

MISUSE OF DRUGS ACT
(CHAPTER 185, SECTION 44)

MISUSE OF DRUGS (APPROVED INSTITUTIONS, MEDICAL
OBSERVATION 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, Medical Observation and Treatment and Rehabilitation) Regulations.

[S 522/2019 wef 01/08/2019]

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 Commissioner of Prisons to perform the functions of a medical officer under these Regulations;

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

[S 522/2019 wef 01/08/2019]

“supervision officer” means any person appointed by the Minister under regulation 15;

[S 522/2019 wef 01/08/2019]

“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.

[S 522/2019 wef 01/08/2019]

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 —

(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.

[S 522/2019 wef 01/08/2019]

Medical examination

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

[S 522/2019 wef 01/08/2019]

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.

[S 522/2019 wef 01/08/2019]

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.

[S 522/2019 wef 01/08/2019]

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).

[S 522/2019 wef 01/08/2019]

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.

[S 522/2019 wef 01/08/2019]

Confidentiality in handling of suspected drug addicts and 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 a suspected drug addict or an inmate (each called in this regulation the relevant person) 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 relevant person except —

- (a) with the consent of the relevant person;
- (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 relevant person;
- (e) to the victim of a sexual assault by the relevant person; or
- (f) where such disclosure is allowed under section 25 of the Infectious Diseases Act (Cap. 137).

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

[S 522/2019 wef 01/08/2019]

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.

[S 522/2019 wef 01/08/2019]

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;

[S 712/2020 wef 31/08/2020]

(f) not commit any act of gross misconduct or insubordination;

[S 712/2020 wef 31/08/2020]

(g) maintain a functioning digital mobile telephone with Internet access; and

[S 712/2020 wef 31/08/2020]

(h) allow an order mentioned in paragraph (3) to be served on him by a message transmitted to an electronic address represented by a mobile telephone number specified by the

inmate, and using a messaging system specified by the Superintendent.

[S 712/2020 wef 31/08/2020]

(3) The Superintendent may, at any time, by order in writing served on an inmate who has been granted leave under paragraph (1), amend, vary or add to any of the conditions in paragraph (2).

[S 712/2020 wef 31/08/2020]

(4) The Superintendent may cancel the leave granted to an inmate under paragraph (1) if the Superintendent is satisfied that the 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).

[S 712/2020 wef 31/08/2020]

(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) In this regulation —

“messaging system” means any information system that enables the transmission through the Internet or a mobile telephone network of text messages or any image;

“officer” means the Superintendent of an approved institution or any rehabilitation or custodial officer of the institution.

[S 712/2020 wef 31/08/2020]

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;

[S 712/2020 wef 31/08/2020]

(ga) to maintain a functioning digital mobile telephone with Internet access;

[S 712/2020 wef 31/08/2020]

(gb) to allow an order mentioned in paragraph (1A) to be served on him by a message transmitted to an electronic address represented by a mobile telephone number specified by the inmate, and using a messaging system specified by the Superintendent;

[S 712/2020 wef 31/08/2020]

(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]

(3) In this regulation, “messaging system” has the meaning given by regulation 12(6).

[S 712/2020 wef 31/08/2020]

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 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), 31(2) or (2A) or 31A(2) or (2A) of the Act to report to a supervision officer for the purpose of supervision for such period, not exceeding 5 years, as the Director or officer authorised by the Minister considers necessary.

[S 522/2019 wef 01/08/2019]

(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, the Misuse of Drugs

(Community Rehabilitation Centres) Regulations 2014
(G.N. No. S 311/2014) or these Regulations;

[S 312/2014 wef 28/04/2014]

- (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 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).

[S 522/2019 wef 01/08/2019]

(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 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;

[S 522/2019 wef 01/08/2019]

- (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 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.

[S 522/2019 wef 01/08/2019]

Application of regulation 15 to certain persons subjected to military law

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 or for an offence under section 34 of the Singapore Armed Forces Act (Cap. 295) while being subject to military law as it applies to a person who has been discharged from an approved institution.

[S 522/2019 wef 01/08/2019]

(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 Act or 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]*

[S 712/2020 wef 31/08/2020]

[S 522/2019 wef 01/08/2019]

LEGISLATIVE HISTORY

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

*formerly known as the Misuse of Drugs (Approved Institutions and Treatment and
Rehabilitation) Regulations*

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

20. G. N. No. S 312/2014 — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) (Amendment) Regulations 2014

Date of commencement : 28 April 2014

21. G.N. No. S 522/2019 — Misuse of Drugs (Approved Institutions and Treatment and Rehabilitation) (Amendment) Regulations 2019

Date of commencement : 1 August 2019

22. G.N. No. S 712/2020 — Misuse of Drugs (Approved Institutions, Medical Observation and Treatment and Rehabilitation) (Amendment) Regulations 2020

Date of commencement : 31 August 2020