

SUBSIDIARY LEGISLATION

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**INTOXICATING SUBSTANCES ACT
(CHAPTER 161)**

**INTOXICATING SUBSTANCES (DISCIPLINE IN
APPROVED INSTITUTIONS) REGULATIONS**

S 10/1992
Amended by
S 10/2008
S 21/2010

REVISED EDITION 2013

SUBSIDIARY LEGISLATION

**INTOXICATING SUBSTANCES (DISCIPLINE IN
APPROVED INSTITUTIONS) REGULATIONS**

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SUBSIDIARY LEGISLATION

Regulations made under section 29

**INTOXICATING SUBSTANCES (DISCIPLINE IN
APPROVED INSTITUTIONS) REGULATIONS**

Commencement: 1st May 1992
[S 18/1992]

Citation.

1. These Regulations may be cited as the Intoxicating Substances (Discipline in Approved Institutions) Regulations.

Interpretation.

2. In these Regulations, unless the context otherwise requires —

“Director” means the Director of the Narcotics Control Bureau;
[S 10/2008]

“medical officer” means a Government medical officer who is for the time being assigned to perform the functions of a medical officer under these Regulations;

“officer” means the Director or his deputy or his assistant or the officer-in-charge and includes any other officer attached to the approved institution;

“officer-in-charge” means a person appointed by the Minister under section 19(2) to be the officer-in-charge of an approved institution;

“visitor” means a member of the Board of Visitors appointed under regulation 3 of the Intoxicating Substances (Board of Visitors for Approved Institutions) Regulations (Rg 1) and includes any other person authorised by the Minister or the Director to visit an approved institution.

Work.

3. (1) A resident of an approved institution shall work in such workshop or do such work as may be assigned to him by the officer-in-charge of the approved institution.
[S 21/2010]

(2) A resident shall keep his bedding, personal effects and all the surrounding areas and the toilets of his living quarters clean and tidy.

[S 21/2010]

[Subsidiary]

Fair discipline.

4. Every officer shall treat every resident justly and firmly in the enforcement of discipline.

[S 21/2010]

Use of force.

5. (1) Every officer may use reasonable force against any resident —

[S 21/2010]

(a) who is escaping or attempting to escape from an approved institution;

(b) who is engaged in a mutiny or an outbreak by himself or with other residents;

[S 21/2010]

(c) who attacks the officer or any other person; or

(d) who, without any reasonable excuse, refuses to obey a lawful order given by the officer.

(2) Where force is used against a resident under sub-regulation (1), the resident shall be examined by a medical officer as soon as possible.

[S 21/2010]

Discipline of residents outside approved institution.

[S 21/2010]

6. Every person, while being taken to or from any approved institution to which he has been lawfully committed under the Act or is otherwise beyond the premises thereof, in or under the lawful charge or control of an officer, shall be subject to the same discipline and to the same constraints as if he were within the approved institution.

Punishment for minor offences.

7. A resident of an approved institution who contravenes or fails to comply with any of the provisions of regulation 3 or commits any of the minor offences set out in Part I of the Schedule shall be liable, in addition to or *in lieu* of any other punishment which may be imposed under the Act or any other written law, to any one or more of the following punishments to be imposed by the officer-in-charge of the approved institution —

[S 21/2010]

(a) deprivation of not more than two visits by relatives and friends of the resident;

[S 21/2010]

(b) stoppage or reduction of earnings for a period not exceeding one month;

(c) reprimand.

Punishment for major offences.

8. (1) A resident of an approved institution who commits any of the major offences set out in Part II of the Schedule shall be liable, in addition to or *in lieu* of any other written law, to any one or more of the following punishments to be imposed by the officer-in-charge of the approved institution —

[S 21/2010]

(a) deprivation of not more than four visits by relatives and friends of the resident;

[S 21/2010]

(b) solitary confinement in a ward for a period not exceeding 7 days;

(c) stoppage or reduction of earnings for a period not exceeding 2 months.

(2) Where a resident of an approved institution is accused of any of the major offences set out in Part II of the Schedule to these Regulations and the officer-in-charge is of the opinion that in the circumstances of the case the power of punishment which he possesses is inadequate, he shall refer to the Director a copy of the record of the investigation together with his recommendations, and the Director may thereupon decide the matter, and impose such punishments as conferred by sub-regulation (3).

