

**DISCLAIMER**

While every effort will be made to keep the legislation accurate and up-to-date, no warranty of any kind, implied, expressed or statutory, including but not limited to any warranties of title, non-infringement of third party rights, merchantability, satisfactory quality, fitness for a particular purpose and freedom from computers virus, is given in conjunction with this website, or any information and materials therein.

No warranty is given that access to any information or materials on this website, or this website as a whole will be provided uninterrupted or free from errors or that any identified defect will be corrected; further, no warranty is given that this website or any information or materials are free from any virus or other malicious, destructive or corrupting code, agent, program or macros.

Legislation is reproduced on this website with the permission of Government of Singapore. Acts of Parliament are available without charge, and updated monthly, at the Singapore Government Statutes Online website (<http://statutes.agc.gov.sg>).

**STRATEGIC GOODS (CONTROL) ACT**  
**(CHAPTER 300, SECTIONS 7 (7), 8 (6), 31 (2), 36 AND 38)**  
**STRATEGIC GOODS (CONTROL) REGULATIONS**

**Arrangement of Provisions**

**PART I**

**PRELIMINARY**

- 1 Citation
- 2 Definitions

**PART II**

**PERMITS**

- 3 Application for grant or renewal of permit under section 7 (1)
- 4 Information and documents in connection with grant, renewal or amendment of permit
- 5 Grounds for refusal to grant or renew single-use permit
- 6 Grounds for refusal to grant or renew bulk permit
- 7 Reporting requirements for bulk permit
- 8 Conditions of permit
- 9 Validity period of permit
- 10 Power of inspection, examination, etc.
- 11 Suspension or cancellation of permit
- 12 Amendment to permit
- 13 Exemption

**PART III**

**REGISTRATION**

- 14 Application for registration to broker strategic goods
- 15 Grounds for refusal to register person or renew registration
- 16 Conditions of registration
- 17 Duty to notify Director-General of change of information or particulars
- 18 Validity period of registration
- 19 Cancellation of registration

**PART IV**

**RECORD KEEPING**

- 20 Record keeping

**PART V**

**MISCELLANEOUS**

- 21 Appeals
- 22 Power to require information and documents
- 23 Forged permits and documents
- 24 Compoundable offences
- 25 Disposal of seized goods

**FIRST SCHEDULE**

WRITTEN LAW THE CONTRAVENTION OF WHICH IS RELEVANT TO THE GRANT, RENEWAL OR CANCELLATION OF A PERMIT OR REGISTRATION

**SECOND SCHEDULE**

COUNTRIES WITH WHOM SINGAPORE HAS ENTERED INTO AN AGREEMENT ON THE STATUS OF THOSE COUNTRIES' FORCES IN SINGAPORE

**THIRD SCHEDULE**

PART I

**FOURTH SCHEDULE**

**STRATEGIC GOODS (CONTROL) ACT**  
**(CHAPTER 300, SECTIONS 7 (7), 8 (6), 31 (2), 36 AND 38)**  
**STRATEGIC GOODS (CONTROL) REGULATIONS**

[7th January 2004]

**PART I**

**PRELIMINARY**

**Citation**

1. These Regulations may be cited as the Strategic Goods (Control) Regulations.

**Definitions**

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

"bulk permit" means a permit authorising multiple exports, transshipments or transmissions, as the case may be, of the goods, document or technology described in the permit during the period specified in the permit;

"decision of the United Nations Security Council" means a decision of the United Nations Security Council in resolutions made under Chapter VII of the Charter of the United Nations signed at San Francisco on 26th June 1945;

"exporting country" , in relation to any goods, document or technology in respect of which an application for a permit is made or in respect of which a permit is granted, means any country or territory, other than Singapore, from which the goods, document or technology is exported or transmitted;

"permit" means a single-use permit or bulk permit granted under section 7 (3);

"permit holder" means a person who is granted a permit under section 7 (3);

"registered person" means a person who is registered under section 8 (2);

"single-use permit" means a permit authorising —

(a) in the case of any act referred to in section 5 (1) or (2), a one-time export, transshipment, bringing in transit or transmission of the goods, document or technology described in the permit; and

(b) in the case of an act referred to in section 6 (1) in relation to any goods referred to in section 6 (2) (b) or any technology referred to in section 6 (3) or any document in which such technology is recorded, stored or embodied, the arrangement or negotiation or the facilitation of the arrangement or negotiation of a contract for the acquisition or disposal of the goods, technology or document concerned;

"SG Order" means the Strategic Goods (Control) Order 2007 (G.N. No. S 639/2007)

(2) In these Regulations, a reference to a section shall, unless otherwise expressly provided, be construed as a reference to a section in the Act.

