

Fire Safety (Amendment) Bill

Bill No. 5/2004.

Read the first time on 5th January 2004.

A BILL

intituled

An Act to amend the Fire Safety Act (Chapter 109A of the 2000 Revised Edition) and to make consequential amendments to certain other written laws.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Fire Safety (Amendment) Act 2004 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

5 Amendment of section 2

2. Section 2(1) of the Fire Safety Act (referred to in this Act as the principal Act) is amended —

(a) by inserting, immediately before the definition of “building”, the following definition:

10 ““alternative solution”, in relation to any fire safety works, means an engineering solution for the fire safety works to satisfy any fire performance requirements in the Fire Code, being a solution that is based on —

15 (a) a deterministic or probabilistic analysis of fire scenarios or both types of analysis; or

(b) a quantitative or qualitative assessment of design alternatives or both against the fire performance requirements in the Fire Code,

20 using engineering tools, methodologies and performance criteria as may be acceptable to the Commissioner, but does not include engineered smoke control systems where the usage and design are in accordance with the Fire Code;”;

25 (b) by inserting, immediately after the definition of “Commissioner”, the following definition:

30 ““Fire Code” means the Code of Practice for Fire Precautions in Buildings published by the Commissioner as amended or remade from time to time, and includes any code, standard, rule, specification or provision adopted by the Commissioner under section 55 in lieu of the Fire Code;”;

(c) by deleting the words “any place of public resort” in paragraph (b) of the definition of “fire hazard” and substituting the words

“any public building or any building used occasionally or regularly for public worship or religious ceremonies”;

(d) by inserting, immediately after the definition of “fire hazard abatement notice”, the following definition:

5 “ “fire performance requirements” means the objectives specified in the Fire Code in respect of fire safety works;”;

(e) by inserting, immediately after the definition of “fire protection works”, the following definition:

10 “ “fire safety engineer” means a person who is registered as a fire safety engineer under this Act;”;

(f) by deleting the definition of “place of public resort” and substituting the following definition:

15 “ “peer reviewer” means a fire safety engineer who is appointed to review and assess whether any alternative solution in plans for any fire safety works that is prepared or proposed by another person satisfies any fire performance requirements;”;

(g) by deleting the definition of “public building” and substituting the following definition:

20 “ “public building” means a building or part of a building —

(a) used as a hospital or a nursing home;

25 (b) used ordinarily or occasionally to provide residential care to aged persons or child care for groups of children;

(c) used wholly or mainly as or in connection with a hotel, shop or restaurant; or

30 (d) where the public or any part thereof or numbers of persons occasionally or regularly assemble for —

(i) civic or social (but not religious or educational) purposes;

- (ii) entertainment, recreational or sporting purposes; or
- (iii) business purposes;”.

Amendment of section 5A

5 **3.** Section 5A of the principal Act is amended —

(a) by deleting the full-stop at the end of paragraph (e) of subsection (1) and substituting the word “; or”, and by inserting immediately thereafter the following paragraph:

10 “(f) if he is a qualified person or a fire safety engineer, his registration as such is revoked or cancelled or he is suspended from practising as such under this Act or any other relevant written law.”;

(b) by deleting the words “or (e)” in subsection (3) and substituting the words “, (e) or (f)”;

15 (c) by deleting the words “one month” in subsection (4) and substituting the words “7 days”; and

(d) by deleting the words “or (e)” in subsection (12) and substituting the words “, (e) or (f)”.

Amendment of section 6

20 **4.** Section 6(1) of the principal Act is amended by deleting the words “the duties and responsibilities or exercising all or any of the powers of the Commissioner under this Act or any regulations made thereunder as may be authorised by the Commissioner under section 3(3) or any regulations made under this Act” and substituting the words “his duties and responsibilities or exercising his powers as a registered inspector
25 under this Act or any regulations made thereunder”.

Amendment of section 6A

5. Section 6A of the principal Act is amended —

30 (a) by deleting the words “the Commissioner” in the 2nd line of subsection (1) and substituting the words “the Minister”; and

(b) by deleting the words “the Commissioner” in subsection (8) and substituting the words “the Minister”.

Amendment of section 6C

6. Section 6C of the principal Act is amended by deleting subsection (5) and substituting the following subsection:

5 “(5) Where the complainant withdraws his complaint before the
 Inquiry Committee is constituted or before the inquiry by the
 Committee is concluded, the Commissioner may, notwithstanding
 such withdrawal, constitute an Inquiry Committee and direct it to
 inquire, or may direct the Inquiry Committee to continue with its
 inquiry, into the matter, and the Inquiry Committee shall comply with
 10 that direction.”.

