

Misuse of Drugs (Amendment) Bill

Table of Contents

Bill No: 17/1998

Read the first time: 20th April 1998

Long Title

Enacting Formula

1 Short title and commencement

2 Amendment of section 2

3 Amendment of section 3

4 Amendment of section 8

5 New section 8A

6 New sections 10A and 10B

7 Amendment of section 17

8 Amendment of section 24

9 Amendment of section 25

10 Amendment of section 26

11 Amendment of section 27

12 Amendment of section 28

13 Amendment of section 32

14 Amendment of section 33

15 New section 33A

16 Amendment of section 37

17 Repeal and re-enactment of section 39

18 Amendment of section 44

19 Amendment of section 45

20 Miscellaneous amendments

21 Amendment of Second Schedule

22 New Third and Fourth Schedules

23 Related amendment to Extradition Act

24 Related amendments to Intoxicating Substances Act

25 Consequential amendment to Registration of Criminals Act

26 Saving

Explanatory Statement

Expenditure of Public Money

Misuse of Drugs (Amendment) Bill

Bill No. 17/1998

Read the first time on 20th April 1998.

An Act to amend the Misuse of Drugs Act (Chapter 185 of the 1997 Revised Edition), to make a consequential amendment to the Registration of Criminals Act (Chapter 268 of the 1985 Revised Edition) and related amendments to the Extradition Act (Chapter 103 of the 1985 Revised Edition) and the Intoxicating Substances Act (Chapter 146A of the 1988 Revised Edition) and to enable Singapore to implement the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances 1988.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1.—(1) This Act may be cited as the Misuse of Drugs (Amendment) Act 1998 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

(2) The Minister may appoint different dates for the coming into operation of the different provisions of this Act.

Amendment of section 2

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

- (a) by deleting the words “or thing” in the definition of “article liable to seizure” and substituting the words “, thing, controlled equipment or controlled materials”;
- (b) by inserting, immediately after the definition of “controlled drug”, the following definition:

““controlled equipment, controlled materials or controlled substances” means any equipment, materials or substances respectively specified in the Third Schedule;”;

- (c) by deleting the definition of “manufacture” and substituting the following definition:

““manufacture”, in relation to —

- (a) a controlled drug, includes any process of producing the drug and the refining or transformation of one drug into another; or
- (b) a controlled substance, includes any process of producing the substance and the refining or

transformation of one substance into another;”;

- (d) by inserting, immediately after the definition of “opium”, the following definition:

““permanent resident of Singapore” includes the holder of a Singapore blue identity card and a person who holds an entry permit or a re-entry permit issued by the Director, Singapore Immigration & Registration;”; and

- (e) by inserting, immediately after the definition of “special police officer”, the following definition:

““specified drug”, except for the purposes of the Second Schedule, means a drug specified in the Fourth Schedule;”.

Amendment of section 3

3. Section 3 of the principal Act is amended by inserting, immediately after subsection (2), the following subsection:

“(3) The powers and functions conferred upon the Director of the Central Narcotics Bureau under this Act, and the duties required to be discharged by him may, subject to such limitations as the Director may impose, be exercised and discharged by the Deputy Director or an Assistant Director of the Central Narcotics Bureau duly authorised by the Director to act on his behalf.”.

Amendment of section 8

4. Section 8 of the principal Act is amended by deleting paragraph (b) and substituting the following paragraph:

“(b) smoke, administer to himself or otherwise consume —
(i) a controlled drug, other than a specified drug; or
(ii) a specified drug.”.

New section 8A

5. The principal Act is amended by inserting, immediately after section 8, the following section:

“Consumption of drug outside Singapore by citizen or permanent resident

8A. Section 8(b) shall have effect in relation to a person who is a citizen or a permanent resident of Singapore outside as well as within Singapore where he is found as a result of urine tests conducted under section 31 to have smoked, administered to himself or otherwise consumed a controlled drug or a specified drug; and where an offence under section 8(b) is committed by such person in any place outside Singapore, he may be dealt with as if that offence had been committed within Singapore.”.

New sections 10A and 10B

6. The principal Act is amended by inserting, immediately after section 10, the following sections:

“Manufacture, supply, possession, import or export of equipment, materials or substances useful for manufacture of controlled drugs

10A.—(1) Any person who —

- (a) manufactures any controlled equipment, controlled materials or controlled substances;
- (b) supplies any controlled equipment, controlled materials or controlled substances to another person;
- (c) has in his possession any controlled equipment, controlled materials or controlled substances; or
- (d) imports or exports any controlled equipment, controlled materials or controlled substances,

knowing or having reason to believe that the controlled equipment, controlled materials or controlled substances are to be used in or for the manufacture of a controlled drug in contravention of section 6 shall be guilty of an offence.

(2) It shall not be a defence to a person who contravenes subsection (1)(d) in respect of any controlled equipment, controlled material or controlled substance to show that the equipment, material or substance is the subject of a licence, permit or any other form of authorisation issued or granted under any regulations made under section 10B.

Regulations on controlled substances

10B.—(1) The Minister may by regulations make provisions for —

- (a) the licensing, by such person or authority as may be prescribed, of persons who intend to import or export any controlled equipment,