

Intoxicating Substances (Discipline in Approved Centres) Regulations

Table of Contents

1 Citation

2 Definitions

3 Work

4 Fair discipline

5 Use of force

6 Discipline of inmates outside approved centre

7 Punishment for minor offences

8 Punishment for major offences

9 Recording of punishment

10 Variation of punishment

11 Inmate may make his defence

12 Articles not to be conveyed into or out of approved centre

THE SCHEDULE

Legislative History

INTOXICATING SUBSTANCES ACT (CHAPTER 146A, SECTION 28)

INTOXICATING SUBSTANCES (DISCIPLINE IN APPROVED CENTRES) REGULATIONS

Rg 2

REVISED EDITION 1999

(1st April 1999)

[1st December 1987]

Citation

1. These Regulations may be cited as the Intoxicating Substances (Discipline in Approved Centres) Regulations.

Definitions

2. In these Regulations, unless the context otherwise requires —

“Director of Prisons” has the same meaning as in section 2 of the Prisons Act (Cap. 247);

“medical officer” means a registered medical practitioner who is for the time being appointed by the Director of Prisons to perform the functions of a medical officer under these Regulations;

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“officer” means the officer-in-charge of an approved centre and includes any police officer, any officer of the Central Narcotics Bureau or any rehabilitation or custodial officer who is attached to the approved centre;

“officer-in-charge” means a person appointed under section 18A(2) of the Act to be the officer-in-charge of an approved centre;

“visitor” means a member of the board of visitors appointed under regulation 3 of the Intoxicating Substances (Board of Visitors for Approved Centres) Regulations (Rg 1) and includes any other person authorised by the Minister or the Director of Prisons or the person appointed under section 18A(1)(b) of the Act to visit an approved centre.

Work

3.—(1) An inmate of an approved centre shall work in a workshop or do such work as may be assigned to him by the officer-in-charge of the approved centre.

(2) An inmate shall keep his bedding, personal effects and all the surrounding areas and the toilets of his living quarters clean and tidy.

Fair discipline

4. Every officer shall treat every inmate justly and firmly in the enforcement of discipline.

Use of force

5.—(1) Every officer may use reasonable force against any inmate who —

- (a) is escaping or attempting to escape from an approved centre;
- (b) is engaged in a mutiny or an outbreak by himself or with other inmates;
- (c) attacks the officer or any other person; or
- (d) without any reasonable excuse, refuses to obey a lawful order given by the officer.

(2) Where force is used against an inmate under paragraph (1), the inmate shall be examined by a medical officer as soon as possible.

Discipline of inmates outside approved centre

6. Every person, while being taken to or from any approved centre to which he has been lawfully committed under the Act or is otherwise beyond the premises thereof, under the lawful charge or control of an officer, shall be subject to the same discipline and to the same constraints as if he were within the approved centre.

Punishment for minor offences

7. An inmate of an approved centre who contravenes or fails to comply with any of the provisions of regulation 3 or commits any of the minor offences in Part I of the Schedule shall be liable, in addition to or in lieu of any other punishment which may be imposed under the Act or any other written law, to any one or more of the following punishments to be imposed by the officer-in-charge of the approved centre:

- (a) deprivation of not more than 2 visits by relatives of the inmate;
- (b) deprivation of the privilege to use or patronise the canteen in the approved centre for a period not exceeding one month;
- (c) stoppage or reduction of earnings for a period not exceeding one month;
- (d) reprimand.

Punishment for major offences

8.—(1) Subject to this regulation, an inmate of an approved centre who commits any of the major offences in Part II of the Schedule shall be liable, in addition to or in lieu of

any other written law, to any one or more of the following punishments to be imposed by the officer-in-charge of the approved centre:

- (a) deprivation of not more than 4 visits by relatives of the inmate;
- (b) deprivation of the privilege to use or patronise the canteen in the approved centre for a period not exceeding 2 months;
- (c) solitary confinement in a ward for a period not exceeding 7 days;
- (d) stoppage or reduction of earnings for a period not exceeding 2 months;
- (e) caning not exceeding 6 strokes of a light rattan.

(2) No corporal punishment shall be inflicted on any woman inmate.

Recording of punishment

9.—(1) Any punishment imposed on an inmate under these Regulations shall be recorded in a register.

(2) The number and name of the inmate, the nature of the offence for which the punishment is imposed and such other details as the Director of Prisons or the person appointed under section 18A(1)(b) of the Act may require, shall also be recorded in the register.

Variation of punishment

10.—(1) Where the officer-in-charge of an approved centre has found an inmate thereof guilty of an offence, he shall notify the Director of Prisons or the person appointed under section 18A(1)(b) of the Act of the facts of the case not later than 7 days after the inmate has been found guilty of the offence.

(2) The Director of Prisons or the person appointed under section 18A(1)(b) of the Act may amend, alter or vary any punishment imposed by the officer-in-charge of an approved centre under these Regulations.

Inmate may make his defence

11. No inmate shall be punished under these Regulations until he has had an opportunity of hearing the charge and the evidence against him and of making his defence.

Articles not to be conveyed into or out of approved centre

12.—(1) Any person who without lawful authority —

- (a) conveys, supplies or causes to be conveyed or supplied to any inmate or