

MISUSE OF DRUGS ACT
(CHAPTER 185, SECTION 44)

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

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[20th August 1976]

Citation

1. These Regulations may be cited as the Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) Regulations.

Definitions

2. In these Regulations, unless the context otherwise requires —
- “inmate” means a drug addict or abuser who is an inmate of an approved institution;
- “medical officer” means a registered medical practitioner who is for the time being appointed by the Director of Prisons to perform the functions of a medical officer under these Regulations;
- [S 407/2003 wef 26/08/2003]*
- “supervision officer” means any person appointed by the Minister under regulation 15.

Superintendent

3.—(1) Subject to any directions of the Minister, an approved institution shall be under the general charge and supervision of a Superintendent.

(2) The Superintendent of an approved institution shall be responsible for the control, discipline and occupation of the inmates and may issue general orders which shall be observed by the inmates.

Medical examination

4. Every inmate shall, upon admission to an approved institution, be examined by a medical officer as soon as possible.

Detoxication

5.—(1) Except as provided by regulation 6, every inmate shall, upon completion of his medical examination, undergo a period of detoxication during which no medication shall be given unless in the opinion of a medical officer it is necessary to save the inmate’s life.

(2) The period of detoxication shall not exceed 7 days.

Age limit, fitness, etc.

6.—(1) *[Deleted by S 526/2010 wef 20/09/2010]*

(2) No inmate who is certified by a medical officer to be medically unfit to undergo detoxication shall be subject to detoxication.

(3) The inmate shall undergo detoxication as soon as he is found fit by a medical officer to do so.

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

Visitors disallowed

7. During the period of an inmate's detoxication, no person shall be allowed to visit him.

Examination of inmates for infectious diseases

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

[S 526/2010 wef 31/07/2001]

(2) Where an inmate refuses to undergo the medical examination under paragraph (1) or refuses to provide any sample necessary for the purposes of such examination, the medical officer shall forthwith give a written notification to the Superintendent of the approved institution.

(3) The Superintendent of the approved institution may, upon receipt of the written notification under paragraph (2), direct that the inmate be detained separately from other inmates until such time when the inmate undergoes the required medical examination.

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

(5) The Superintendent of the approved institution shall, upon receipt of the written report by the medical officer under paragraph (4), direct that the inmate be detained separately from other inmates until the 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.

[S 407/2003 wef 26/08/2003]

Confidentiality in handling of inmates with AIDS and other sexually transmitted disease

9. Where, in consequence of any action taken under regulation 8, any person is aware or has reasonable grounds for believing that an inmate has Acquired Immune Deficiency Syndrome or is infected with the Human Immunodeficiency Virus or is suffering from a sexually transmitted disease or is a carrier of that disease, the person shall not disclose any information which may identify the inmate except —

- (a) with the consent of the inmate;
- (b) in accordance with regulation 8;
- (c) when ordered to do so by a court;
- (d) to any person who is treating, caring or handling the inmate;
- (e) to the victim of a sexual assault by the inmate; or
- (f) where such disclosure is allowed under section 25 of the Infectious Diseases Act (Cap. 137).

[S 526/2010 wef 30/12/1999]

Finger impressions of inmate

10.—(1) An inmate shall, if requested to do so by the Superintendent, or by a person authorised by the Superintendent, allow the Superintendent, or the person so authorised, to take his finger impressions for the purposes of identification and record.

(2) No person shall, except in the performance of his duty, in accordance with any law or with the inmate's consent, give the finger impressions taken under paragraph (1), or any copy thereof, to any person.

(3) Where an order under section 34(2)(b) of the Act pursuant to which an inmate was admitted to an approved institution is revoked by the Director of the Central Narcotics Bureau, the Superintendent shall, as soon as practicable, cause the finger impressions taken from that inmate under paragraph (1), and all copies thereof, to be destroyed.

[S 526/2010 wef 31/07/2001]

(4) Any inmate who fails to comply with paragraph (1), and any person who contravenes paragraph (2), shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000.

Review Committee

11. The Review Committee of an approved institution shall consider or review the case of every inmate on his suitability for employment, participation in any educational or occupational training programmes or any activity as part of his treatment and rehabilitation, and shall make its recommendations to the Superintendent of an approved institution accordingly.

