

1192617

Singapore

34/62

IN THE PRIVY COUNCIL

No. 1 of 1962

ON APPEAL
FROM THE SUPREME COURT OF THE STATE OF SINGAPORE

B E T W E E N

LIM CHIN AIK alias CHIN YAP alias
LIM HIN LEONG alias TWA KO AIK
alias LIM CHIN F alias LIM KIM YAP
alias LAM KAM IEK Appellant

- and -

THE QUEEN Respondent

R E C O R D O F P R O C E E D I N G S

UNIVERSITY OF LONDON
INSTITUTE OF ADVANCED
LEGAL STUDIES
30 MAR 1963
25 RUSSELL SQUARE
LONDON, W.C.1.

68274

T.L. WILSON & CO.,
6, Westminster Palace Gardens,
London, S.W.1.
Solicitors for the Appellant.

CHARLES RUSSELL & CO.,
37, Norfolk Street,
London, W.C.2.
Solicitors for the Respondent.

IN THE PRIVY COUNCILNo. 1 of 1962

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B E T W E E N

LIM CHIN AIK alias CHIN YAP alias
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 alias LIM CHIN I alias LIM KIM YAP
 alias LAM KAM IEK Appellant

- and -

THE QUEEN ... Respondent

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ON APPEAL
FROM THE SUPREME COURT OF THE STATE OF SINGAPORE

B E T W E E N

LIM CHIN AIK alias CHIN YAP alias
LIM HIN LEONG alias TWA KO AIK
alias LIM CHIN I alias LIM KIM YAP
alias LAM KAM IEK Appellant

- and -

10 THE QUEEN ... Respondent

RECORD OF PROCEEDINGS

No. 1

No. 1

SANCTION TO PROSECUTE

Sanction to
Prosecute.

Office of the
Controller of Immigration
Palmer Road, Singapore, 2.

1st July, 1959.

SANCTION TO PROSECUTE

UNDER

IMMIGRATION ORDINANCE, CHAPTER 102, Section 58(3)

20 In exercise of the powers vested in me by
Section 58(3) of the Immigration Ordinance, Chapter
102, and of all other powers hereunto me enabling,
I, LIM JOO HOCK, Acting Controller of Immigration,
Singapore, hereby sanction the prosecution of LIM
CHIN AIK @ LIM CHIN YAP @ LIM HIN LEONG @ TWA KO AIK
@ LIM CHIN I @ LIM KIM YAP @ LAM KAM IEK, on a
charge under section 6(1) of the Immigration Ordinance,
Chapter 102, an offence under Section 6(3)
and punishable under Section 57 of the same said
30 Ordinance.

Dated at Singapore, this 1st day of July, 1959.

Sd: Lim Joo Hock.
Acting Controller of Immigration.
Singapore.

No. 2

No. 2

Charge.
(Under Sanction
of 1st July,
1959)

C H A R G E(Under Sanction of 1st July 1959)

That you, LIM CHIN AIK @ LIM CHIN YAP @ LIM HIM LEONG @ TWA KO AIK @ LIM CHIN I @ LIM KIM YAP @ LIM KAM IEK, not being a person specified in Section 7 of the Immigration Ordinance, Chapter 102 and not being exempted from the provisions of Section 6(1) of the Immigration Ordinance, Chapter 102 by an order made under Section 55 of the aforesaid Ordinance did on or about the 17th May, 1959 enter the State of Singapore from a place outside Malaya without being in possession of a Valid Entry Permit or Re-entry Permit or a Valid Pass lawfully issued to you to enter the State, thereby contravening Section 6(1) of the Immigration Ordinance, Chapter 102, an offence under Section 6(3) and punishable under Section 57 of the said Ordinance.

10

No. 3

No. 3

Sanction to
prosecute.

SANCTION TO PROSECUTE

20

15th August,
1959.