Amendment of section 7

7. Section 7(1) of the principal Act is amended by deleting the word “officer” in the 1st line and substituting the words “member of the Singapore Civil Defence Force”.

Amendment of section 20

8. Section 20 of the principal Act is amended —

(a) by deleting subsection (1) and substituting the following subsections:

20 “(1) The Commissioner may, by notice in writing, require the
 owner or occupier of any building subject to this section to
 apply and obtain a fire certificate from the Commissioner.

(1A) The following buildings shall be subject to this section:

25 (a) any public building which has an occupant load of
 more than 200 persons or, if so specified, such other
 occupant load as the Minister may, by notification in
 the *Gazette*, specify; and

(b) any other particular building, or any building in any
 other class of buildings, designated by the Minister
 under subsection (1B) to be subject to this section.

30 (1B) Where, in the opinion of the Minister, any fire within
 any building (whether used as a residential building or an
 industrial building or otherwise) is likely to be a significant
 source of danger to the occupants in the building, or to life or

property in the vicinity of that building, the Minister may, by order published in the *Gazette*, designate that particular building or a class of such buildings to be subject to this section.”;

- 5 (b) by deleting the words “the building or part thereof” in the 1st line of subsection (2) and substituting the words “any building subject to this section”; and
- (c) by deleting subsection (5) and substituting the following subsection:

10 “(5) In this section —

“industrial building” means any building or part of a building which is used wholly or mainly for —

(a) the manufacture of goods or materials or the subjection of goods or materials to any process, including any research or development for any manufacturing trade or business; or

15 (b) the purposes of any water, gas, telecommunication, electricity or other industrial undertaking, including research and development for any such industrial undertaking;

20 “occupant load”, in relation to a building, means the number of persons that may safely occupy the building at any one time.”.

New Part IIIA

- 25 **9.** The principal Act is amended by inserting, immediately after section 22, the following Part:

“PART IIIA

FIRE SAFETY ENGINEERS

Duties and responsibilities of fire safety engineers

- 30 **22A.**—(1) Subject to the provisions of this Act, no person shall prepare or propose plans for any fire safety works using any

alternative solution to satisfy any fire performance requirements unless he is —

(a) an appropriate qualified person who is also a fire safety engineer; or

5 (b) a qualified person preparing or proposing the alternative solution under the direct supervision of a fire safety engineer.

(2) Subject to the provisions of this Act, no person except a fire safety engineer shall act as a peer reviewer.

10 (3) Where a fire safety engineer prepares or proposes, or supervises the preparation or proposal of, any plan for fire safety works using any alternative solution to satisfy any fire performance requirements, he shall take all reasonable steps and exercise due diligence to ensure that the alternative solution satisfies those fire performance requirements.

15 (4) Where a fire safety engineer is appointed as a peer reviewer to review and assess whether any alternative solution satisfies any fire performance requirements, the peer reviewer shall not issue any certification under section 23(4)(a)(iii) unless he has taken all reasonable steps and exercised due diligence to ensure that the alternative solution in respect of which his certification is being sought satisfies those fire performance requirements.

20 (5) Subject to the provisions of this Act, a peer reviewer shall not, at any time when reviewing and assessing whether any alternative solution used in any plan for any fire safety works satisfies any fire performance requirements, have any professional or financial interest in —

25 (a) the fire safety works or the building works in respect of which his duties and responsibilities as peer reviewer are to be carried out; or

30 (b) the building or any part thereof to which the fire safety works relate.

35 (6) A peer reviewer shall be regarded as having a professional or financial interest in any fire safety works or building works, or in any building or any part thereof, if —

(a) he is or has been responsible for, or is acting as the consultant for, the design or construction of the building or any of the fire safety works in any capacity;

5 (b) he, or any nominee of his, is a member, officer or employee of a company or other body which has a professional or financial interest in the building or any part thereof, or in the building works or fire safety works; or

10 (c) he is a partner or is in the employment of a person who has a professional or financial interest in the building or any part thereof, or in the building works or fire safety works.

