

TOBACCO (CONTROL OF ADVERTISEMENTS AND SALE) (AMENDMENT) AND OTHER MATTERS BILL TO STRENGTHEN ENFORCEMENT AGAINST VAPING AND ETOMIDATE ABUSE

The Tobacco (Control of Advertisements and Sale) (Amendment) and Other Matters Bill, which was tabled for Second Reading in Parliament today, will further strengthen enforcement against vaping and etomidate abuse.

2. Vaporisers have evolved from nicotine delivery devices into vehicles for abusing etomidate and other more serious controlled drugs. They are blurring the lines between tobacco control and drug enforcement. This convergence prompted the Government to further intensify efforts to combat vaping through a coordinated whole-of-government response in September 2025, with the Ministry of Health (MOH) and the Health Sciences Authority (HSA) working with the Ministry of Home Affairs (MHA) and other agencies on the development and implementation of a new and enhanced enforcement, rehabilitation and education framework.

3. While the existing Tobacco (Control of Advertisements and Sale) Act 1993 (TCASA) has served as the primary legislation prohibiting vaporisers, stronger legislative levers were required to deal with the threat of vaping and etomidate abuse. Since 1 September 2025, the Government has been using three different legislation - TCASA, the Misuse of Drugs Act 1973 (MDA) and Poisons Act 1938 (PA) - to implement the current enforcement framework. The authorities have since caught and penalised over 5,100 persons for possession and use of vaporisers, with close to 600 persons caught using etomidate vaporisers. More details can be found in Annex A.

Renaming the Act in Preparation of New Challenges

4. With effect from 1 May 2026, the TCASA will be renamed the Tobacco and Vaporisers Control Act 1993 (TVCA), reflecting the enhanced focus on vaporisers. It will consolidate the necessary powers and allow MOH and HSA to continue implementing the current enforcement framework and implement new powers. The TVCA will also empower MOH and HSA to act against evolving trends, including new psychoactive substances that might be abused through smoking or vaporisers.

5. Products that are prohibited under the current sections 15 and 16 of the TCASA will be reorganised into four categories, for better clarity and to allow more targeted controls for various types of products according to their risk:

- a. Section 14 tobacco products, which are tobacco products that contain any prescribed substances, or contain or emit substances exceeding prescribed limits (for example, cigarettes with emissions exceeding tar and nicotine limits);
- b. Section 15 tobacco products and their components, including smokeless and heated tobacco products;

- c. Vaporisers and their components (under section 16); and
- d. Imitation tobacco products and their components (under section 16A).

6. To future-proof the TVCA, the definition of tobacco products will also be expanded to include products containing nicotine analogues. Nicotine analogues are compounds that are structurally similar to nicotine or have effects similar to nicotine.

7. Other measures under TCASA, such as the ban on advertising of tobacco products, vaporisers and imitation tobacco products, will continue to be enforced under TVCA.

Specified Psychoactive Substances

8. The TVCA will provide MOH and HSA with the necessary powers to enforce against “Specified Psychoactive Substances” (SPS), which will be specified in a new Schedule. These are substances or products that can cause a psychoactive effect when consumed, and are abused or likely to be abused by using a tobacco product, vaporiser, or imitation tobacco product. Etomidate and its analogues will be listed in this new Schedule. New substances and products can be listed in the future when the need arises.

9. The penalties for offences related to vaporisers, tobacco products or imitation tobacco products containing SPS (SPS products) are aligned with the relevant penalties in the MDA under the current enforcement framework. These include the following:

- a. Importers face three to 20 years’ imprisonment and five to 15 strokes of cane;
- b. Suppliers face two to 10 years’ imprisonment and two to five strokes of cane; and
- c. Individuals caught consuming SPS, possessing or purchasing SPS products, if prosecuted, face a fine up to \$20,000, or imprisonment for a term not exceeding 10 years, or both.

