

Intoxicating Substances (Amendment) Act 2006
(No. 3 of 2006)

Table of Contents

Long Title

Enacting Formula

1 Short title and commencement

2 Amendment of section 2

3 Repeal and re-enactment of section 14

4 Amendment of section 15

5 Amendment of section 16

6 New Part IVA

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The following Act was passed by Parliament on 16th January 2006 and assented to by the President on 6th February 2006:—

INTOXICATING SUBSTANCES (AMENDMENT) ACT 2006

(No. 3 of 2006)

I assent.

S R NATHAN
President
6th February 2006.

Date of Commencement: 1st March 2006

An Act to amend the Intoxicating Substances Act (Chapter 146A 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 may be cited as the Intoxicating Substances (Amendment) Act 2006 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2 of the Intoxicating Substances Act (referred to in this Act as the principal Act) is amended —

- (a) by deleting the words “the Deputy Director” in the definition of “Director” and substituting the words “any Deputy Director”; and
- (b) by deleting the definition of “officer of the Bureau” and substituting the following definition:

“ “officer of the Bureau” means the Director or any person appointed under section 3 of the Misuse of Drugs Act as a Deputy Director, an Assistant Director or an officer of the Central Narcotics Bureau;”.

Repeal and re-enactment of section 14

3. Section 14 of the principal Act is repealed and the following section substituted therefor:

“Presumption of misuse of intoxicating substance

14. A person shall be presumed, until the contrary is proved, to have used or inhaled any intoxicating substance for the purpose of inducing or causing in himself a state of intoxication if the specimen of blood provided by him under section 13 is certified by —

- (a) an analyst employed by the Health Sciences Authority; or
- (b) such other person as the Minister may, by notification in the *Gazette*, appoint,

to contain an amount of any chemical compound specified in the first column of the Schedule in excess of the amount specified in the second column thereof in relation to that chemical compound.”.

Amendment of section 15

4. Section 15 of the principal Act is amended —

- (a) by deleting subsection (1) and substituting the following subsection:

“(1) A certificate purporting —

- (a) to be signed by —

- (i) an analyst employed by the Health Sciences Authority; or
- (ii) such other person as the Minister may, by notification in the *Gazette*, appoint; and

- (b) to relate to any chemical compound specified in the Schedule,

shall be admitted in evidence, in any proceedings for an offence under this Act, on its production by the prosecution without proof of signature and, until the contrary is proved, shall be proof of all matters contained therein.”; and

- (b) by deleting the section heading and substituting the following section heading:

“Certificate of analyst, etc.”.

Amendment of section 16

5. Section 16 of the principal Act is amended by deleting subsection (2) and substituting the following subsections:

“(2) The Director may make a supervision order requiring —

- (a) a person who has been convicted of an offence under section 3(2); or
- (b) a person who has been discharged from an approved centre under section 21,

to be subject to supervision by an officer of the Bureau or a person appointed by the Director for that purpose for a supervision period not exceeding 12 months.

(2A) Where the person referred to in subsection (2)(a) is sentenced to a term of imprisonment, the supervision order shall commence upon the expiration of that sentence.”.

New Part IVA

6. The principal Act is amended by inserting, immediately after section 26, the following Part:

“PART IVA

TAKING OF PHOTOGRAPHS, FINGER IMPRESSIONS, PARTICULARS AND BODY SAMPLES

Interpretation of this Part

26A.—(1) In this Part, unless the context otherwise requires —

“appropriate consent” means —

- (a) for a person aged 16 years and above, the written consent of that person;
- (b) for a person aged 14 years and above but below the age of 16 years, the written consent of both that person and of his parent or guardian; and
- (c) for a person below the age of 14 years, the written consent of his parent or guardian,

given to —

- (i) a police officer or an officer of the Bureau in charge of the case; or