

**THE STATUTES OF THE REPUBLIC OF SINGAPORE**

**MISUSE OF DRUGS ACT**

**(CHAPTER 185)**

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# Misuse of Drugs Act

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An Act for the control of dangerous or otherwise harmful drugs and for purposes connected therewith.

[7th July 1973]

## PART I

## PRELIMINARY

Short title.

1. This Act may be cited as the Misuse of Drugs Act.

Interpretation.

2. In this Act, unless the context otherwise requires —  
“approved institution” means any institution or place declared by the Minister to be an approved institution under section 38;  
“article liable to seizure” means any money or thing by means of or in respect of which an offence under

this Act has been committed or which contains evidence of an offence under this Act;

“cannabis” means any part of any plant of the genus cannabis from which the resin has not been extracted, by whatever name it may be designated;

“cannabis resin” means the separated resin, whether crude or purified, obtained from any plant of the genus cannabis;

“Class A drug”, “Class B drug” and “Class C drug” mean any of the substances and products for the time being specified respectively in Parts I, II and III of the First Schedule;

“controlled drug” means any substance or product which is for the time being specified in Part I, II or III of the First Schedule or anything that contains any such substance or product;

“corresponding law” means a law stated in a certificate purporting to be issued by or on behalf of the government of a country outside Singapore to be a law providing for the control and regulation in that country of the production, supply, use, export and import of drugs and other substances in accordance with the provisions of the Single Convention on Narcotic Drugs signed at New York on 30th March 1961, or a law providing for the control and regulation in that country of the production, supply, use, export and import of dangerous or otherwise harmful drugs in pursuance of any treaty, convention or other agreement or arrangement to which the government of that country and the Government of Singapore are for the time being parties;

“drug addict” means a person who through the use of any controlled drug —

(a) has developed a desire or need to continue to take that controlled drug; or

(b) has developed a psychological or physical dependence upon the effect of that controlled drug;

“immigration officer” has the same meaning as in the Immigration Act;

“inmate” means a person who is detained in an approved institution;

“manufacture”, in relation to a controlled drug, includes any process of producing the drug and the refining or transformation of one drug into another;

Cap. 70.

“officer of customs” has the same meaning as in the Customs Act;

“officer of the Bureau” means the Director or any officer of the Central Narcotics Bureau;

Cap. 235.

“police officer” has the same meaning as in the Police Force Act;

“Review Committee”, in relation to any approved institution, means a Review Committee appointed for the institution under section 39;

“senior officer of customs” has the same meaning as in the Customs Act;

“special police officer” means a member of the Special Constabulary constituted under Part VIII of the Police Force Act;

“traffic” means —

(a) to sell, give, administer, transport, send, deliver or distribute; or

(b) to offer to do anything mentioned in paragraph (a),

otherwise than under the authority of this Act or the regulations made thereunder; and

“trafficking” has a corresponding meaning;

Cap. 343.

“Vigilante Corps” means the Vigilante Corps constituted under the Vigilante Corps Act.

Appointment of Director and other officers of Central Narcotics Bureau.

3.—(1) The Minister may appoint a Director and a Deputy Director of the Central Narcotics Bureau and such number of Assistant Directors and other officers as the Minister may think fit.

(2) All officers of the Bureau appointed by the Minister before the commencement of this section shall be deemed to have been appointed under subsection (1). [2A

Advisory committees

4.—(1) For the purpose of assisting in the administration of this Act the Minister may from time to time appoint such advisory committees as he thinks fit.

(2) Every such committee shall have such functions as the Minister may from time to time determine.

(3) Subject to any regulations made under this Act, every such committee may regulate its own procedure. [2B

## PART II

### OFFENCES INVOLVING CONTROLLED DRUGS

5. Except as authorised by this Act or the regulations made thereunder, it shall be an offence for a person, on his own behalf or on behalf of any other person, whether or not that other person is in Singapore to —

Trafficking  
in controlled  
drug.

- (a) traffic in a controlled drug;
- (b) offer to traffic in a controlled drug; or
- (c) do or offer to do any act preparatory to or for the purpose of trafficking in a controlled drug. [3

6. Except as authorised by this Act or the regulations made thereunder, it shall be an offence for a person to manufacture a controlled drug. [4

Manufacture  
of controlled  
drug.

7. Except as authorised by this Act or the regulations made thereunder, it shall be an offence for a person to import into or export from Singapore a controlled drug. [5

Importation  
and exportation  
of controlled  
drug.

8. Except as authorised by this Act or the regulations made thereunder, it shall be an offence for a person to —

Possession  
and consumption  
of controlled  
drug.

- (a) have in his possession a controlled drug; or
- (b) smoke, administer to himself or otherwise consume a controlled drug. [6

9. Except as authorised by this Act or the regulations made thereunder, it shall be an offence for a person to have in his possession any pipe, syringe, utensil, apparatus or other article intended for the smoking, administration or consumption of a controlled drug. [7

Possession  
of pipes,  
utensils,  
etc.

10. It shall be an offence for a person to cultivate any plant of the genus *cannabis*, or any plant of the species *papaver somniferum* or any plant of the genus *erythroxylon* from which cocaine can be extracted. [8

Cultivation  
of cannabis,  
opium and  
coca plants.

Responsibilities of owners and tenants, etc.

