



THE STATUTES OF THE REPUBLIC OF SINGAPORE

RADIATION PROTECTION ACT 2007

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Radiation Protection Act 2007

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An Act to control and regulate the import, export, manufacture, sale, disposal, transport, storage, possession and use of radioactive materials and irradiating apparatus, to make provision in relation to

the non-proliferation of nuclear weapons, to establish a system for the imposition and maintenance of nuclear safeguards, and to implement the Convention on the Physical Protection of Nuclear Material, and to provide for matters connected therewith.

[20/2014]

[1 July 2007]

PART 1

PRELIMINARY

Short title

1. This Act is the Radiation Protection Act 2007.

Interpretation

- 2.—(1) In this Act, unless the context otherwise requires —

“Agency” means the National Environment Agency established under the National Environment Agency Act 2002;

“authorised officer” means any person appointed as an authorised officer under section 4(2), and includes the Director-General;

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

“conveyance” includes any vessel, train, vehicle, aircraft or other mode of transport;

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

“Director-General” means the Director-General of Environmental Protection appointed under section 3(1) of the Environmental Protection and Management Act 1999;

“disposal”, in relation to waste, includes —

- (a) its removal, deposit or destruction;
- (b) its discharge, whether onto land, into water or air, into a sewer or drain, or otherwise; and

(c) its burial, whether underground or otherwise,
and “dispose of” is to be construed accordingly;

“IAEA” means the International Atomic Energy Agency established by the IAEA Statute;

“IAEA inspector” means an individual designated as an inspector by the IAEA Board of Governors according to the procedures set out in the Safeguards Agreement to carry out an inspection or a visit in accordance with that Agreement;

“IAEA Statute” means the Statute of the International Atomic Energy Agency, being the Statute ratified by Singapore on 5 January 1967, and includes any amendment to, or substitution of, the Statute that is binding on Singapore;

“ionising radiations” means electromagnetic radiations and corpuscular radiations which give rise to the formation of ion pairs on interaction with matter;

“irradiating apparatus” means —

- (a) any apparatus that is capable of producing ionising radiation;
- (b) any apparatus of a prescribed type that is capable of producing non-ionising radiation; and
- (c) any component of or accessory to an apparatus described in paragraph (a) or (b);

“licence” means a licence granted under section 8;

“national inspector” means any person who is a national inspector by virtue of, or appointed under, section 20;

“non-ionising radiations” means electromagnetic radiations and fields with wavelengths greater than 100 nanometers and all acoustic radiations and fields with frequencies below 16 Hz and above 16 kHz;

“nuclear material” has the meaning given in the First Schedule;

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

“nuclear offence” means —

- (a) an offence under section 29, 31, 32, 33 or 34;
- (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 mentioned in paragraph (a) or (b);
- (d) an attempt to commit an offence under section 29, 32 or 33, or an offence mentioned in paragraph (b) except any offence under section 384, 385, 386, 387, 388 or 389 of the Penal Code 1871 committed in relation to nuclear material; or
- (e) an act by a person which would make the person liable for an offence mentioned in paragraph (a), (b) or (d) by virtue of section 34, 35 or 37 of the Penal Code 1871;

“nuclear trafficking offence” means —

- (a) an offence under section 35;
- (b) an abetment of, or an attempt or conspiracy to commit, an offence under section 35; or
- (c) an act by a person which would make the person liable for an offence under section 35 or an attempt to commit such an offence by virtue of section 34, 35 or 37 of the Penal Code 1871;

“owner”, in relation to any premises, includes —

- (a) the person for the time being receiving the rent for the premises, whether on the person’s own account or as an agent or a trustee for any other person, or the person who would so receive the rent if the premises were let to a tenant; and

- (b) the person whose name is entered in the Valuation List prepared under section 10 of the Property Tax Act 1960;

“premises” includes —

- (a) messuages, houses, buildings and lands, whether open or enclosed, and whether public or private;
- (b) any place underground and any land covered by water; and
- (c) any structure or conveyance;

“radiation” means ionising radiation or non-ionising radiation;

“radioactive material” means any article containing a radioactive substance giving it a specific or total radioactivity exceeding the prescribed level, and includes any article containing any nuclear material;

“radioactive substance” means a radionuclide or mixture of radionuclides, either alone or in chemical combination with other elements;

“radioactive waste” means any waste which consists wholly or partly of —

- (a) the substance or article which, if it were not waste, would be radioactive material; or
- (b) a substance or an article which has been contaminated in the course of the production, keeping or use of radioactive material or by contact with, or proximity to other waste falling within paragraph (a);

“radionuclide” means an isotope of any element which spontaneously emits any ionising radiation;

“registered medical practitioner” means any person registered or deemed to be registered as a medical practitioner under the Medical Registration Act 1997;

“Safeguards Agreement” means the Agreement between Singapore and the International Atomic Energy Agency for

the Application of Safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons signed on 18 October 1977, and includes —

- (a) that Agreement as amended from time to time;
- (b) the protocol to that Agreement signed on 18 October 1977, as amended from time to time; and
- (c) the protocol additional to that Agreement for the application of safeguards, signed at Vienna on 22 September 2005;

“sell” includes —

- (a) supplying or otherwise dealing in or disposing of, whether by way of sale, loan or gift;
- (b) offering or attempting to sell, receiving for sale, exposing for sale, having in possession for sale, sending or delivering for sale, or causing to be sold, offered or exposed for sale; and
- (c) barter,

and “sale” and “purchase” have corresponding meanings.

[20/2014]

(2) Unless the context otherwise requires, any word or expression used and not defined in this Act but defined in the Safeguards Agreement has the same meaning as in the Safeguards Agreement.

Application of Act to Government

3.—(1) Except as provided in subsection (2), Parts 3 to 8 and 10 and regulations made for the purposes of these Parts bind and apply to the Government.

[20/2014]

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

[2A
[20/2014]

PART 2

ADMINISTRATION

Administration of Act and appointment of authorised officers

4.—(1) The Director-General is charged with the general administration of this Act and the exercise of the powers conferred and duties imposed upon the Director-General by this Act.

(2) The Director-General may in writing appoint any public officer, or any officer of the Agency or any other statutory authority, to be an authorised officer for the purposes of this Act.

(3) Subject to any general or special directions of the Minister or the Director-General, the powers conferred and duties imposed on the Director-General by this Act may be exercised or performed by any authorised officer.

[3]

Advisory and technical committees

5.—(1) The Agency may appoint such advisory or technical committees as the Agency thinks necessary for the purpose of advising the Agency on any matter arising from the administration of this Act.

(2) The composition of such committees and the terms of appointment of the members must be determined by the Agency.

[4]

PART 3

CONTROL OF IMPORT, EXPORT, ETC., OF RADIOACTIVE
MATERIALS AND IRRADIATING APPARATUS**Control of import, export, etc., of radioactive materials**

6.—(1) A person must not, except under and in accordance with a licence —

- (a) import into, or export out of, Singapore any radioactive material;

- (b) keep, have in the person's possession or under the person's control, or use any radioactive material;
- (c) manufacture, sell or otherwise deal in any radioactive material; or
- (d) transport any radioactive material.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both.

