

**Sale of Drugs Act  
(CHAPTER 282)**

**Table of Contents**

**Long Title**

**1 Short title**

**2 Interpretation**

**Analysts and officers**

**3 Appointment of analysts and officers**

**4 Power of officers to enter, etc.**

**5 Power to demand, select and take samples**

**6 Any person may have sample analysed**

**7 Samples, how taken**

**8 Certificate of analyst**

**9 Power to call for information**

**Offences and penalties**

**10 Offences**

**11 Interference with official marks**

**12 General penalty**

**13 Forfeiture of drugs upon conviction**

**14 Notification of conviction in newspapers**

**Presumptions of Law**

**15 Adulteration**

**16 Sale by agent or employee**

**17 Presumptions as to sale for human consumption or use**

**Legal proceedings and evidence**

**18 Proceedings for offences**

**19 No defence that offence not wilfully committed**

**20 Reliance on written warranty a good defence**

**21 Analyst's certificate to be prima facie evidence**

**22 Court may order independent analysis**

**23 Non-disclosure of information**

**24 Recovery of fees and other expenses incidental to prosecution**

**25 Appeal**

**Regulations and supplementary provisions**

**26 Power to make regulations**

**27 Application of fees and fines**

**THE SCHEDULE**

**Legislative History**

# SALE OF DRUGS ACT\*

\* This Act is to be repealed on the coming into operation of section 76(1) of the Medicines Act (Cap. 176).

## (CHAPTER 282)

(Original Enactment: Ordinance 15 of 1914)

REVISED EDITION 1985

(30th March 1987)

An Act to make better provision for the sale of drugs in a pure state.

[1st July 1919]

### Short title

1. This Act may be cited as the Sale of Drugs Act.

[\[12/73\]](#)

### Interpretation

2. In this Act, unless there is something repugnant in the subject-matter or context —

“analyst” means an analyst appointed under this Act;

[\[12/73\]](#)

“drug” means any substance or mixture of substances used by man as a medicine whether internally or externally, and includes anaesthetics, but does not include such substances or mixtures of substances when sold otherwise than for medicinal purposes, and also includes face powders, dusting powders and toilet preparations whether or not advertised or described as a drug and for whatever purpose sold;

“import”, with its grammatical variations and cognate expressions, means to bring or cause to be brought into Singapore by land, water or air from any place which is outside Singapore but does not include the bringing into Singapore by water or air of any goods which it is proved to be intended to be taken out of Singapore on the same vessel or aircraft on which they were brought into Singapore without any landing or transhipment within Singapore;

“importer” includes any person who, whether as owner, consignee, agent or broker, is in possession of, or is in anyway entitled to the custody or control of, the article;

“officer” means any person appointed an officer for the purpose of this Act by the Minister;

“package” includes every means by which goods for carriage or for sale are cased, covered, enclosed, contained or packed;

“poison” means any article deemed to be a poison within the meaning of the Poisons Act [Cap. 234];

“sale” or “sell” includes barter and exchange and also includes offering or attempting to sell or causing or allowing to be sold or exposing for sale or receiving or sending or delivering for sale or having in possession for sale or having in possession any drug knowing that the same is likely to be sold or offered or exposed for sale, and refers only to sale for human consumption or use.

### *Analysts and officers*

#### **Appointment of analysts and officers**

3.—(1) The Minister may appoint a sufficient number of analysts and officers under this Act and make rules for the conduct of their duties.

(2) Such analysts and officers shall be deemed to be public servants within the meaning of the Penal Code [Cap. 224].

#### **Power of officers to enter, etc.**

4.—(1) Any officer may —

- (a) at all reasonable times enter and inspect any place where he has reason to believe that there is any drug intended for sale;
- (b) mark, seal or otherwise secure, weigh, count or measure any drug the sale, preparation or manufacture of which is or appears to be contrary to this Act;
- (c) seize any drug wherever found which is or appears to be unwholesome or deleterious to health;
- (d) destroy any drug wherever found which is decayed or putrefied;
- (e) inspect any drug wherever found which he has reasonable ground for believing to be intended for sale.

[\[12/73\]](#)

(2) Any person claiming anything seized under this section may within 48 hours after

the seizure complain thereof to a Magistrate's Court, and the complaint may be heard and determined by the Court, which may either confirm or disallow the seizure wholly or in part and may order the article seized to be restored.

(3) If within 48 hours after the seizure no complaint has been made, or if the seizure is confirmed, the article seized shall become the property of the Government and shall be destroyed or otherwise disposed of so as to prevent its being used for human consumption.

(4) Where the seizure of any drug is made under subsection (1)(c), the officer making the seizure shall forthwith give notice in writing of the seizure, in the form set out in the Schedule, to the owner or to the consignor or consignee or to the agent of the owner of the thing seized, if his name and address are attached thereto or are otherwise known to the officer and the address is in Singapore.

[12/73]

(5) Any person who obstructs any officer in the exercise of his powers under this section shall be guilty of an offence.

### **Power to demand, select and take samples**

5.—(1) On payment or tender to any person selling or making any drug or to his agent or employee of the current market value of the samples in this section referred to, any officer may at any place demand and select and take or obtain samples of the drug for the purpose of analysis.

[12/73]

(2) Any such officer may require that person or his agent or employee to show and permit the inspection of the package in which the drug is at the time kept, and may take therefrom the samples demanded.

(3) Where any drug is kept for retail sale in an unopened package, no person shall be required by any officer to sell less than the whole of the contents of such package.

### **Offence**

(4) Any person who refuses or neglects to comply with any demand or requisition made by an officer in pursuance of this section shall be guilty of an offence.

[12/73]

### **Any person may have sample analysed**

6. Any person other than the seller may, on payment of the prescribed fee, together with the cost of the sample, require any officer to purchase a sample of any drug and submit the same for analysis.

[7