**11.** It shall be an offence for a person being the owner, tenant, occupier or person in charge of any place or premises, to permit or suffer such place or premises or any part thereof to be opened, kept or used for the purpose of smoking, administration or consumption of any controlled drug or for unlawful trafficking in or the unlawful manufacturing of a controlled drug. [9]

Abetments and attempts punishable as offences.

**12.** Any person who abets the commission of or who attempts to commit or does any act preparatory to or in furtherance of the commission of any offence under this Act shall be guilty of that offence and shall be liable on conviction to the punishment provided for that offence. [10]

Abetting or procuring the commission of offences outside Singapore.

**13.** It shall be an offence for a person to —

- (a) aid, abet, counsel or procure the commission in any place outside Singapore of an offence punishable under a corresponding law in force in that place; or
- (b) do an act preparatory to, or in furtherance of, an act outside Singapore which if committed in Singapore would constitute an offence under this Act. [11]

Offences by corporations.

**14.** Where any offence under this Act committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against accordingly. [12]

### PART III

#### EVIDENCE, ENFORCEMENT AND PUNISHMENT

Certificate of corresponding law.

**15.** A document purporting to be issued by or on behalf of the government of a country and purporting to state the terms of a corresponding law in force in that country shall be admitted in evidence, in any proceedings for an offence under this Act, on its production by the prosecution without

further proof, and such document shall be conclusive evidence —

- (a) that it is issued by or on behalf of the government of that country;
- (b) that the terms of that law are as stated in the document; and
- (c) that any facts stated in the document as constituting an offence under that law do constitute such offence. [13]

16. A certificate purporting to be signed by a Government chemist and purporting to relate to a controlled drug 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, that certificate shall be prima facie evidence of all matters contained therein. [14]

Government chemist certificate.

17. Any person who is proved or presumed to have had in his possession more than —

- (a) 100 grammes of opium;
- (b) 3 grammes of morphine contained in any controlled drug;
- (c) 2 grammes of diamorphine (heroin) contained in any controlled drug; or
- (d) 15 grammes of cannabis or cannabis resin,

shall, until the contrary is proved, be presumed to have had that controlled drug in his possession for the purpose of trafficking therein. [15]

Presumption concerning possession of certain controlled drugs for purpose of trafficking.

18.—(1) Any person who is proved to have had in his possession or custody or under his control —

- (a) anything containing a controlled drug;
- (b) the keys of anything containing a controlled drug;
- (c) the keys of any place or premises or any part thereof in which a controlled drug is found; or
- (d) a document of title relating to a controlled drug or any other document intended for the delivery of a controlled drug,

shall, until the contrary is proved, be presumed to have had that drug in his possession.

Presumptions of possession and knowledge of controlled drug.

(2) Any person who is proved or presumed to have had a controlled drug in his possession shall, until the contrary is proved, be presumed to have known the nature of that drug.

(3) The presumptions provided for in this section shall not be rebutted by proof that the accused never had physical possession of the controlled drug.

(4) Where one of two or more persons with the knowledge and consent of the rest has any controlled drug in his possession, it shall be deemed to be in the possession of each and all of them. [16

Presumption concerning premises.

**19.**—(1) Whenever a pipe, syringe, utensil, apparatus or other article intended for the smoking, administration or consumption of a controlled drug is found in any place or premises, it shall be presumed, until the contrary is proved, that the place or premises is used for the purpose of smoking or administering a controlled drug.

(2) Any person found in or escaping from any place or premises which is proved or presumed to be used for the purpose of smoking or administering a controlled drug shall, until the contrary is proved, be presumed to have been smoking or administering a controlled drug in that place or premises. [17

Presumption relating to ship or aircraft.

**20.** If any controlled drug is found in any ship or aircraft it shall be presumed, until the contrary is proved, that the drug has been imported in that ship or aircraft with the knowledge of the master or the captain thereof. [18

Presumption relating to vehicle.

**21.** If any controlled drug is found in any vehicle it shall, until the contrary is proved, be presumed to be in the possession of the owner of the vehicle and of the person in charge of the vehicle for the time being. [19

Presumption relating to urine test.

**22.** If any controlled drug is found in the urine of a person as a result of a urine test, he shall be presumed, until the contrary is proved, to have consumed that controlled drug in contravention of section 8 (b). [19A

Protection of informers.

**23.**—(1) Except as provided in subsection (3) —

(a) no information for an offence under this Act shall be admitted in evidence in any civil or criminal proceedings; and

(b) no witness in any civil or criminal proceedings shall be obliged —

- (i) to disclose the name and address of any informer who has given information with respect to an offence under this Act; or
- (ii) to answer any question if the answer thereto would lead, or would tend to lead, to the discovery of the name or address of the informer.

(2) If any books, documents or papers which are in evidence or liable to inspection in any civil or criminal proceedings contain any entry in which any informer is named or described or which might lead to his discovery, the court shall cause those entries to be concealed from view or to be obliterated so far as may be necessary to protect the informer from discovery.

(3) If in any proceedings before a court for an offence under this Act the court, after full inquiry into the case, is satisfied that an informer wilfully made a material statement which he knew or believed to be false or did not believe to be true, or if in any other proceedings the court is of the opinion that justice cannot be fully done between the parties thereto without the disclosure of the name of an informer the court may permit inquiry and require full disclosure concerning the informer. [20

**24.—(1)** An officer of the Bureau, a police officer not below the rank of Assistant Superintendent of Police or any police officer authorised by him or any senior officer of customs may at any time —

Powers of search and seizure.