(7) For the purposes of this section —

15 (a) a person shall be regarded as having a professional or financial interest in the building or any part thereof, or in any building works or fire safety works, even if he has that interest only as a trustee for the benefit of some other person; and

(b) in the case of a husband and wife living together, the interest of one spouse shall, if known to the other, be deemed to be also an interest of the other.

20 (8) For the avoidance of doubt —

(a) involvement in the fire safety works as a peer reviewer; and

(b) entitlement to any fee paid for acting as a peer reviewer,

shall not be regarded as constituting a professional or financial interest.

25 (9) Any person who contravenes subsection (1) or (2) shall be guilty of an offence.

30 (10) Any fire safety engineer who contravenes subsection (3), (4) or (5) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 12 months or to both.

Registration of fire safety engineers

22B.—(1) An application for registration as a fire safety engineer shall be made to the Commissioner in such form and manner, and be

accompanied by such documents, particulars and fee, as may be prescribed.

(2) No person shall be registered as a fire safety engineer unless he can satisfy the Commissioner that he possesses the prescribed qualifications and practical experience.

(3) The Commissioner may —

(a) appoint a committee of persons to assist him in considering applications for registration as fire safety engineers; and

(b) by himself or through the committee appointed under paragraph (a), interview the applicants and make such enquiries or do anything which the Commissioner may think necessary or expedient for the purposes of subsections (2) and (4).

(4) The Commissioner may refuse to register any applicant who, in his opinion —

(a) is not of good character and reputation; or

(b) is unable to effectively carry out his duties and responsibilities as a fire safety engineer under this Act or any regulations made thereunder.

(5) Any person whose application for registration has been refused may, within 14 days after receiving notice of such refusal, appeal to the Minister whose decision shall be final.

(6) The Commissioner shall issue a certificate of registration to every person registered as a fire safety engineer.

Disciplinary action against fire safety engineers

22C.—(1) Where the Commissioner, upon consideration of the report of any Investigation Committee in respect of any complaint against or information received about a fire safety engineer, is satisfied that the fire safety engineer —

(a) has been convicted of any offence under this Act or any regulations made thereunder, or any other offence involving fraud or dishonesty;

- (b) has obtained his registration under this Act by fraud or misrepresentation;
- (c) has his qualification for registration withdrawn or cancelled by the institution or authority through which it was acquired or by which it was awarded;
- (d) has contravened section 22A(3), (4) or (5);
- (e) has not complied with the prescribed requirements relating to continuous professional education as a fire safety engineer;
- (f) is no longer in a position to effectively carry out his duties or responsibilities as a fire safety engineer or peer reviewer under this Act or any regulations made thereunder;
- (g) has his registration as a registered inspector cancelled or has been suspended from practice as a registered inspector, where the fire safety engineer is also a registered inspector; or
- (h) has for any reason ceased to be a qualified person, where the fire safety engineer is also a qualified person,

the Commissioner may, after giving the fire safety engineer concerned a reasonable opportunity of being heard, either orally or in writing, exercise any of the powers in subsection (2).

(2) The powers the Commissioner may exercise under subsection (1) in relation to a fire safety engineer are as follows:

- (a) cancel the registration of the fire safety engineer;
- (b) suspend the registration of the fire safety engineer for such period not exceeding 12 months;
- (c) impose such conditions as are necessary to restrict the practice of the fire safety engineer for a period not exceeding 12 months, including any condition requiring the fire safety engineer to undergo further training, to practise only under supervision or to cease acting as a peer reviewer;
- (d) require the fire safety engineer to give such undertaking as the Commissioner thinks fit;

- (e) impose on the fire safety engineer a penalty not exceeding \$5,000;
- (f) censure the fire safety engineer in writing;
- (g) dismiss the complaint against the fire safety engineer; or
- 5 (h) make such other orders as the Commissioner thinks fit.

(3) Where a fire safety engineer in respect of whom any conditions have been imposed, or any undertaking is required to be given, under subsection (2)(c) or (d) fails to comply with any of the conditions or breaches his undertaking, or the fire safety engineer fails to pay the penalty under subsection (2)(e), the Commissioner may, if he thinks fit, after giving the fire safety engineer concerned a reasonable opportunity of being heard either orally or in writing, by order —

- (a) cancel the registration of the fire safety engineer; or
- 15 (b) suspend the registration of the fire safety engineer for such period not exceeding 12 months as may be specified in the order.

(4) The Commissioner may, by written notice served on the fire safety engineer concerned, vary or revoke any of the conditions imposed on the fire safety engineer under subsection (2)(c).

