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ACTS SUPPLEMENT

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The following Act was passed by Parliament on 7th July 2014 and assented to by the President on 13th August 2014:—

REPUBLIC OF SINGAPORE

No. 20 of 2014.

I assent.

TONY TAN KENG YAM,
President.
13th August 2014.



An Act to amend the Radiation Protection Act (Chapter 262 of the 2008 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 may be cited as the Radiation Protection (Amendment) Act 2014 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of long title

2. The long title to the Radiation Protection Act (referred to in this Act as the principal Act) is amended by deleting the words “and to establish a system for the imposition and maintenance of nuclear safeguards,” and substituting the words “, to establish a system for the imposition and maintenance of nuclear safeguards, and to implement the Convention on the Physical Protection of Nuclear Material,”.

Amendment of section 2

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

(a) by inserting, immediately after the definition of “authorised officer”, the following definition:

“ “Convention country” means a foreign country that is a Party to the Nuclear Material Convention;”;

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

“ “country” includes a State or territory, as the case may be;”;

(c) by deleting the words “the Schedule” in the definition of “nuclear material” and substituting the words “the First Schedule”; and

(d) by inserting, immediately after the definition of “nuclear material”, the following definitions:

“ “Nuclear Material Convention” means the Convention on the Physical Protection of Nuclear Material adopted in Vienna on 26th October 1979;

“nuclear offence” means —

- (a) an offence under section 26B or 26D;
- (b) an offence specified in the Second Schedule committed in relation to any nuclear material;
- (c) an abetment of or a conspiracy to commit an offence referred to in paragraph (a) or (b);
- (d) an attempt to commit an offence under section 26B, or an offence referred to in paragraph (b) except any offence under section 384, 385, 386, 387, 388 or 389 of the Penal Code (Cap. 224) committed in relation to nuclear material; or
- (e) an act by a person which would make him liable for an offence referred to in paragraph (a), (b) or (d) by virtue of section 34, 35 or 37 of the Penal Code;”.

(2) Section 2(1) of the principal Act in force immediately before the commencement of this subsection is amended by deleting the definitions of “Nuclear Material Convention” and “nuclear offence” and substituting the following definitions:

“ “Nuclear Material Convention” means the Convention on the Physical Protection of Nuclear Material adopted in Vienna on 26th October 1979, as amended by the amendments adopted in Vienna on 8th July 2005;

“nuclear offence” means —

- (a) an offence under section 26B, 26D, 26DA, 26DB or 26DC;
- (b) an offence specified in the Second Schedule committed in relation to any nuclear material;

- (c) an abetment of or a conspiracy to commit an offence referred to in paragraph (a) or (b);
- (d) an attempt to commit an offence under section 26B, 26DA or 26DB, or an offence referred to in paragraph (b) except any offence under section 384, 385, 386, 387, 388 or 389 of the Penal Code committed in relation to nuclear material; or
- (e) an act by a person which would make him liable for an offence referred to in paragraph (a), (b) or (d) by virtue of section 34, 35 or 37 of the Penal Code;

“nuclear trafficking offence” means —

- (a) an offence under section 26DD;
- (b) an abetment of or an attempt or conspiracy to commit an offence under section 26DD; or
- (c) an act by a person which would make him liable for an offence under section 26DD or an attempt to commit such an offence by virtue of section 34, 35 or 37 of the Penal Code;”.

New section 2A

4. The principal Act is amended by inserting, immediately after section 2, the following section:

“Application of Act to Government

2A.—(1) Except as provided in subsection (2), Parts III to VIII and X and regulations made for the purposes of these Parts shall bind and apply to the Government.

(2) Nothing in this Act shall render the Government liable to prosecution for an offence.”.

Amendment of section 5

5. Section 5(2) of the principal Act is amended by deleting the words “2 years” and substituting the words “5 years”.

Amendment of section 6

6. Section 6(5) of the principal Act is amended by deleting the words “2 years” and substituting the words “5 years”.

Amendment of section 16

7. Section 16(1) of the principal Act is amended by inserting, immediately after the words “Safeguards Agreement”, the words “, or to a Convention country or the IAEA or any other international organisation under the Nuclear Material Convention”.

Amendment of section 17

8. Section 17(2) of the principal Act is amended by deleting the words “or the Safeguards Agreement” in paragraph (b) and substituting the words “, the Safeguards Agreement or the Nuclear Material Convention”.

New Part VIIIA

9.—(1) The principal Act is amended by inserting, immediately after section 26, the following Part:

“PART VIIIA

OFFENCES RELATING TO NUCLEAR
MATERIAL CONVENTION

Nuclear material

26A.—(1) In this Part, “nuclear material” means —

- (a) plutonium except plutonium with an isotopic concentration of plutonium-238 exceeding 80%;
- (b) uranium-233;
- (c) uranium containing uranium-233 or uranium-235 or both in such an amount that the abundance ratio of the sum of those isotopes to uranium-238 is greater than the ratio of uranium-235 to uranium-238 occurring in nature;
- (d) uranium with an isotopic concentration equal to that occurring in nature; or