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MISUSE OF DRUGS ACT
(CHAPTER 185)

MISUSE OF DRUGS
(APPROVED INSTITUTIONS AND TREATMENT
AND REHABILITATION) (AMENDMENT)
REGULATIONS 2019

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

Citation and commencement

1. These Regulations are the Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) (Amendment) Regulations 2019 and come into operation on 1 August 2019.

Amendment of regulation 1

2. Regulation 1 of the Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) Regulations (Rg 3) (called in these Regulations the principal Regulations) is amended by inserting, immediately after the words “Approved Institutions”, the words “, Medical Observation”.

Amendment of regulation 2

3. Regulation 2 of the principal Regulations is amended —

- (a) by deleting the words “Director of Prisons” in the definition of “medical officer” and substituting the words “Commissioner of Prisons”; and
- (b) by deleting the full-stop at the end of the definition of “supervision officer” and substituting a semi-colon, and by inserting immediately thereafter the following definition:

““suspected drug addict” means a person who is ordered by the Director under section 34(1) of the Act to be committed to an approved institution.”.

Amendment of regulation 3

4. Regulation 3 of the principal Regulations is amended by deleting paragraph (2) and substituting the following paragraph:

“(2) The Superintendent of an approved institution —

- (a) is responsible for the control, discipline and occupation of the suspected drug addicts and inmates of the approved institution; and
- (b) may issue general orders which must be observed by the suspected drug addicts and inmates of the approved institution.”.

Amendment of regulation 4

5. Regulation 4 of the principal Regulations is amended by inserting, immediately after the word “Every”, the words “suspected drug addict and”.

Deletion and substitution of regulations 5, 6, 7 and 8

6. Regulations 5, 6, 7 and 8 of the principal Regulations are deleted and the following regulations substituted therefor:

“Detoxication

5.—(1) Subject to paragraph (2), every inmate must, upon completion of the inmate’s medical examination, undergo a period of detoxication.

(2) An inmate must not be subjected to detoxication if the inmate is certified by a medical officer to be medically unfit to do so.

(3) However, the inmate mentioned in paragraph (2) must undergo a period of detoxication as soon as the inmate is found fit to do so by a medical officer.

(4) The period of detoxication mentioned in paragraphs (1) and (3) must not exceed 7 days.

(5) The Minister may for special reasons exempt any inmate from undergoing detoxication.

No medication to be taken during medical examination or observation or period of detoxication

6.—(1) A suspected drug addict must not take any medication during the period of the suspected drug addict's medical examination or observation unless, in the opinion of a medical officer, it is necessary to do so.

(2) An inmate must not take any medication during the period of detoxication mentioned in regulation 5(1) and (3) unless, in the opinion of a medical officer, it is necessary to do so.

No visitors during medical examination or observation or period of detoxication

7. No person is allowed to visit —

(a) a suspected drug addict during the suspected drug addict's medical examination or observation; or

(b) an inmate during the inmate's period of detoxication mentioned in regulation 5(1) and (3).

Examination of suspected drug addicts and inmates for infectious diseases

8.—(1) The Commissioner of Prisons or the person appointed under section 36(1)(b) of the Act may, at any time, require any suspected drug addict or inmate of an approved institution to undergo a medical examination by a medical officer for the purpose of ascertaining whether the suspected drug addict or inmate is suffering from, or is a carrier of, any infectious disease.

(2) Where a suspected drug addict or an inmate refuses to undergo the medical examination mentioned in paragraph (1) or refuses to provide any sample necessary for the purpose of such examination, the medical officer conducting the medical examination must immediately give a written notification to the Superintendent of the approved institution.

(3) The Superintendent of the approved institution may, upon receiving the written notification mentioned in paragraph (2), direct —

- (a) that the suspected drug addict be separated from other suspected drug addicts and inmates until such time when the suspected drug addict undergoes the medical examination mentioned in paragraph (1); or
- (b) that the inmate be separated from other suspected drug addicts and inmates until such time when the inmate undergoes the medical examination mentioned in paragraph (1).

(4) Where a suspected drug addict or an inmate of an approved institution has been ascertained to be suffering from, or is a carrier of, any infectious disease under this regulation, the medical officer must immediately give a written report to the Superintendent of the approved institution.