- (a) without a warrant enter and search any place or premises in which he reasonably suspects that there is to be found a controlled drug or article liable to seizure;
- (b) search any person found in that place or premises; and
- (c) seize and detain any controlled drug found in that place or premises, or any article liable to seizure.

(2) For the purpose of exercising his power under this section an officer may, with such assistance as he considers

necessary, break open any door, window, lock, fastener, floor, wall, ceiling, compartment, box, container or any other thing. [21

Power of arrest.

**25.**—(1) An officer of the Bureau, a police officer, an officer of customs, or any special police officer or member of the Vigilante Corps authorised in writing by a police officer not below the rank of Assistant Superintendent of Police, may arrest without a warrant any person who has committed or whom he reasonably suspects to have committed an offence under this Act.

(2) Any person so arrested shall, together with any article which is liable to seizure, be taken to the Central Narcotics Bureau, a police station or a customs station and may be searched.

(3) No woman shall be searched under this Act except by a woman.

(4) An officer making an arrest under this section may seize and detain any article liable to seizure. [22

Power to search ship, aircraft, vehicle or train and person arriving in or departing from Singapore.

**26.**—(1) An officer of the Bureau, a police officer or an officer of customs may —

(a) stop, board and search any ship, hovercraft, aircraft, vehicle or train if he has reason to suspect that there is therein any controlled drug in contravention of this Act or any article liable to seizure;

(b) search any person in that ship, hovercraft, aircraft, vehicle or train; and

(c) search any person arriving in Singapore or about to depart from Singapore.

(2) An officer may seize and detain any controlled drug or article liable to seizure as a result of any search under this section, and may seize and detain any ship, hovercraft, aircraft, vehicle or train which has been used in the commission of or in connection with an offence under this Act.

[23

Forfeiture of controlled drug and articles seized.

**27.**—(1) Whenever anything is seized under this Act, the seizing officer shall forthwith give notice in writing of the seizure to the owner of that thing, if known, either by delivering the notice to him personally or by post at his place of abode if known:

Provided that the notice shall not be required to be given where the seizure is made in the presence of the offender or the owner or his agent, or in the case of a ship or aircraft, in the presence of the master or captain thereof.

(2) An order for the forfeiture of any controlled drug or article shall be made if it is proved to the satisfaction of a court that an offence under this Act has been committed and that such controlled drug or article was the subject matter of or was used in the commission of the offence notwithstanding that no person may have been convicted of that offence.

(3) If there is no prosecution with regard to any controlled drug or article seized under this Act that drug or article shall be deemed to be forfeited at the expiration of one month from the date of the seizure thereof unless a claim thereto has been made before that date in such manner as may be prescribed. [24

**28.** Where a person has been convicted of an offence under this Act, the court may order to be forfeited to the Government any ship, hovercraft, aircraft or vehicle which has been proved to have been used in any manner in connection with the offence except that —

Forfeiture of ship, aircraft or vehicle.

(a) this section shall not apply to any ship or hovercraft of more than 200 tons net or to any aircraft belonging to any person carrying on a regular passenger service to and from Singapore by means of that aircraft; and

(b) no ship, hovercraft, aircraft or vehicle shall be forfeited under this section, if it is established by the owner thereof that the ship, hovercraft, aircraft or vehicle was unlawfully in the possession of another person without the owner's consent. [25

**29.—**(1) All things which are forfeited to the Government under this Act shall be disposed of in such manner as the Minister thinks fit.

Disposal of things forfeited.

(2) The Minister may, in his discretion and after any proceedings under this Act are concluded, entertain and give effect to any claim to or in respect of anything which has been forfeited to the Government. [26

Obstruction  
of inspection  
or search.

**30.—(1)** It shall be an offence for a person to —

- (a) obstruct any officer of the Bureau or police officer or officer of customs or other public officer in the exercise of any power under this Act;
- (b) fail to comply with any lawful requirements of any officer of the Bureau or police officer or officer of customs or other public officer in the execution of his duty under this Act;
- (c) fail, without reasonable excuse, to furnish such information in his possession as may be required by an officer of the Bureau or police officer or officer of customs or other public officer; or
- (d) furnish to any officer of the Bureau or police officer or officer of customs or other public officer any information which he knows or has reason to believe to be false.

(2) In subsection (1), “public officer” includes any special police officer or member of the Vigilante Corps exercising any power under section 25. [27

Urine test.

**31.—(1)** Any officer of the Bureau, immigration officer or police officer not below the rank of sergeant may, if he reasonably suspects any person to have committed an offence under section 8 (b), require that person to provide a specimen of his urine for a urine test.

(2) A person who, without reasonable excuse, fails to provide a specimen of his urine within such time as may be required by any of the officers referred to in subsection (1) shall be guilty of an offence.

(3) Any person (other than a Singapore citizen or a permanent resident) arriving in Singapore by land, sea or air who —

- (a) fails to comply with the requirement of an immigration officer under this section; or
- (b) is found as a result of a urine test to have consumed a controlled drug,

may be prohibited from entering or remaining in Singapore.

(4) Any person who has been required to provide a specimen of his urine for a urine test under subsection (1) may, within such time and in such manner as may be

prescribed, apply for a second test of the specimen of his urine which is kept for that purpose in accordance with any regulations made under this Act; but except as provided by subsection (5) no such application shall affect any order made by the Director or the Deputy Director of the Central Narcotics Bureau under section 37.