## PART II

### PERMITS

#### **Application for grant or renewal of permit under section 7 (1)**

3. —(1) Subject to paragraph (2), a person may, under section 7 (1), apply for a permit that is —

(a) a single-use permit; or

(b) a bulk permit.

(2) A person may apply for a bulk permit only in respect of an act referred to in section 5 (1).

(3) An application for the grant or renewal of a permit shall be made by the person who wishes to carry out the act concerned or a person acting on his behalf.

(4) An application for the grant of a single-use permit shall be made not less than 5 working days before —

(a) the goods or document in respect of which the application is made is brought on board the conveyance on which it is to be exported or transhipped, in the case of export or transhipment;

(b) the arrival in Singapore of the conveyance on which the goods or document in respect of which the application is made are to be brought in transit, in the case of bringing in transit;

(c) the transmission of the technology in respect of which the application is made is to be carried out, in the case of the transmission of technology; or

(d) any step is taken to arrange or negotiate or facilitate the arrangement or negotiation of a contract for the acquisition, disposal or transmission of the goods, document or technology in respect of which the application is made, in the case of an

act referred to in section 6 (1) in relation to any goods referred to in section 6 (2) (b) or any technology referred to in section 6 (3) or any document in which such technology is recorded, stored or embodied.

(5) An application for the grant of a bulk permit shall be made not less than 2 months before the first export, transshipment or transmission of the goods, document or technology in respect of which the application is made is carried out.

(6) An application for the renewal of a permit shall be made —

(a) not less than 2 months before the date of expiry of a bulk permit; and

(b) at any time before the expiry of a single-use permit.

(7) Notwithstanding paragraph (4), (5) or (6), the Director-General may in any particular case, allow an application for the grant or renewal of a permit to be made within a period that is less than that specified in that paragraph where it is not practicable for the application to be made within the period specified in that paragraph.

(8) For the purpose of paragraph (4) (a), where there is more than one person involved in the transshipment of the goods or document in respect of which the application is made, the application shall be made by the person who issues the through bill of lading or through airway bill or a person acting on his behalf.

#### **Information and documents in connection with grant, renewal or amendment of permit**

**4.** —(1) Every application for the grant or renewal of a permit under regulation 3 or for the amendment to a permit under regulation 12 shall be accompanied by such information or document as the Director-General may require.

(2) Without prejudice to the generality of paragraph (1), the information or document required by the Director-General may include —

(a) any manual, brochure, data sheet or other document containing such technical information or specifications in respect of the goods, document or technology in respect of which the application is made as the Director-General considers necessary;

(b) the end-user certificate or statement; and

(c) where the goods, document or technology in respect of which the application is made is to be brought into Singapore, or transmitted, from an exporting country and the export or transmission of the goods, document or technology from that country or its acquisition or disposal is regulated by that country, the document issued by the relevant authority of that country authorising such export, transmission, acquisition or disposal, as the case may be.

**Grounds for refusal to grant or renew single-use permit**

5. —(1) The Director-General may refuse to grant or renew a single-use permit if —

- (a) the applicant has been convicted of an offence under the Act or any other written law set out in the First Schedule;
- (b) the act in respect of which the application for a permit is made would contravene or result in any act which would contravene any written law set out in the First Schedule;
- (c) the applicant was previously granted a permit which was subsequently cancelled;
- (d) in the opinion of the Director-General, the act in respect of which the application for a permit is made is or is likely to be related to or in furtherance of any activity, object or purpose which is contrary to public interest or national security;
- (e) in the opinion of the Director-General, the act in respect of which the application for a permit is made would contravene or result in an act which would contravene a decision of the United Nations Security Council or any international agreement to which Singapore is a party;
- (f) where the goods, document or technology in respect of which the application is made is to be brought into Singapore, or transmitted, from an exporting country and the export or transmission of the goods, document or technology from that country or its acquisition or disposal is regulated by that country, the approval from the relevant authority of that country has not been obtained for such export, transmission, acquisition or disposal;
- (g) the applicant refuses or is unable to furnish any document or information required by the Director-General in connection with his application;
- (h) the applicant has given, in connection with the application made by him or on his behalf —
  - (i) any information that is false or misleading in a material particular; or
  - (ii) any document which contains a statement or omits any matter which renders the document false or misleading in a material particular; or
- (i) in the opinion of the Director-General, the applicant is not a fit or proper person to hold the permit for any other reason.