SANCTION TO PROSECUTE
UNDER THE IMMIGRATION ORDINANCE
(CAP. 102)
Section 58(3)

In exercise of the powers vested in me under section 58(3) of the Immigration Ordinance, Chapter 102, and of all other powers hereunto enabling, I, LIM JOO HOCK, Acting Controller of Immigration, Singapore, hereby sanction the prosecution of LIM CHIN AIK @ LIM CHIN YAP @ LIM HIM LEONG @ TWA KO AIK @ LIM CHIN I @ LIM KIM YAP @ LIM KAM IEK, on a charge under section 6(2) of the Immigration Ordinance, Chapter 102, and offence under section 6(3) and punishable under section 57 of the same Ordinance.

30

Dated at Singapore this 15th day of August,
1959.

Sd. Lim Joo Hock
Acting Controller of Immigration
Singapore.

40

No. 4

C H A R G E

(Under Sanction of 15th August, 1959)

No. 4

Charge.
(Under Sanction
of 15th August,
1959)

10 That you, LIM CHIN AIK @ LIM CHIN YAP @ LIM HIN
LEONG @ TWA KO AIK @ LIM CHIN I @ LIM KIM YAP @ LAM
KAM IEK, having entered Singapore from the Federa-
tion of Malaya in May, 1959 did remain therein
whilst prohibited by an order made by the Minister
under section 9 prohibiting you from entering
Singapore and have thereby contravened section 6(2)
of the Immigration Ordinance, an offence under Sec-
tion 6(3) punishable under Section 57 thereof.

No. 5

COURT NOTES

Monday 17th August, 1959.
Sd. P.T.K. Lau,
Magistrate.

In the
Magistrate's
Court

No. 5

Court Notes.
17th August,
1959.

20 R. v. LIM CHIN AIK @ LIM CHIN YAP }
@ LIM HIN LEONG @ TAN KO AIK } Section 6(1)
@ LIM CHIN I @ LIM KIM YAP } Cap. 10.
@ LIM KAN IEK. }

Charge read and explained.
Claims trial.

Mr. A.V. Winslow for prosecution.
Mr. H.A. Francis and Mr. M. Brash for defence.

Mr. Winslow puts in additional charge (P4) and
fresh sanction (P3).
Amended additional charge read to accused; accused
claims trial.

30 Intld. P.T.K.L.

Mr. Winslow informs Court briefly history of case;
Banishment Ordinance etc.
Mr. Brash objects; reference to banishment Ord.,
and fact that Mr. Winslow said accused was banished
thereunder, is irrelevant and prejudicial to his
client.

In the
Magistrate's
Court

Mr. Winslow says that he will be bringing in evidence of the banishment as part of his case.

Intld. P.T.K.L.

No. 5

Case stood down five minutes.
Case resumed.
Case to proceed.

Intld. P.T.K.L.

Court Notes.

17th August,
1959

- continued.

Mr. Brash asks for short adjournment to consult whether he should withdraw.
Brash states he has no objection to proceeding.
Winslow states he will proceed on 2nd charge only.

10

Intld. P.T.K.L.

PROSECUTION EVIDENCE

Prosecution
Evidence

No. 6

No. 6

TOH KENG TAK

Toh Keng Tak.

P.W.1. TOH KENG TAK a/English:
Inspector Narcotics Branch.

Examination.

On 29/6/59, 9.10 a.m. I raided 46 Kandakar Street. I made an arrest of a male Chinese, accused (id). I identified him as one Lim Chin Aik as wanted by the Immigration Department. I had previously received authority from that Department to detain him, I took accused to Kreta Ayer Police and made a report. (Certified copy put in as P5). I took him later to Mr. Tan Hai Tua, Assistant Controller.

20

No cross-examination.

No Re-examination.

Intld. P.T.K.L.

No. 7

No. 7

Lee Siew Kwang.

LEE SIEW KWANG

30

Examination.

P.W.2. LEE SIEW KWANG a/English
Assistant Deputy Controller Immigration.

In the course of my duty I had occasion to

deal with accused's case on 2/4/59 when I was Ag. Controller. I received an application for re-entry to Singapore from accused but I did not approve it. I received application for entry into Singapore (P6). This is my reply and the sponsor (P7). On 28/5/59 I received from the Ministry of Labour and Welfare an order prohibiting entry of Lim Chin Aik (P8) and I identified the signature.

