

# **Drug Trafficking (Confiscation of Benefits) (Amendment) Bill**

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**Bill No: 16/1999**

***Read the first time: 4th May 1999***

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### **Drug Trafficking (Confiscation of Benefits) (Amendment) Bill**

#### **Bill No. 16/1999**

*Read the first time on 4th May 1999.*

An Act to amend the Drug Trafficking (Confiscation of Benefits) Act (Chapter 84A of the 1993 Revised Edition), to make related amendments to certain other written laws and to repeal the Corruption (Confiscation of Benefits) Act (Chapter 65A of the 1990 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.—(1) This Act may be cited as the Drug Trafficking (Confiscation of Benefits) (Amendment) Act 1999 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

(2) The Minister may appoint different dates for the coming into operation of the different provisions of this Act.

#### **Amendment of long title**

2. The long title to the Drug Trafficking (Confiscation of Benefits) Act (referred to in this Act as the principal Act) is amended by deleting the words “drug trafficking” and substituting the words “corruption, drug trafficking and other serious crimes”.

#### **Amendment of section 1**

3. Section 1(1) of the principal Act is amended by deleting the words “Drug Trafficking” and substituting the words “Corruption, Drug Trafficking and Other Serious Crimes”.

#### **Amendment of section 2**

4. Section 2 of the principal Act is amended —

- (a) by inserting, immediately after paragraph (a) of the definition of “authorised officer” in subsection (1), the following paragraph:

“(aa) any special investigator of the Corrupt Practices Investigation Bureau appointed under section 3(2) of the Prevention of Corruption Act (Cap. 241);”;

- (b) by inserting, immediately after the words “section 4” in the definition of “confiscation order” in subsection (1), the words “or 4A”;

- (c) by deleting the definition of “corresponding law” in subsection (1) and substituting the following definitions:

““corresponding law” means a law stated in a certificate purporting to be issued by or on behalf of the government of a foreign country to be a law providing for the control and regulation in that country of —

- (a) the production, supply, use, export and import of drugs and other substances in accordance with the provisions of the Single Convention on Narcotic Drugs signed at New York on 30th March 1961;
- (b) the production, supply, use, export and import of dangerous or otherwise harmful drugs in pursuance of any treaty, convention or other agreement or arrangement to which the government of that country and the Government of Singapore are for the time being parties; or
- (c) the benefits of trafficking in the drugs or substances referred to in paragraph (a) or (b);

“criminal conduct” means —

- (a) doing or being concerned in, whether in Singapore or elsewhere, any act constituting —
  - (i) a serious offence (other than an offence under section 41A or 43A); or
  - (ii) a foreign serious offence;
- (b) entering into or being otherwise concerned in,

whether in Singapore or elsewhere, an arrangement whereby —

- (i) the retention or control by or on behalf of another person of that other person's benefits from an act referred to in paragraph (a) is facilitated; or
  - (ii) the benefits from an act referred to in paragraph (a) by another person are used to secure funds that are placed at that other person's disposal, directly or indirectly, or are used for that other person's benefit to acquire property by way of investment or otherwise;
- (c) the concealing or disguising by a person of any property which is, or in part, directly or indirectly, represents, his benefits from an act referred to in paragraph (a); or
- (d) the conversion or transfer, by a person, of any property referred to in paragraph (c) or the removal of such property from the jurisdiction;

“criminal matters” means the subject of mutual assistance in the investigation of a serious offence or a foreign serious offence;”;

- (d) by inserting, immediately after the words “drug trafficking offence” in the definition of “defendant” in subsection (1) and in subsection (3)(b), the words “or a serious offence, as the case may be,”;
- (e) by inserting, immediately after the definition of “defendant” in subsection (1), the following definition:

“ “drug-related matters” means the subject of mutual assistance in the investigation of a drug trafficking offence or a foreign drug trafficking offence;”;

- (f) by deleting the definition of “drug trafficking” in subsection (1) and substituting the following definition:

“ “drug trafficking” means —