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TOBACCO (CONTROL OF ADVERTISEMENTS AND SALE) (AMENDMENT) AND OTHER MATTERS BILL...

Speeches

TOBACCO (CONTROL OF ADVERTISEMENTS AND SALE) (AMENDMENT) AND OTHER MATTERS BILL SECOND READING - OPENING SPEECH BY DR KOH POH KOON, SENIOR MINISTER OF STATE, MINISTRY OF HEALTH AND MINISTRY OF MANPOWER, 6 MARCH 2026

6 March 2026

Mr Speaker,

1. On behalf of the Minister for Health and Coordinating Minister for Social Policies, I beg to move, "That the Bill be now read a Second Time".

Introduction

2. On 1 September 2025, the Government launched a coordinated response to enhance the enforcement approach towards vaping, due to the emergence of etomidate-laced vaporisers or "Kpods".
3. In the past, cigarette smoking and drug abuse were two separate issues. But vaporisers have changed that. It is no longer just about nicotine – people are using vaporisers to abuse etomidate or even more serious controlled drugs. This makes vaporisers a bridge between these two worlds – creating new challenges in vaping enforcement and health protection. Hence, the Ministry of Health (MOH) worked closely with the Ministry of Home Affairs (MHA) and other agencies to leverage existing legislation to develop a new regime for enforcement, rehabilitation and education.
4. Specifically, as our existing laws, particularly the Tobacco (Control of Advertisements and Sale) Act (TCASA) and Poisons Act, are not designed for such



temporarily listed etomidate and its analogues as Class C

controlled drugs in the Misuse of Drugs Act (MDA). I will refer to these substances collectively as “etomidate”. We then used legislative levers in Poisons Act to take action against first-time etomidate vaporiser offenders as well as repeat offenders under the MDA.

5. It was not ideal, but we made it work.
6. In gist, this is how the enforcement system works today, since September 2025:
 - a. First, we imposed much tougher penalties for those who illegally import, sell, supply or traffic etomidate – enabled by listing etomidate as a controlled drug under the MDA.
 - b. Second, we created a rapid escalation of actions against etomidate vaporiser users – first-time offenders were required to attend rehabilitation, in lieu of prosecution for illegal possession of etomidate under the Poisons Act. Those who default on the rehabilitation are prosecuted under the Poisons Act, and may be subject to a custodial sentence.
 - c. Third, repeat etomidate vaporiser offenders are placed under mandatory urine-test supervision, or detained in the Drug Rehabilitation Centre (DRC), under the MDA.
 - d. Finally, we also introduced a new rehabilitation requirement for repeat vaporiser users, bearing in mind that vaping is harmful, even if it does not contain psychoactive substances like etomidate.
7. Over the past 6 months, we have caught more than 5,100 persons for vaporiser-related offences. Of these, more than 1 in 10, or 593, are etomidate vaporiser users.
8. Among the offenders placed on rehabilitation,
 - a. 42 defaulted their rehabilitation – of which 1 has been convicted and imprisoned and the rest will be charged.
 - b. 70 offenders have completed their rehabilitation programmes, with 4 youth offenders re-offending after their completion.

Building a Stronger Legal Foundation

9. These past six months have been critical – not just for enforcement, but also to consolidate lessons from our enforcement experience and review our laws. We are now ready to put in place a new law, which will not only prohibit vaporisers, but will also allow for enforcement against the abuse of etomidate and potentially other psychoactive substances through such delivery devices in the future.
10. The new law is built upon the existing TCASA, the Tobacco (Control of Advertisements and Sale) Act, which will be broadened and strengthened. So, let me walk members through the key changes:

A New Title and Structure for New Challenges

11. First, we are renaming the TCASA to the TVCA – Tobacco and Vaporisers C Act. This reflects the broader mandate and coverage by the new law.



dated the categories of prohibited products under the TVCA:

- a. One, tobacco products, such as cigarettes, that contain any prescribed substances, or contain or emit substances exceeding prescribed limits. For example, this includes cigarettes whose emissions contain nicotine or tar in excess of the prescribed limits. The TVCA calls these “section 14 tobacco products”.
 - b. Two, various types of prohibited tobacco products such as smokeless tobacco and heated tobacco products, and their components too. The TVCA calls these “section 15 tobacco products”.
 - c. Three, vaporisers and their components.
 - d. Four, other imitation tobacco products that are not already covered by the other sections I mentioned above, and their components. This allows us to future-proof our legislation, ensuring that new products that resemble any existing tobacco product or may be used to mimic the act of smoking, will be prohibited.
13. Future-proofing is important, especially given that the tobacco industry has been introducing new products to circumvent tobacco control regulations. One example is products containing nicotine analogues, which will be considered a tobacco product moving forward, and can be prohibited under the TVCA.
14. To be clear, products in all four categories are already prohibited currently under the TCASA. When I say “prohibited”, I am referring to the entire supply ecosystem. Hence, under the Bill, we are making it clear that giving, transporting, sending or delivering these prohibited products within Singapore, offering to do any of these acts, and possessing such products for the purpose of doing any of these acts, are prohibited.
15. Third, in addition to the four categories, “Specified Psychoactive Substances”, or SPS, will also come under the scope of the TVCA. These are substances or products that will be specified in a new Schedule (provided for in clause 23), being substances and products that can cause a psychoactive effect when consumed, and are also abused or likely to be abused by using a tobacco product, vaporiser or imitation tobacco product.
16. Etomidate, currently under the MDA, will be listed in this new Schedule. Concurrently, etomidate will be removed from the MDA. The Minister for Health can amend this Schedule by order in the Gazette.
17. The TVCA will focus on SPS, while the MDA will continue to govern the abuse of controlled drugs, including those abused through vaporisers or tobacco products. Hence, controlled drugs will not be included in this Schedule under the TVCA.
18. The TVCA introduces two presumptions to do with the nature of SPS.
- a. One, a rebuttable presumption that such substances have a psychoactive effect when consumed.
 - b. Two, for prosecution purposes, a person is deemed to have the knowledge that a product or substance is an SPS as long as the person knows that the SPS has a psychoactive effect when consumed. The person does not need to know the name.



