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No. S 484

MISUSE OF DRUGS ACT 1973

MISUSE OF DRUGS (APPROVED INSTITUTIONS) (DISCIPLINE) (AMENDMENT NO. 2) REGULATIONS 2024

In exercise of the powers conferred by section 58 of the Misuse of Drugs Act 1973, the Minister for Home Affairs makes the following Regulations:

Citation and commencement

1.—(1) These Regulations are the Misuse of Drugs (Approved Institutions) (Discipline) (Amendment No. 2) Regulations 2024 and, except for regulation 2, come into operation on 1 June 2024.

(2) Regulation 2 is deemed to have come into operation on 31 December 2021.

Amendment of regulation 2

2. In the Misuse of Drugs (Approved Institutions) (Discipline) Regulations (Rg 5) (called in these Regulations the principal Regulations), in regulation 2, in the definition of “probation officer”, replace “(Cap. 252)” with “1951”.

Amendment of regulation 7

3. In the principal Regulations, in regulation 7 —

(a) after paragraph (b), insert —

“(ba) confinement in a punishment cell for a period not exceeding 7 days;” and

(b) in paragraph (d), replace “reprimand” with “a written warning”.

Amendment of regulation 8

4. In the principal Regulations, in regulation 8(c), replace “solitary confinement in a ward” with “confinement in a punishment cell”.

Amendment of regulation 10

5. In the principal Regulations, in regulation 10, replace paragraph (1) with —

“(1) Where a Superintendent of a centre has found an inmate guilty of a major offence, the Superintendent must notify the Commissioner of Prisons of the facts of the case, and the punishment imposed on the inmate, not later than 7 days after the imposition of the punishment.”.

Replacement of regulation 13

6. In the principal Regulations, replace regulation 13 with —

“Offences

13.—(1) Any person who, without the authority of the Act, these Regulations or the express permission of the Commissioner of Prisons —

- (a) conveys or supplies, or causes to be conveyed or supplied, to any inmate, or hides or places for the use of any inmate, any unauthorised article;
- (b) brings, or attempts by any means to introduce, into any centre, or places, or attempts to place, where inmates work, any unauthorised article;
- (c) brings, or attempts to bring, out of any centre, or conveys from any inmate, any unauthorised article;
- (d) makes any audio or visual recording in a centre;
- (e) communicates with any inmate in circumstances where the person knows, or ought reasonably to know, that the communication is likely to encourage, incite or agitate any inmate to commit an offence (including any offence listed in the Schedule), and thereby encourages, incites or agitates an inmate to

commit an offence (including any offence listed in the Schedule); or

- (f) does any act, or omits to do any act, which the person is required by law to do, which the person knows, or ought reasonably to know, is likely to have any of the following effects, and which does have that effect:
- (i) prejudicing the safe custody of inmates, the safety of any person in a centre, or the security of a centre;
 - (ii) prejudicing the maintenance of good order and discipline in a centre,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

(2) Every officer of a centre who, without the authority of the Act, these Regulations or the express permission of the Commissioner of Prisons —

- (a) knowingly suffers any unauthorised article to be sold to or on behalf of, or to be received or used by or on behalf of, any inmate;
- (b) lends or gives to any inmate any unauthorised article;
- (c) knowingly suffers any unauthorised article to be brought out of any centre, or to be conveyed from any inmate;
- (d) knowingly suffers the making of any audio or visual recording in a centre; or
- (e) knowingly suffers any act or omission which he or she knows, or ought reasonably to know, is likely to have any of the following effects, and which does have such effect:
 - (i) prejudicing the safe custody of inmates, the safety of any person in a centre, or the security of a centre;

- (ii) prejudicing the maintenance of good order and discipline in a centre,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

(3) In this regulation, “unauthorised article” means —

- (a) any letter or document;
- (b) any electronic storage device;
- (c) any intoxicating substance, controlled drug, psychoactive substance or stimulant;
- (d) any food or drink;
- (e) any item of clothing;
- (f) money; or
- (g) any article not specifically authorised by the Commissioner of Prisons to be brought into or out of a centre.”.

Amendment of Schedule

7. In the principal Regulations, in the Schedule, in Part II —

(a) replace item (1) with —

“(1) bringing any controlled drug, psychoactive substance, intoxicating substance, medication, money or cigarette into a centre without the permission of an officer, or concealing any controlled drug, psychoactive substance, intoxicating substance, medication, money or cigarette in a centre;”;

(b) replace item (5) with —

“(5) taking part in any assault or attack on any officer, official visitor or any person working, or providing rehabilitative and other related services, in the centre;”;

(c) after item (7), insert —

- “(7A) wilfully making a false or groundless accusation or complaint against any inmate, officer, official visitor or any person working, or providing rehabilitative and other related services, in the centre;
- (7B) committing any act constituting a minor offence as set out in Part I of the Schedule that is committed by one or more members or associates of a secret society in connection with the activities of any secret society, whether or not all the other members of the secret society are present;
- (7C) committing any minor offence after having previously committed the same minor offence at least twice;”;

(d) in item (9), replace “drug” with “controlled drug or psychoactive substance”.

*[G.N. Nos. S 406/2003; S 454/2008; S 578/2014;
S 62/2024]*

Made on 24 May 2024.

PANG KIN KEONG
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Ministry of Home Affairs,
Singapore.*

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