(5) If as a result of any second test which has been conducted on the application of any person under subsection (4) it is found that there is no controlled drug in the specimen of his urine, he shall be immediately discharged from any approved institution in which he is detained. [28

**32.** In any case relating to the commission of an offence under this Act, an officer of the Bureau shall have all the powers of a police officer under the Criminal Procedure Code in relation to an investigation into a seizable offence. Powers of investigation of officers of Bureau. Cap. 68. [28A

**33.—(1)** Except as provided in subsection (3) the Second Schedule shall have effect, in accordance with subsection (2), with respect to the way in which offences under this Act are punishable on conviction. Punishment of offences.

(2) In relation to an offence under a provision of this Act specified in the first column of the Second Schedule (the general nature of the offence being described in the second column) —

- (a) the third, fourth and fifth columns show respectively the punishments to be imposed on a person convicted of the offence according to whether the controlled drug in relation to which the offence was committed was a Class A drug, a Class B drug or a Class C drug, except as otherwise provided in paragraph (b);
- (b) the sixth column shows the punishments to be imposed on a person convicted of the offence where the offence was committed —
  - (i) in the case of unauthorised manufacture, in relation to such specified controlled drug as is mentioned in the second column; and
  - (ii) in the case of unauthorised traffic or import or export, in relation to a

specified quantity of such controlled drug or to a controlled drug (except opium) containing such quantity of morphine or diamorphine as is mentioned in the second column; and

- (c) the seventh column shows the punishments to be imposed on a person convicted of the offence whether or not the offence was committed in relation to a controlled drug and, if it was so committed, irrespective of the nature of the drug,

and in the third, fourth, fifth, sixth and seventh columns a reference to a period gives the maximum or minimum term of imprisonment as is specified, a reference to a sum of money gives the maximum or minimum fine as is specified, and a reference to a number of strokes gives the number of strokes of caning with which the offender shall, subject to section 231 of the Criminal Procedure Code, be punished.

Cap. 68.

(3) If any person convicted of an offence under section 8 (b) is again convicted of such an offence during any period when he is subject to supervision pursuant to an order of supervision made against him, he shall be punished with imprisonment for a term of not less than 3 years; and in this subsection —

- (a) “convicted of an offence” includes a conviction by a subordinate military court or the Military Court of Appeal constituted under the Singapore Armed Forces Act; and

Cap. 295.

- (b) “order of supervision” means an order of supervision made under any regulations made under this Act. [29]

#### PART IV

#### GENERAL

Jurisdiction  
of courts.

34. A District Court or a Magistrate’s Court shall have jurisdiction to hear and determine all proceedings under this Act and, notwithstanding anything to the contrary in the Criminal Procedure Code, a District Court shall have power to impose the full penalty or punishment in respect of any offence provided by this Act except the punishment of death. [30]

**35.—**(1) The Government shall not be liable to make good any damage caused to any goods or property as a result of an entry, search or detention under the provisions of this Act unless the damage is caused by the wilful neglect or default of an officer employed by the Government. Indemnity.

(2) In the event of any dispute as to the amount of any damage so caused the same shall be summarily ascertained and determined by a District Court or a Magistrate's Court.

[31

**36.** Any person who does any act in pursuance or intended pursuance of any of the provisions of this Act or of the regulations made thereunder shall not be subject to any civil or criminal liability in respect thereof, whether on the ground of want of jurisdiction, mistake of law or fact, or any other ground, unless he has acted in bad faith or without reasonable care. Protection of persons acting under authority of this Act.

[32

**37.—**(1) The Director of the Central Narcotics Bureau may require any person whom he reasonably suspects to be a drug addict to be medically examined or observed by a Government medical officer or a medical practitioner. Treatment and rehabilitation.

(2) If as a result of such examination or observation or as a result of a urine test it appears to the Director of the Central Narcotics Bureau that it is necessary for any person to undergo treatment or rehabilitation or both at an approved institution, the Director may make an order in writing requiring that person to be admitted for that purpose to an approved institution.

(3) The Director may, by writing under his hand, delegate to the Deputy Director of the Central Narcotics Bureau the power vested in the Director under subsection (1) or (2), either absolutely or subject to such conditions as he may specify, but no such delegation shall prevent the Director from exercising that power. 28/79.

(4) A person who is a drug addict may volunteer to undergo treatment and rehabilitation at an approved institution and any statement made by that person for the purpose of undergoing that treatment and rehabilitation shall not be admissible in evidence against him in respect of any subsequent prosecution for an offence under this Act.

(5) An approved institution may admit any drug addict for voluntary treatment and rehabilitation on such terms and conditions as may be prescribed.

(6) Every person who has been admitted to an approved institution under this section shall be detained in the institution for a period of 6 months unless he is earlier discharged by the Director or the Review Committee of the institution.

(7) If the Review Committee of an approved institution is of the opinion that an inmate whose period of detention therein is about to expire requires further treatment or rehabilitation or both, the Committee may by order in writing direct that the inmate be detained in the institution for a further period or periods not exceeding 6 months at any one time:

28/79.

Provided that no person in respect of whom an order has been made under subsection (2) shall be detained in an approved institution or institutions for a period of more than 3 years after his admission to any approved institution pursuant to that order. [33]

Approved institutions.

**38.—**(1) The Minister may from time to time, by notification in the *Gazette*, declare any institution or place to be an approved institution for the purpose of the treatment and rehabilitation of drug addicts and other persons under this Act and may at any time in like manner revoke or amend any such notification.

12/77.