(2) Where the Director-General refuses to grant a single-use permit, the Director-General shall notify the applicant of his decision.

**Grounds for refusal to grant or renew bulk permit**

6. —(1) The Director-General shall refuse to grant or renew a bulk permit where the applicant is unable to satisfy the Director-General that —

- (a) he has implemented or will implement such measures or procedures as may be specified by the Director-General to ensure compliance with the provisions of the Act and the conditions of the permit;
- (b) where the goods, document or technology in respect of which the application is made is to be brought into Singapore, or transmitted, from an exporting country and the export or transmission of the goods, document or technology from that country or its acquisition or disposal is regulated by that country, the approval from the relevant authority of that country has been obtained for such export, transmission, acquisition or disposal;
- (c) he has made reasonable inquiries as to the use or proposed use of the goods, document or technology in respect of which the application is made and is satisfied from such inquiries that the goods, document or technology would not be used for or in connection with a relevant activity; and
- (d) the goods, document or technology in respect of which the application is made would not be exported, transhipped or transmitted to any person or country who or which is subject to any sanction imposed pursuant to a decision of the United Nations Security Council.

(2) In addition to the grounds referred to in paragraph (1), the Director-General may refuse to grant or renew a bulk permit to an applicant if —

- (a) the applicant has been convicted of an offence under the Act or any other written law set out in the First Schedule;
- (b) the act in respect of which the application for a permit is made would contravene or result in an act which would contravene any written law set out in the First Schedule;
- (c) the applicant was previously granted a permit which was subsequently cancelled;
- (d) in the opinion of the Director-General, the act in respect of which the application for a permit is made is or is likely to be related to or in furtherance of any activity, object or purpose which is contrary to public interest or national security;
- (e) the applicant refuses or is unable to furnish any document or information required by the Director-General in connection with his application;
- (f) the applicant has given, in connection with any application made by him or on his behalf —

- (i) any information that is false or misleading in a material particular; or
- (ii) any document which contains a statement which renders the document false or misleading in a material particular; or

(g) in the opinion of the Director-General, the applicant is not a fit or proper person to hold the permit for any other reason.

(3) Where the Director-General refuses to grant a bulk permit, the Director-General shall notify the applicant of his decision.

### **Reporting requirements for bulk permit**

**7.** —(1) A person to whom a bulk permit is granted shall, if required by a senior authorised officer, submit a report containing the information specified in paragraph (2) to a senior authorised officer at such time or intervals as the senior authorised officer may require.

(2) The report shall contain the following information relating to the goods, document or technology that is exported, transhipped or transmitted under the bulk permit during such period as may be specified by the senior authorised officer:

- (a) a description of the goods, document or technology;
- (b) the value of the goods, document or technology;
- (c) the quantity of the goods or document;
- (d) the date on which the goods, document or technology is exported, transhipped or transmitted;
- (e) in so far as it is known to the person to whom the bulk permit is granted, the name and address of the supplier of the goods, document or technology;
- (f) in so far as it is known to the person to whom the bulk permit is granted, the name and address of the recipient and end-user of the goods, document or technology; and
- (g) such other information as the senior authorised officer may require.

### **Conditions of permit**

**8.** —(1) A permit granted to carry out an act referred to in section 5 (1) or (2) shall be subject to all of the following conditions:

- (a) the permit holder shall not export, transfer in the course of transshipment, bring in transit or transmit any goods, document or technology in respect of which the permit is granted to or which is destined for a country or person —
  - (i) other than the country or person specified in the permit; or

(ii) which or who he knows or would, by making reasonable inquiries, have known is subject to any sanction imposed pursuant to a decision of the United Nations Security Council;

(b) the permit holder shall not, in the case of a bulk permit, export, tranship or transmit the goods, document or technology in respect of which a permit is granted if he knows or would, by making reasonable inquiries as to the use or the proposed use of the goods, document or technology, have known that the goods, document or technology are intended or likely to be used, wholly or in part, for or in connection with a relevant activity;

(c) where the goods, document or technology in respect of which the permit is granted is or is to be brought into Singapore or transmitted from an exporting country and the export or transmission of the goods, document or technology from that country or its acquisition or disposal is regulated by that country, the permit holder shall not export, bring in transit, tranship or transmit such goods, document or technology unless the approval from the relevant authority of that country has been obtained for the export or transmission of the goods, document or technology from that country or for its acquisition or disposal;

(d) the permit holder shall not export, tranship, bring in transit or transmit any goods, document or technology —

(i) other than that specified in the permit; or

(ii) of a quantity exceeding that specified in the permit;

(e) the permit holder shall not transfer or assign the permit to any other person;

(f) such other conditions as the Director-General may determine.

