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IMMIGRATION ACT 1959

IMMIGRATION (SECTION 57(1)(D) — EXEMPTION) ORDER 2022

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement
 2. Definitions
 3. Exemption
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In exercise of the powers conferred by section 56 of the Immigration Act 1959, the Minister for Home Affairs makes the following Order:

Citation and commencement

1. This Order is the Immigration (Section 57(1)(d) — Exemption) Order 2022 and comes into operation on 8 July 2022.

Definitions

2.—(1) In this Order, “EVA System” means the E-Visitor Authentication System owned by the Singapore Tourism Board.

(2) In this Order, a reference to a person employed to work at a hotel, boarding house, hostel or other like dwelling place, includes a person who is engaged to work at such hotel, boarding house, hostel or other like dwelling place under a contract for services.

Exemption

3.—(1) Section 57(1)(d)(ii) and (iii) of the Act does not apply to any owner, manager or other person in charge of a hotel, boarding house, hostel or other like dwelling place, or any person employed to work at such dwelling place, if all of the following conditions are fulfilled by any or any combination of such persons:

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- (a) before the person is allowed to occupy a room, all reasonable steps have been taken to ensure that the person's physical facial features match his or her photograph in his or her passport;
 - (b) before the person is allowed to occupy a room, all of the following information is submitted to the Immigration & Checkpoints Authority through the EVA System:
 - (i) the following particulars as stated in the person's passport that is presented at the point of the person's check-in:
 - (A) the person's full name;
 - (B) the person's nationality;
 - (C) the document number assigned to the passport;
 - (D) the person's date of birth;
 - (E) the person's gender;
 - (ii) the accommodation booking identification number of the person's booking of the room at such dwelling place;
 - (iii) where the room is in a hotel under the Hotels Act 1954, the licence number of the licence granted in respect of the hotel by the Hotels Licensing Board established under section 3(1) of that Act;
 - (iv) the date of the person's check-in;
 - (v) the date on which the person is expected to check out;
 - (c) within 24 hours of allowing the person to occupy a room, the following 3 images are submitted to the Immigration & Checkpoints Authority through the EVA System:
 - (i) a digitally scanned copy of the full page in the person's passport containing the person's biodata;

- (ii) a photograph of the person's face taken at the point of the person's check-in, that complies with the specifications specified in sub-paragraph (5);
- (iii) either of the following:
 - (A) where the person's passport is an electronic machine-readable passport containing an electronic microchip — the image of the person extracted from the electronic microchip;
 - (B) where the person's passport is not an electronic machine-readable passport containing an electronic microchip — a digitally scanned copy of the person's photograph in his or her passport.

(2) For the purpose of sub-paragraph (1)(a), the use of any facial recognition technology to ascertain whether a person's physical facial features match his or her photograph in his or her passport does not of itself constitute taking all reasonable steps unless the facial recognition technology —

- (a) is used at the hotel, boarding house, hostel or other like dwelling place as part of the check-in process for the person; and
- (b) only incorrectly matches a person's physical facial features to his or her photograph in his or her passport in no more than one out of every 200 persons.

(3) For the purpose of sub-paragraph (1)(a), (b)(i) and (c)(i) and (iii), the same passport must be used for all the steps mentioned in those provisions.

(4) For the purpose of sub-paragraph (1)(b) and (c)(ii), the check-in must take place within the premises of the hotel, boarding house, hostel or other like dwelling place at which the person is seeking accommodation.

(5) The specifications for a photograph under sub-paragraph (1)(c)(ii) are as follows:

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- (a) the photograph must be in colour;
 - (b) the photograph must be in sharp focus and clear with no ink marks or creases;
 - (c) the photograph must provide a full frontal view of the person's head and shoulders;
 - (d) no part of the person's face must be obstructed by any hair;
 - (e) the photograph must not show the person wearing any sunglasses;
 - (f) the photograph must show the person looking directly at the camera, with eyes open and clearly visible;
 - (g) the photograph must show the person's facial features in their entirety;
 - (h) the photograph must not show the person wearing any hat or other head covering, other than a hat or head covering which the person habitually wears for religious reasons or due to custom, and where such hat or head covering is worn, the photograph must still provide a full frontal view of the person's head and shoulders, showing the person's facial features in their entirety with his or her eyes open and clearly visible, and both edges of the person's face must be clear.

Made on 23 June 2022.

PANG KIN KEONG
*Permanent Secretary,
Ministry of Home Affairs,
Singapore.*

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