[S 526/2010 wef 20/09/2010]

Employment and rehabilitation of inmate

12.—(1) The Superintendent of an approved institution may, on the recommendation of the Review Committee of an approved institution, grant an inmate leave for any one or both of the following purposes:

- (a) to be employed outside of the approved institution by such employer as the Superintendent may specify;
 - (b) to participate (whether or not on the application of the inmate) outside the approved institution as part of the treatment and rehabilitation of the inmate, in such educational or occupational training programme or such activity as the Superintendent may specify.
[S 526/2010 wef 20/09/2010]
- (2) An inmate who has been granted leave under paragraph (1) shall —
- (a) not leave the approved institution without the approval of the officer on duty;
 - (b) not be absent, without good cause, from his work with the employer, or from such programme or activity, as is specified by the Superintendent under paragraph (1);
[S 526/2010 wef 20/09/2010]
 - (c) return to the approved institution and report to the officer on duty immediately after completing his work, programme or activity for the day or, in any case where he has been granted leave under regulation 13 to return to his place of residence or a designated place, return to his place of residence or that designated place;
[S 526/2010 wef 20/09/2010]
 - (d) provide a specimen of his urine for urine test at such times as may be required by the officer on duty;
 - (e) not consume, or have in his possession, any drug; and
 - (f) not commit any act of gross misconduct or insubordination.
- (3) The Superintendent may at any time amend, vary or add to any of the conditions in paragraph (2).
- (4) If the Superintendent is satisfied that an inmate has —
- (a) contravened or failed to comply with —
 - (i) any of the conditions in paragraph (2); or

(ii) any amended or varied condition or any additional condition in paragraph (3); or

(b) for any reason ceased to be so employed under paragraph (1)(a) or to be a participant in any programme or activity under paragraph (1)(b), the Superintendent may cancel the leave granted to the inmate under paragraph (1).

[S 526/2010 wef 20/09/2010]

(5) Any inmate who fails to return to the approved institution after the leave granted to him has been cancelled under paragraph (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 3 years or to both.

(6) For the purpose of this regulation, “officer” means the Superintendent of an approved institution or any rehabilitation or custodial officer of the institution.

[S 526/2010 wef 20/09/2010]

Leave to return to residence or designated place

13.—(1) An inmate, whether or not he has also been granted leave under regulation 12 to be employed or to participate in any programme or activity, may be granted leave by the Superintendent of an approved institution or by any rehabilitation officer authorised by the Superintendent to return to his place of residence or to any other place designated by the Superintendent or the authorised rehabilitation officer at such times as the Superintendent or authorised rehabilitation officer thinks fit and subject to the following conditions:

(a) to remain within doors at his place of residence or at such other designated place between such times as may be specified by the Superintendent or the authorised rehabilitation officer;

(b) to wear at all times on such part of his body as specified by the Superintendent or the authorised rehabilitation officer such electronic transmitting device as may be issued by the Superintendent or the authorised rehabilitation officer;

- (c) to allow the Superintendent or any person authorised by the Superintendent to enter at any time his place of residence or at such other designated place to install, inspect, maintain, repair or retrieve any electronic monitoring device;
- (d) to allow a telephone line at his place of residence or at such other place designated by the Superintendent or an authorised rehabilitation officer to be connected to an electronic monitoring device and to ensure that there is no call waiting or call transfer facility attached to the telephone line and that the telephone line is not connected to any cordless telephone, telephone answering machine, parallel telephone line, modulator-demodulator unit or any other equipment which may interfere with the proper functioning of the electronic monitoring device;
- (e) not to disconnect, remove, damage, tamper with or lose the electronic transmitting device issued to him or the electronic monitoring device installed at his place of residence or at such other designated place or the telephone line connected to the electronic monitoring device;
- (f) to inform forthwith the Superintendent or any authorised rehabilitation officer of any malfunction, damage or loss to the electronic transmitting device or the electronic monitoring device;
- (g) to respond promptly to any telephone call from the centre set up to monitor inmates who have been issued with the electronic transmitting device; and
- (h) to comply with such other conditions as the Superintendent or the authorised rehabilitation officer may impose.

[S 526/2010 wef 20/09/2010]

(1A) The Superintendent may, at any time, by order in writing served on the inmate who has been granted leave under paragraph (1) —

- (a) amend, vary or add to any of the conditions in paragraph (1); or
- (b) exempt the inmate from any of the conditions in paragraph (1).

[S 526/2010 wef 20/09/2010]

(2) If the Superintendent or, in his absence, the authorised rehabilitation or custodial officer is satisfied that an inmate has contravened or failed to comply with any of the conditions imposed under paragraph (1), he may cancel any leave granted to the inmate under this regulation.