(2) A permit granted to carry out an act referred to in section 6 (1) in relation to any goods referred to in section 6 (2) (b) or any technology referred to in section 6 (3) or any document in which such technology is recorded, stored or embodied shall be subject to all of the following conditions:

(a) the permit holder shall not arrange or negotiate or do any act to facilitate the arrangement or negotiation of a contract for the acquisition, disposal or transmission of the goods, document or technology if he knows or would, by making reasonable inquiries, have known that —

(i) the contract would result in the transfer or transmission of the goods, document or technology to any country or person which or who is subject to any sanction imposed pursuant to a decision of the United Nations Security Council; or

- (ii) the goods, document or technology would be or is likely to be removed or transmitted from one foreign country to another country in contravention of the domestic laws of either country;
- (b) such other conditions as the Director-General may determine.

(3) The Director-General may, at any time by notice in writing, vary or add to any of the conditions of a permit.

(4) For the avoidance of doubt, section 9 shall apply only in respect of the conditions specified in paragraphs (1) (a) to (e) and (2) (a).

#### **Validity period of permit**

**9.** Every permit granted under section 7 (3) or renewed under section 7 (4) shall be valid for such period as may be specified in the permit or a written notice given by the Director-General to the permit holder.

#### **Power of inspection, examination, etc.**

**10.** —(1) The Director-General or a senior authorised officer may —

- (a) inspect or examine the goods, document or technology in respect of which an application for a permit is made or a proportion thereof;
- (b) subject the goods, document or technology or a proportion thereof to such testing or analysis as the Director-General or senior authorised officer considers necessary; and
- (c) specify the procedure to be adopted for such testing or analysis.

(2) Any expenses incurred for or arising out of the inspection, examination, testing or analysis and for the detention of goods or document pending the results of the inspection, examination, test or analysis shall be borne by the person who is applying for the permit.

#### **Suspension or cancellation of permit**

**11.** —(1) The Director-General may suspend or cancel a permit —

- (a) if the permit holder has, in the opinion of the Director-General, contravened any provision of the Act or any other written law set out in the First Schedule;
- (b) if the permit holder has contravened any condition of the permit;
- (c) if the permit holder, being a corporation or firm, winds up or goes into liquidation or is otherwise dissolved, as the case may be;
- (d) on any ground on which the Director-General may refuse to grant or renew a permit under regulation 5 or 6; or

(e) if the Director-General is of the opinion that it would otherwise be in the public interest to suspend or cancel the permit.

(2) Where the Director-General intends to suspend or cancel a permit, the Director-General shall, unless he considers it not practicable or desirable to do so in the circumstances of the case, give the permit holder notice in writing of his intention to do so and an opportunity to make representations with regard to the proposed suspension or cancellation within such time as may be specified in the notice.

(3) Where the Director-General decides to suspend or cancel a permit, the Director-General shall notify the permit holder in writing of the date on which the suspension or cancellation is to take effect.

### **Amendment to permit**

**12.** —(1) Where after a permit is granted, there is any change in any information or particular submitted at the time of the application for the permit, the permit holder shall, within 14 days of such change, apply to the Director-General or a senior authorised officer to make an amendment to the permit.

(2) The Director-General or senior authorised officer may, if he approves the application, make such amendment to the permit as he considers appropriate.

### **Exemption**

**13.** —(1) The requirements under sections 5 and 6 shall not apply to —

- (a) any act authorised by or carried out for or on behalf of the Government;
- (b) the following acts carried out by a military, naval or air force of a foreign government (not being a visiting force) in the course of duty:
  - (i) the export, transshipment or bringing in transit of any goods or document that is brought into Singapore by that force; or
  - (ii) the transmission of any technology that is brought into Singapore or received by that force from its government;
- (c) the export, transshipment, bringing in transit or transmission of any goods, document or technology by or on behalf of a visiting force in the course of duty; or
- (d) diplomatic correspondence.

