

- (a) a death occurred on board, or as a result of an occurrence on board, a cross-border train when the deceased, at the time of death, was on a journey to or from somewhere in Singapore, and that cross-border train enters or returns to Singapore with the body of the deceased; or
- (b) the cause or suspected cause of the death (even if it occurred outside Singapore) is connected with a cross-border incident and the body of the deceased is sent to Singapore pursuant to incident management operations.

Clause 52 amends section 25(3) of the Coroners Act 2010 as a consequence of the amendment in clause 51.

Clause 53 amends the Second Schedule to the Coroners Act 2010 also as a consequence of the amendment in clause 51.

Division 3 — Cross-Border Railways Act 2018

Division 3 makes consequential and related amendments to the Cross-Border Railways Act 2018.

Clause 54 first amends the definition of “bilateral railway agreement” in section 2 of the Cross-Border Railways Act 2018, so as to allow for the prescribing of the agreements that would qualify as bilateral railway agreements for the purposes of the Cross-Border Railways Act 2018.

The second amendment is to the definition of “cross-border railway security agency” due to the amendments in clause 55 making the Land Transport Authority of Singapore (LTA) the cross-border railway security agency.

Clause 55 amends section 58 of the Cross-Border Railways Act 2018 to designate the LTA as the cross-border railway security agency.

Clause 56 first amends section 59 of the Cross-Border Railways Act 2018 as a consequence of designating the LTA as the cross-border railway security agency. The LTA cannot be giving security directives to itself to comply.

The second amendment to section 59 of the Cross-Border Railways Act 2018 is to carve out some persons from the class of persons required to comply with security directives from the cross-border railway security agency. The persons

carved out are a Singapore border protection service, any Malaysian preclearance officer and any Malaysian border protection service to which a Malaysian preclearance officer belongs.

Clauses 57 and 58 amend sections 60 and 61 of the Cross-Border Railways Act 2018, respectively, to limit the powers of the cross-border railway security agency or a police officer authorised by the cross-border railway security agency because of the inviolability provisions in clause 36 vis-à-vis Malaysian preclearance officers and Malaysian incident management officers.

Division 4 — Customs Act 1960

Clause 59 inserts a new section 35 into the Customs Act 1960 to disapply certain sections to the import or export of any goods by railway as the baggage of a passenger on a passenger train service, which a cross-border train service is defined as under the Cross-Border Railways Act 2018.

Clause 60 inserts a new section 38A that modifies the Customs Act 1960 to adapt the provisions to the circumstances of the co-located border control arrangements in peninsular Malaysia for cross-border railways, without altering what is Singapore customs territory.

The new section 38A applies only with respect to provisions of the Customs Act 1960 that affect dutiable goods the import of which is prohibited, absolutely or conditionally, under section 38 of the Customs Act 1960, because these are Singapore controlled items.

Clause 61 amends section 52(5) of the Customs Act 1960 so that the requirement to deposit imported dutiable goods in a Singapore Government warehouse or licensed warehouse does not extend to goods imported by rail as the baggage of a passenger on a passenger train service.

Clause 62 amends section 105 of the Customs Act 1960 to remove the obsolete definition of “railway”, which limits the meaning to that given by the Railways Act 1905.

Division 5 — Immigration Act 1959

Clause 63 amends section 5 of the Immigration Act 1959 to empower the Minister to prescribe an area outside Singapore as an authorised point of entry, an authorised point of departure or an immigration control post.

The authorised point of entry will be where the Singapore designated area is to be located. This is to enable passengers and crew on a cross-border train to be processed in the normal way for immigration clearance outside Singapore at the authorised point of entry before the train departs for Singapore.

The authorised point of departure is where the Malaysian designated area is to be sited within or abut.

Clause 64 makes a technical amendment to section 23A of the Immigration Act 1959 by ensuring consistency in expression, namely, an authorised train checkpoint.

Clause 65 inserts a new Part 5B into the Immigration Act 1959 to deal with the co-located border control arrangements for cross-border railways.

The new Part 5B consists of 6 new sections.

The new section 36D contains definitions for the purposes of the new Part 5B.

The new section 36E empowers the Minister to send immigration officers outside Singapore to conduct immigration clearance within a Singapore designated area as Singapore preclearance officers in connection with any treaty respecting arrangements for the co-location of border clearance of people and goods travelling by cross-border train between Singapore and peninsular Malaysia.

The new section 36F will allow the Controller of Immigration to specify individual train journeys using a cross-border railway for immigration preclearance outside Singapore before the train leaves for Singapore. These train journeys have to be direct with no stops outside Singapore before arriving at Singapore's borders. A train passenger or crew on a pre-cleared train journey will be processed in the normal way for immigration clearance outside Singapore, so that further immigration clearance would ordinarily not be necessary when arriving on the train in Singapore.

The new section 36G applies the Immigration Act 1959 with adaptations to accommodate the circumstances of the co-located border control arrangements in peninsular Malaysia for cross-border railways.

Any person who is travelling to Singapore on a pre-cleared train journey and arrives or is due to arrive at the authorised point of entry or immigration control post outside Singapore at which pre-clearance procedures are carried out is treated, for the purposes of immigration clearance processes in the Immigration Act 1959, as if the following even though the person is outside Singapore territory:

- (a) the person is travelling to Singapore for the purpose of seeking entry under a valid permit or pass;
- (b) the person desires to enter Singapore;
- (c) the person is arriving by train in Singapore from a place outside Singapore;
- (d) the person is arriving or due to arrive at any authorised point of entry in Singapore from a place outside Singapore;

(e) the person is disembarking or about to disembark in Singapore.

