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The following Act was passed by Parliament on 15 January 2019 and assented to by the President on 11 February 2019:—

REPUBLIC OF SINGAPORE

No. 1 of 2019.

I assent.

HALIMAH YACOB,
President.
11 February 2019.

(LS)

An Act to amend the Misuse of Drugs Act (Chapter 185 of the 2008 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act is the Misuse of Drugs (Amendment) Act 2019 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 2

2. Section 2 of the Misuse of Drugs Act (called in this Act the principal Act) is amended —

(a) by inserting, immediately before the definition of “approved institution”, the following definition:

““aircraft” has the same meaning as in section 2(1) of the Air Navigation Act (Cap. 6);”;

(b) by inserting, immediately after the definition of “article liable to seizure”, the following definitions:

““autonomous system”, in relation to a motor vehicle or vessel, means a system that enables the operation of the motor vehicle or vessel without the active physical control of, or monitoring by, a human operator;

“autonomous vehicle” means a motor vehicle equipped wholly or substantially with an autonomous system (also commonly known as a driverless vehicle), and includes a trailer drawn by such a motor vehicle;”;

(c) by deleting the definition of “Vigilante Corps” and substituting the following definitions:

““unmanned aircraft” and “unmanned aircraft system” have the same meanings as in section 2(1) of the Air Navigation Act;

“unmanned vessel” means a vessel equipped wholly or substantially with an autonomous system (such as an unmanned surface vehicle and a saildrone) and includes a barge drawn by an unmanned vessel;

“vehicle” means any means of transport used on land, whether self-propelled or not, such as a train, motor car, bicycle or personal mobility device;

“vessel” includes a floating facility;”.

New sections 11B to 11E

3. The principal Act is amended by inserting, immediately after section 11A, the following sections:

“Exposing child to drugs, etc., and permitting young person to consume drugs

11B.—(1) Any person of or above 21 years of age who, being in possession of any controlled drug or drug paraphernalia —

(a) knowingly or recklessly leaves the controlled drug or drug paraphernalia —

(i) exposed in any place; or

(ii) in any refrigerator, cupboard, cabinet, box, chest or any other article, that is not locked; and

(b) knows that any child has, or is likely to have, access to —

(i) the place where the controlled drug or drug paraphernalia is left exposed; or

(ii) the refrigerator, cupboard, cabinet, box, chest or other article in which the controlled drug or drug paraphernalia is located,

shall be guilty of an offence.

(2) Any person of or above 21 years of age who, being in possession of any controlled drug —

(a) permits a young person to smoke, administer (whether or not to himself) or consume the controlled drug; or

- (b) does not take all reasonable steps to prevent a young person from smoking, administering (whether or not to himself) or consuming the controlled drug,

shall be guilty of an offence.

(3) Any person guilty of an offence under subsection (1) or (2) shall —

- (a) on conviction, be punished with imprisonment for a term not exceeding 10 years; and
- (b) on a second or subsequent conviction, be punished with imprisonment for a term of not less than 2 years and not more than 10 years.

(4) Subsection (1) does not apply in relation to a person who is in possession of any controlled drug or drug paraphernalia if the possession of the controlled drug or drug paraphernalia is authorised under this Act.

(5) In this section —

“child” means any person below 16 years of age;

“drug paraphernalia” means any pipe, syringe, utensil, apparatus or other article for the purpose of smoking, administering or consuming a controlled drug.

Introducing drug trafficker to another person

11C.—(1) Any person (*A*) who, knowing or having reason to believe that another person (*B*) intends —

- (a) to procure, whether or not for himself, any controlled drug; or
- (b) to smoke, administer (whether or not to himself) or consume any controlled drug,

introduces *B* (whether or not through the use of any electronic media) to a person whom *A* knows or has reason to believe is trafficking in any controlled drug and is likely to supply *B* with any controlled drug shall be guilty of an offence.

(2) Any person guilty of an offence under subsection (1) shall —

- (a) on conviction, be punished with imprisonment for a term not exceeding 10 years; and
- (b) on a second or subsequent conviction, be punished with imprisonment for a term of not less than 2 years and not more than 10 years.

(3) In a prosecution for an offence under subsection (1), it is not necessary for the prosecution to prove that —

- (a) *B* procures, smokes, administers or consumes any controlled drug after the introduction is made; or
- (b) both *A* and *B* are within Singapore at the time the introduction is made, as long as either *A* or *B* is within Singapore at that time.

(4) In this section, “introduce” includes giving any address, telephone number, email address or any other details of one person to another person.

Instructing person to cultivate cannabis, etc., or to manufacture or consume controlled drugs, etc.

11D.—(1) Any person (*A*) who, whether or not through the use of any electronic media, teaches or instructs another person (*B*) to carry out, or who provides information to *B* on the carrying out of, any of the following activities:

- (a) the cultivating of any plant of the genus *Cannabis*, or any plant of the species *papaver somniferum* or any plant of the genus *erythroxyton* from which cocaine can be extracted;
- (b) the manufacture of any controlled drug;
- (c) the smoking, administering or consuming of any controlled drug;
- (d) the trafficking or doing of any act preparatory to or for the purpose of trafficking in any controlled drug;