...e SPS. These provisions mirror sections 22A and 22B of the MDA.

Strengthening Our Enforcement Framework

19. Fourth, we are consolidating the enforcement levers under various pieces of legislation today, under the TVCA.

20. Stiffer penalties will be applied to offences related to the products I just described – prohibited products, as well as tobacco products, vaporisers and imitation tobacco products containing SPS, i.e. SPS products.

21. The offences and penalties for importing, supplying or abusing SPS products are similar to those in the MDA, to ensure similar level of deterrence. Mr Speaker, with your permission, may I ask the Clerks to distribute a handout that summarises the changes in legislative penalties for key offences. Members may also access these materials through the MP@SGPARL App. As you can see on the handout,

a. Individuals who supply SPS products will face 2 to 10 years imprisonment term and 2 to 5 strokes of the cane;

b. Those who import these products will face stiffer penalties – 3 to 20 years imprisonment term and 5 to 15 strokes of the cane; and

c. Those caught possessing or purchasing such products, or consuming SPS, if prosecuted, can be liable to a fine of up to \$20,000, or imprisonment of up to 10 years, or both.

d. On the offence of consuming SPS, I would also like to highlight that although one of MOH's criteria for listing a substance or product as an SPS is that it is abused or is likely to be abused by using a tobacco product, vaporiser or imitation tobacco product, the consumption offence is not confined to a specific mode. This means that once a substance or product is listed as an SPS, even if the individual abuses the SPS through means other than a vaporiser, tobacco product or imitation tobacco product, for example, in its liquid form or through a patch, they can still be dealt with under the TVCA.

e. Like the MDA, it will be an offence for Singapore Citizens and Permanent Residents to consume SPS overseas. This deters locals from going abroad to feed their addiction to evade enforcement in Singapore.

22. We have also introduced new offences to better protect our young people and children, again drawing from the MDA.

a. Section 19G targets adults who, being in possession of SPS products,

i. First, knowingly or recklessly leave them where children can access them, or

ii. Second, do not take reasonable steps to prevent the use of SPS products by young persons.

iii. These adults are liable to imprisonment for up to 10 years for the first offence and imprisonment for 2 to 10 years for repeat offences.



uses adults who involve young or vulnerable persons in importing or supplying SPS products. These adults are liable to imprisonment for 4 to 20 years and 4 to 15 strokes of the cane.

23. Section 19I makes it an offence to arrange or plan gatherings where SPS products are used or supplied. Those found guilty are liable to imprisonment for 2 to 10 years and up to 5 strokes of the cane.

24. Sir, rehabilitation is the main intervention implemented by MOH for etomidate vaporiser offenders.

a. Today, this is effected in lieu of prosecution under Poisons Act.

b. We will now provide for specific powers for the Chief Executive of the Health Sciences Authority (HSA) to order community-based rehabilitation and institutional treatment and rehabilitation under the TVCA.

25. A community-based rehabilitation order can be made as long as the Chief Executive has grounds to believe that an individual has consumed an SPS.

a. Such grounds of belief could arise from, for example,

i. Observation of an individual behaving erratically or appearing disoriented who is also found in possession of an SPS product, or

ii. An individual testing positive for SPS in their urine or their hair, or

iii. Admission by an individual that they have consumed SPS.

26. Aside from SPS consumption, community-based rehabilitation can also be ordered for individuals who use vaporisers or section 15 tobacco products, based on observation of use, say, by an enforcement officer, or an admission of use. As per our current practice, rehabilitation will only be ordered for repeat offenders, to support them to quit vaping.

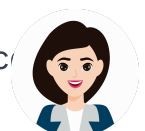
27. The Chief Executive can also require individuals subject to community-based rehabilitation orders to comply with other requirements, like undergoing urine or hair tests. Non-compliance can result in prosecution.

28. Besides community-based rehabilitation at the Institute of Mental Health (IMH) and Social Service Agencies, the Chief Executive can also, under section 19U, order institutional treatment and rehabilitation in the DRC, for re-offending cases of SPS consumption.