[5
[20/2014]

Control of import, export, etc., of irradiating apparatus

7.—(1) A person must not, except under and in accordance with a licence —

- (a) import into, or export out of, Singapore any irradiating apparatus;
- (b) keep, have in the person's possession or under the person's control, or use any irradiating apparatus;
- (c) manufacture, or otherwise produce, any irradiating apparatus; or
- (d) sell, deal with or otherwise deal in any irradiating apparatus.

(2) Every person who sells any irradiating apparatus must immediately give notice of the sale to the Director-General, together with the name, address and prescribed particulars of the person to whom it was sold, in such form and manner as may be prescribed.

(3) Every person who purchases any irradiating apparatus must immediately give notice of the purchase to the Director-General, together with the name, address and prescribed particulars of the person from whom it was purchased, in such form and manner as may be prescribed.

(4) A person must not dispose of any irradiating apparatus, whether in a working condition or otherwise, without the prior written approval of the Director-General.

(5) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both.

[20/2014]

(6) Any person who contravenes subsection (2), (3) or (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 12 months or to both.

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PART 4

LICENCES

Application for licences, etc.

8.—(1) An application for the grant or renewal of a licence must be made to the Director-General in such form and manner as the Director-General may require and must be accompanied by the prescribed fee.

(2) An applicant for a licence must provide such information and documents as the Director-General may in any case require.

(3) The Director-General may —

- (a) grant or renew a licence subject to such conditions, limitations and exceptions as the Director-General may specify;
 - (b) during the currency of a licence, revoke or vary any condition, limitation or exception attached to the licence, or attach new conditions, limitations or exceptions to the licence;
 - (c) refuse any application for the grant or renewal of a licence;
- or

(d) suspend a licence for such period as he or she may determine, or cancel a licence.

(4) A licence, unless earlier cancelled or suspended, remains in force for such period as may be specified in the licence.

[7]

Register of licences

9.—(1) The Director-General must keep or cause to be kept such registers of licences as may be prescribed.

(2) The contents of every such register may be evidenced in any proceedings by a certificate under the hand of the Director-General, and every such certificate is prima facie evidence of the matters stated therein.

(3) A certificate under the hand of the Director-General stating that on a date specified in the certificate any person named in the certificate did or did not appear in any register as the holder of a licence or any specified class of licence is, until the contrary is proved, sufficient evidence of the matters specified in the certificate.

[8]

PART 5

GENERAL PROVISIONS RELATING TO OCCUPATIONAL HEALTH AND SAFETY

Duties of licensees to employees

10.—(1) Every licensee must provide and maintain, so far as is practicable, for the licensee's employees who are exposed or likely to be exposed to radiations a working environment that is safe and without risks to health.

(2) Without limiting subsection (1), every licensee must —

(a) protect or cause to be protected all of the licensee's employees from exposure to radiations;

(b) provide such information, instruction, training and supervision to such employees as are necessary to enable

the employees to perform their work in a manner that is safe and without risks to health;

- (c) submit such particulars as the Director-General may require regarding each of the licensee's employees who is likely to be exposed to any radiation;
- (d) provide each of the licensee's employees such monitoring equipment or devices as may be prescribed and require all such employees to wear these prescribed personnel monitoring equipment and devices; and
- (e) provide all of the licensee's employees with prescribed medical examinations by such registered medical practitioners as the Director-General may approve.

(3) The registered medical practitioners performing the medical examinations under subsection (2)(e) must give notice to the Director-General, in such form and manner as the Director-General may require, of all employees of a licensee whose health is affected, or is reasonably suspected to be affected, by radiations.

(4) If the Director-General is satisfied that it is detrimental to the health of any employee of a licensee if the employee continues to be exposed to radiations, the licensee must not permit or require that employee —

- (a) to perform any duty which will or is likely to cause that employee to be further exposed to radiations; or
- (b) to work in any place where that employee will be or is likely to be further exposed to radiations.

(5) In this section —

- (a) “employee”, in relation to a licensee, includes —
 - (i) an independent contractor engaged by the licensee; and
 - (ii) any employee of an independent contractor engaged by the licensee; and
- (b) the duties of a licensee extend to any independent contractor engaged by the licensee and to the employees

of the independent contractor, in relation to matters over which the licensee —

- (i) has control; or
- (ii) would have had control but for any agreement between the licensee and the independent contractor to the contrary.

[9]

Duties of licensees to third parties

11. Every licensee must ensure so far as is practicable that persons (other than the licensee's employees) are not exposed to risks to their health or safety arising from the conduct of the undertaking or activities of the licensee.

[10]

PART 6

DISPOSAL OF RADIOACTIVE WASTE

Disposal of radioactive waste

12.—(1) A person must not, except with the prior written approval of the Director-General and in accordance with such conditions, limitations and exceptions as the Director-General may specify, dispose of or cause to be disposed of any radioactive waste.

(2) Any person who, without reasonable excuse, contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 12 months or to both.

[11]

Accumulation of radioactive waste

13.—(1) Subject to subsection (2), a person must not, except with the prior written approval of the Director-General and in accordance with such conditions, limitations and exceptions as the Director-General may specify, accumulate any radioactive waste on any premises.

(2) Where the disposal of any radioactive waste has been approved by the Director-General under section 12 and, in accordance with that approval, the radioactive waste is required or permitted to be accumulated with a view to its subsequent disposal, no further approval under subsection (1) is required to enable the radioactive waste to be accumulated in accordance with the approval granted under that section.

(3) For the purposes of this section, where any radioactive material is produced, kept or used on any premises and any substance arising from the production, keeping or use of that radioactive material is —

(a) accumulated in any part of the premises appropriated for the purpose; and

(b) retained there for a period of 3 or more months,

that substance is, unless the contrary is proved, presumed —

(c) to be radioactive waste; and

(d) to be accumulated on the premises with a view to its subsequent disposal.

(4) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 12 months or to both.

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Director-General may dispose of radioactive waste

14.—(1) If there is radioactive waste on any premises and the Director-General is of the opinion that the radioactive waste is unlikely to be lawfully disposed of, the Director-General has the power —

(a) to dispose of that radioactive waste in any manner that the Director-General thinks fit; and

(b) to recover from the occupier of the premises or, if the premises are unoccupied, from the owner of the premises any expenses reasonably incurred by the Director-General in disposing of the radioactive waste.

(2) Subject to section 46, the decision of the Director-General is final.

(3) For the exercise of the power mentioned in subsection (1)(a), the Director-General or any other authorised officer may do anything necessary or expedient for carrying out the disposal of the radioactive waste, including entering the premises and taking the radioactive waste for disposal.

[13]

Transport of radioactive waste

15.—(1) A person must not, except with the prior written approval of the Director-General and in accordance with such conditions, limitations and exceptions as the Director-General may specify, transport any radioactive waste.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 12 months or to both.

[14]

PART 7

INFORMATION AND DOCUMENTS

Maintenance of records, etc.

16.—(1) Every licensee, and every person who has been granted any approval by the Director-General under this Act, must —

- (a) keep and maintain such records in such form and manner, and containing such information, as may be prescribed; and
- (b) prepare and give to the Director-General such periodic reports and such special reports relating to the activity licensed or approved as may be prescribed or as the Director-General may direct.

(2) Any person who, without reasonable excuse, contravenes subsection (1) shall be guilty of an offence and shall be liable on

conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 months or to both.

