

Constitution of the Republic of Singapore (Amendment) Bill

Bill No. 1/2025.

Read the first time on 7 January 2025.

A BILL

intituled

An Act to amend the Constitution of the Republic of Singapore.

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

Short title and commencement

1. This Act is the Constitution of the Republic of Singapore (Amendment) Act 2025 and comes into operation on a date that the President appoints by notification in the *Gazette*.

5 Amendment of Article 2

2. In the Constitution of the Republic of Singapore (called in this Act the Constitution), in Article 2(1), after the definition of “President”, insert —

10 ““Presidential Council for Racial and Religious Harmony”
 means the Presidential Council for Racial and Religious
 Harmony established by the Maintenance of Racial
 Harmony Act 2025;”.

Amendment of Article 21A

15 3. In the Constitution, in Article 21A(2)(a), replace
sub-paragraph (iv) with —

20 “(iv) whether to confirm under Article 22I a
 restraining order made under the Maintenance
 of Racial Harmony Act 2025 or the
 Maintenance of Religious Harmony Act 1990,
 or a direction to extend such a restraining
 order;”.

Amendment of Article 22

4. In the Constitution, in Article 22, replace paragraph (d) with —

25 “(d) the chairperson and members of the Presidential
 Council for Racial and Religious Harmony;”.

Replacement of Article 22I

5. In the Constitution, replace Article 22I with —

“Restraining orders under Maintenance of Racial Harmony Act 2025 and Maintenance of Religious Harmony Act 1990

22I.—(1) The President, acting in his discretion, may cancel or confirm —

5

(a) a restraining order made under the Maintenance of Racial Harmony Act 2025 or the Maintenance of Religious Harmony Act 1990; or

(b) a direction to extend such a restraining order,

if the advice of the Cabinet is contrary to the recommendation of the Presidential Council for Racial and Religious Harmony.

10

(2) For the purposes of clause (1)(a), the President may confirm a restraining order with variations.”

EXPLANATORY STATEMENT

This Bill seeks to amend the Constitution of the Republic of Singapore. The amendments are related to the Maintenance of Racial Harmony Bill, which will establish a Presidential Council for Racial and Religious Harmony to replace the Presidential Council for Religious Harmony established by the Maintenance of Religious Harmony Act 1990, and empower the Minister to make certain restraining orders.

Clause 1 relates to the short title and commencement.

Clause 2 amends Article 2(1) to insert a definition of “Presidential Council for Racial and Religious Harmony”.

Clause 3 amends Article 21A(2)(a) so that the default time limit of 30 days applies to the President’s exercise of discretion under Article 22I in respect of a restraining order under the Maintenance of Racial Harmony Bill and a direction to extend such a restraining order.

Clause 4 amends Article 22 to confer on the President the discretion to refuse to make an appointment to the Presidential Council for Racial and Religious Harmony if the President does not concur with the advice of the Presidential Council for Minority Rights.

Clause 5 replaces Article 22I to confer on the President the discretion to cancel, vary or confirm a restraining order under the Maintenance of Racial Harmony Bill

if the advice of the Cabinet is contrary to the recommendation of the Presidential Council for Racial and Religious Harmony. The discretion extends to directions to extend such a restraining order, except that such directions may only be cancelled or confirmed but not varied.

EXPENDITURE OF PUBLIC MONEY

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