In the
Magistrate's
Court

Prosecution
Evidence

No. 7

No Cross-examination

10 No Re-examination.

Intld. P.T.L.K.

Lee Siew Kwang.

Examination.
- continued.

No. 8

TAN HAI TUA

No. 8

Tan Hai Tua.

P.W.3. TAN HAI TUA a/English:-
Deputy Assistant Controller Immigration Singapore.

Examination.

20 I came to know the accused (id) when P.W.1. asked me to take him into my custody on 29/6/59. I took a statement from accused under s.50(A) Immigration Ordinance. I spoke to the accused in Hokkien and he appeared to understand. I had Inspector Loh Kai Tong with me to help the recording and I recorded the statement into writing.

30 As far as I am aware accused was not in Singapore before 17/5/59. According to the statement accused entered about 10 days before 29/6/59. Accused had no permit or document to enter Singapore. Accused had no right of entry into Singapore. Accused states he was born in China, uneducated; first came to Singapore at age of 23-24 years, returned to China at 28 years to get married to Chong Soi Loi and had seven children living at Kandahar Street, second wife at Kandahar Street, another wife living same address.

40 Accused has company Yak Tan; own ships under 200 tons; wife sold ships and timor have five sails craft. "In 1954 I left by Hoi Wong for Swatow stayed in China four months then went Hong Kong; unemployed depended on remittance from wife; went to Siam and stopped at Senggora in March 1957 on a permit applied for from Siamese Authorities; place where I stayed separated from Siam by river." Accused meant he stayed at place Pasir Mas, separated from Siam by river. "I applied for NNC in name

In the
Magistrate's
Court

Prosecution
Evidence

No. 8

Tan Hai Tua.
Examination
- continued.

of Lim Hin Leong for residence in Malay, I explained to the Registration Officer that I had been resident in Malaya and Singapore for many years; this was good officer issued me card No. 98188 I don't know his name did not pay money for it. I stayed 4-5 days at Pasir Mas and returned to Siam.

"My wife applied for re-entry permit at Immigration Office Singapore but no results many months." "As wife could not manage business I had no alternative but to return to Singapore. I finally came to stay in Johore for one week before 24/5/59. I stayed at 303 Jalan Pontian, Johore, came to Singapore and returned daily. Over 10 days ago before 29/6/59 came to stay at 46 Kandahar Street permanently. I did not have permit to stay in Singapore or Malaya."

10

No Cross-examination

No Re-examination

Intld. P.T.K.L.

No. 9

Court Notes.
17th August,
1959.

No. 9

COURT NOTES

20

Mr. Winslow closes case for the prosecution.

Mr. Brash submits:

(1) Prosecution failed by reason of S.9 (under which order made). Order dated 28/5/59 signature of Mr. Lim identified. Refers to S.9 Cap.102 (Immigration Ord.) and proviso. The prohibition order does not comply with S.9 of the Ordinance. "Prohibit for social conditions" is alright; but the period of the prohibition is not stated as required in S.9. The order (P8) does not state permanently or for a stated period. The Court must know that it is therefore for a permanent period. Court cannot assume this; one or the other must be stated in order.

30

(2) If there is an order, did accused enter Singapore from Federation in May 1959 and remain in Singapore whilst so prohibited. S.9(3)(a) order should unless otherwise provided in that order take effect and come into operation on the date on which it is made. S.9 (7)(b) it must be gazetted.

40

(3) Prosecution must prove that when order made accused was not outside Malaya and is not in possession of a valid re-entry permit.

In the
Magistrate's
Court

(4) Order must be personally served on the accused.

No. 9

(5) According to accused's statement accused came into Colony 10 days before 29/6/59.

Court Notes.

17th August,
1959

- continued.

Mr. Winslow replies:

(1) The order does not contain the period of time permanently or for stated periods.

10 The spirit of the section should be considered.

There is power conferred to limit the period of prohibition. The order is clear; the usage of language - is he or is he not prohibited?