(2) Every institution which on 1st January 1978 is an approved institution shall be deemed to have been so declared by the Minister under this section. [33A]

Review Committees for approved institutions.

**39.—**(1) The Minister shall appoint for any approved institution or institutions a Review Committee which shall have such functions as are conferred upon it by this Act or the regulations made thereunder.

Cap. 174.

(2) Every such Committee shall consist of a Chairman, who shall be a person registered under the Medical Registration Act, and 5 other members.

(3) The Chairman and members of a Review Committee shall be appointed by the Minister for a term not exceeding 3 years, but may from time to time be reappointed, or may at any time be removed from office by the Minister, or may

at any time resign from their office by writing addressed to the Minister.

(4) Three members of the Committee shall constitute a quorum at any meeting of the Committee.

(5) The Chairman shall preside at every meeting of the Committee at which he is present and in his absence the members present shall elect one of their number to preside at the meeting.

(6) Every question before the Committee shall be determined by a majority of the votes of the members present and voting thereon, and in the event of an equality of votes the Chairman or the member presiding at the meeting shall have a casting vote in addition to his original vote.

(7) Subject to the provisions of this Act and any regulations made thereunder the Committee may determine its own procedure.

(8) Any order of the Committee may be signed by the Chairman or a member of the Committee. [33B

**40.**—(1) The Review Committee of an approved institution shall keep the case of every inmate under review and shall as often as practicable consider whether he should be discharged. Review, discharge and transfer of inmates.

(2) The Director of the Central Narcotics Bureau or the Review Committee of an approved institution may at any time by order in writing —

(a) discharge any inmate; or

(b) transfer any inmate from one approved institution to another approved institution.

(3) The Superintendent of an approved institution may enter into an arrangement with the Superintendent of another approved institution for the transfer of any inmate to that other institution and, subject to any directions given by the Director or the Review Committee, may carry out any transfer in accordance with that arrangement.

(4) On proof to his satisfaction that the presence at any place of an inmate is required in the interests of justice, or for the purpose of any inquiry, or in the public interest or in the interest of the inmate, the Superintendent may order that the inmate be taken to that place. 28/79. [33c

Power of Magistrate to inquire into complaints of misconduct or breach of duty.

**41.—**(1) Where a complaint is made on oath to a Magistrate that any person is improperly detained in an approved institution by reason of any misconduct or breach of duty on the part of any officer in the discharge of his functions pursuant to this Act or any regulations made thereunder, the Magistrate may either inquire into the complaint himself or direct a police officer to make an inquiry for the purpose of ascertaining the truth or falsehood of the complaint and report to him the result of the inquiry.

(2) Every inquiry under subsection (1) shall be conducted in private but, save as aforesaid, the procedure for conducting any inquiry shall be such as the Magistrate considers appropriate in the circumstances of the case.

Cap. 68.

(3) A Magistrate or a police officer conducting any inquiry under subsection (1) shall have all the powers conferred on him by the Criminal Procedure Code in relation to the attendance and examination of witnesses, the taking of evidence and the production of documents.

(4) If after considering the result of any such inquiry the Magistrate is satisfied that any person who is detained in an approved institution ought not to be so detained he may make an order for the discharge of that person from the approved institution and that person shall be discharged accordingly.

(5) Any order or decision of the Magistrate made under this section shall be final.

(6) No evidence taken for the purpose of any such inquiry shall be admissible in any civil or criminal proceedings except where the person who gave that evidence is charged with giving or fabricating false evidence. [33D

Inmates deemed to be in legal custody.  
28/79.

**42.—**(1) Every inmate shall be deemed to be in the legal custody of the approved institution in which he is for the time being detained.

(2) An inmate shall be deemed to be in legal custody —

(a) while he is confined in, or is being taken to or from, an approved institution;

(b) while he is for any other reason outside an approved institution in the custody or under the control of an officer of the approved institution; or

- (c) while he is being taken to any place to which he is required or authorised under this Act to be taken, or is kept in custody in pursuance of any such requirement or authorisation. [33E

**43.—(1)** The Minister may make regulations —

Regulations.  
28/79.

- (a) providing for the issue of licences for the importation, exportation, sale, manufacture, production or distribution of controlled drugs;
- (b) prescribing the form, duration and terms and conditions of any licence and the fees payable therefor, and providing for the cancellation and suspension thereof;
- (c) authorising the sale or possession or other dealing in controlled drugs and prescribing the circumstances and conditions under which the persons by whom controlled drugs may be sold, had in possession or otherwise dealt in;
- (d) requiring medical practitioners, dentists, pharmacists, veterinary surgeons and other persons who deal in controlled drugs as may be authorised by regulations made under this Act to keep records and make returns;
- (e) requiring any medical practitioner who attends a person who he considers or has reasonable grounds to suspect is addicted to any controlled drug to furnish to the prescribed authority such particulars with respect to that person as may be prescribed;
- (f) prohibiting any medical practitioner from administering, supplying and authorising the administration and supply to persons addicted to controlled drugs, and from prescribing for those persons, those drugs;
- (g) as to the packaging and labelling of controlled drugs;
- (h) regulating the transport of controlled drugs and the methods to be used for destroying or otherwise disposing of those drugs when no longer required;
- (i) requiring precautions to be taken for the safe custody of controlled drugs;