(2) Section 5 (1) (a) shall not apply to —

- (a) the transshipment of any goods listed in Parts I and II of the Schedule to the SG Order, other than those specified in the Fourth Schedule; or
- (b) the bringing in transit of any goods listed in Parts I and II of the Schedule to the SG Order,

if —

(i) the goods are taken into a free trade zone immediately after they have been brought into Singapore;

(ii) they remain in the free trade zone at all times before they are brought out of Singapore; and

(iii) the period in which they remain in the free trade zone is no more than —

(A) 45 days if they are brought into Singapore by water; or

(B) 21 days if they are brought into Singapore by air.

(3) Section 5 (1) (a) shall not apply to —

(a) the export to a non-Convention State of a chemical mixture containing one or more chemicals specified in items 1, 3, 5, 11, 12, 13, 17, 18, 21, 22, 26, 27, 28, 31, 32, 33, 34, 35, 36, 54, 55, 56, 57 and 63 of Category Code 1C350 in Division 2 of Part II of the Schedule to the SG Order, in which no one specified chemical constitutes more than 10% by weight of the mixture;

(b) the export to a Convention State of a chemical mixture containing one or more chemicals specified in items 1, 3, 5, 11, 12, 13, 17, 18, 21, 22, 26, 27, 28, 31, 32, 33, 34, 35, 36, 54, 55, 56, 57 and 63 of Category Code 1C350 in Division 2 of Part II of the Schedule to the SG Order, in which no one specified chemical constitutes more than 30% by weight of the mixture;

(c) the export to a non-Convention State of a chemical mixture containing one or more chemicals specified in items a.1. and a.2. of Category Code 1C450 in Division 2 of Part II of the Schedule to the SG Order, in which no one specified chemical constitutes more than 1% by weight of the mixture;

(d) the export to a Convention State of a chemical mixture containing one or more chemicals specified in items a.1. and a.2. of Category Code 1C450 in Division 2 of Part II of the Schedule to the SG Order, in which no one specified chemical constitutes more than 30% by weight of the mixture;

(e) the export to a non-Convention State of a chemical mixture containing one or more chemicals specified in items b.1., b.2., b.3., b.4., b.5. and b.6. of Category Code 1C450 in Division 2 of Part II of the Schedule to the SG Order, in which no individually specified chemical constitutes more than 10% by weight of the mixture; or

(f) the export to a Convention State of a chemical mixture containing one or more chemicals specified in items b.1., b.2., b.3., b.4., b.5. and b.6. of Category Code

1C450 in Division 2 of Part II of the Schedule to the SG Order, in which no individually specified chemical constitutes more than 30% by weight of the mixture.

(4) In this regulation —

"chemical mixture" means a solid, liquid or gaseous product made up of 2 or more components which do not react together under the conditions under which the mixture is stored;

"Convention" means the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction concluded at Paris on 13th January 1993;

"Convention State" means a State (other than Singapore) for which the Convention has entered into force;

"free trade zone" has the meaning given to that expression in the Free Trade Zones Act (Cap. 114);

"non-Convention State" means a State for which the Convention has not entered into force;

"visiting force" means any body, contingent or detachment of the military, naval or air force of a country —

(a) with whom the Government has entered into an agreement regarding the status of that country's forces in Singapore; or

(b) that is specified in the Second Schedule.

### PART III

## REGISTRATION

### **Application for registration to broker strategic goods**

**14.** —(1) An application for registration or renewal of registration under section 8 (1) shall be made by the person who wishes to carry out the act concerned or a person acting on his behalf.

(2) The application for registration shall be made before any step is taken to arrange, negotiate or facilitate the arrangement or negotiation of a contract for the acquisition or disposal of the goods concerned.

(3) An application for registration or renewal of registration shall be made at least 14 working days before the act concerned is carried out or the date of expiry of the registration, as the case may be.

(4) Every application for registration or renewal of registration shall be accompanied by such information or document as the Director-General may require.

(5) In considering an application for registration or renewal of registration, the Director-General may interview the applicant, visit the office premises of the applicant and make any other inquiry he considers necessary.