[15]

Power to obtain information and documents

17.—(1) The Director-General may, by written notice to any person whom the Director-General considers to be capable of giving any information or document that is required to be given by Singapore to the IAEA under the Safeguards Agreement, or to a Convention country or the IAEA or any other international organisation under the Nuclear Material Convention, require the person to give such information or document to the Director-General in such form and manner, and within such period, as may be specified in the notice.

[20/2014]

(2) Despite section 58, the duty to comply with a notice given under subsection (1) is not affected by any obligation as to secrecy or other restriction on disclosure, whether imposed by written law or otherwise.

(3) Any person who, without reasonable cause, contravenes a notice given under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 months or to both.

[16]

Confidentiality

18.—(1) Except as provided in subsection (2), every person exercising any function under this Act must keep confidential any information that is obtained pursuant to this Act concerning the affairs of another person, including but not limited to information with regard to any manufacturing process or trade secret.

(2) The information in subsection (1) may be disclosed —

- (a) with the consent of the person to whose affairs it relates;
- (b) in connection with anything done for the purposes of this Act, the Safeguards Agreement or the Nuclear Material Convention;

- (c) in connection with the investigation of a criminal offence or for the purposes of criminal proceedings;
- (d) in compliance with the requirement of any court, tribunal, authority or person having lawful authority to require the production of documents or the answering of questions;
- (e) for the purpose of dealing with an emergency involving public safety or ensuring the security of Singapore; or
- (f) if the information is already in the public domain.

[20/2014]

(3) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$6,000 or to imprisonment for a term not exceeding 12 months or to both.

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PART 8

INSPECTIONS

Interpretation of this Part

19.—(1) A reference in this Part to a compliance purpose is a reference to the purpose of —

- (a) determining whether the provisions of this Act have been or are being complied with;
- (b) determining whether the conditions and limitations applicable to a licence have been or are being complied with by the licensee; or
- (c) ensuring the proper functioning at any premises of any device, apparatus or equipment installed in the course of an inspection.

(2) A reference in this Part to an inspection power is a reference to a power to —

- (a) search or examine any premises;

- (b) inspect or examine any matter or thing (including examining and calibrating any irradiating apparatus, instrument or measuring and control equipment);
- (c) take samples of any matter or thing for the purpose of examination or testing;
- (d) measure any quantity of nuclear material;
- (e) examine, take extracts from, or make copies of, any document (including any record kept in accordance with the requirements of this Act or the conditions of a licence);
- (f) interview any person on the premises (including making recordings of such interviews);
- (g) operate any equipment (including electronic equipment) located at the premises if the person exercising the power believes, on reasonable grounds, that the equipment can be operated without damaging it;
- (h) operate any photographic or video-recording equipment anywhere in or around the premises;
- (i) operate any radiation detection or measurement device;
- (j) apply any surveillance or containment measures; or
- (k) do anything that is prescribed or that is necessary or expedient for the carrying out of any of the acts mentioned in paragraphs (a) to (j), including —
 - (i) restricting or prohibiting the access of persons and vehicles to or from the premises; and
 - (ii) applying labels, seals or other identifying and tamper-indicating devices.

(3) A power under subsection (2)(a), (b), (c), (d), (g), (h), (i), (j) or (k) may only be exercised in a manner that the person authorised to exercise it believes, on reasonable grounds, to be in accordance with safety procedures applicable at the premises.

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National inspectors and inspection

20.—(1) All authorised officers are national inspectors for the purposes of this Act.

(2) The Director-General may, in writing, appoint any other person to be a national inspector.

(3) A national inspector may —

(a) with the consent of the person who owns, or who is in control of, any premises; or

(b) under a warrant issued under section 25 or 26 in respect of any premises,

enter the premises and exercise, on or in the premises, any inspection power for a compliance purpose.

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IAEA inspectors and inspection

21. An IAEA inspector may —

(a) with the consent of the person who owns, or who is in control of, any premises; or

(b) under a warrant issued under section 26 in respect of any premises,

enter and inspect the premises pursuant to the Safeguards Agreement and exercise, in connection with the inspection, any function contemplated, and power provided for, in the Safeguards Agreement.

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Persons who may accompany IAEA inspectors

22.—(1) In order to facilitate an inspection under section 21, an IAEA inspector may be accompanied by a national inspector.

(2) A national inspector may exercise any inspection power for the purpose of facilitating an inspection under section 21.

[21

Written directions

23.—(1) The Director-General may, by written notice, issue directions to any person for the purpose of facilitating any inspection under this Part.

(2) Any person who, without reasonable excuse, contravenes any direction given by the Director-General under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 12 months or to both.

[22]

Identification certificates

24. The Director-General must issue to every IAEA inspector and national inspector a certificate identifying him or her as such IAEA inspector or national inspector, as the case may be.

[23]

Warrant for national inspection

25.—(1) A national inspector may apply for a warrant if the consent of the person who owns, or who is in control of, any premises to enter the premises to exercise any inspection power for a compliance purpose cannot be obtained, or if the person refuses to give such consent.

(2) Subject to subsection (3), a Magistrate who is satisfied that there are reasonable grounds for believing that —

- (a) entry to the premises is necessary to exercise any inspection power for a compliance purpose; and
- (b) the consent of the person who owns, or who is in control of, the premises cannot be obtained or such consent is refused,

may, unconditionally or subject to conditions, issue a warrant authorising the national inspector to enter the premises for the purpose of exercising any inspection power for a compliance purpose, at such time as may be specified in the warrant and within 14 days of the issue of such warrant or within such longer period as may be specified in the warrant.

- (3) The national inspector must —
- (a) before applying for a warrant, make reasonable inquiries as to whether any other application for such a warrant has been made in respect of the premises concerned and, if so, the following matters:
 - (i) the offence or offences (if any) alleged in respect of each application; and
 - (ii) the results of each application; and
 - (b) disclose on the application for the warrant the results of the inquiries.

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Warrant for IAEA inspection

26.—(1) The Director-General may apply for a warrant on behalf of an IAEA inspector or a national inspector if the consent of the person who owns, or who is in control of, any premises to enter the premises for the purposes mentioned in section 21 cannot be obtained, or if the person refuses to give such consent.

(2) Subject to subsection (3), a Magistrate who is satisfied that there are reasonable grounds for believing that —

- (a) entry to the premises is necessary for the purposes mentioned in section 21; and
- (b) the consent of the person who owns, or who is in control of, the premises cannot be obtained or such consent is refused,

may, unconditionally or subject to conditions, issue a warrant authorising the IAEA inspector or the national inspector to enter the premises for the purposes mentioned in section 21, at such time as may be specified in the warrant and within 14 days of the issue of such warrant or within such longer period as may be specified in the warrant.

(3) The Director-General must —

- (a) before applying for a warrant, make reasonable inquiries as to whether any other application for such a warrant has

been made in respect of the premises concerned and, if so, the following matters:

- (i) the offence or offences (if any) alleged in respect of each application; and
 - (ii) the results of each application; and
- (b) disclose on the application for the warrant the results of the inquiries.