[S 526/2010 wef 20/09/2010]

Inmate to pay for food

14.—(1) The Superintendent of an approved institution may require an inmate who is in receipt of any remuneration to pay for the food he consumes at the approved institution.

(2) The rate of payment for the food consumed shall be determined by the Superintendent from time to time.

Inmate to pay for goods and services

14A. An inmate who has been granted leave under regulation 12 to be employed or to participate in any programme or activity, or under regulation 13 to return to his place of residence or a designated place, or such leave under regulations 12 and 13, shall bear —

- (a) the cost of his meals outside the approved institution while leave is so granted;
- (b) the cost of his transport between any of the following places:
 - (i) the approved institution;
 - (ii) the place of employment;
 - (iii) the place where the programme or activity is carried out;
 - (iv) the inmate's place of residence; and

- (v) the designated place;
- (c) in a case where leave has been granted under regulation 12(1)(b) for the inmate to participate in a programme or activity which the inmate has applied for, the cost of such programme or activity; and
- (d) any other cost incurred by the inmate outside the approved institution while leave is so granted.

[S 526/2010 wef 20/09/2010]

Supervision officers

15.—(1) The Minister may appoint supervision officers for the purposes of this regulation.

(2) The Director of the Central Narcotics Bureau or any other officer authorised by the Minister may make an order directing a person who has been discharged from an approved institution or who has been convicted of an offence under section 8(b) of the Act to report to a supervision officer for the purpose of supervision for such period, not exceeding 2 years, as the Director or officer authorised by the Minister considers necessary.

(3) A person in respect of whom a supervision order has been made under paragraph (2) or section 34(2)(a) of the Act shall, during the period he is subject to supervision, observe the following requirements:

- (a) report to the supervision officer at such times and places as may be directed by the supervision officer;
- (b) allow the supervision officer to visit his place of residence or such other place designated by the supervision officer;
- (c) immediately notify the supervision officer of any change in his place of residence;
- (d) not to leave Singapore without the approval of the supervision officer;
- (e) immediately notify the supervision officer of any change in his employment;

- (f) present himself at such times and places to provide a specimen of his urine for urine test, or specimens of his hair for a hair test, or both, as may be required by the supervision officer;

[S 271/2013 wef 01/05/2013]

- (g) not to be found in any place as may be specified by the supervision officer or in the company of any person who is subject to supervision under the Act or these Regulations;
- (h) not to have in his possession any controlled drug;
- (i) not to smoke, administer to himself or otherwise consume any controlled drug; and
- (j) furnish to the supervision officer 2 passport size photographs of himself in accordance with any direction given by the supervision officer.

[S 526/2010 wef 31/07/2001]

(4) The Director of the Central Narcotics Bureau or any officer authorised by the Minister under paragraph (2) may by order in writing exempt any person against whom a supervision order is in force from all or any of the requirements specified in paragraph (3).

(5) The supervision officer may, in addition to the requirements under paragraph (3), require a person in respect of whom a supervision order is in force to observe any of the following requirements:

- (a) present himself for counselling at such times and places and to such persons as may be directed by the supervision officer;
- (b) present himself for any medication at such times and places and to such persons as may be directed by the supervision officer;
- (c) remain within doors at his place of residence or at such other place designated by the supervision officer between such hours as may be specified by the supervision officer;

- (d) wear at all times on such part of his body as specified by the supervision officer such electronic transmitting device as may be issued by the supervision officer;
 - (e) allow any person authorised by the supervision officer to enter at any time his place of residence or such other place designated by the supervision officer to install, inspect, maintain, repair or retrieve any electronic monitoring device;
 - (f) allow a telephone line at his place of residence or at such other place designated by the supervision officer to be connected to an electronic monitoring device and ensure that there is no call waiting or call transfer facility attached to the telephone line and that the telephone line is not connected to any cordless telephone, telephone answering machine, parallel telephone line, modulator-demodulator unit or any other equipment which may interfere with the proper functioning of the electronic monitoring device;
 - (g) not to disconnect, remove, damage, tamper with or lose the electronic transmitting device issued to him or the electronic monitoring device installed at his place of residence or at such other designated place or the telephone line connected to the electronic monitoring device;
 - (h) inform the supervision officer immediately of any malfunction, damage or loss to the electronic transmitting device or the electronic monitoring device;
 - (i) respond promptly to any telephone call from the centre set up to monitor persons who have been issued with the electronic transmitting device; and
 - (j) comply with such other conditions as the supervision officer may impose.
- (6) Without prejudice to the continuance of any supervision order in force against him, any person subject to such an order who contravenes or fails to comply with —
- (a) paragraph (3)(a) or (f) or a requirement imposed on him under paragraph (5)(a), (b), (c), (d) or (g) 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 4 years or to both; and

(b) paragraph (3)(b), (c), (d), (e), (g) or (j) or a requirement imposed on him under paragraph (5)(e), (f), (h), (i) or (j) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 6 months or to both.