29. The Chief Executive can also require certain persons, such as those discharged from DRC after treatment and rehabilitation for SPS consumption, to provide hair or urine samples to check if they are still consuming SPS. Those who do not comply can be prosecuted.

Enhancing Penalties and Enforcement across the Supply Chain

30. Finally, we will enhance penalties for offences involving section 15 tobacco products, vaporisers and imitation tobacco products.



etomidate vaporisers triggered the recent escalation in enforcement efforts, the majority of offenders we have caught are actually users of vaporisers that do not contain etomidate.

32. We are therefore significantly increasing the penalties for offences involving these products to strengthen deterrence.

33. For purchase, use and possession, the maximum fine will be increased from \$2,000 to \$10,000. The enhanced penalties are coupled with the new powers to order rehabilitation, so that those who need help to quit can receive support.

34. For offences involving the import of vaporisers or section 15 tobacco products, we are introducing mandatory imprisonment for up to 9 years, and additionally, offenders may face a fine of up to \$300,000. For offences involving sale or supply (including possession for the purpose of sale or supply) of these products, offenders will face mandatory imprisonment for up to 6 years, and additionally, may face a fine of up to \$200,000.

35. For offences involving the sale, supply or import of imitation tobacco products, the penalties will be increased to a fine of up to \$100,000, or imprisonment of up to 3 years, or both for first-time offences; and a fine of up to \$200,000, or imprisonment for up to 6 years, or both for repeat offences.

36. We will also be introducing new statutory presumptions and offences to further strengthen our controls and enforcement on the supply chain.

37. Rebuttable presumptions relating to possession, and knowledge of the nature, of prohibited products under the new sections 14 to 16A and SPS products will be introduced, along with similar presumptions in relation to vehicles and trailers in which such products are found.

a. For example, with the new presumption under section 16C, if vaporisers are found in a vehicle entering Singapore, the driver of that vehicle will be presumed to be in possession of the vaporisers, and cannot avoid legal liability by simply claiming ignorance that the vaporisers are present in the vehicle.

b. This will address the current challenge where most of the illegal operations bringing vaporisers and other prohibited products into Singapore are run from overseas, and it is extremely difficult for our enforcement authorities to obtain the evidence needed to prove that the suspect knew about the presence of the products found in their vehicles.

c. Similar presumption clauses are also found in the MDA.

38. HSA has uncovered several cases of illegal vaporiser operations in warehouses and storage units – the largest warehouse seizure exceeded 400,000 vaporisers and components, worth more than \$5 million in street value. These are often cases where offenders rented storage units to run their illegal operations.

39. Under the new section 18A, introduced by clause 10, it is an offence for owners and occupiers of land, buildings and places to allow other individuals to store prohibited products in these spaces.



...e owner or occupier must have exercised due care to prevent such storage from happening.

b. This may involve

- i. Conducting proper background checks on tenants, including asking them for uses of their storage spaces,
- ii. Explicit clauses in tenancy agreements on prohibited activities,
- iii. Conducting ad-hoc inspections and so on.

c. HSA will publish a handbook of best practices that owners and occupiers can refer to.

40. The intent is to allow us to take action against owners or occupiers who allow or turn a blind eye towards storage of such illegal products in their premises for supply and distribution purposes.

41. To facilitate enforcement, particularly against importers and suppliers of prohibited products, we are also introducing new powers to seize vehicles and trailers reasonably suspected of being used, or is intended to be used in connection with committing an offence under the TVCA, and to seize cash that is reasonably suspected to be evidence that a TVCA offence has been committed.

42. While vaping is prohibited, some continue to do so in public settings, for example in night clubs, bars and pubs. Under clause 12, we are imposing obligations on owners and occupiers of specified premises to take certain actions when they find someone in possession of or using any section 15 tobacco product, vaporiser or imitation tobacco product. The Smoking (Prohibition in Certain Places) Act imposes similar obligations.


43. The TVCA will spell out the steps which owners and occupiers of specified premises will be required to carry out, such as telling the offending individual to stop or leave the premises and seeking HSA's assistance if necessary.

44. As a start, specified premises will include discotheques, pubs, bars, lounges and night clubs. These are entertainment venues where people often gather and where we have seen vaping incidents occur. HSA has already been working with some of these operators on anti-vaping measures in their premises, like putting up anti-vaping signages, and we are thankful for their cooperation. HSA will continue to work closely with the operators to comply with this new requirement, creating a safer environment for patrons.

Related and Consequential Amendments

45. There are several related and consequential amendments to several other pieces of legislation, such as the Poisons Act, MDA, Civil Defence Act, Merchant Shipping Act, and Road Traffic Act, to align to the TVCA. I will not elaborate here.

Conclusion

46. Sir, this Bill represents our commitment to protect public health, particularly, st vaporisers, and to deter those who would undermine it.

Lessons we have learned over the past 6 months.

48. With this Bill, we will move from temporary measures into a more structured approach, embedded in our legal framework, that can address current challenges and provides flexibility to respond to future trends.

49. I urge Members of the House to support the Bill.

50. Mr Speaker, I beg to move.

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