- (j) providing for the inspection of any precautions taken or records kept in pursuance of any regulations made under this section;
  - (k) providing for the treatment and rehabilitation of persons affected by the misuse of controlled drugs;
  - (l) prescribing the punishment by a fine not exceeding \$10,000 or imprisonment for a term not exceeding 4 years or both to be imposed on the conviction for a breach of any regulations;
  - (m) providing for the management, maintenance and inspection of approved institutions;
  - (n) prescribing the functions and procedure of Review Committees;
  - (o) providing for the control, discipline and occupation of inmates and for the granting of leave to inmates for the purpose of their employment outside an approved institution;
  - (p) prescribing the appointment and duties of officers of approved institutions;
  - (q) providing for the supervision and aftercare of persons who have undergone treatment and rehabilitation at approved or other institutions or who have been convicted of an offence under section 8 (b);
  - (r) prescribing anything that may be prescribed; and
  - (s) generally for carrying out the purposes and provisions of this Act.
- (2) Regulations made by the Minister under this section may —
- (a) make different provisions in relation to different controlled drugs, different classes of persons or different cases or circumstances;
  - (b) make the opinion, consent or approval of a prescribed authority or authorised person material for the purposes of any provision;
  - (c) provide for the constitution and procedure of a tribunal to advise the Minister in any case of contravention of this Act or the regulations made thereunder by any medical practitioner,

dentist, pharmacist, veterinary surgeon or other authorised person; and

- (d) include such provisions as the Minister thinks fit for the purpose of effecting the transition from any provision made by or by virtue of the Dangerous Drugs Act and the Drugs (Prevention of Misuse) Act repealed by this Act to any provision made by or by virtue of this Act. [34

1970 Ed.  
Cap. 151.  
1970 Ed.  
Cap. 154.

44. The Minister may, by order published in the *Gazette*, amend the First Schedule. [35

Power of  
Minister to  
amend First  
Schedule.

## FIRST SCHEDULE

Section 2.

## CONTROLLED DRUGS

S 88/79

## PART I

S 238/83

## CLASS A DRUGS

S 229/84

S 272/84

S 31/86.

## 1. The following substances and products:

Acetorphine.	Ethylmethylthiambutene.
Acetylmethadol.	Etonitazene.
Allylprodine.	Etorphine.
Alphacetylmethadol.	Etoperidine.
Alphameprodine.	Furethidine.
Alphamethadol.	Hydrocodone.
Alphaprodine.	Hydromorphenol.
2-amino-1-(2, 5-dimethoxy-4-methyl) phenylpropane.	Hydromorphone.
Anileridine.	Hydroxypethidine.
Benzethidine.	Isomethadone.
Benzylmorphine (3-benzylmorphine).	Ketobemidone.
Betacetylmethadol.	Levomethorphan.
Betameprodine.	Levomoramide.
Betamethadol.	Levophenacymorphan.
Betaprodine.	Levorphanol.
Bezitramide.	Lysergamide.
Bufotenine.	Lysergide and other <i>N</i> -alkyl derivatives of lysergamide.
Clonitazene.	Mescaline.
Coca leaf.	Metazocine.
Cocaine.	Methadone.
Codoxime.	Methadyl acetate.
Desomorphine.	Methyldesorphine.
Dextromoramide.	Methyldihydromorphone (6-methyldihydromorphone).
Diamorphine.	Metopon.
Diampromide.	Morpheridine.
Diethylthiambutene.	Morphine.
Difenoxin.	Morphine methobromide, morphine <i>N</i> -oxide and other pentavalent nitrogen morphine derivatives.
Dihydromorphone.	Myrophine.
Dimenoxadole.	Nicomorphine (3, 6-dinicotinoylmorphine).
Dimepheptanol.	Noracymethadol.
3-(1, 2-dimethylheptyl)-1-hydroxy-7, 8, 9, 10 tetrahydro-6, 6, 9-trimethyl-6H-dibenzo [b, d] pyran.	Norlevorphanol.
Dimethylthiambutene.	Normethadone.
Dioxaphetyl butyrate.	Normorphine.
Diphenoxylate.	Norpipanone.
Dipipanone.	Opium, whether raw, prepared or medicinal.
Drotebanol.	Oxycodone.
Ecgonine, and any derivative of ecgonine which is convertible to ecgonine or to cocaine.	Oxymorphone.

FIRST SCHEDULE — *continued*Part I — *continued*

Parahexyl (3-hexyl-1-hydroxy-7, 8, 9, 10-tetrahydro-6, 6, 9-trimethyl 6H-dibenzo [b, d] pyran).	Thebacon.
Pethidine.	Thebaine.
Phenadoxone.	Tilidine.
Phenampromide.	Trimeperidine.
Phenazocine.	4-Cyano-2-dimethylamino-4, 4-diphenylbutane.
Phenomorphan.	4-Cyano-1-methyl-4-phenyl-piperidine.
Phenoperidine.	<i>N, N</i> -Diethyltryptamine.
Piminodine.	<i>N, N</i> -Dimethyltryptamine.
Piritramide.	2, 5-Dimethoxy-, 4-dimethyl-phenethylamine.
Poppy-straw and concentrate of poppy-straw.	1-Hydroxy-3-pentyl-6a, 7, 10, 10a-tetra hydro-6, 6, 9-trimethyl-6-H-dibenzo [b, d] pyran.
Proheptazine.	1-Methyl-4-phenylpiperidine-4-carboxylic acid.
Propiridine (1-methyl-4-phenyl-piperidine-4-carboxylic acid isopropyl ester).	2-Methyl-3-morpholino-1, 1-diphenylpropanecarboxylic acid.
Psilocin.	4-Phenylpiperidine-4-carboxylic acid ethyl ester.
Psilocybine.	
Racemethorphan.	
Racemoramide.	
Racemorphan.	