[25]

Obligations of persons carrying out inspections

27.—(1) Every national inspector must —

- (a) carry his or her identification certificate issued by the Director-General under section 24; and
- (b) produce his or her identification certificate to any person appearing to own, or be in control of, the premises entered —
 - (i) on entering the premises (if such a person is then present); or
 - (ii) at any reasonable time after entering the premises, if asked to do so by the person.

(2) Every national inspector must —

- (a) if, at any time between the time of entry of any premises to be inspected and the time the inspection is completed, there is no person appearing to own, or be in control of, the premises, as soon as is practicable after completing the inspection give the owner, occupier or person in control of the premises a written notice stating that the premises have been entered, and specifying the following matters:
 - (i) the time and date of entry;
 - (ii) the circumstances and purpose of entry; and
 - (iii) the name of every person entering;
- (b) where applicable, have a warrant with him or her and produce it if required to do so; and

- (c) where any matter, thing or document is taken, give the owner, occupier or person in control of the premises a written inventory thereof.

[26]

PART 8A

OFFENCES RELATING TO NUCLEAR MATERIAL CONVENTION

Interpretation and application of this Part

28.—(1) In this Part —

“armed conflict” does not include internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, and other acts of a similar nature;

“environment” includes land, air and water, and living organisms supported by any of those media;

“military forces of a State” means —

- (a) the armed forces of a State which are organised, trained and equipped under its internal law for the primary purpose of national defence or security;
- (b) civilians who direct or organise the official activities of those armed forces; or
- (c) civilians acting in support of the official activities of those armed forces, if the civilians are under the formal command, control and responsibility of those forces;

“nuclear facility” means a facility (including associated buildings and equipment) used for peaceful purposes in which nuclear material is produced, processed, used, handled, stored or disposed of, if damage to or interference with such facility could lead to the release of significant amounts of radiation or radioactive material;

“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
- (e) any material containing one or more of the foregoing, that is used for peaceful purposes, but does not include uranium in the form of ore or ore residue.

[20/2014]

(2) For the purposes of subsection (1) —

- (a) material is not used for peaceful purposes if it is used or retained for military purposes; and
- (b) a facility is not used for peaceful purposes if it contains any nuclear material which is used or retained for military purposes.

[20/2014]

(3) If in any proceedings a question arises whether any material or facility was used for peaceful purposes, a certificate issued by the Minister and stating that it was, or was not, so used at a time specified in the certificate, is prima facie evidence of that matter.

[20/2014]

(4) This Part does not apply to —

- (a) the activities of armed forces during an armed conflict, as those terms are understood under international humanitarian law, which are governed by that law; or

- (b) activities undertaken by military forces of a State in the exercise of their official duties, to the extent that those activities are governed by other rules of international law.

[26A
[20/2014]

Use, etc., of nuclear material

29. Any person who, without lawful authority, receives, possesses, uses, transfers, alters, disposes of, or disperses nuclear material, where the act causes or is likely to cause —

- (a) death or serious injury to any person; or
(b) substantial damage to property,

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term which may extend to life imprisonment.

[26B
[20/2014]

Enhanced punishment for theft, etc., of nuclear material

30.—(1) If, in a prosecution of a person for an offence under a section of the Penal Code 1871 set out in the first column of the Second Schedule, it is proved that —

- (a) the offence is committed in relation to nuclear material;
and
(b) the person knew that it was nuclear material,

then, in lieu of the term of imprisonment prescribed in that section, the person shall be liable to the term of imprisonment set out in the second column of that Schedule against that section.

[20/2014]

(2) Subsection (1) does not affect any liability of the person to, or the jurisdiction of the court to impose, any other punishment prescribed in that section of the Penal Code 1871.

[26C
[20/2014]

Threat to commit certain offences

31.—(1) Any person who threatens to use nuclear material to cause —

- (a) death or serious injury to any person; or
- (b) substantial damage to property,

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term which may extend to 10 years.

[20/2014]

(2) Any person who threatens to commit, in relation to nuclear material —

- (a) theft within the meaning of section 378 of the Penal Code 1871; or
- (b) robbery within the meaning of section 390 of the Penal Code 1871,

in order to compel a person, an international organisation, the Government or the government of a country to do or refrain from doing any act, shall be guilty of an offence and shall be liable on conviction to imprisonment for a term which may extend to 10 years.

[26D

[20/2014]

Use, etc., of nuclear material to cause damage to environment

32. Any person who, without lawful authority, receives, possesses, uses, transfers, alters, disposes of, or disperses nuclear material, where the act causes or is likely to cause substantial damage to the environment, shall be guilty of an offence and shall be liable on conviction to imprisonment for a term which may extend to life imprisonment.

[26DA

[20/2014]

Acts against nuclear facilities

33.—(1) Any person who —

- (a) commits an act that is directed against a nuclear facility, or that interferes with the operation of a nuclear facility; and

- (b) does so intending that the act will cause, or knowing that the act is likely to cause —
- (i) death or serious injury to any person; or
 - (ii) substantial damage to property or to the environment,
- by exposure to radiation or release of radioactive substances,

shall be guilty of an offence.

[20/2014]

(2) Any person who is guilty of an offence under subsection (1) shall, on conviction —

- (a) except in the cases mentioned in paragraphs (b) and (c), be liable to imprisonment for a term which may extend to life imprisonment;
- (b) if the person had intended to cause serious injury to any person knowing that the injury is likely to cause his or her death, and death is caused, be subject to the same punishment as an act under section 300(b) of the Penal Code 1871; or
- (c) if the person had intended to cause death to any person and death is caused, be subject to the same punishment as an act under section 300(a) of the Penal Code 1871.

[26DB
[20/2014]

Threats to commit offence under section 32 or 33

34. Any person who threatens to —

- (a) use nuclear material to cause substantial damage to the environment; or
- (b) commit an offence under section 33,

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term which may extend to 10 years.

[26DC
[20/2014]

Export or import of nuclear material: extended jurisdiction

35.—(1) Any person who, outside Singapore —

- (a) unlawfully exports nuclear material from one country to another; or
- (b) unlawfully imports nuclear material into one country from another,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both.

[20/2014]

(2) A person guilty of an offence under this section may be proceeded against, charged, tried and punished as if the offence is committed in Singapore.

[20/2014]

(3) In subsection (1) —

- (a) an export of nuclear material from a country; or
- (b) an import of nuclear material into a country,

is unlawful if it is contrary to any prohibition or restriction on the export or import (as the case may be) of nuclear material having effect under or by virtue of the law of that country.

[20/2014]

(4) A statement in a certificate issued by or on behalf of the government of a country outside Singapore to the effect that a particular export or import of nuclear material is contrary to such a prohibition or restriction having effect under or by virtue of the law of that country, is prima facie evidence that the export or import is unlawful for the purposes of subsection (3).

[26DD

[20/2014]

Information relating to offence

36.—(1) Any person in Singapore who has information which the person knows or believes may be of material assistance —

- (a) in preventing the commission by another person of an offence to which this section applies; or

- (b) in securing the apprehension, prosecution or conviction of another person, in Singapore, for an offence involving the commission, preparation or instigation of an offence to which this section applies,

and who fails to disclose the information immediately to a police officer shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 5 years or to both.

[20/2014]

- (2) This section applies to the following offences:

- (a) an offence under section 29, 32 or 33;
(b) an offence specified in the Second Schedule committed in relation to any nuclear material.