(2) S.9 (3) (b) relating to gazette publication relates to class of persons only.

(3) Question of Service of order on the accused. Accused admitted in statement that he entered 10 days before 29/6/59 and was therefore already prohibited.

20 Service of order on the accused is unnecessary under S.9.

The first charge is stayed.

I call on the defence on the 2nd charge.

Accused by counsel does not propose to enter into his defence.

I find accused guilty on the second charge and convict him.

Mr. Winslow applies to Court under S.170 of C.P.C. I acquit accused on 1st charge.

30 No previous conviction on the accused.

Mitigation:

Grounds for order - "social conditions".

Accused is fined \$1,250/- or three months imprisonment in default.

Intld. P.T.K.L.

In the
Magistrate's
Court

No. 10

GROUNDS FOR DECISION

No. 10

SEVENTH MAGISTRATE'S COURT CASE NO. 236 of 1959

Grounds for
Decision.

REGINA vs. LIM CHIN AIK

12th September,
1959.

GROUNDS OF DECISION

The case for the prosecution was that the accused left Singapore for China in 1954. After a devious journey which lasted some five years, accused came to stay at a certain address in Johore shortly before the 24th day of May, 1959. He visited Singapore daily. More than ten days prior to the 29th day of June, 1959 he came to stay at 46 Kandahar Street, Singapore, permanently. It was at this place that accused was arrested by Inspector Toh Keng Tak on 29th June, 1959. 10

The Minister of Labour had, however, on 28th May, 1959, issued an order prohibiting the entry of the accused. The accused in his statement to Mr. Tan Hai Tua, Deputy Assistant Controller of Immigration, Singapore, admitted he did not have a permit to stay in Singapore or Malaya. 20

Mr. Brash for the defence submitted that there was no case to answer for several reasons. Firstly, he submitted that as the prosecution relied on S.9 of the Ordinance, they must comply with it strictly. The section says that the prohibition may be permanently or for a stated period. As the order signed by the Minister (Ex.P8) merely states "I prohibit the entry of X" without stating for what period the prohibition is to last, the order was bad. 30

Mr. Winslow for the Crown contended that the order was clear. There was power to limit the period of prohibition. The question was, Is the accused prohibited from entry? I was of the view that the order was good. It was unnecessary to state the word "permanently". If the prohibition was for a limited period, the Minister would say so. If he merely says, "I prohibit, the intention is clear." The use of the word "permanently" would therefore be redundant and otiose. 40

Secondly, Mr. Brash contended that the order

had to be gazetted under S.9(7)(b). The short answer to this was provided by the same section which said that the gazetting was necessary if it related to a class of persons.

In the
Magistrate's
Court

—
No. 10

Grounds for
Decision.

12th September,
1959.

- continued.

10 Thirdly, it was contended that unless otherwise provided, the order was to take effect on the date on which it was made: S.9(3)(a). The answer to this was relatively simple, i.e., the accused had himself admitted he entered ten days before 29th June, 1959, when he was already prohibited.

Finally, it was contended for the defence that the order should be personally served on the accused. Mr. Winslow replied it was unnecessary under S.9 of the Ordinance. My view was that the Ordinance was silent on the matter and that, once the order was made, it took effect whether the accused knew of its existence.

20 Counsel for the Crown, Mr. Winslow, applied to stay the first charge. I thereupon called for the accused to make his defence on the 2nd charge. The accused elected to remain silent. I found the accused guilty on the second charge and convicted him. Mr. Winslow applied to the court under S.170 of the Criminal Procedure Code, whereupon I acquitted the accused on the first charge. I sentenced the accused to a fine of \$1,250/- or three months' imprisonment in default.

Dated this 12th day of September, 1959.

KJC (7th MAGISTRATE'S SEAL) Sd. P.T.K. LAU.
30 MAGISTRATE.

No. 11

In the
High Court

PETITION OF APPEAL

No. 11

IN THE HIGH COURT OF THE STATE OF SINGAPORE

Petition of
Appeal.

ISLAND OF SINGAPORE

28th September,
1959.