10. Similar to the MDA, the TVCA will also include offences to better protect young and vulnerable persons, and deal with organised gatherings where SPS products are involved. These include the following:

- a. Adults in possession of SPS products who expose a child under 16 years old to these products, or allow or do not prevent young persons below 21 years old from using SPS products, face up to 10 years of imprisonment for the first offence, and two to 10 years of imprisonment for repeat offences;
- b. Adults who cause or procure young persons or vulnerable individuals to import or supply SPS products face a minimum of four years of imprisonment and four strokes of the cane, and a maximum of 20 years of imprisonment and 15 strokes of the cane; and
- c. Persons who arrange or plan gatherings where SPS products are used or supplied face two years to 10 years of imprisonment, and additionally, are liable to caning of not more than five strokes.

Powers to Order Rehabilitation

11. The TVCA will provide powers for HSA to make rehabilitation orders. Community-based rehabilitation orders may be imposed when there are reasonable grounds to believe an individual has consumed SPS, and for individuals convicted of or who have accepted offers of composition for the offence of consuming SPS. Those caught repeatedly for the consumption of SPS can be subject to treatment and rehabilitation at the Drug Rehabilitation Centre (DRC). Community-based rehabilitation orders may also be imposed for individuals who use vaporisers or section 15 tobacco products.

12. Urine and hair tests can be ordered to monitor continued abstinence from SPS, including during community-based rehabilitation and after treatment and rehabilitation at the DRC. Non-compliance with the orders is an offence. These measures are consistent with the current enforcement framework that came into effect in September 2025.

Enhanced Penalties and Enforcement against Users, Importers and Suppliers of All Prohibited Products

13. Vaporisers contain harmful chemicals and nicotine, which is highly addictive, and pose significant health risks even if they do not contain etomidate. As such, the TVCA has been enhanced to strengthen deterrence across all prohibited products.

14. Penalties for offences involving section 15 tobacco products, vaporisers and imitation tobacco products will be significantly increased:

- a. The maximum fine for individuals caught using such products will be increased from \$2,000 to \$10,000;
- b. Importers of section 15 tobacco products and vaporisers will now face mandatory imprisonment for up to nine years, and additionally, may face a fine of up to \$300,000; suppliers will face mandatory imprisonment for up to six years, and additionally, may face a fine of up to \$200,000; and
- c. Importers and suppliers of imitation tobacco products will face 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.

15. Rebuttable presumptions relating to possession, and knowledge of the nature, of products prohibited under TVCA will be introduced, similar to MDA, to strengthen HSA's ability to deal with importers and suppliers. For example, with these presumptions, when vaporisers are found in a vehicle entering Singapore, the driver of the vehicle can no longer simply raise a bare claim of ignorance to avoid legal responsibility, and must instead produce evidence to prove that they actually did not know that the vaporisers were in the vehicle.

16. Under the TVCA, owners and occupiers of land, buildings and places must exercise due care to prevent the storage of prohibited products, such as vaporisers. This may involve conducting proper tenant background checks, explicit tenancy agreement clauses on prohibited activities, and ad-hoc inspections. HSA will be publishing a handbook on exercising due care to support compliance efforts.

17. Similar to the Smoking (Prohibition in Certain Places) Act 1992, TVCA will require owners and occupiers of specified premises to take action when individuals in their premises are observed to be possessing or using prohibited products, such as vaporisers. These actions include instructing individuals to stop using (where applicable) and dispose of the products, informing individuals that these products are illegal, and requiring non-compliant individuals to leave the premises immediately. For a start, these requirements will apply to entertainment venues including discotheques, pubs, bars, lounges and nightclubs. Individuals who hinder, obstruct, threaten, abuse or assault owners or occupiers in the course of them carrying out these duties will commit an offence.

18. The penalties for non-compliance with the above requirements are listed in Annex B.

Implementation Timeline and Continued Provision of Support

19. The TVCA is planned to come into effect, and will be used to deal with etomidate, from 1 May 2026. To facilitate this transition, the listing of etomidate and its analogues under MDA has been extended until 30 April 2026, after which they will be delisted from the MDA on 1 May 2026.

20. The Government continues to provide support to those who need help and support to quit vaping. Members of the public can access the QuitVape Programme (www.gov.sg/stopvaping) or contact HPB's QuitLine at 1800 438 2000. Individuals who voluntarily seek help will not face penalties nor have an offence record for coming forward. However, if the individual is separately caught for vaping, the relevant penalties will be meted out and there will be an offence record. Support under the QuitVape programme and HPB's I Quit programme is free for Singapore Citizens and Permanent Residents.