**Grounds for refusal to register person or renew registration**

**15.** —(1) The Director-General may refuse to register or renew the registration of an applicant if —

(a) the applicant has been convicted of an offence under the Act or any other written law set out in the First Schedule;

(b) the applicant is likely to arrange or negotiate or do any act to facilitate the arrangement or negotiation of any contract that would contravene or result in any act that would contravene any written law set out in the First Schedule;

(c) the applicant was previously registered and his registration was subsequently cancelled;

(d) in the opinion of the Director-General, the applicant is likely to arrange or negotiate or do any act to facilitate the arrangement or negotiation of any contract that is related to or in furtherance of any activity, object or purpose which is contrary to public interest or national security;

(e) in the opinion of the Director-General, the applicant is likely to arrange or negotiate or do any act to facilitate the arrangement or negotiation of any contract that would contravene or result in any act that would contravene a decision of the United Nations Security Council or any international agreement to which Singapore is a party;

(f) the applicant refuses or is unable to furnish any document or information required by the Director-General in connection with his application;

(g) the applicant has given, in connection with any application made by him or on his behalf —

(i) any information that is false or misleading in a material particular; or

(ii) any document which contains a statement which renders the document false or misleading in a material particular; or

(h) in the opinion of the Director-General, the applicant is not a fit or proper person to be registered for any other reason.

(2) Where the Director-General refuses to register or renew the registration of an applicant, the Director-General shall notify the applicant in writing of his decision.

### **Conditions of registration**

**16.** —(1) The registration of a person under section 8 (2) shall be subject to the following conditions:

(a) the registered person shall not arrange or negotiate or do any act to facilitate the arrangement or negotiation of a contract for the acquisition or disposal of any goods where he knows or would, by making reasonable inquiries, have known that —

(i) the contract would result in the transfer of the goods to any country or person which or who is subject to any sanction imposed pursuant to a decision of the United Nations Security Council; or

(ii) the goods would be or is likely to be removed from one foreign country to another foreign country in contravention of the domestic laws of either country; and

(b) such other conditions as the Director-General may determine.

(2) The Director-General may, at any time by notice in writing, vary or add to any of the conditions of registration.

(3) For the avoidance of doubt, section 9 shall apply only in respect of the conditions specified in paragraph (1) (a).

### **Duty to notify Director-General of change of information or particulars**

**17.** —(1) Where, after a person has been registered, there is any change in any information or particulars submitted at the time of his application, the registered person shall notify the Director-General in writing of such change within 14 days of the change.

(2) The Director-General may, on receipt of such notification, amend the entry in the register relating to that registered person accordingly.

### **Validity period of registration**

**18.** The registration of a person under section 8 (2) shall be valid for a period of 5 years from the date on which the person's application for registration is approved, as notified to that person by the Director-General.

### **Cancellation of registration**

**19.** —(1) The Director-General may cancel the registration of a person —

(a) if the registered person has, in the opinion of the Director-General, contravened any provision of the Act or any other written law set out in the First Schedule;

(b) if the registered person has contravened any condition of his registration;

- (c) if the registered person, being a corporation or firm, winds up or goes into liquidation or is otherwise dissolved, as the case may be;
- (d) on any ground on which the Director-General may refuse to grant or renew the registration of a person under regulation 15; or
- (e) if the Director-General is of the opinion that it would otherwise be in the public interest to cancel the registration of the person.

(2) Where the Director-General intends to cancel the registration of a registered person, he shall, unless he considers it not practicable or desirable to do so in the circumstances of the case, give the registered person notice in writing of his intention to do so and an opportunity to make representations with regard to the proposed cancellation within such time as may be specified in the notice.

(3) Where the Director-General decides to cancel the registration of a registered person, the Director-General shall notify the registered person in writing of the date on which the cancellation is to take effect.

## PART IV

### RECORD KEEPING

#### **Record keeping**

**20.** —(1) Every permit holder and registered person shall maintain or cause to be maintained records of the following particulars and documents relating to the goods, document or technology that was exported, transhipped, brought in transit or transmitted or for which arrangements or negotiations for a contract for its acquisition, disposal or transmission have been made or entered into or facilitated pursuant to the permit or registration, as the case may be:

- (a) a description of the goods, document or technology;
- (b) the date on which the goods, document or technology was exported, transhipped, brought in transit or transmitted, or for which arrangements or negotiations for a contract for its acquisition, disposal or transmission were made or entered into, as the case may be;
- (c) the quantity of the goods or document that was exported, transhipped, brought in transit, acquired or disposed of;
- (d) in so far as it is known to the permit holder or registered person, the particulars of the recipient and end-user of the goods, document or technology;
- (e) in so far as it is known to the permit holder or registered person, the particulars of the supplier of the goods, document or technology;

(f) in the case of a permit holder who is granted a permit to carry out an act referred to in section 5 (1) or (2), the documents specified in Part I of the Third Schedule, where applicable; and

(g) in the case of a permit holder who is granted a permit or a person who is registered under section 8 (2) to carry out an act referred to in section 6 (1), the documents specified in Part II of the Third Schedule, where applicable.