The new section 36H makes it clear when a person who is travelling to Singapore on a pre-cleared train journey enters Singapore.

The new section 36I deals with extended criminal jurisdiction for conduct within the Singapore designated area for certain offences under the Immigration Act 1959.

Division 6 — Infectious Diseases Act 1976

Clause 66 amends section 2 of the Infectious Diseases Act 1976 to extend the meaning of “vehicle” in that Act to include a train used on a railway that has a railway network with a terminus in Singapore and runs to any part of peninsular Malaysia. The definition as extended is not limited to cross-border railways under the Cross-Border Railways Act 2018.

Clause 67 inserts the new sections 45C and 45D into the Infectious Diseases Act 1976 which apply specified provisions of that Act to and in relation to the Singapore designated area in peninsular Malaysia with adaptations to accommodate the circumstances of the co-located border control arrangements there.

Health officers may have to be deployed to serve in the Singapore designated area in peninsular Malaysia.

The new section 45C therefore modifies specified provisions in the Infectious Diseases Act 1976 which confer health officers’ powers to come within the limits on powers in clause 24, as well as adaptations similar to what is done for the Immigration Act 1959.

In particular, the new section 45C provides that any power conferred on the Director-General of Health or any Health Officer under section 15, 45A or 55(1)(f) of the Infectious Diseases Act 1976 will be exercisable in relation to an individual within the Singapore designated area (which is outside Singapore) only where the Director-General of Health or any Health Officer (as the case may be) suspects, or has reasonable grounds to believe, that the individual —

- (a) is a carrier of, or is infected with, an infectious disease;
- (b) has undergone a medical examination in connection with an infectious disease but has not received a conclusive result of that medical examination;
- (c) has been exposed to the risk of infection from an infectious disease; or
- (d) is seeking to enter Singapore from a country or territory outside Singapore during a period when there is an outbreak or suspected outbreak of an infectious disease in that country or territory.

The new section 45C also modifies sections 30(4) and 31(3) of the Infectious Diseases Act 1976 so that the power conferred by these provisions of that Act to return a non-citizen of Singapore who arrives in Singapore to his or her place of origin is replaced by a power to refuse the non-citizen of Singapore entry into or remaining within the Singapore designated area of a cross-border railway at which pre-clearance procedures are carried out.

The new section 45D provides for extended criminal jurisdiction for conduct within the Singapore designated area for certain offences under the Infectious Diseases Act 1976.

Division 7 — National Registration Act 1965

Clause 68 inserts a new section 16A into the National Registration Act 1965, which is an applicable Singapore border control law that applies within the Singapore designated area outside Singapore.

The new section 16A confers extended criminal jurisdiction for conduct within the Singapore designated area for certain offences under the National Registration Act 1965, and makes express modifications to certain powers which will be exercisable within the Singapore designated area outside Singapore to conform to the limits in clauses 24, 25 and 26.

Division 8 — Passports Act 2007

Clause 69 inserts a new section 47A into the Passports Act 2007, which is an applicable Singapore border control law that applies within the Singapore designated area outside Singapore.

The new section 47A confers extended criminal jurisdiction for conduct within the Singapore designated area for certain offences under the Passports Act 2007, and makes express modifications to certain powers which will be exercisable within the Singapore designated area outside Singapore to conform to the limits in clauses 24, 25 and 26.

Division 9 — Police Force Act 2004

Clause 70 amends section 56 of the Police Force Act 2004 to expand the purposes for which the Minister may send police officers to serve outside Singapore. The additional purpose is that of providing assistance in preserving order, or protecting persons from injury or death, and public property from damage or loss (whether arising from criminal acts or in any other way), as part of any co-located border clearance arrangements and railway security checks under the Bill.

Clause 71 inserts a new section 56A into the Police Force Act 2004, which modifies specified provisions conferring powers so as to come within the limits on

powers in clauses 24, 25 and 26 where those powers are exercised in peninsular Malaysia during railway security checks and incident management operations.

Clause 72 amends section 59(2) of the Police Force Act 2004 to ensure consistency with clause 40.

Division 10 — Registration of Births and Deaths Act 2021

Clause 73 inserts a new section 50A into the Registration of Births and Deaths Act 2021 which is an applicable Singapore border control law that applies within the Singapore designated area outside Singapore.

The new section 50A confers extended criminal jurisdiction for conduct within the Singapore designated area for certain offences under the Registration of Births and Deaths Act 2021, and makes express modifications to certain powers which will be exercisable within the Singapore designated area outside Singapore to conform to the limits in clauses 24, 25 and 26.

Division 11 — Regulation of Imports and Exports Act 1995

Clause 74 deletes section 25(2) of the Regulation of Imports and Exports Act 1995 because it is obsolete.

Clause 75 inserts a new section 39AA into the Regulation of Imports and Exports Act 1995, so as to signpost to clauses 25 and 26 and to explicitly adapt (for clarity) the provisions to the circumstances of the co-located border control arrangements in peninsular Malaysia for cross-border railways, without altering what is Singapore territory.

EXPENDITURE OF PUBLIC MONEY

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