

# **Misuse of Drugs (Amendment) Bill**

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**Bill No: 55/1975**

***Read the first time: 11th November 1975***

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## **Explanatory Statement**

### **Expenditure of Public Money**

#### **Misuse of Drugs (Amendment) Bill**

#### **Bill No. 55/1975**

*Read the first time on 11th November 1975.*

An Act to amend the Misuse of Drugs Act, 1973 (No. 5 of 1973).

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 may be cited as the Misuse of Drugs (Amendment) Act, 1975, and shall come into operation on such date as the Minister may, by notification in the Gazette, appoint.

#### **Amendment of cross-heading to Part I**

2. The Misuse of Drugs Act, 1973 (hereinafter in this Act referred to as “the principal Act”) is hereby amended by deleting the cross-heading “SHORT TITLE AND INTERPRETATION” appearing above section 1 thereof and substituting therefor the cross-heading “PRELIMINARY”.

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

3. Section 2 of the principal Act is hereby amended —

(a) by deleting the definition of “approved institution” appearing therein and substituting therefor the following: —

“ “approved institution” means any institution approved by the Minister for the treatment or rehabilitation of drug addicts and other persons who may be required by the Director of the Central Narcotics Bureau to attend such institution;”;

and

- (b) by deleting the definition of “cannabis” appearing therein and substituting therefor the following: —

“ “cannabis” means any part of any plant of the genus cannabis from which the resin has not been extracted, by whatever name it may be designated;”.

#### **New section 2A**

4. The principal Act is hereby amended by inserting immediately after section 2 thereof the following section: —

##### **“Appointment of Director and other officers of Central Narcotics Bureau**

2A.—(1) The Minister may appoint a Director and Deputy Director of the Central Narcotics Bureau and such number of Assistant Directors and other officers as the Minister may think fit.

(2) All officers of the Bureau appointed by the Minister before the commencement of this section shall be deemed to have been appointed under subsection (1) of this section.”.

#### **Amendment of section 15**

5. Section 15 of the principal Act is hereby amended —

- (a) by deleting the figure “5” appearing in paragraph (b) thereof and substituting therefor the figure “3”; and
- (b) by deleting the figure “5” appearing in paragraph (c) thereof and substituting therefor the figure “2”; and

#### **New section 19A**

6. The principal Act is hereby amended by inserting immediately after section 19 thereof the following section: —

##### **“Presumption relating to urine test**

19A. If any controlled drug is found in the urine of a person as a result of a urine test, he shall be presumed, until contrary is proved, to have consumed that controlled drug.”.

#### **Amendment of section 22**

7. Section 22 of the principal Act is hereby amended by inserting immediately after the words “taken to” appearing in the second line of subsection (2) thereof the expression “the Central Narcotics Bureau.”.

#### **New section 28A**

8. The principal Act is hereby amended by inserting immediately after section 28 thereof the following section: —

##### **“Powers of investigation of officers of the Bureau**

**28A.** In any case relating to the commission of an offence under this Act, an officer of the Bureau shall have all the powers of a police officer under the Criminal Procedure Code [113] in relation to an investigation into a seizable offence.”.

#### **Amendment of section 29**

9. Section 29 of the principal Act is hereby amended by deleting subsection (2) and (3) thereof and substituting therefor the following: —

“(2) In relation to an offence under a provision of this Act specified in the first column of the Second Schedule (the general nature of the offence being described in the second column) —

- (a) the third, fourth and fifth columns show respectively the punishments to be imposed on a person convicted of the offence according to whether the controlled drug in relation to which the offence was committed was a Class A drug, a Class B drug, or a Class C drug;
- (b) the sixth column shows the punishments to be imposed on a person convicted of the offence where the offence was committed in relation to a controlled drug specified in the second column or a specified quantity thereof; and
- (c) the seventh column shows the punishments to be imposed on a person convicted of the offence whether or not the offence was committed in relation to a controlled drug and, if it was so committed, irrespective of the nature of the drug,

and in the third, fourth, fifth, sixth and seventh columns a reference to a period gives the maximum or minimum term of imprisonment as is specified, a reference to a sum of money gives the maximum or minimum fine as is specified, and a reference to a number of strokes gives the number of strokes of caning with which the offender shall, subject to section 221 of the Criminal Procedure Code [Cap. 113], be punished.”.

### **Amendment of section 30**

**10.** Section 30 of the principal Act is hereby amended by inserting immediately after the word “Act” appearing at the end thereof the words “except the punishment of death”.

### **Amendment of section 33**

**11.** Section 33 of the principal Act is hereby amended —

(a) by deleting the marginal note thereto and substituting therefor the following: —

**“Treatment and rehabilitation”**; and

(b) by deleting subsection (2) thereof and substituting therefor the following: —

“(2) If as a result of such examination or observation or as a result of a urine test, it appears to the Director of the Central Narcotics Bureau that it is necessary for any person to undergo treatment or rehabilitation at an approved institution or institutions, the Director may require that person to attend any such approved institution for treatment or rehabilitation for such period as the Director may, after consulting the institution, determine.”.

### **Amendment of section 35**

**12.** Section 35 of the principal Act is hereby amended by inserting deleting the expression “by adding thereto or deleting therefrom any substance or product, the inclusion or exclusion of which, as the case may be, is deemed necessary or expedient by him” appearing therein.