(2) The Director-General may, in any particular case, waive the requirement to maintain records in respect of any particulars or document specified in paragraph (1) where it is not practicable for records of such particulars or document to be maintained in that case.

(3) In the case of a permit holder who is granted a permit to carry out an act referred to in section 5 (1) (a) or (b) or (2) (a) or (b), the records referred to in paragraph (1) shall be kept for a period of at least 5 years from the end of the calendar year in which the act authorised by the permit is carried out.

(4) The records referred to in paragraph (1) shall be kept for a period of at least 5 years from the end of the calendar year in which —

(a) the transmission of technology takes place, in the case of a permit holder who is granted a permit to carry out an act referred to in section 5 (1) (c) or (2) (c); or

(b) the contract the arrangement or negotiation of which is authorised by his permit or registration is entered into, in the case of a permit holder who is granted a permit or who is registered under section 8 (2) to carry out an act referred to in section 6 (1).

(5) Every permit holder and every registered person shall allow the records or documents to be inspected and copied by the Director-General or any authorised officer or senior authorised officer.

(6) The Director-General may at any time require the records referred to in paragraph (1) to be audited and verified by an authorised officer or a senior authorised officer.

(7) Where any document or record referred to in paragraph (1) is not legible, the permit holder or the registered person, as the case may be, who is required to maintain the document or record shall, at the request of the authorised officer or senior authorised officer, reproduce the document or record in a legible manner.

## PART V

### MISCELLANEOUS

#### Appeals

21. An appeal to the Minister under section 7 (5) or 8 (4) shall be made within 30 days of the

date of the written notice given under regulation 5 (2), 6 (3), 11 (3), 15 (2) or 19 (3), as the case may be.

**Power to require information and documents**

**22.** A senior authorised officer may require any person who carries out an act referred to in section 5 or 6 to provide him with such information or documents as he considers necessary for the purpose of ascertaining whether the conditions of his permit or registration have been complied with.

**Forged permits and documents**

**23.** Any person who counterfeits or falsifies a permit or document which is granted or issued under these Regulations or uses any counterfeit or falsified permit or document shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000.

**Compoundable offences**

**24.** The offences under sections 5 (6), 6 (8), 9, 10 (2) and 30 (1) and these Regulations may be compounded by a senior authorised officer in accordance with section 31.

**Disposal of seized goods**

**25.** —(1) Where any goods have been seized under section 14, 15 or 16 and no further action is to be taken with respect to those goods, the Director-General shall issue a notice to the person from whom the goods were seized to claim the goods within 30 days of the date of the notice.

(2) If the person to whom the notice under paragraph (1) is issued makes a claim for the return of the goods within the period specified in the notice, the goods shall be returned to the person.

(3) If the person to whom the goods were returned desires to bring the goods out of Singapore, he shall, where necessary, apply for a permit under section 7 (1).

(4) If the person to whom the notice under paragraph (1) is issued fails to claim the goods within the period specified in the notice, the Director-General may sell or otherwise dispose of the goods.

(5) Where the Director-General sells any goods under paragraph (4), he shall pay on demand the proceeds of sale to the person from whom the goods were seized.

(6) Any proceeds from the sale of goods under this regulation which are not claimed within 2 years of the sale shall be paid into the Consolidated Fund.

(7) The person to whom the notice under paragraph (1) is issued may at any time make a claim for the proceeds paid into the Consolidated Fund under paragraph (6).

## **FIRST SCHEDULE**

Regulations 5 (1), 6 (2),  
11 (1), 15 (1) and 19 (1)

### **WRITTEN LAW THE CONTRAVENTION OF WHICH IS RELEVANT TO THE GRANT, RENEWAL OR CANCELLATION OF A PERMIT OR REGISTRATION**

1. Arms and Explosives Act (Cap. 13).
2. Chemical Weapons (Prohibition) Act (Cap. 37B).
3. Internal Security Act (Cap. 143).
4. Radiation Protection Act (Cap. 262).
5. Regulation of Imports and Exports Act (Cap. 272A).
6. United Nations Act (Cap. 339).

