

Annex A – Scams and Scams-Related Offences which attract Caning as Punishment

Offence	Punishment
1. Penal Code 1871	
Section 420: Cheating and dishonestly inducing a delivery of property.	<p><i>When committed mainly by means of remote communication:</i></p> <p>Imprisonment of up to 10 years and liable to fine, and must be sentenced to caning of at least 6 strokes.</p> <p>Note: Discretionary caning will be available as a sentencing option for section 420 Penal Code cases which are <u>not</u> committed mainly by means of remote communication.</p>
2. Organised Crime Act 2015	
Section 5: Locally linked organised criminal group membership	<p><i>When the offender knew that the purpose of the organised criminal group is to obtain benefits from a scam offence:</i></p> <p>Imprisonment of up to 5 years or fine of up to \$100,000, and must be sentenced to caning of at least 6 strokes.</p>
Section 6: Recruiting members for organised criminal group	<p><i>When the offender knew that the purpose of the organised criminal group is to obtain benefits from a scam offence:</i></p> <p>Imprisonment of up to 5 years or fine of up to \$250,000, and must be sentenced to caning of at least 6 strokes.</p> <p><i>When the offender knew that the purpose of the organised criminal group is to obtain benefits from a scam offence, and the persons being recruited were vulnerable or below 21 years of age:</i></p> <p>Imprisonment of up to 7 years or fine of up to \$350,000, and must be sentenced to caning of at least 6 strokes.</p>

3. Miscellaneous Offences (Public Order and Nuisance) Act 1906		
Section 39B: Unlawful provision of SIM card registered using person's personal information	<p>When the offender obtained / possessed / supplied / registered the SIM card or provided / obtained the particulars of another person to register the SIM card, and</p> <ul style="list-style-type: none"> i. Knew* that the SIM card would be used to commit or facilitate the commission of a scam, or ii. If <ul style="list-style-type: none"> a. The SIM card was used to commit or facilitate the commission of a scam; b. The offender knew or had reasonable grounds to believe^ that the SIM card would be used for a criminal offence; and c. The offender failed to take reasonable steps to ensure that the SIM card was not used to commit or facilitate the commission of a scam.+ <p>*For sections 39D(1) and 39F, due to the fault element of the base offences, the offender must have intended that the SIM card would be used to commit or facilitate the commission of a scam.</p> <p>^For sections 39D(1) and 39F, due to the fault element of the base offences, the offender</p>	Imprisonment of up to 3 years or fine of up to \$10,000 or both, and may be sentenced to caning of up to 12 strokes.
Section 39C: Unlawful provision, etc, of person's personal information for purpose of registering SIM card		
Section 39D: Transacting of SIM card registered using another person's personal information for criminal activity.		Imprisonment of up to 3 years or fine of up to \$10,000 or both, and may be sentenced to caning of up to 12 strokes.
Section 39F: Possession of SIM card registered using another person's personal information for criminal activity.		For second time or subsequent offenders, imprisonment of up to 5 years or fine of up to \$20,000 or both, and may be sentenced to caning of up to 12 strokes.
Section 39G: Facilitation of fraudulent registration of SIM card that facilitates criminal activity.		

	<p>must have intended that the SIM card would be used for a criminal offence.</p> <p>*Does not apply to sections 39D(1) and 39F.</p>	
4. Computer Misuse Act 1993		
Section 8A: Disclosure of password, access code, etc., in relation to national digital identity service.	<p>When the offender obtained / supplied the Singpass credentials, and</p> <p>i. Knew that the credentials would be used to commit or facilitate the commission of a scam, or</p> <p>ii. If</p> <p>a. The Singpass credentials were used to commit or facilitate the commission of a scam;</p> <p>b. The offender knew or had reasonable grounds to believe that the credentials would be used for a criminal offence; and</p> <p>c. The offender failed to take reasonable steps to ensure that the Singpass credentials would not be used to commit or facilitate the commission of a scam.</p>	Imprisonment of up to 3 years or fine of up to \$10,000 or both, and may be sentenced to caning of up to 12 strokes.
Section 8B: Supplying, etc., credential of another person.		<p>Imprisonment of up to 3 years or fine of up to \$10,000 or both, and may be sentenced to caning of up to 12 strokes.</p> <p>For second time or subsequent offenders, imprisonment of up to 5 years or fine of up to \$20,000 or both, and may be sentenced to caning of up to 12 strokes.</p>
5. Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits) Act 1992		
Section 51(1): Assisting another to retain benefits of criminal conduct.	When the offender provided the payment account or agreed with the payment arrangement, and	Imprisonment of up to 10 years or fine of up to \$500,000 or both, and may be sentenced to caning of up to 12 strokes.

<p>Section 54(1),(2),(3): Acquiring, possessing, using, concealing or transferring benefits from criminal conduct.</p>	<ol style="list-style-type: none"><li data-bbox="766 196 1312 261">i. The benefits of criminal conduct was from a scam;<li data-bbox="766 269 1312 480">ii. The offender knew or had reasonable grounds to believe that benefits from criminal conduct are laundered using the account or arrangement; and<li data-bbox="766 488 1312 626">iii. The offender did not take reasonable steps to ascertain that the benefits were not from a scam offence.	
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