[20/2014]

- (3) No criminal or civil proceedings shall lie against a person for any disclosure made in good faith under this section.

[20/2014]

- (4) A person who makes a disclosure in good faith under this section is not to be treated as being in breach of any restriction upon the disclosure of information imposed by law, contract or rules of professional conduct.

[20/2014]

- (5) To avoid doubt, this section does not affect sections 128, 128A and 129 of the Evidence Act 1893.

[26E

[20/2014]

Extraterritoriality

37. Any person who, outside Singapore, commits an act that, if committed in Singapore, would constitute a nuclear offence is deemed to commit the act in Singapore and may be proceeded against, charged, tried and punished accordingly.

[26F

[20/2014]

Assistance under Mutual Assistance in Criminal Matters Act 2000

38.—(1) For the purposes of providing assistance under Part 3 of the Mutual Assistance in Criminal Matters Act 2000 to a foreign country for a criminal matter involving a relevant offence of that country, the relevant offence is deemed not to be an offence of a political character.

[20/2014]

(2) In this section —

“criminal matter” has the meaning given by section 2(1) of the Mutual Assistance in Criminal Matters Act 2000;

“relevant offence”, in relation to a Convention country, means —

- (a) an offence against the law of that country that consists of or includes conduct which, if it had occurred in Singapore, would have constituted a nuclear offence; or
- (b) an offence against the law of that country that consists of or includes conduct which would constitute a nuclear trafficking offence.

[26G

[20/2014]

Extradition

39.—(1) All nuclear offences are deemed to be extraditable crimes for the purposes of Parts 3 and 4 of the Extradition Act 1968.

[20/2014]

(2) For the purposes of the Extradition Act 1968, the expression “extradition crime”, in relation to a Convention country that is a declared Commonwealth country, is deemed to include relevant offences.

[20/2014]

(3) Subject to subsection (4), where no extradition treaty is in force between Singapore and a Convention country that is not a declared Commonwealth country, a notification in the *Gazette* under section 4

of the Extradition Act 1968 may be made applying that Act as if there were an extradition treaty between Singapore and that country.

[20/2014]

(4) Where the Extradition Act 1968 is applied under subsection (3), that Act has effect in relation to that country as if the only extradition crimes under that Act were the relevant offences of that country.

[20/2014]

(5) Subsection (4) does not affect any other notification made under section 4 of the Extradition Act 1968.

[20/2014]

(6) Where —

(a) an extradition treaty is in force between Singapore and a Convention country; and

(b) the treaty does not provide for the extradition of persons accused of or convicted of a relevant offence of that country,

a notification in the *Gazette* under section 4 of the Extradition Act 1968 may be made applying that Act in relation to that country as if the treaty provided for the matter mentioned in paragraph (b).

[20/2014]

(7) Where a notification mentioned in subsection (6) is made, any limitation, condition, exception or qualification specified in any other notification made under section 4 of the Extradition Act 1968, or in any Order in Council mentioned in section 3 of that Act, in relation to that country must, to the extent that it prevents the relevant offence from being considered an extradition crime in relation to that country, be disregarded in the application of that Act in relation to that country.

[20/2014]

(8) For the purposes of the Extradition Act 1968 —

(a) any act, wherever committed, which is a relevant offence of —

(i) a Convention country that is a declared Commonwealth country; or

(ii) a Convention country that is not a declared Commonwealth country in the case of which the

Extradition Act 1968 has been applied by a notification in the *Gazette* made under section 4 of that Act,

is deemed to be an offence within the jurisdiction of that country; and

- (b) any such offence is deemed not to be an offence of a political character.

[20/2014]

(9) In this section —

“declared Commonwealth country” has the meaning given by the Extradition Act 1968;

“relevant offence” —

(a) in relation to a Convention country that is a Party to the amendments adopted in Vienna on 8 July 2005 to the Nuclear Material Convention, means —

(i) an offence against the law of that country where the act or omission constituting the offence or the equivalent act or omission would, if it took place in Singapore —

(A) constitute a nuclear offence; or

(B) be such an offence if the description concerned contained a reference to any intent or state of mind on the part of the person committing the offence, or to any circumstance of aggravation, necessary to constitute the offence; or

(ii) an offence against the law of that country where the act or omission constituting the offence or the equivalent act or omission would —

(A) constitute a nuclear trafficking offence;
or

- (B) be such an offence if the description concerned contained a reference to any intent or state of mind on the part of the person committing the offence, or to any circumstance of aggravation, necessary to constitute the offence; or
- (b) in relation to any other Convention country, means an offence against the law of that country where the act or omission constituting the offence or the equivalent act or omission would, if it took place in Singapore —
- (i) constitute a nuclear offence, other than an offence under section 32, 33 or 34 or any offence mentioned in paragraph (c), (d) or (e) of the definition of “nuclear offence” in section 2(1) as it relates to any of those sections; or
- (ii) be such an offence if the description concerned contained a reference to any intent or state of mind on the part of the person committing the offence, or to any circumstance of aggravation, necessary to constitute the offence.

[26H
[20/2014]

PART 9

ENFORCEMENT

Power of arrest

40.—(1) An authorised officer may —

- (a) arrest without warrant any person whom he or she has reason to believe to be committing or to have committed an offence under section 6, 7, 12 or 15; and
- (b) search the person arrested and seize anything which he or she reasonably considers to be evidence of the commission of the offence.

(2) A woman or girl must not be searched except by a woman.

(3) Where the authorised officer makes an arrest without warrant, he or she must, without unnecessary delay, bring the person arrested before a Magistrate.

(4) The authorised officer must not detain in custody a person arrested without a warrant for a longer period than is reasonable under the circumstances of the case.

(5) The period that a person arrested without a warrant may be detained in custody must not exceed 48 hours, excluding the time for any necessary journey to the Magistrate's Court.

[27

Warrant for search and seizure

41.—(1) If a Magistrate is satisfied, on information on oath, that —

- (a) there is reasonable ground for suspecting that an offence under this Act is being, has been or is about to be committed on any premises; or
- (b) evidence of the commission of such an offence is to be found there,

the Magistrate may issue a warrant in writing to an authorised officer to enter the premises, if necessary by force, at such time as may be specified in the warrant and within 14 days of the issue of the warrant (or within such longer period as may be specified in the warrant) and to search them.

(2) An authorised officer who enters the premises under the authority of the warrant may —

- (a) take with him or her such other person and such equipment as appear to him or her to be necessary;
- (b) inspect any record, register or other document found on the premises which he or she has reasonable cause to believe may be required as evidence for the purposes of proceedings in respect of an offence under this Act;
- (c) take copies of, or seize and remove, such document;

- (d) inspect, seize and remove any device, apparatus or equipment found on the premises which he or she has reasonable cause to believe may be required as such evidence;
 - (e) inspect, sample, seize and remove any substance, material, or other matter or thing found on the premises which he or she has reasonable cause to believe may be required as such evidence; or
 - (f) search or cause to be searched any person found on the premises whom he or she has reasonable cause to believe to be in possession or control of any document, device, apparatus, equipment, substance, material or other matter or thing.
- (3) A woman or girl must not be searched except by a woman.