## **SECOND SCHEDULE**

Regulation 13 (2)

### **COUNTRIES WITH WHOM SINGAPORE HAS ENTERED INTO AN AGREEMENT ON THE STATUS OF THOSE COUNTRIES' FORCES IN SINGAPORE**

1. Australia.
2. France.
3. New Zealand.
4. Turkey.
5. The United Kingdom.
6. The United States of America.

## **THIRD SCHEDULE**

Regulation 20 (1) (f) and (g)

### **PART I**

#### **DOCUMENTS TO BE MAINTAINED BY PERMIT HOLDER WHO IS GRANTED A PERMIT TO CARRY OUT AN ACT REFERRED TO IN SECTION 5 (1) (A) OR (B) OR (2) (A) OR (B)**

1. Permit granted to the permit holder.

2. Document issued by the relevant authority of the country from or through which the goods, document or technology was exported, transhipped, brought in transit or transmitted allowing such goods, document or technology to be exported or brought out of the country, transmitted, acquired or disposed of.
3. Document issued by the relevant authority of the country into which the goods, document or technology was imported or transmitted authorising the import or transmission of such goods, document or technology into the country.
4. End-user certificate or statement.
5. Invoice issued in respect of the sale of the goods, document or technology in respect of which the permit relates.
6. Bill of lading or airway bill.
7. Contract for the acquisition or disposal of the goods, document or technology to which the permit relates.

## **PART II**

### **DOCUMENTS TO BE MAINTAINED BY PERMIT HOLDER WHO IS GRANTED A PERMIT OR PERSON WHO IS REGISTERED TO CARRY OUT AN ACT REFERRED TO IN SECTION 6 (1)**

1. Permit granted to the permit holder.
2. Document issued by the Director-General notifying the person that his application for registration has been approved.
3. Document issued by the relevant authority of the country from or through which the goods, document or technology for which arrangement or negotiation for the contract for its acquisition or disposal were entered into were exported, transhipped or brought in transit or transmitted allowing the goods, document or technology to be exported, brought out of the country, acquired or disposed of.
4. Document issued by the relevant authority of the country into which the goods, document or technology was to be imported or transmitted authorising the import or transmission of such goods, document or technology.
5. End-user certificate or statement.
6. Invoice issued in respect of the sale of the goods, document or technology.
7. Particulars of the shipping agents or couriers involved in the transaction.
8. Correspondences relating to the arrangements or negotiations for the contract for the acquisition or disposal of the goods, document or technology.
9. Contract for the acquisition or disposal of the goods, document or technology.

*[G.N. No.S4/2004]*

## **FOURTH SCHEDULE**

Regulation 13 (2)

**GOODS THE TRANSHIPMENT OF WHICH  
THE EXEMPTION UNDER REGULATION 13 (2)  
DOES NOT APPLY**

**1.** Goods specified in the following Category Codes in Division 2 of Part I of the Schedule to the SG Order:

- (a) ML1;
- (b) ML2;
- (c) ML3;
- (d) ML4;
- (e) ML6;
- (f) ML7.b.1., 2. and 3.;
- (g) ML7.c.;
- (h) ML8.a.1., 2., 3., 4., 5., 7., 10., 11., 13.a., 13.c., 15., 18., 19., 20., 21., 23., 26., 27., 28., 32.j., 33., 34.;
- (i) ML8.b.1. to 5.;
- (j) ML8.c.1., 3. to 9.;
- (k) ML8.d.1., 2., 3., 5., 6., 8., 9., 10.;
- (l) ML8.e.1. to 6., 8. to 13., 15. to 18.;
- (m) ML8.f.;
- (n) ML8.g.;
- (o) ML9; and
- (p) ML10.

**2.** Goods specified in the following Category Codes in Division 2 of Part II of the Schedule to the SG Order:

- (a) 0A, 0B, 0C;
- (b) 1C350.1. to 9., 11., 12., 13., 17., 18., 19., 21., 22., 23., 26. to 36., 38., 46., 51., 52., 54. to 57., 59., 63.;
- (c) 1C351.a.2., 4., 5., 7., 8., 10. to 17., 19., 31.;
- (d) 1C351.b.1., 3., 4.;
- (e) 1C351.c.1., 2., 3., 4., 7., 8., 9., 13.;
- (f) 1C351.d.1., 2., 4. to 7., 12.;
- (g) 1C352.a.1. to 4., 9., 10., 12., 14., 15., 17.;
- (h) 1C352.b.;
- (i) 1C354.b.1., 5.;
- (j) 1C354.c.1.;
- (k) 1C450.a.;
- (l) 1C450.b.; and

(m) 5A2, 5B2.