21. Members of the public can continue to voluntarily dispose of vaporisers safely at designated disposal bins placed at selected locations, including border checkpoints and where QuitVape programmes and rehabilitation are provided.

22. Members of the public who have information on the illegal advertisement, import, distribution, sale or possession of vaporisers can contact HSA to support our enforcement efforts through two convenient channels:

- Submit information through our online reporting form: www.go.gov.sg/reportvape or scan the QR code:



- Call HSA at Tel: 6684 2036 or 6684 2037, operational daily, including weekends and public holidays, from 9am to 9pm.

**MINISTRY OF HEALTH
HEALTH SCIENCES AUTHORITY
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Number of offenders caught under the enhanced enforcement framework for possession, use and purchase of vaporisers from 1 September 2025 to 28 February 2026

Number of offenders caught	
Total offenders caught for possession and use	5,170
Etomidate vaporiser offenders	593
Regular vaporiser offenders	4,577
Number of offenders placed on rehabilitation	
Etomidate vaporiser offenders who have been placed on rehabilitation programmes	311
Etomidate vaporiser offenders who have completed rehabilitation programme	51
Regular vaporiser offenders who have been placed on rehabilitation programmes	114
Regular vaporiser offenders who have completed rehabilitation programmes	19
Offenders who defaulted on their rehabilitation programmes	42

Summary Table of Changes in Legislative Penalties from 1 May 2026

Vaporisers: Purchase, use or possession

Offence under TCASA	Current Penalties under TCASA	Offence under TVCA	Revised Penalties under TVCA
Purchase, use or possession of imitation tobacco products	Maximum fine of \$2,000	Purchase, use or possession of vaporisers	Maximum fine of \$10,000

Vaporisers: Import or supply

Offence under TCASA	Current Penalties under TCASA	Offence Under TVCA	Revised Penalties under TVCA
Import, distribute, sell, offer for sale or possess for sale of imitation tobacco products	First offence: A fine not exceeding \$10,000, or imprisonment for a term not exceeding 6 months, or both	Import of vaporisers	Mandatory imprisonment of up to 9 years and liable to a fine of up to \$300,000
	Repeat offence: A fine not exceeding \$20,000, or imprisonment for a term not exceeding 12 months, or both	Sell, give, transport, send, deliver or distribute vaporisers within Singapore, offering to do any of these acts, or possessing for the purpose of doing any of these acts	Mandatory imprisonment of up to 6 years and liable to a fine of up to \$200,000

Specified Psychoactive Substances (SPS): Purchase or possession of SPS products, or consumption of SPS

Offence under MDA	Penalties under MDA	Offence under TVCA	New Penalties under TVCA
Possession of Class C Controlled Drug	First offence: Maximum 10 years or \$20,000 or both	Possession and purchase of SPS products	Fine not exceeding \$20,000, or imprisonment for a term not exceeding 10 years, or both
Consumption of Class C Controlled Drug	First offence: Imprisonment for a term of 1 to 10 years and also liable to a fine not exceeding \$20,000	Consumption of SPS	

Specified Psychoactive Substances (SPS) products: Import or supply

Offence under MDA	Penalties under MDA	Offence under TVCA	New Penalties under TVCA
Import of Class C Controlled Drug	<ul style="list-style-type: none"> • Minimum 3 years and 5 strokes • Maximum 20 years and 15 strokes 	Import of SPS products	<ul style="list-style-type: none"> • Minimum 3 years and 5 strokes • Maximum 20 years and 15 strokes
Trafficking of Class C Controlled Drug	<ul style="list-style-type: none"> • Minimum 2 years and 2 strokes • Maximum 10 years and 5 strokes 	Sell, give, transport, send, deliver or distribute SPS products within Singapore, offering to do any of these acts, or possessing for the purpose of doing any of these acts	<ul style="list-style-type: none"> • Minimum 2 years and 2 strokes • Maximum 10 years and 5 strokes

Offence for failure to comply with requirements of community-based rehabilitation order