[28]

Use of force

42. If force is required to enter and inspect any premises specified in a warrant issued under section 25, 26 or 41 (whether by breaking down a door or otherwise), or in breaking open anything in the premises, the person executing the warrant may use such force as is reasonable in the circumstances.

[29]

Forfeiture

43.—(1) A court may order that anything shown to the court's satisfaction to be the subject matter of an offence under this Act or to have been used in the commission of such an offence is to be forfeited to the Agency, and either destroyed or otherwise dealt with in such manner as the court may order.

(2) The court may, in particular, order that the thing be dealt with as the Director-General may think fit, and in such a case the Director-General may direct that it be destroyed or otherwise dealt with.

(3) Where —

- (a) the court proposes to order anything to be forfeited under this section; and
- (b) a person claiming to have an interest in it applies to be heard by the court,

the court must not order it to be forfeited unless that person has been given an opportunity to show cause why the order should not be made.

(4) The court may make an order under this section even though no person has been charged with or convicted of an offence under this Act in relation to the thing to be forfeited.

[30

False or misleading statements and documents

44. Any person who, for the purpose of obtaining (whether for the person or any other person) the grant of any licence or approval under this Act, or for any other purpose in relation to this Act —

- (a) in any document prepared pursuant to this Act, makes any declaration or statement or omits any matter knowing that, or being reckless as to whether, the declaration, statement or omission makes the document false or misleading in a material particular; or
- (b) otherwise produces or makes use of any document which the person knows is false or misleading in any material particular,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 12 months or to both.

[31

Obstruction, etc., of authorised officer or IAEA inspector

45.—(1) Any person who obstructs, hinders, resists or deceives any authorised officer or IAEA inspector who is exercising any function contemplated, or any power provided for, in this Act shall be guilty of an offence and shall be liable on conviction to a fine not exceeding

\$50,000 or to imprisonment for a term not exceeding 12 months or to both.

(2) Nothing in subsection (1) applies to a refusal to give consent to entry —

- (a) by a national inspector who is not acting pursuant to a warrant mentioned in section 25 or 26;
- (b) by an IAEA inspector who is not acting pursuant to a warrant mentioned in section 26; or
- (c) by an authorised officer who is not acting pursuant to a warrant mentioned in section 41.

[32

PART 10

MISCELLANEOUS

Appeals

46.—(1) Any person who is dissatisfied with any decision of the Director-General under section 8, 14 or 15 may appeal to the Minister in writing within 30 days of the communication to that person of the decision of the Director-General.

(2) Upon receipt of any appeal, the Minister must appoint one or more persons to hear representations made by the appellant and the Director-General and, if the appointed persons think fit, to inspect the premises or irradiating apparatus and to report to the Minister, who must thereupon determine the appeal as soon as practicable.

(3) In the exercise of his or her power to determine an appeal, the Minister may —

- (a) dismiss the appeal;
- (b) require the Director-General to issue a licence;
- (c) quash any suspension or cancellation of a licence, or substitute a suspension of a licence for cancellation or vice versa; or

(d) vary or revoke any decision of the Director-General, or substitute any decision for a decision made by the Director-General.

(4) The decision of the Minister under this section is final.

[33]

Protection of persons acting under Act

47. No suit or other legal proceedings shall lie personally against any authorised officer, any person acting under the officer's direction and any other person for anything which is in good faith done or intended to be done in the execution or purported execution of this Act.

[34]

Public servants

48. All authorised officers are deemed to be public servants for the purposes of the Penal Code 1871.

[35]

Fees, charges, etc., collected by authorised officer to be paid to Agency

49. All fees, charges and other moneys recovered or collected by the Director-General or any other authorised officer under this Act (including sums collected for the composition of offences under section 53) must be paid to the Agency.

[36]

Offences by bodies corporate, etc.

50.—(1) Where an offence under this Act committed by a body corporate is proved —

(a) to have been committed with the consent or connivance of an officer; or

(b) to be attributable to any neglect on the officer's part,

the officer as well as the body corporate shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with the member's functions of management as if the member were a director of the body corporate.

(3) Where an offence under this Act committed by a partnership is proved —

(a) to have been committed with the consent or connivance of a partner; or

(b) to be attributable to any neglect on the partner's part,

the partner as well as the partnership shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(4) Where an offence under this Act committed by an unincorporated association (other than a partnership) is proved —

(a) to have been committed with the consent or connivance of an officer of the unincorporated association or a member of its governing body; or

(b) to be attributable to any neglect on the part of such an officer or member,

the officer or member as well as the unincorporated association shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(5) In this section —

“body corporate” includes a limited liability partnership as defined in section 2(1) of the Limited Liability Partnerships Act 2005;

“officer” —

(a) in relation to a body corporate, means any director, partner, member of the committee of management, chief executive, manager, secretary or other similar officer of the body corporate and includes any person purporting to act in any such capacity; or

- (b) in relation to an unincorporated association (other than a partnership), means the president, the secretary, or any member of the committee of the unincorporated association, or any person holding a position analogous to that of president, secretary or member of a committee and includes any person purporting to act in any such capacity;

“partner” includes a person purporting to act as a partner.

(6) The Minister may make regulations to provide for the application of any provision of this section, with such modifications as the Minister considers appropriate, to any body corporate or unincorporated association formed or recognised under the law of a territory outside Singapore.

[37

Jurisdiction of courts

51. Despite any provision to the contrary in the Criminal Procedure Code 2010, a District Court has jurisdiction to try any offence under this Act and has power to impose the full penalty or punishment in respect of the offence.

[38

Penalty for offences not otherwise provided for

52. Any person who contravenes any provision of this Act for which no penalty is expressly provided shall be guilty of an offence and shall be liable on conviction —

- (a) in a case where the contravention is of such a nature as to endanger or is likely to endanger human life — to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 12 months or to both; or
- (b) in any other case — to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 months or to both.

[39

Composition of offences

53.—(1) The Director-General may compound any offence under this Act that is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding the lower of the following:

- (a) one half of the amount of the maximum fine that is prescribed for the offence;
- (b) \$15,000.

(2) On payment of the sum, no further proceedings are to be taken against that person in respect of the offence.

(3) The Agency may, with the approval of the Minister, make regulations to prescribe the offences that may be compounded.

[40]

Cost of enforcement

54. Where a person has been convicted by a court for an offence under section 6 or 7 or under Part 8A, the court may order that person to pay reasonable costs of any enforcement action taken by an authorised officer in respect of the offence, including any cost of storage of the subject matter of the offence or anything used in the commission of the offence.

[40A
[20/2014]

Exemption

55. The Agency may, subject to the general or special directions of the Minister, either permanently or for such period as the Agency thinks fit, by regulations exempt any, or any class of, person, premises, material or thing from all or any of the provisions of this Act, subject to such terms or conditions as may be prescribed.

[41]

Amendment of Schedules

56.—(1) The Minister may, by order in the *Gazette*, amend, add to or vary the First or Second Schedule.

[20/2014]

(2) The Minister may, in any order made under subsection (1), make such incidental, consequential or supplementary provisions as may be necessary or expedient.

(3) Any order made under subsection (1) must be presented to Parliament as soon as possible after publication in the *Gazette*.