[S 21/2010]

(3) The Director shall have power to investigate and decide any conduct against discipline of an approved institution and he may order any resident found guilty of any offence to undergo one or more of the following punishments —

[S 21/2010]

(a) deprivation of not more than six visits by relatives and friends of the residents;

[S 21/2010]

(b) solitary confinement in a ward for a term not exceeding a period of 14 days;

(c) stoppage or reduction of earnings for a period not exceeding 2 months.

[S 10/2008]

[Subsidiary]

Recording of punishment.

9. (1) Any punishment imposed on a resident under these Regulations shall be recorded in a register.

[S 21/2010]

(2) The number and name of the resident, the nature of the offence for which the punishment is imposed and such other details thereof as the Director may require shall also be recorded in the register.

[S 21/2010]

Variation of punishment.

10. (1) Where the officer-in-charge of an approved institution found a resident thereof guilty of an offence, he shall notify the Director of the facts of the case not later than 7 days after the resident has been found guilty of the offence.

[S 21/2010]

(2) The Director may amend, alter or vary any punishment imposed by the officer-in-charge of an approved institution under these Regulations.

Resident may make his defence.

[S 21/2010]

11. No resident shall be punished under these Regulations until he has had an opportunity of hearing the charge and the evidence against him and of making his defence.

[S 21/2010]

Articles not to be conveyed into or out of approved institution.

12. Every person who, without lawful authority —

(a) conveys, supplies or causes to be supplied or conveyed to any resident, or hides or places for his use, any letter, document, intoxicating liquor, intoxicating substance, tobacco, drug, money, clothing, provision or any other article;

[S 21/2010]

(b) brings or attempts by any means whatever to introduce into any approved institution, or places or attempts to place where residents shall labour, any letter, document, intoxicating liquor, intoxicating substance, tobacco, drug, money, clothing, provision or any other article to be sold or used therein;

[S 21/2010]

(c) brings or attempts to bring out of any approved institution or conveys from any resident thereof, any letter, document or other article; or

[S 21/2010]

(d) communicates with any resident;

[S 21/2010]

and every officer who, without lawful authority —

(i) knowingly suffers any intoxicating liquor, intoxicating substance, tobacco, drug, money, clothing, provision, letter, document or other article to be sold to or received or used by or on behalf of any resident;

[S 21/2010]

(ii) lends or gives to any resident any such intoxicating liquor, intoxicating substance, tobacco, drug, money, clothing, provision or other article; or

[S 21/2010]

(iii) knowingly suffers any letter, document or other article to be brought out of any approved institution, or to be conveyed from any resident,

[S 21/2010]

is guilty of an offence and liable on conviction to a fine of \$1,000 and imprisonment for 6 months; and if an officer, he shall, unless the conviction is reversed on appeal or revision, be dismissed from his office, and all arrears of pay due to him may be forfeited.

SCHEDULE

(regulations 7 and 8)

PUNISHMENT FOR MINOR AND MAJOR OFFENCES

PART I

For the purposes of regulation 7, a minor offence means —

- (1) behaving in a disorderly or indecent manner;
- (2) talking without any reasonable cause during working hours, during an assembly or during physical exercise, or talking loudly, laughing or singing at any time after having been ordered by an officer to desist from doing so;
- (3) leaving his place in a file or any seat or berth assigned to him without the permission of an officer or without any reasonable cause;
- (4) omitting or refusing, without any reasonable excuse, to march in a file when moving about an approved institution or when proceeding to or returning from work;
- (5) committing a nuisance in any part of an approved institution;
- (6) secreting any article without any reasonable excuse;
- (7) omitting or refusing, without any reasonable excuse, to be clean or tidy or disobeying, without any reasonable cause, an order relating to the cutting of hair;
- (8) smoking a cigarette or any form of tobacco in an approved institution;
- (9) doing any act which is injurious to his health;
- (10) refusing to undergo any medical treatment or examination when required by an officer to do so;
- (11) doing any act or using any language calculated to offend or insult any other resident;
- (12) quarrelling with any other resident;
- (13) doing any act calculated to create unnecessary alarm in the mind of any other resident or an officer;
- (14) visiting a latrine without the permission of an officer or remaining there longer than is necessary without any reasonable cause;
- (15) mixing or adding any substance to any material issued for work without the permission of an officer;