(5) The Superintendent of the approved institution must, upon receiving the written report mentioned in paragraph (4), direct —

- (a) that the suspected drug addict be separated from other suspected drug addicts and inmates until a medical officer certifies that the suspected drug addict is free from infection or the risk of spreading the infectious disease to other persons is eliminated; or
- (b) that the inmate be separated from other suspected drug addicts and inmates until a medical officer certifies that the inmate is free from infection or the risk of spreading the infectious disease to other persons is eliminated.

(6) In this regulation, “infectious disease” means any of the diseases specified in the First Schedule to the Infectious Diseases Act (Cap. 137) and includes any other disease —

- (a) that is caused or is suspected to be caused by a micro-organism or any agent of disease;
- (b) that is capable or is suspected to be capable of transmission by any means to human beings; and
- (c) that the medical officer has reason to believe, if left uninvestigated or unchecked, is likely to result in an epidemic of the disease.”.

Amendment of regulation 9

7. Regulation 9 of the principal Regulations is amended —

- (a) by deleting the words “an inmate” and substituting the words “a suspected drug addict or an inmate (each called in this regulation the relevant person)”;
- (b) by deleting the words “the inmate” wherever they appear and substituting in each case the words “the relevant person”; and
- (c) by deleting the regulation heading and substituting the following regulation heading:

“Confidentiality in handling of suspected drug addicts and inmates with AIDS and other sexually transmitted disease”.

Deletion and substitution of regulation 10

8. Regulation 10 of the principal Regulations is deleted and the following regulation substituted therefor:

“Finger impressions of suspected drug addicts and inmates

10.—(1) A suspected drug addict or an inmate of an approved institution commits an offence if —

- (a) he is requested by the Superintendent of the approved institution, or a person authorised by the

Superintendent, to give his finger impressions to the Superintendent or authorised person for the purpose of identification and record; and

- (b) he intentionally does not allow the Superintendent, or a person authorised by the Superintendent, to take his finger impressions despite the request.

(2) The Superintendent, or a person authorised by the Superintendent, may, in the performance of his duty or in accordance with the law, give any finger impression taken under paragraph (1) from a suspected drug addict or an inmate, or any copy thereof, to a police officer.

(3) When the Director revokes —

- (a) an order under section 34(1) of the Act under which a suspected drug addict was committed to an approved institution; or
- (b) an order under section 34(2)(b) of the Act under which an inmate was admitted to an approved institution,

the Superintendent of the approved institution must, as soon as practicable, cause the finger impressions taken from that suspected drug addict or inmate (as the case may be), and all copies thereof, to be destroyed.

(4) A person who is guilty of an offence under paragraph (1) shall be liable on conviction to a fine not exceeding \$5,000.”.

Amendment of regulation 15

9. Regulation 15 of the principal Regulations is amended —

- (a) by deleting the words “Director of the Central Narcotics Bureau” in paragraphs (2), (4) and (7) and substituting in each case the word “Director”;
- (b) by inserting, immediately after the words “section 8(b)” in paragraph (2), the words “, 31(2) or (2A) or 31A(2) or (2A)”;

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- (c) by deleting the words “2 years” in paragraph (2) and substituting the words “5 years”; and
- (d) by deleting sub-paragraph (a) of paragraph (5) and substituting the following sub-paragraph:
- “(a) present himself for counselling to such persons as may be directed by the supervision officer, and at such times and places as may be specified by the supervision officer or those persons;”.

Amendment of regulation 16

10. Regulation 16 of the principal Regulations is amended —

- (a) by inserting, immediately after the word “rehabilitation” in paragraph (1), the words “or for an offence under section 34 of the Singapore Armed Forces Act (Cap. 295)”; and
- (b) by deleting the regulation heading and substituting the following regulation heading:

“Application of regulation 15 to certain persons subjected to military law”.

*[G.N. Nos. S 407/2003; S 526/2010; S 271/2013;
S 312/2014]*

Made on 29 July 2019.

PANG KIN KEONG
*Permanent Secretary,
Ministry of Home Affairs,
Singapore.*

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