[42]

Regulations

57.—(1) The Agency may, with the approval of the Minister, make such regulations as may be necessary or expedient for giving full effect to the provisions of this Act and for the due administration of this Act and, in particular, may make regulations for or with respect to —

- (a) the form and manner of applying for and granting, and the fees for, licences and renewals of licences, and the matters to be taken into consideration in respect of any application for or for the renewal of a licence or in respect of any proposal to suspend or cancel a licence;
- (b) the granting of different classes or types of licences under this Act;
- (c) the form of the registers to be kept under this Act;
- (d) regulating the sale, purchase or manufacture of, or the dealing with, any radioactive substance and irradiating apparatus;
- (e) regulating the transport, storage, use and disposal of any radioactive substance or irradiating apparatus;
- (f) preventing injury by radiations to any person;
- (g) securing the safe disposal of any radioactive waste product resulting from the manufacture, production, treatment, storage or use of any radioactive substance;
- (h) imposing requirements with respect to the construction or structural alteration of buildings used or intended to be used for the manufacture, production, treatment, storage or

use of any radioactive substance, or in which any irradiating apparatus is used or intended to be used;

- (i) requiring persons who are exposed or are likely to be exposed to the risk of disease due to radiation from any radioactive substance or irradiating apparatus to submit to screening and decontamination procedures by such persons as the Director-General may approve, as well as to medical examinations, including blood tests;
- (j) prohibiting the use of any prescribed radioactive substance or any prescribed class or description of irradiating apparatus either generally, or for prescribed purposes or otherwise than for prescribed purposes;
- (k) prescribing the maximum working hours and minimum age of persons engaged in the manufacture, production, treatment, storage, sale or use of any radioactive substance or the use, testing or repair of any irradiating apparatus, prescribing the minimum holidays to be taken by those persons, and providing for the medical examination of those persons;
- (l) prescribing personnel or area monitoring;
- (m) regulating the use of any radioactive substance for therapeutic or diagnostic purposes;
- (n) regulating the dispensing and compounding of any prescription containing any radioactive substance;
- (o) providing for the making of returns by owners of radioactive materials of the quantities and classes of radioactive materials held by them;
- (p) providing for the keeping by purchasers of radioactive substances of records specifying the purposes to which those substances are put, and for the inspection of those records, and for the making of returns of entries in those records;

- (q) providing for the keeping of records of any application of radioactive substances or irradiating apparatus for diagnostic or therapeutic purposes;
- (r) regulating the registration of mobile radioactive and irradiating laboratories;
- (s) prescribing the fees payable for services rendered by the Director-General;
- (t) prescribing offences in respect of the contravention of any regulation made under this section, and prescribing penalties, not exceeding \$50,000 or an imprisonment term not exceeding 6 months or both, that may, on conviction, be imposed in respect of any such offence; and
- (u) any other matter required or permitted to be prescribed, or necessary or expedient to be prescribed, for carrying out or giving effect to the provisions of this Act.

[20/2014]

(2) Without limiting subsection (1), the Agency may, with the approval of the Minister, make regulations for the purposes of implementing the Safeguards Agreement, or any agreement that is concluded between Singapore and the IAEA pursuant to the Safeguards Agreement, and, in particular, may make regulations for or with respect to —

- (a) imposing on any importer, exporter, agent, forwarding agent, common carrier, consignor or consignee of goods or on any owner, agent, master or person in charge of a conveyance as may be prescribed in the regulations, the duty to provide —
 - (i) to the Director-General; or
 - (ii) to the owner, agent, master or person in charge of a conveyance, or to a railway stationmaster or to such other person as may be prescribed,

such particulars, information or documents as may be prescribed in respect of any nuclear material that is imported or exported;

- (b) requiring the master of any vessel to attend at the office of the Director-General or Port Master, and to provide such particulars, information and documents as may be prescribed;
- (c) prohibiting the issue of a port clearance to the master of any vessel pending compliance with any provision of the regulations; and
- (d) the registration of any nuclear material that is imported or exported.

(3) Without limiting subsection (1), the Agency may, with the approval of the Minister, make regulations for the purposes of implementing the Nuclear Material Convention, including for or with respect to any of the matters mentioned in subsection (1), as well as to prescribe measures for the physical protection of a nuclear facility within the meaning of the Convention, including licensing the operation of such facility.

[43
[20/2014]

Saving for other written law

58. Nothing in this Act is to be construed as limiting or in any way affecting the provisions of any other written law.

[44

Saving and transitional provisions

59.—(1) Any subsidiary legislation made under the repealed Radiation Protection Act (Cap. 262, 1992 Revised Edition) and in force immediately before 1 July 2007, so far as it is not inconsistent with the provisions of this Act, continues in force as if made under this Act until it is revoked or repealed.

(2) Any written law or document referring to the repealed Radiation Protection Act (Cap. 262, 1992 Revised Edition) or any provision of that Act is, as far as may be necessary for preserving its effect, to be construed as referring or as including a reference to this Act or the corresponding provision in this Act, as the case may be.

[45

FIRST SCHEDULE

Sections 2(1) and 56

DEFINITION OF NUCLEAR MATERIAL

1. In this Act, “nuclear material” means —
 - (a) any source material (not being ore or ore residue); or
 - (b) any special fissionable material.
2. For the purposes of paragraph 1 —

“source material” means —

 - (a) uranium containing the mixture of isotopes occurring in nature;
 - (b) uranium depleted in the isotope 235;
 - (c) thorium;
 - (d) any of the foregoing in the form of metal, alloy, chemical compound, or concentrate; or
 - (e) any other material containing one or more of the foregoing in such concentration as the IAEA Board of Governors determines from time to time;

“special fissionable material” means —

 - (a) plutonium-239;
 - (b) uranium-233;
 - (c) uranium containing the isotopes 235 or 233, or both, in an amount such that the abundance ratio of the sum of these isotopes to the isotope 238 is greater than the ratio of the isotope 235 to the isotope 238 occurring in nature; or
 - (d) any material containing one or more of the foregoing,

but does not include source material.

[20/2014]

SECOND SCHEDULE

Sections 2(1), 30(1), 36(2)(b) and 56

ENHANCED PUNISHMENTS FOR OFFENCES
COMMITTED IN RELATION TO NUCLEAR MATERIAL

<i>Offence under Penal Code</i>	—	<i>Substituted imprisonment term</i>
1. Section 379 (Theft)	—	Term which may extend to 5 years
2. Section 380 (Theft in dwelling-house, etc.)	—	Term which may extend to 10 years
3. Section 381 (Theft by clerk or servant of property in possession of master)	—	Term which may extend to 10 years
4. Section 382 (Theft after preparation made for causing death or hurt in order to commit theft)	—	Term which may extend to 15 years
5. Section 384 (Extortion)	—	Term of not less than 3 years and not more than 10 years
6. Section 385 (Putting person in fear of harm in order to commit extortion)	—	Term of not less than 3 years and not more than 8 years
7. Section 386 (Extortion by putting a person in fear of death or grievous hurt)	—	Term of not less than 3 years and not more than 15 years
8. Section 387 (Putting person in fear of death or of grievous hurt in order to commit extortion)	—	Term of not less than 3 years and not more than 10 years
9. Section 388 (Extortion by threat of accusation of an offence punishable with death, or imprisonment, etc.)	—	Term which may extend to 15 years
10. Section 389 (Putting person in fear of accusation of offence, in order to commit extortion)	—	Term which may extend to 15 years
11. Section 392 (Robbery committed at or after 7 a.m. and at or before 7 p.m.)	—	Term of not less than 3 years and not more than 15 years