Magistrate's Appeal No. 188 of 1959

7th Magistrate's Court Case No. 236 of 1959

B E T W E E N

LIM CHIN AIK @ LIM CHIN YAP @
LIM HIN LEONG @ TWA KO AIK @
LIM CHIN I @ LIM KIM YAP @ IAM
KAM IEK

Appellant

10

- and -

REGINA

...

Respondent

PETITION OF APPEAL

To

The Honourable
The Judges of the High Court,
of the State of Singapore.

The Petition of Lim Chin Aik @ Lim Chin Yap @
Lim Hin Leong @ Twa Ko Aik @ Lim Chin I @ Lim Kim
Yap @ Lam Kam Iek the Appellant herein respectfully
sheweth:-

20

1. Your Appellant was charged on the 17th day of
August 1959 before the learned Magistrate as follows:-

"That you, Lim Chin Aik @ Lim Chin Yap @ Lim
Hin Lecng @ Twa Ko Aik @ Lim Chin I @ Lim Kim
Yap @ Lam Kam Iek, having entered Singapore
from the Federation of Malaya in May 1959 did
remain therein whilst prohibited by an Order
made by the Minister under Section 9 prohibit-
ing you from entering Singapore and have there-
by contravened Section 6(2) of the Immigration
Ordinance, an offence under Section 6(3)
punishable under Section 57 thereof".

30

2. The learned Magistrate then proceeded to try
your Appellant and on the conclusion of the case,
your Appellant was convicted and sentenced as
follows:-

"Accused is fined \$1,250/- or three months' imprisonment in default."

In the
High Court

3. Your Appellant is dissatisfied with the said conviction on the following grounds:-

No. 11

10 (i) The prosecution made reference to a Banishment Order against your Appellant which was irrelevant and prejudicial to your Appellant and on the application of the Defence it would have been fair to your Appellant to have transferred the case for trial to another Magistrate.

Petition of
Appeal.

28th September,
1959
- continued.

(ii) The Order of the Minister under Section 9 of the Immigration Ordinance was bad and your Appellant ought not to have been convicted of contravention of the same under Section 6(2) of the Immigration Ordinance.

(iii) It was against natural justice to have convicted your Appellant when such Order was not personally served on him or brought to his knowledge.

(iv) Conviction be set aside.

20 4. Your Appellant therefore prays that such conviction may be quashed and set aside or that such other order may be made as justice may require.

And as in duty bound your Appellant will ever pray.

Dated this 28th day of September 1959.

Sd. Francis & Co.
Solicitors for the Appellant.

Notice of appeal was lodged on the 17th day of August 1959.

Application for a copy of the record of the case was received from _____ on the _____ day of _____

A copy of the record of the case was supplied to Messrs. Francis & Co. on the 18th day of September, 1959.

10 A signed copy of the grounds of decision in the case was served upon Messrs. Francis on the 18th day of September, 1959.

Petition of Appeal was lodged on the 28th day of September 1959.

The said appellant has paid the fee of \$5 for a copy of the record.

The Appellant has paid the fine.

The Appellant has been granted remission of security for costs by the High Court on the _____ day of _____ 19 _____ .

20 The annexed copies of the record of the proceedings in the case of the Notice of Appeal and of the Petition of Appeal are therefore transmitted to the Supreme Court in accordance with the provisions of Section 292 of the Criminal Procedure Code.

Dated this 26th day of October, 1959.

(SEAL) Signed GOH HENG LEONG.
Magistrate.

In the
Supreme Court

No. 12

Statement of
Case.

26th October,
1959

- continued.

In the
High Court

No. 13

No. 13

Certificate of
result of
Appeal.

24th February,
1960.

CERTIFICATE OF RESULT OF APPEAL

Magistrate's Appeal No.188 of 1959

IN THE HIGH COURT OF THE STATE OF SINGAPORE

ISLAND OF SINGAPORE

IN THE MATTER of MAGISTRATE'S COURT ARREST Case
No. 236 of 1959.