20 (5) Any decision of the Commissioner under subsection (2), (3) or (4) in relation to a fire safety engineer shall not take effect —

- (a) until the 15th day after the date on which the decision is communicated to the fire safety engineer concerned; or
- 25 (b) where an appeal against the decision is made to the Minister under subsection (6), until the appeal has been determined or withdrawn.

(6) Any person against whom the Commissioner has made any decision under subsection (2), (3) or (4) may, if aggrieved by the decision, appeal to the Minister within a period of 14 days after receiving notice of such decision.

30 (7) The decision of the Minister on an appeal under subsection (6) shall be final.

(8) Before the Minister makes a decision to allow or dismiss any appeal under subsection (6), the Minister may refer the matter to the Appeal Advisory Board appointed under section 28, and the Minister, in making his decision, may have regard to any report made to him by the Appeal Advisory Board.

(9) Any penalty imposed on a fire safety engineer under subsection (2)(e) shall be recoverable as a debt due from the fire safety engineer.

(10) In any proceedings under this section and section 22D against a fire safety engineer consequent upon his conviction for an offence, the Commissioner and an Investigation Committee shall accept his conviction as final and conclusive.

Investigation Committee

22D.—(1) Where the Commissioner receives any written complaint against or any written information about the conduct of a fire safety engineer as a peer reviewer or otherwise, or the discharge of his duties as a fire safety engineer or peer reviewer, the Commissioner may constitute an Investigation Committee and refer the complaint or information to the Committee to investigate.

(2) An Investigation Committee shall consist of—

- (a) a chairman;
- (b) 2 fire safety engineers who are not members of the Singapore Civil Defence Force; and
- (c) 2 other members who are members of the Singapore Civil Defence Force,

all of whom shall be appointed by the Commissioner from the Fire Safety Engineers Discipline Panel constituted under section 22E.

(3) An Investigation Committee shall—

- (a) within a reasonable time of its constitution, commence its investigation into the complaint against or information referred to it by the Commissioner under subsection (1); and
- (b) submit to the Commissioner a written report of its findings and its recommendations not later than 6 months after its

constitution, or such later date as the Commissioner may, in any special case, permit.

5 (4) Where the complainant withdraws his complaint before the Investigation Committee is constituted or before the investigation by the Committee is concluded, the Commissioner may, notwithstanding such withdrawal, constitute an Investigation Committee and direct it to investigate, or may direct the Investigation Committee to continue with its investigation, into the matter, and the Investigation Committee shall comply with that direction.

10 (5) Where an Investigation Committee is of the opinion that a fire safety engineer should be called upon to answer any allegation made against him, the Investigation Committee shall —

(a) post or deliver to the fire safety engineer concerned —

15 (i) copies of any complaint or information touching upon his conduct, including any statutory declaration or affidavit that may be made in support of the complaint or information; and

20 (ii) a notice inviting him to give, within such period (not being less than 14 days) as may be specified in the notice, to the Investigation Committee any written explanation he may wish to offer and to advise the Committee if he wishes to be heard by the Committee;

(b) allow the time specified in the notice to elapse;

25 (c) give the fire safety engineer concerned a reasonable opportunity to be heard if he so desires; and

(d) give due consideration to any explanation (if any) given by the fire safety engineer concerned.

30 (6) For the purposes of any investigation into any complaint or information referred to it under subsection (1), an Investigation Committee may —

(a) require evidence to be given on oath and for that purpose, the chairman of the Investigation Committee may administer an oath;

(b) require any person to attend and give evidence before it, and to produce all plans, books, documents or papers in the possession of that person or under his control relating to the subject-matter of the investigation; or

5 (c) appoint any person to make or assist in the making of such preliminary inquiries as the Investigation Committee thinks fit.

(7) Any person who, without lawful excuse, refuses or fails to —

10 (a) attend and give evidence before an Investigation Committee when required to do so by the Committee;

(b) answer truly and fully any question put to him by a member of the Investigation Committee; or

15 (c) produce to an Investigation Committee any plan, book, document or paper required by the Committee to be produced by him,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

20 (8) An Investigation Committee shall meet from time to time and, subject to the provisions of this Act and any regulations made thereunder, shall regulate its own procedure the manner in which questions are decided before the Investigation Committee.