SECOND SCHEDULE — *continued*

<i>Offence under Penal Code</i>	—	<i>Substituted imprisonment term</i>
12. Section 392 (Robbery committed after 7 p.m. and before 7 a.m.)	—	Term of not less than 5 years and not more than 20 years
13. Section 393 (Attempt to commit robbery)	—	Term of not less than 3 years and not more than 10 years
14. Section 394 (Voluntarily causing hurt in committing robbery)	—	Term of not less than 8 years and not more than 30 years
15. Section 395 (Gang-robbery)	—	Term of not less than 8 years and not more than 30 years
16. Section 399 (Making preparation to commit gang-robbery)	—	Term of not less than 5 years and not more than 15 years
17. Section 402 (Assembling for purpose of committing gang-robbery)	—	Term which may extend to 10 years
18. Section 403 (Dishonest misappropriation of property)	—	Term which may extend to 3 years
19. Section 406 (Criminal breach of trust)	—	Term which may extend to 10 years
20. Section 407 (Criminal breach of trust of property entrusted for purposes of transportation or storage)	—	Term which may extend to 20 years
21. Section 408 (Criminal breach of trust by employees)	—	Term which may extend to 20 years
22. Section 409 (Criminal breach of trust by public servant, or by banker, merchant, agent, director, officer, partner, key executive or fiduciary)	—	Term which may extend to 30 years
23. Section 417 (Cheating)	—	Term which may extend to 5 years

SECOND SCHEDULE — *continued*

<i>Offence under Penal Code</i>		<i>Substituted imprisonment term</i>
24. Section 418 (Cheating with knowledge that wrongful loss may be thereby caused to a person whose interest the offender is bound to protect)	—	Term which may extend to 8 years
25. Section 419 (Cheating by personation)	—	Term which may extend to 8 years
26. Section 420 (Cheating and dishonestly inducing delivery of property)	—	Term which may extend to 15 years
27. Section 468 (Forgery for purpose of cheating)	—	Term which may extend to 15 years.

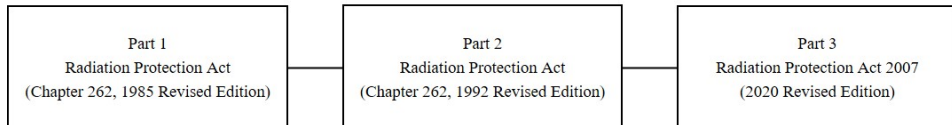
[20/2014; 15/2019]

LEGISLATIVE HISTORY

RADIATION PROTECTION ACT 2007

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

PICTORIAL OVERVIEW OF PREDECESSOR ACTS



LEGISLATIVE HISTORY DETAILS

PART 1

RADIATION PROTECTION ACT

(CHAPTER 262, 1985 REVISED EDITION)

1. Act 20 of 1973 — Radiation Protection Act, 1973

Bill	:	14/1973
First Reading	:	7 March 1973
Second and Third Readings	:	20 March 1973
Commencement	:	1 September 1974 (except sections 5 and 17)

2. 1985 Revised Edition — Radiation Protection Act (Chapter 262)

Operation	:	30 March 1987
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PART 2

RADIATION PROTECTION ACT

(CHAPTER 262, 1992 REVISED EDITION)

3. Act 8 of 1991 — Radiation Protection Act 1991

Bill	:	34/1990
First Reading	:	9 November 1990
Second and Third Readings	:	3 January 1991
Commencement	:	1 February 1992

4. 1992 Revised Edition — Radiation Protection Act (Chapter 262)

Operation	:	9 March 1992
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5. Act 24 of 1999 — Dentists Act 1999

(Amendments made by section 69(2) of the above Act)

Bill	:	17/1999
First Reading	:	4 May 1999
Second and Third Readings	:	6 July 1999
Commencement	:	15 October 1999 (section 69(2))

6. Act 4 of 2001 — Health Sciences Authority Act 2001

(Amendments made by section 42 read with item (10) of the Second Schedule to the above Act)

Bill	:	3/2001
First Reading	:	12 January 2001
Second and Third Readings	:	22 February 2001
Commencement	:	1 April 2001 (section 42 read with item (10) of the Second Schedule)

PART 3

RADIATION PROTECTION ACT 2007
(2020 REVISED EDITION)**7. Act 27 of 2007 — Radiation Protection Act 2007**

Bill	:	14/2007
First Reading	:	9 April 2007
Second and Third Readings	:	21 May 2007
Commencement	:	1 July 2007

8. 2008 Revised Edition — Radiation Protection Act (Chapter 262)

Operation	:	31 March 2008
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9. Act 20 of 2014 — Radiation Protection (Amendment) Act 2014

Bill	:	14/2014
First Reading	:	26 May 2014
Second and Third Readings	:	7 July 2014
Commencement	:	21 October 2014 (except sections 3(2) and 9(2) to (5)) 7 May 2016 (sections 3(2) and 9(2) to (5))

10. Act 15 of 2019 — Criminal Law Reform Act 2019

(Amendments made by section 185 of the above Act)

Bill	:	6/2019
First Reading	:	11 February 2019
Second Reading	:	6 May 2019
Notice of Amendments	:	6 May 2019
Third Reading	:	6 May 2019
Commencement	:	1 January 2020 (section 185)

Abbreviations

C.P.	Council Paper
G.N. No. S (N.S.)	Government Notification Number Singapore (New Series)
G.N. No.	Government Notification Number
G.N. No. S	Government Notification Number Singapore
G.N. Sp. No. S	Government Notification Special Number Singapore
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian Subsidiary Legislation)
M. Act	Malayan Act/Malaysia Act
M. Ordinance	Malayan Ordinance
Parl.	Parliament
S.S.G.G. (E) No.	Straits Settlements Government Gazette (Extraordinary) Number
S.S.G.G. No.	Straits Settlements Government Gazette Number

COMPARATIVE TABLE
RADIATION PROTECTION ACT 2007

This Act has undergone renumbering in the 2020 Revised Edition. This Comparative Table is provided to help readers locate the corresponding provisions in the last Revised Edition.

2020 Ed.	2008 Ed.
3	2A
4	3
5	4
6	5
7	6
8	7
9	8
10	9
11	10
12	11
13	12
14	13
15	14
16	15
17	16
18	17
19	18
20	19
21	20
22	21
23	22
24	23
25	24
26	25

2020 Ed.	2008 Ed.
27	26
28	26A
29	26B
30	26C
31	26D
32	26DA
33	26DB
34	26DC
35	26DD
36	26E
37	26F
38	26G
39	26H
40	27
41	28
42	29
43	30
44	31
45	32
46	33
47	34
48	35
49	36
50	37
51	38
52	39
53	40
54	40A

2020 Ed.	2008 Ed.
55	41
56	42
57	43
58	44
59	45
[<i>Omitted as spent</i>]	(1)
[<i>Omitted as spent</i>]	(2)
[<i>Omitted as spent</i>]	(3)
[<i>Omitted as spent</i>]	(4)
(1)	(5)
(2)	(6)