SCHEDULE

PART I — (*continued*)

(16) leaving a place of work or that part of an approved institution in which he is confined without the permission of an officer or without any reasonable cause;

(17) performing any work allotted to another resident, or obtaining his assistance to do any work without any reasonable excuse;

(18) malingering, loitering about during working hours, idling or refusing to work or being negligent when engaged in work;

(19) defacing or damaging any wall, furniture or other property of an approved institution;

(20) eating or appropriating any food not assigned to him, or increasing or decreasing the portion of any food assigned to another resident, without the permission of an officer or without any reasonable excuse;

(21) removing any food or drink from a kitchen or from a place where meals are served in an approved institution without the permission of an officer or any reasonable cause, or disobeying any order of an officer in respect of the issue and distribution of any food or drink in the approved institution without any reasonable excuse;

(22) introducing into any food or drink in an approved institution anything likely to render it unpalatable or unwholesome;

(23) refusing, without any reasonable cause, to eat any food assigned to him in accordance with the diet scale used at an approved institution;

(24) wilfully destroying any food in an approved institution or throwing away such food without the permission of an officer or without any reasonable cause;

(25) omitting or refusing to wear any clothing issued to him in an approved institution or exchanging the clothing for that of another resident, or damaging or altering any clothing issued to him or another resident in the approved institution without the permission of an officer or without any reasonable excuse, or losing or discarding the clothing;

(26) removing, defacing or altering without any reasonable excuse any distinctive number, mark or badge to be attached to or worn on the body or any clothing issued in an approved institution;

(27) omitting or refusing to keep away any utensil or clothing clean or disobeying any lawful order as to the arrangement or disposition of the utensil, clothing or any blanket, bedsheet or personal belonging in an approved institution;

(28) tampering with any lock, lamp or electrical fitting in an approved institution or any other property in the approved institution with which the resident has no concern;

SCHEDULE

PART I — *(continued)*

(29) damaging or omitting or refusing to make due care of any property of an approved institution which has been entrusted to him;

(30) spitting on or otherwise soiling or befouling any floor, door, wall or other part of the building of an approved institution or any article therein;

(31) littering;

(32) omitting to report at once or as soon as possible any loss, destruction, breakage or damage which he has caused to any property in an approved institution;

(33) stealing any property within an approved institution or that of another resident;

(34) damaging or destroying a tree or plant within the enclosure of an approved institution without the permission of an officer or any reasonable excuse;

(35) showing disrespect to any officer, Probation Officer, Supervision Officer, visitor or to any employee of the approved institution;

(36) answering untruthfully any question put to him by any officer, Probation Officer, Supervision Officer or visitor;

(37) omitting, without any reasonable excuse, to assist in the maintenance of discipline by not reporting the commission of an offence in an approved institution, or to assist an officer to investigate into the commission of the offence when called upon to do so;

(38) making any instrument for shooting, cutting or stabbing or any weapon without the knowledge or permission of an officer;

(39) causing violence or insubordination of any kind in an approved institution or omitting, without any reasonable excuse, to assist in the suppression of violence or insubordination of any kind when called upon by an officer to do so;

(40) omitting or refusing, without any reasonable excuse, to help an officer to prevent another resident from escaping from an approved institution;

(41) any other act, conduct or neglect to the prejudice of good order or discipline in an approved institution; or

(42) abetting the commission of a minor offence.

SCHEDULE — *(continued)*

PART II

For the purposes of regulation 8, a major offence is —

- (1) bringing any intoxicating substance, drug, money or cigarette into an approved institution without the permission of an officer or concealing any intoxicating substance, drug, money or cigarette in an approved institution;
- (2) repeating any minor offence after having been punished twice for the offence;
- (3) wilfully causing to himself any illness, injury or disability;
- (4) wilfully destroying an approved institution's property;
- (5) wilfully making a false or groundless accusation or complaint against any officer, Probation Officer, Supervision Officer, visitor or resident or any employee of an approved institution;
- (6) aggravated or repeated assault on another resident;
- (7) striking or otherwise using violence on, or offering violence to, any officer, Probation Officer, Supervision Officer or visitor or any employee of an approved institution;
- (8) escaping or attempting to escape from an approved institution;
- (9) mutiny;
- (10) any other act of gross misconduct or insubordination; or
- (11) abetting the commission of a major offence.

[S 21/2010]