LIM CHIN AIK @ LIM CHIN YAP @
LIM HIN LEONG @ TWA KO AIK @
LIM CHIN I @ LIM KIM YAP @
LAM KAM IEK.

Appellant

10

- and -

REGINA

...

Respondent

IN accordance with the provisions of Section 302(1) of the Criminal Procedure Code I hereby certify that the Appeal of Lim Chin Aik etc. against the conviction of P.T.K. Lau Esquire Magistrate was called on for hearing on the 24th day of February, 1960 before the Honourable The Chief Justice and after reading the case stated by the said Magistrate the transcript of the evidence the adjudication and conviction and after hearing Mr. Francis and Mr. Karthigesu Counsel for the Appellant and Mr. Tan Wee Kian Counsel for the Crown IT WAS ORDERED that the appeal be dismissed and that the conviction and sentence be affirmed.

20

Given under my hand and the Seal of the Supreme Court this 24th day of February, 1960.

Sd. T.S. Sinnathuray.
Dy. Registrar.

30

No. 14

ORDER GRANTING SPECIAL LEAVE TO APPEAL

AT THE COURT OF SAINT JAMES

The 27th day of November, 1961

P R E S E N T

HER MAJESTY QUEEN ELIZABETH THE QUEEN MOTHER

HER ROYAL HIGHNESS THE PRINCESS MARGARET,
COUNTESS OF SNOWDON

LORD PRESIDENT

LORD CARRINGTON

10

EARL OF PERTH

MR. SECRETARY AMERY

In the
Privy Council

No. 14

Order granting
Special Leave
to Appeal.

27th November,
1961.

WHEREAS Her Majesty in pursuance of the Regency Acts 1937 to 1953 was pleased by Letters Patent dated the eighth day of November 1961 to delegate to the following Counsellors of State (subject to the exceptions hereinafter mentioned) or any two or more of them that is to say His Royal Highness Prince Philip Duke of Edinburgh Her Majesty Queen Elizabeth The Queen Mother Her Royal Highness The Princess Margaret Countess of Snowdon His Royal Highness The Duke of Gloucester His Royal Highness The Duke of Kent and Her Royal Highness The Princess Alexandra of Kent full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

20

30

AND WHEREAS Her Majesty was further pleased to except from the number of the said Counsellors of State His Royal Highness Prince Philip Duke of Edinburgh and Her Royal Highness The Princess Alexandra of Kent while absent from the United Kingdom:

AND WHEREAS there was this day read at the Board a Report from the Judicial Committee of the Privy Council dated the 24th day of October 1961 in the words following, viz.:-

40

"Whereas by virtue of His late Majesty King Edward the Seventh's Order in Council on the 18th day of October 1909 there was referred

In the
Privy Council

No. 14

Order granting
Special Leave
to Appeal.

27th November,
1961

- continued.

unto this Committee a humble Petition of Lim Chin Aik alias Chin Yap alias Lim Hin Leong alias Twa Ko Aik alias Lim Chin I alias Lim Kim Yap alias Lam Kam Iek in the matter of an Appeal from the Supreme Court of the State of Singapore between the Petitioner and Your Majesty Respondent setting forth that the Petitioner prays for special leave to appeal to Your Majesty in Council from the Order of the High Court of the State of Singapore dated the 24th February 1960 dismissing his Appeal against his conviction by the Magistrate's Court of Singapore dated the 17th August 1959 for an offence under the Immigration Ordinance: And humbly praying Your Majesty in Council to grant him special leave to appeal from the Order of the High Court of the State of Singapore dated the 24th February 1960 or for further or other relief: 10

"The Lords of the Committee in obedience to His late Majesty's said Order in Council have taken the humble Petition into consideration and having heard Counsel in support thereof and in opposition thereto Their Lordships do this day agree humbly to report to Your Majesty as their opinion that leave ought to be granted to the Petitioner to enter and prosecute his Appeal against the Order of the High Court of the State of Singapore dated the 24th day of February 1960: 20 30

"And Their Lordships do further report to Your Majesty that the proper officer of the said High Court ought to be directed to transmit to the Registrar of the Privy Council without delay an authenticated copy under seal of the Record proper to be laid before Your Majesty on the hearing of the Appeal upon payment by the Petitioner of the usual fees for the same."