(7) Where a person against whom a supervision order is in force has contravened or failed to comply with paragraph (3)(a), (f), (h) or (i) or a requirement imposed on him under paragraph (5)(a), (b) or (c), the Director of the Central Narcotics Bureau may, if having regard to the circumstances of the case he considers it desirable to do so, by order extend the period of supervision of that person for a further period not exceeding 2 years.

Urine tests

16.—(1) Subject to paragraphs (2) and (3), regulation 15 shall apply to any person who has been discharged from a military detention barrack to which he was committed for drug treatment and rehabilitation while being subject to military law as it applies to a person who has been discharged from an approved institution.

(2) Where any person to whom paragraph (1) applies continues to be subject to military law after being discharged from a military detention barrack, a supervision order may take effect from the date he ceases to be subject to military law.

(3) The procurement of urine specimens and the conduct of urine tests of persons to whom paragraph (1) applies shall, while such persons are subject to military law, be carried out in accordance with regulations made under the Singapore Armed Forces Act (Cap. 295) for that purpose as they apply to urine specimens procured under a lawful order.

*[G.N. Nos. S 168/76; S 202/77; S 324/77; S 115/78;
S 208/79; S 223/81; S 183/82; S 52/90; S 324/91;
S 507/95; S 286/96; S 199/99]*

LEGISLATIVE HISTORY
MISUSE OF DRUGS (APPROVED INSTITUTIONS AND
TREATMENT AND REHABILITATION) REGULATIONS
(CHAPTER 185, RG 3)

This Legislative History is provided for the convenience of users of the Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) Regulations. It is not part of these Regulations.

1. G. N. No. S 168/1976 — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) Regulations 1976

Date of commencement : 20 August 1976

2. G. N. No. S 202/1977 — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) (Amendment) Regulations 1977

Date of commencement : 12 August 1977

3. G. N. No. S 324/1977 — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) (Amendment No. 2) Regulations 1977

Date of commencement : 1 January 1978

4. G. N. No. S 115/1978 — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) (Amendment) Regulations 1978

Date of commencement : 19 May 1978

5. G. N. No. S 208/1979 — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) (Amendment) Regulations 1979

Date of commencement : 5 October 1979

6. G. N. No. S 223/1981 — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) (Amendment) Regulations 1981

Date of commencement : 3 July 1981

7. G. N. No. S 183/1982 — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) (Amendment) Regulations 1982

Date of commencement : 25 June 1982

8. G. N. No. S 52/1990 — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) (Amendment) Regulations 1990

Date of commencement : 15 February 1990

9. G. N. No. S 324/1991 — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) (Amendment) Regulations 1991

Date of commencement : 2 August 1991

10. 1990 Revised Edition — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) Regulations

Date of operation : 25 March 1992

11. G. N. No. S 507/1995 — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) (Amendment) Regulations 1995

Date of commencement : 24 November 1995

12. G. N. No. S 286/1996 — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) (Amendment) Regulations 1996

Date of commencement : 28 June 1996

13. G. N. No. S 199/1999 — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) (Amendment) Regulations 1999

Date of commencement : 23 April 1999

14. 1999 Revised Edition — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) Regulations

Date of operation : 1 July 1999

15. G. N. No. S 526/2010 — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) (Amendment) Regulations 2010

Date of commencement : 30 December 1999

16. G. N. No. S 526/2010 — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) (Amendment) Regulations 2010

Date of commencement : 31 July 2001

17. G. N. No. S 407/2003 — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) (Amendment) Regulations 2003

Date of commencement : 26 August 2003

18. G. N. No. S 526/2010 — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) (Amendment) Regulations 2010

Date of commencement : 20 September 2010

19. G. N. No. S 271/2013 — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) (Amendment) Regulations 2013

Date of commencement : 1 May 2013