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## ARMS AND EXPLOSIVES ACT (CHAPTER 13)

## ARMS AND EXPLOSIVES (EXPLOSIVES) (AMENDMENT NO. 2) RULES 2020

In exercise of the powers conferred by section 46 of the Arms and Explosives Act, the Minister for Home Affairs makes the following Rules:

### **Citation and commencement**

**1.** These Rules are the Arms and Explosives (Explosives) (Amendment No. 2) Rules 2020 and come into operation on 21 September 2020.

#### Amendment of rule 2

**2.** Rule 2(1) of the Arms and Explosives (Explosives) Rules (R 2) (called in these Rules the principal Rules) is amended by inserting, immediately after the definition of "Port Master", the following definition:

""possession", in relation to an explosive, means -----

- (a) having the care, control or management of the explosive;
- (b) having the explosive in the care, control or management of another person; or
- (c) having the explosive on the person, including something carried or worn by the person,

for any purpose except —

(*d*) to convey, store, import, export, dispose or supply the explosive;

- (e) to carry out blasting operations;
- (*f*) due to the manufacture or purchase of, or dealing in, any explosive; or
- (g) to use as ammunition in a firearm the possession of which is authorised by a licence under the Arms and Explosives (Arms) Rules (R 1);".

## Deletion and substitution of rule 35

**3.** Rule 35 of the principal Rules is deleted and the following rule substituted therefor:

#### "Licence to deal in explosives

**35.** A licence to deal in explosives is valid for a period of 2 years from the date of issue, or such shorter period as the Licensing Officer may determine.".

### Deletion and substitution of rule 39

**4.** Rule 39 of the principal Rules is deleted and the following rule substituted therefor:

#### "Licence to purchase explosives

**39.** A licence to purchase explosives is subject to the restrictions set out in the licence.".

### Amendment of rule 40

5. Rule 40 of the principal Rules is amended —

- (*a*) by deleting the words "in Form C in the Ninth Schedule" in paragraph (3); and
- (b) by inserting, immediately after paragraph (5), the following paragraph:

"(6) A licence to remove explosives mentioned in paragraph (3) remains in force for 30 days starting from its date of issue.".

## Amendment of rule 42

**6.** Rule 42 of the principal Rules is amended by deleting the words "14 days" and substituting the words "30 days".

# Deletion and substitution of rule 43

**7.** Rule 43 of the principal Rules is deleted and the following rule substituted therefor:

# "Licence to import or export explosives

**43.**—(1) A person must not import into or export from Singapore any explosives without a licence to import or export explosives.

(2) A licence to import or export explosives is subject to the restrictions set out in the licence.

(3) A licence to import or export explosives remains in force for 30 days starting from its date of issue.".

# **Deletion of rule 46**

**8.** Rule 46 of the principal Rules is deleted.

# New Part XA

**9.** The principal Rules are amended by inserting, immediately after rule 74, the following Part:

# "PART XA

# POSSESSION OF EXPLOSIVES

# Licence to possess explosives

74A. A licence to possess an explosive is subject to the restrictions and conditions set out in the licence.

# Validity of licence

**74B.** A licence to possess an explosive remains in force for 12 months starting its date of issue, or such shorter period as the Licensing Officer may determine in any particular case.".

### Amendment of rule 80

10. Rule 80(1) of the principal Rules is amended by deleting "43(2)" and substituting "43(1)".

## **Deletion of Ninth Schedule**

11. The Ninth Schedule to the principal Rules is deleted.

### Amendment of Tenth Schedule

12. The Tenth Schedule to the principal Rules is amended —

- (*a*) by deleting the words ", export or remove" in the first column of item 4 and substituting the words "or export"; and
- (*b*) by deleting the full-stop at the end of item 10, and by inserting immediately thereafter the following item:
  - "11. For a licence to possess explosives \$145 for 12 months or shorter".

## **Miscellaneous amendments**

13. Rules 24(3)(a), 47(a), 52(a) and 63(a) of the principal Rules are deleted.

### Saving and transitional provisions

14.—(1) Any person who, on 21 September 2020, has possession of an explosive within the meaning of rule 2(1) of the principal Rules as amended by these Rules, may continue to possess the explosive —

- (a) for one month after that date; or
- (*b*) for one month after that date and, if within that period the person applies for a licence under Part XA of the principal Rules as amended by these Rules, for a further period ending on the happening of the earlier of the following:
  - (i) the date on which the Licensing Officer grants a licence to the person under Part XA of the principal Rules;
  - (ii) the date that the application is refused or withdrawn.

(2) Rules 5(b), 6 and 7 do not apply to any licence issued before 21 September 2020.

[G.N. Nos. S 495/2010; S 174/2017; S 360/2020]

Made on 15 September 2020.

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

[MHA 112/2/029; AG/LEGIS/SL/13/2015/4 Vol. 1]

(To be presented to Parliament under section 46(4) of the Arms and Explosives Act).