NOW THEREFORE Her Majesty Queen Elizabeth The Queen Mother and Her Royal Highness The Princess Margaret Countess of Snowdon being authorized thereto by the said Letters Patent have taken the said Report into consideration and do hereby by and with the advice of Her Majesty's Privy Council on Her Majesty's behalf approve thereof and order as it is hereby ordered that the same be punctually observed obeyed and carried into execution. 40

Whereof the Yang di-Pertuan Negara or Officer administering the Government of the State of Singapore for the time being and all other persons whom it may concern are to take notice and govern themselves accordingly. 50

W. C. AGNEW.

E X H I B I T S

Exhibits

Exhibit P.7. - LETTER, Acting Controller of
Immigration to Madam C.S.Tio

P.7.

Immigration Dept.,
Palmer Road, Singapore 2.

Letter, Acting
Controller of
Immigration to
Madam C.S.Tio.

IMS/031/54.

2nd April, 59.

2nd April,
1959.

Madam Chen Sai Tio,
46 Kandahar Street,
Singapore 1.

10 Madam,

I have the honour to refer to the application
of Mr. Lim Chin Aik for entry into Singapore of
which you are sponsor.

2. The application has been very carefully con-
sidered and I am sorry to inform you that the Entry
Permit cannot be issued to Mr. Lim Chin Aik for his
return to Singapore.

I have the honour to be
Madam,
Your obedient servant,

20

Sd.
(F. Lee Siew Kwong)
Ag. Controller of Immigration
Singapore.

Exhibit P.8 - PROHIBITION OF ENTRY ORDER

P.8.

COLONY OF SINGAPORE

Prohibition of
Entry Order.

THE IMMIGRATION ORDINANCE (CHAPTER 102)

28th May, 1959.

ORDER UNDER SECTION 9

30

PROHIBITION OF ENTRY ORDER AGAINST LIM CHIN AIK
ALIAS TWA KO AIK ALIAS LIM CHIN I ALIAS LIM KIM
YAP ALIAS LAM KAM IEK

In exercise of the powers conferred on me by
section 9 of the Immigration Ordinance, I, LIM YEOW
HOCK, Minister for Labour and Welfare, deeming it

Exhibits

P.8.

Prohibition of Entry Order.

28th May, 1959
- continued.

expedient by reason of the social condition in Malaya so to do, HEREBY PROHIBIT the entry into Singapore of one LIM CHIN AIK ALIAS TWA KO AIK ALIAS LIM CHIN I ALIAS LIM KIM YAP ALIAS LAM KAM IEK born in China in the year 1900.

Given at Singapore, this 28th day of May, 1959.

Sd. Lim Yew Hock
(LIM YEW HOCK)
Minister for Labour and Welfare.

P. 5

Police Report.
29th June, 1959.

Exhibit P.5 - POLICE REPORT

10

REPORT NO. "C" 11248/11248 (BR)

POLICE STATION AT WHICH REPORTED: NARCOTICS BRANCH,
C.I.D.

By whom recorded: Inspt. K.T. Toh.
Date and Time reported: 29.6.59 @ 10.40 am.
By whom reported: Inspt. K.T. Toh.
Sex: Male Age: 26 yrs. N.R.I.C. No.W/Card.
Race: Chinese Language: English
Occupation: Insp. of Police.
Address: Narcotics Branch, CID.

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Brief Details:-

On 29.6.59 at about 9.10 a.m. I and a party of detectives raided house No.46 Kandahar Street under S/Warrant No.1403/59. Nothing incriminating were found.

During the raid I came across one Lim Hin Leong alias Lim Chin Aik whom I know to be wanted by the Immigration Dept. I therefore arrested him over to the Immigration Authorities.

Sd. (K.T. Toh)

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Exhibit P.9 - INTERVIEW PRO-FORMAExhibits

P.9.

INTERVIEW PRO-FORMAInterview
Pro-forma.