2. Any stereoisomeric form of a substance for the time being specified in paragraph 1 not being dextromethorphan or dextrorphan.

3. Any ester or ether of a substance for the time being specified in paragraph 1 or 2 not being a substance for the time being specified in Part II of this Schedule.

4. Any salt of a substance for the time being specified in any of paragraphs 1 to 3.

5. Any preparation or other products containing a substance or product for the time being specified in any of paragraphs 1 to 4.

6. Any preparation designed for administration by injection which includes a substance or product for the time being specified in any of paragraphs 1 to 3 of Part II.

7. Fentanyl and any compounds structurally derived from *N*-(1-Methyl-4-piperidyl)-*N*-phenyl formamide by substitution of any of the hydrogen atoms, including the following; any salt of any substance falling within this item:

Alfentanil.	Carfentanil.
Alpha-Methyl fentanyl.	Lofentanil.
Alpha-Methyl fentanyl Acetanilide.	3-Methyl fentanyl.
Alpha-Methylthiofentanyl.	para-fluorofentanyl.
Benzyl fentanyl.	Sufentanil.
Beta-hydroxy fentanyl.	Thiofentanyl.

FIRST SCHEDULE — *continued*

## PART II

## CLASS B DRUGS

1. The following substances and products:

Acetyldihydrocodeine.	Methylamphetamine.
Amphetamine.	Methylphenidate.
Cannabinol.	Nicocodine.
Cannabinol derivatives.	Nicodicodine.
Cannabis and cannabis resin.	Norcodeine.
Codeine.	Phencyclidine.
Dexamphetamine.	Phenmetrazine.
Dextropropoxyphene.	Pholcodine.
Dihydrocodeine.	Propiram.
Ethylmorphine (3-ethylmorphine).	

2. Any stereoisomeric form of a substance for the time being specified in paragraph 1.
3. Any salt of a substance for the time being specified in paragraph 1 or 2.
4. Any preparation or other product containing a substance or product for the time being specified in any of paragraphs 1 to 3, not being a preparation falling within paragraph 6 of Part I.

## PART III

## CLASS C DRUGS

1. The following substances:

Benzphetamine.	Methaqualone.
Chlorphentermine.	Phendimetrazine.
Flunitrazepam.	Pipradrol.
Mephentermine.	

2. Any stereoisomeric form of a substance for the time being specified in paragraph 1.
3. Any salt of a substance for the time being specified in paragraph 1 or 2.
4. Any preparation or other product containing a substance for the time being specified in any of paragraphs 1 to 3.

## PART IV

MEANING OF CERTAIN EXPRESSIONS USED  
IN THIS SCHEDULE

For the purposes of this Schedule —

“cannabinol derivatives” means the following substances, namely tetrahydro derivatives of cannabinol and their carboxylic acid

FIRST SCHEDULE — *continued*Part IV — *continued*

derivatives, and 3-alkyl homologues of cannabinal or its tetrahydro derivatives;

“coca leaf” means the leaf of any plant of the genus *Erythroxylon* from whose leaves cocaine can be extracted either directly or by chemical transformation;

“concentrate of poppy-straw” means the material produced when poppy-straw has entered into a process for the concentration of its alkaloids;

“medicinal opium” means raw opium which has undergone the process necessary to adapt it for medicinal use in accordance with the requirements of the British Pharmacopoeia, whether it is in the form of powder or is granulated or is in any other form, and whether it is or is not mixed with neutral substances;

“opium poppy” means any plant from which morphine may be produced;

“preparation” means a mixture, solid or liquid, containing a controlled drug;

“poppy straw” means all parts, except the seeds, of the opium poppy, after mowing;

“raw opium” means the coagulated juice obtained from any plant from which morphine may be produced, whatever its content of morphine and in whatever form the coagulated juice is, but does not include medicinal opium.

SECOND SCHEDULE

OFFENCES PUNISHABLE ON CONVICTION

Section creating offence	General nature of offence	Punishment				
		Class A drug involved	Class B drug involved	Class C drug involved	Specified drug or quantity thereof or drug with specified content involved	General
5	Unauthorised traffic in controlled drug except as otherwise provided in this Schedule	Maximum 20 years and 15 strokes Minimum 5 years and 5 strokes	Maximum 20 years and 10 strokes Minimum 3 years and 3 strokes	Maximum 10 years and 5 strokes Minimum 2 years and 2 strokes	— —	— —
	Unauthorised traffic in opium where the quantity is more than 6 kilogrammes	—	—	—	Maximum 30 years and 15 strokes Minimum 20 years and 15 strokes	— —
	Unauthorised traffic in controlled drug (except opium) containing such quantity of morphine being —					
	(a) not less than 20 grammes and not more than 30 grammes	—	—	—	Maximum 30 years and 15 strokes Minimum 20 years and 15 strokes	— —
	(b) more than 30 grammes	—	—	—	Death	—
Unauthorised traffic in controlled drug containing such quantity of diamorphine being —						
(a) not less than 10 grammes and not more than 15 grammes	—	—	—	Maximum 30 years and 15 strokes Minimum 20 years and 15 strokes	— —	