Fire Safety Engineers Discipline Panel

25 **22E.**—(1) There shall be a Fire Safety Engineers Discipline Panel for the purpose of constituting Investigation Committees under section 22D to investigate into any complaint against or information about the conduct of any fire safety engineer as a peer reviewer or otherwise, or the discharge of his duties as a fire safety engineer or peer reviewer.

(2) The Fire Safety Engineers Discipline Panel shall comprise —

30 (a) such number of fire safety engineers who are not members of the Singapore Civil Defence Force as the Commissioner may determine; and

(b) such number of members of the Singapore Civil Defence Force as the Commissioner may determine.

(3) Every member of the Fire Safety Engineers Discipline Panel shall be appointed by the Minister for a term of 2 years, and shall be eligible for re-appointment.

(4) The Minister may at any time remove any person from the Fire Safety Engineers Discipline Panel and fill any vacancy in its membership.

(5) Any member of the Fire Safety Engineers Discipline Panel whose term of appointment expires in the course of any investigation by an Investigation Committee to which he has been appointed shall continue as a member of that Committee until the Committee's written report of the investigation is submitted to the Commissioner under section 22D(3)(b).

Register of fire safety engineers

22F.—(1) The Commissioner shall keep and maintain at his office a register of fire safety engineers, in which shall be entered the names of all persons registered as fire safety engineers, the qualifications by virtue of which they are each so registered and such other particulars in relation to the person as may from time to time be determined by the Commissioner.

(2) There shall be removed from the register of fire safety engineers the name and particulars of any fire safety engineer —

(a) who has died; or

(b) who has no address in Singapore at which he can be found.

(3) In addition, once any decision of the Commissioner under section 22C to cancel or suspend the registration of any fire safety engineer takes effect —

(a) the Commissioner shall immediately remove the name and particulars of the fire safety engineer concerned from the register of fire safety engineers and notify the fire safety engineer concerned;

(b) the fire safety engineer concerned shall, within 7 days of being so notified, surrender to the Commissioner the certificate of registration issued to him; and

(c) the Commissioner shall cancel any certificate of registration issued to the fire safety engineer concerned.

(4) While the registration of a fire safety engineer is suspended under section 22C, the person's name shall not appear in the register of fire safety engineers, but at the end of the period of suspension, the Commissioner shall, within 7 days of that period ending, restore the person's name and particulars to the register of fire safety engineers and re-issue to him a fresh certificate of registration, without the payment of any fee.

(5) Any fire safety engineer may apply, in the prescribed form and manner, to the Commissioner to have his name removed from the register of fire safety engineers.

(6) The Commissioner shall refuse any application by a fire safety engineer to remove his name from the register of fire safety engineers if the Commissioner is satisfied that at the time of the application —

(a) disciplinary action under section 22C is pending against the fire safety engineer; or

(b) the conduct of the fire safety engineer (whether as a peer reviewer or otherwise) is the subject of any complaint to or information received by the Commissioner.”.

Amendment of section 23

10. Section 23 of the principal Act is amended —

(a) by inserting, immediately after subsection (1), the following subsection:

“(1A) Subject to the provisions of this Act, every person for whom any fire safety works (whether as part of any building works or otherwise) are to start on or after the date of commencement of section 10 of the Fire Safety (Amendment) Act 2004 shall, before making an application under subsection (1) for approval of the plans of those fire safety works, appoint —

(a) where the plans or any part thereof contain any alternative solution —

(i) an appropriate qualified person who is a fire safety engineer to prepare those plans or that part thereof containing the alternative solution, or a fire safety engineer to supervise a qualified person to prepare those plans or that part thereof; and

(ii) another fire safety engineer as a peer reviewer to review and assess whether the alternative solution therein satisfies the fire performance requirements in the Fire Code; or

(b) in any other case, an appropriate qualified person to prepare the plans of those fire safety works.”;

(b) by deleting subsection (4) and substituting the following subsection:

“(4) Where an application is made under subsection (1) regarding any plans of any fire safety works, the Commissioner may, without checking the plans, approve those plans if —

(a) in the case of plans referred to in subsection (1A)(a), the application and plans are accompanied by —

(i) a written declaration by the qualified person who prepared those plans declaring that the plans (excluding the alternative solution) have been prepared in accordance with the Fire Code and comply with the provisions of this Act and any regulations made thereunder;

(ii) a written declaration by the fire safety engineer who prepared or (as the case may be) supervised the preparation of the plans or that part thereof containing the alternative solution, declaring that the alternative solution satisfies the fire performance requirements and complies with the provisions of this Act and any regulations made thereunder; and