1. File Number

2. Accused LIM CHIN AIK @ LIM CHIN KAP @ LIM HIN
LEONG.

29th June, 1959

3. Sex Male 4. Age 59 yrs. Ch. Rec.

5. N.R.I.C. PMAS(KN) 018188 6. Nationality Chinese

7. Race Hokkien 8. Place of Birth China.

10 9. If Federal Citizen, No. of Certificate and Place
of issue .. No.

10. Address 46 Kandahar Street, Singapore.

11. Profession/Occupation Merchant

12. Salary/Income. 13. Date of first arrival in
Malaya at the age of 23 or 24 yrs old.

14. Dialect Hokkien 15. Interpreted by

16. General States:

20 I was born in China and was not educated. I
first came to Singapore at the age of 23 or 24
years old. I went back to China at the age of 28
years to get married to Cheng Soi Tor (F) (now 49
yrs. old). She married me at the age of 18 yrs.
and joined me at the age of 24 yrs. old. We have
7 issues - 4 sons and 3 daughters all were born in
Singapore. She and the children are all staying at
the above address. I have another wife Two Siew
Meoy (f) 30 yrs. now. She came from China at the
age of 9 yrs. and became my second wife at the age
of 15 yrs. There was no marriage ceremony. By her
30 I have 2 sons and one daughter. She also stays at
46 Kandahar Street. There is another third wife
Ng Yoke Lay (f) now 31 yrs. old. She was born in
K.L. and followed me when she was 20 yrs. Ch. Rec.
By her I have one son. She and the son also stays
at 46 Kandahar Street.

40 I am the owner of Yak Ann and Co. at 46
Kandahar Street. I used to own many ships wooden
and steel ships of not more than 200 tons. After
my expulsion my wives had to sell most of the ships
and my private house at No. 9 Holland Road, Singa-
pore. There is now a balance of 5 sailing crafts.

Exhibits

P.9.

Interview
Pro-forma.29th June, 1959
- continued.

In 1952 I was suspected of smuggling. I was arrested on 25.8.53 and was expelled from the Colony on 8th March, 1954. I left by the Hoi Wong for Swatow. I stayed in China for 4 mths. and went to Hong Kong. I was unemployed and depended on remittances from my wives. I have a Hong Kong NRIC now at my other House 303 Jalan Rakin. I have my other documents in my address in Johore.

I went to Siam and stayed at Si-Pi-Ah-Lor, in March 1957 on a permit applied for from the Siamese Authorities. The place where I stay is separated from Siam by a River. I crossed the River illegally and applied for the N.R.I.C. in the name of Lim Hin Leong. I explained to the Registration Officer that I had been resident in Singapore and Malaya for many years. This officer happened to be a good officer and he issued me with N.R.I.C. P.Mas (KN) 018188 on 18.10.57. I do not know the officer's name and I never paid any money for the N.R.I.C. I stayed only 3 or 4 days at Pasir Mas and returned to Siam. Finally my wives fought for the rescinding of the expulsion and won the case on 15.1.59. Immediately afterwards my wives applied for my entry permit at the Singapore Immigration Department. There was no result for many months. Because I was a wanted man I had to take to the two aliases. 10 20

As my wives could not manage the business I had no alternative but to return to Singapore from Thailand. I finally came to stay in Johore one week before I had the address amended on the N.R.I.C. on 24.5.59 I stay at 303 Jalan Rakin, Johore used to come to Singapore and return daily but about over 10 days ago I came to stay at 46 Kandahar Street permanently. I did not have a permit to enter Malaya or Singapore. My E.P. application was still pending. 30

Before me,

Sd. Tan Han Tuan,
Dy. Asst. Controller of Immigration,
Singapore. 29.6.59. 40

Statement reread to Lim Chin Aik @ Lim Chin Yap @
Lim Hin Leong by me

Sd. Low Kai Tong
Inspector of Immigration,
Singapore, 29.6.59.

I confirm that what I have said above is true, and understood.

Sd. In Chinese
Lim Chin Aik @ Lim Chin Yap @ Lim Hin
Leong. 50

29.6.59.