SECOND SCHEDULE — *continued*

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Section creating offence	General nature of offence	Punishment				
		Class A drug involved	Class B drug involved	Class C drug involved	Specified drug or quantity thereof or drug with specified content involved	General
6	(b) more than 15 grammes	—	—	—	Death	—
	Unauthorised traffic in cannabis where the quantity is more than 10 kilogrammes	—	—	—	Maximum 30 years and 15 strokes Minimum 20 years and 15 strokes	— —
	Unauthorised traffic in cannabis resin where the quantity is more than 4 kilogrammes	—	—	—	Maximum 30 years and 15 strokes Minimum 20 years and 15 strokes	— —
	Unauthorised manufacture of controlled drug except as otherwise provided in this Schedule	Maximum 30 years and 15 strokes Minimum 10 years and 5 strokes	Maximum 30 years and 15 strokes Minimum 10 years and 5 strokes	Maximum 20 years and 15 strokes Minimum 5 years and 5 strokes	— —	— —
	Unauthorised manufacture of morphine, or any salt of morphine, ester of morphine or salt of ester of morphine	—	—	—	Death	—
7	Unauthorised manufacture of diamorphine or any salt of diamorphine	—	—	—	Death	—
	Unauthorised import or export of controlled drug except as otherwise provided in this Schedule	Maximum 30 years and 15 strokes Minimum 5 years and 5 strokes	Maximum 30 years and 15 strokes Minimum 5 years and 5 strokes	Maximum 20 years and 15 strokes Minimum 3 years and 5 strokes	— —	— —

Section creating offence	General nature of offence	Punishment				
		Class A drug involved	Class B drug involved	Class C drug involved	Specified drug or quantity thereof or drug with specified content involved	General
7	Unauthorised import or export of opium where the quantity is more than 6 kilogrammes	—	—	—	Maximum 30 years and 15 strokes Minimum 20 years and 15 strokes	— —
	Unauthorised import or export of controlled drug (except opium) containing such quantity of morphine being —					
	(a) not less than 20 grammes and not more than 30 grammes	—	—	—	Maximum 30 years and 15 strokes Minimum 20 years and 15 strokes	— —
	(b) more than 30 grammes	—	—	—	Death	—
	Unauthorised import or export of controlled drug containing such quantity of diamorphine being —					
	(a) not less than 10 grammes and not more than 15 grammes	—	—	—	Maximum 30 years and 15 strokes Minimum 20 years and 15 strokes	— —
(b) more than 15 grammes	—	—	—	Death	—	
Unauthorised import or export of cannabis where the quantity is more than 10 kilogrammes	—	—	—	Maximum 30 years and 15 strokes Minimum 20 years and 15 strokes	— —	

SECOND SCHEDULE — *continued*

Section creating offence	General nature of offence	Punishment				
		Class A drug involved	Class B drug involved	Class C drug involved	Specified drug or quantity thereof or drug with specified content involved	General
7	Unauthorised import or export of cannabis resin where the quantity is more than 4 kilogrammes	—	—	—	Maximum 30 years and 15 strokes Minimum 20 years and 15 strokes	— —
8 (a)	Unauthorised possession of a controlled drug	—	—	—	—	Maximum 10 years or \$20,000 or both Minimum for second or subsequent offence 2 years or \$4,000 or both
8 (b)	Smoking, self-administering or consuming a controlled drug	—	—	—	—	Maximum 10 years or \$20,000 or both
9	Possession of pipes, utensils, etc., for smoking, administration or consumption of a controlled drug	—	—	—	—	Maximum 3 years or \$10,000 or both

SECOND SCHEDULE — *continued*

Section creating offence	General nature of offence	Punishment				
		Class A drug involved	Class B drug involved	Class C drug involved	Specified drug or quantity thereof or drug with specified content involved	General
10	Cultivation of cannabis, opium, coca plant	—	—	—	—	Maximum 20 years or \$40,000 or both Minimum 3 years or \$5,000 or both
11	Being the owner, tenant, occupier or person concerned in the management of premises and permitting or suffering certain activities to take place there	Maximum 10 years or \$40,000 or both Minimum 2 years or \$4,000 or both	Maximum 10 years or \$40,000 or both Minimum 2 years or \$4,000 or both	Maximum 5 years or \$10,000 or both Minimum 1 year or \$2,000 or both	— —	— —
13	Abetting or procuring the commission outside Singapore of an offence punishable under a corresponding law	—	—	—	—	Maximum 10 years or \$40,000 or both Minimum 2 years or \$4,000 or both

SECOND SCHEDULE — *continued*

Section creating offence	General nature of offence	Punishment				
		Class A drug involved	Class B drug involved	Class C drug involved	Specified drug or quantity thereof or drug with specified content involved	General
30 (1) (a)	Obstructing exercise of powers	—	—	—	—	Maximum 3 years or \$5,000 or both Minimum 6 months or \$1,000 or both
30 (1) (b)	Failure to comply with lawful requirements	—	—	—	—	Maximum 3 years or \$5,000 or both Minimum 6 months or \$1,000 or both
30 (1) (c)	Failure to furnish information	—	—	—	—	Maximum 3 years or \$5,000 or both Minimum 6 months or \$1,000 or both

SECOND SCHEDULE — *continued*

Section creating offence	General nature of offence	Punishment				General
		Class A drug involved	Class B drug involved	Class C drug involved	Specified drug or quantity thereof or drug with specified content involved	
30 (1) (d)	Furnishing false information	—	—	—	—	Maximum 1 year or \$5,000 or both
31 (2)	Failure to provide specimen of urine for urine test	—	—	—	—	Maximum \$5,000