Current Penalties under MDR	New Penalties under TVCA
<p>Failure to comply with specific requirements under the supervision order</p> <ul style="list-style-type: none"> • Fine up to \$10,000, or imprisonment up to 4 years, or both <p>Failure to comply with any other requirement under the supervision order</p> <ul style="list-style-type: none"> • Fine up to \$1,000, or imprisonment up to 6 months, or both 	<p>Failure to comply with specific requirements under the community-based rehabilitation order</p> <ul style="list-style-type: none"> • Fine up to \$10,000, or imprisonment up to 4 years, or both <p>Failure to comply with any other requirement under the community-based rehabilitation order</p> <ul style="list-style-type: none"> • Fine up to \$1,000, or imprisonment up to 6 months, or both

Offences introduced in relation to Specified Psychoactive Substances (SPS) products

Current Penalties under MDA	New Penalties under TVCA
<p>Exposing child (below 16 years old) to drugs, etc., and permitting young person (below 21 years old) to consume drugs</p> <ul style="list-style-type: none"> • First offence: Imprisonment for a term not exceeding 10 years • Repeat offence: Imprisonment for a term of not less than 2 years and not more than 10 years 	<p>Offences involving child (below 16 years old) or young person (below 21 years old) and SPS products</p> <ul style="list-style-type: none"> • First offence: Imprisonment for a term not exceeding 10 years • Repeat offence: Imprisonment for a term of not less than 2 years and not more than 10 years

<p>Causing or procuring young person (below 21 years old) or vulnerable person¹ to commit offences of trafficking or import or export of controlled drugs</p> <ul style="list-style-type: none"> • Minimum: 4 years and 4 strokes • Maximum: 20 years and 15 strokes 	<p>Causing or procuring young person (below 21 years old) or vulnerable person¹ to commit offences of import or supply of SPS products</p> <ul style="list-style-type: none"> • Minimum: 4 years and 4 strokes • Maximum: 20 years and 15 strokes
<p>Arranging or planning gatherings where controlled drugs are to be consumed or trafficked</p> <ul style="list-style-type: none"> • Imprisonment for a term of not less than 3 years and not more than 20 years; and liable to caning of not more than 10 strokes 	<p>Arranging or planning gatherings where SPS products are to be used, etc.</p> <ul style="list-style-type: none"> • Imprisonment for a term of not less than 2 years and not more than 10 years; and liable to not more than 5 strokes of the cane

New offence of permitting or allowing storage or keeping of section 14 tobacco products, section 15 tobacco products, vaporisers and imitation tobacco products

New Penalties under TVCA

Owners or occupiers of any land, building or place in Singapore, or part thereof, who permit or allow any other person to store or keep such products or their components without exercising due care

- First offence: A fine not exceeding \$100,000, or imprisonment for a term not exceeding 3 years, or both
- Repeat offence: A fine not exceeding \$200,000, or imprisonment for a term not exceeding 6 years, or both

New duties of responsible persons of specified premises

New Penalties under TVCA

Responsible person of specified premises who fails to comply with duties

- First offence: A fine not exceeding \$1,000
- Repeat offence: A fine not exceeding \$2,000

Person who hinders, obstructs, threatens, abuses, molests or assaults responsible persons in the course of the responsible persons' duty

- A fine not exceeding \$1,000, or imprisonment for a term not exceeding 6 months, or both

Note:

- *TCASA refers to the Tobacco (Control of Advertisements and Sale) Act 1993.*
- *TVCA refers to the Tobacco and Vaporisers Control Act 1993.*
- *MDA refers to the Misuse of Drugs Act 1973.*
- *MDR refers to the Misuse of Drugs (Approved Institutions, Medical Observation and Treatment and Rehabilitation) Regulations, which is a subsidiary legislation under MDA.*
- *SPS products refer to tobacco products, vaporisers and imitation tobacco products containing SPS.*

¹ Vulnerable persons refer to persons who suffer from an impairment of, or a disturbance in the functioning of, the mind or brain resulting from any disability or disorder of the mind or brain which impairs the ability to make a proper judgment in relation to the commission of an offence under TVCA.