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The following Act was passed by Parliament on 14 January 2019 and assented to by the President on 11 February 2019:—

REPUBLIC OF SINGAPORE

No. 4 of 2019.

I assent.

HALIMAH YACOB,
President.
11 February 2019.

(LS)

An Act to amend the Chemical Weapons (Prohibition) Act (Chapter 37B of the 2001 Revised Edition).

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 Chemical Weapons (Prohibition) (Amendment) Act 2019 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of long title

2. The long title to the Chemical Weapons (Prohibition) Act (called in this Act the principal Act) is amended by inserting, immediately after “1993”, the words “, and to regulate the transport of certain chemicals within Singapore”.

Amendment of section 2

3. Section 2(1) of the principal Act is amended —

(a) by deleting the words “section 6(3)” in paragraph (c) of the definition of “authorised officer” and substituting the words “section 6(2)”; and

(b) by inserting, immediately after the definition of “transfer”, the following definition:

““transport”, in relation to a prescribed scheduled chemical, means —

(a) the carriage of that chemical in any vehicle by road; or

(b) the consigning of that chemical for carriage in any vehicle by road,

and includes all operations incidental to that carriage or consigning, such as loading, unloading and storage of the chemical;”.

Amendment of section 4

4. Section 4(1) of the principal Act is amended by inserting, immediately after the word “Convention”, the words “, and to regulate the transport of certain chemicals within Singapore”.

Amendment of section 9

5. Section 9(8) of the principal Act is amended —
- (a) by inserting the word “and” at the end of paragraph (c);
 - (b) by deleting the word “; and” at the end of paragraph (d) and substituting a full-stop; and
 - (c) by deleting paragraph (e).

New sections 9A and 9B

6. The principal Act is amended by inserting, immediately after section 9, the following sections:

“Approval to transport within Singapore prescribed scheduled chemicals

9A.—(1) Subject to subsections (7) and (8), a person must not transport within Singapore for a permitted purpose a prescribed scheduled chemical exceeding a prescribed quantity except —

- (a) with the prior approval of the Director-General; and
- (b) in accordance with such conditions as may be prescribed.

(2) Unless waived by the Director-General in any particular case, an application for the grant or renewal of an approval mentioned in subsection (1)(a) must —

- (a) be in the manner or form as the Director-General may require;
- (b) be accompanied by the prescribed fee; and
- (c) contain all information and documents prescribed and any other information that the Director-General may require to assess the particular application.

(3) The Director-General may —

- (a) grant or renew an approval mentioned in subsection (1)(a) for such period as the Director-General may specify; and

(b) in respect of the grant or renewal of the approval, impose such conditions as the Director-General considers necessary that are not inconsistent with the provisions of this Act and any prescribed condition in subsection (1)(b).

(4) An approval mentioned in subsection (1)(a) may only be granted or renewed —

(a) in the case of a prescribed scheduled chemical that is also a Schedule 1 chemical, to a person who is granted a licence under section 9(1);

(b) in the case of a prescribed scheduled chemical that is also a Schedule 2 chemical, to a person who is granted —

(i) a licence under section 9(2)(a); or

(ii) a licence to import or export the Schedule 2 chemical under section 9(4); or

(c) in the case of a prescribed scheduled chemical that is also a Schedule 3 chemical, to a person who is granted —

(i) a licence under section 9(2)(b); or

(ii) a licence to import or export the Schedule 3 chemical under section 9(4).

(5) If —

(a) a person transports within Singapore for a permitted purpose a prescribed scheduled chemical;

(b) the prescribed scheduled chemical so transported exceeds a prescribed quantity for that chemical in subsection (1);

(c) the person knows or ought reasonably to have known that the matter or thing so transported is a prescribed scheduled chemical and the quantity of the matter or thing transported; and

(d) the person knows or ought reasonably to have known that —

(i) there is no approval mentioned in subsection (1)(a) for that transport; or

(ii) the transport is not in accordance with any prescribed condition in subsection (1)(b),

the person shall be guilty of an offence.

(6) Any person who is guilty of an offence under subsection (5) shall be liable on conviction —

(a) where the offence involves a prescribed Schedule 1 chemical, to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 10 years or to both; or

(b) in any other case, to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 2 years or to both.

(7) Subsections (1) and (5) do not apply —

(a) if the requirement for an approval mentioned in subsection (1)(a) is waived under subsection (8); or

(b) to the extent a prescribed condition in subsection (1)(b) is waived under subsection (8).

(8) The Director-General may waive —

(a) the requirement for an approval mentioned in subsection (1)(a) for a prescribed scheduled chemical —

(i) if the person —

(A) is granted a licence under section 9(1), (2) or (4);

(B) is recognised as a designated laboratory by the Organisation for the Prohibition of Chemical Weapons established under the