- 5 (iii) a certification from the peer reviewer that the alternative solution contained in the plans or that part thereof satisfies the fire performance requirements and complies with the provisions of this Act and any regulations made thereunder; or
- 10 (b) in the case of plans referred to in subsection (1A)(b), the application and plans are accompanied by a written declaration by the qualified person who prepared those plans declaring that the plans have been prepared in accordance with the Fire Code and the provisions of this Act and any regulations made thereunder.”;
- 15 (c) by inserting, immediately after the words “qualified person” in subsection (6)(b), the words “or fire safety engineer or the certificate of a peer reviewer”;
- (d) by deleting paragraph (a) of subsection (11) and substituting the following paragraph:
- 20 “(a) any fire certificate granted under section 20 in respect of any building to which the fire safety works relate; and”;
- (e) by inserting, immediately after subsection (11), the following subsection:
- 25 “(12) For the purposes of this section, any plans of any fire safety works that are prepared in accordance with the solutions issued by the Commissioner as in compliance with the fire performance requirements shall be deemed to satisfy the fire performance requirements.”.

Amendment of section 25

11. Section 25 of the principal Act is amended —

- 30 (a) by deleting subsection (1) and substituting the following subsection:
- “(1) Subject to the provisions of this Act, every person for whom any fire safety works are or are to be carried out shall appoint —

(a) in the case of plans referred to in section 23(1A)(a) —

(i) the same qualified person who prepared those plans to supervise the carrying out of the fire safety works, including the alternative solution, as required under this section; and

(ii) the same fire safety engineer who prepared or (as the case may be) supervised the preparation of the plans or that part thereof containing the alternative solution to supervise the carrying out of the fire safety works or part thereof containing the alternative solution as required under this section; or

(b) in the case of plans referred to in section 23(1A)(b), the same qualified person who prepared the approved plans of those fire safety works to supervise the fire safety works as required under this section.”; and

(b) by inserting, immediately after the words “qualified person” wherever they appear in subsections (2), (3), (4), (6) and (8), the words “or fire safety engineer”.

20 **Amendment of section 26**

12. Section 26(1) of the principal Act is amended by inserting, immediately after the words “qualified person”, the words “or fire safety engineer”.

New section 30D

25 **13.** The principal Act is amended by inserting, immediately after section 30C, the following section:

“Application of this Part to Government buildings, etc.

30 **30D.**—(1) This Part shall apply to fire safety works starting on or after the date of commencement of section 13 of the Fire Safety (Amendment) Act 2004 and which are carried out by or on behalf of the Government in any building wholly or partly owned or occupied by the Government, but nothing in this Act shall render the Government to prosecution for an offence.

(2) For the avoidance of doubt, no person shall be immune from prosecution for any offence under this Part by reason that the person is a contractor engaged to provide services to the Government, or is acting in any other similar capacity for, or on behalf of, the Government.”.

Repeal of Part V

14. Part V of the principal Act is repealed.

Amendment of section 34

15. Section 34 of the principal Act is amended —

- 10 (a) by inserting, immediately after the words “In this Part”, the words “and in section 61”;
- (b) by inserting, immediately after the words “class of petroleum” in the definition of “dispensing”, the words “or any flammable material”;
- 15 (c) by deleting the definition of “flammable materials” and substituting the following definitions:
- “ “flammable material” means any substance specified in the Schedule;
- “import”, with its grammatical variations and cognate expressions, means to take or cause to be taken into Singapore by land, sea or air from any place outside Singapore, but does not include the bringing into Singapore by sea or air of any substance or product which it is proved to be intended to be taken out of Singapore on the same vessel or aircraft on which the substance or product was brought into Singapore without any landing or transshipment within Singapore;”;
- 20
- 25
- 30 (d) by inserting, immediately after the words “class of petroleum” in the definition of “licensed premises”, the words “or any flammable material”;
- (e) by deleting the definition of “transport” and substituting the following definitions:

““road tanker” means a goods vehicle as defined in the Road Traffic Act (Cap. 276) which has a tank that is structurally attached or is an integral part of the frame of the vehicle;

5 “transport”, in relation to any class of petroleum or any flammable material, means the carriage of such petroleum or flammable material by any vehicle on land from one place in Singapore to another place, whether within or outside Singapore, and includes —

10 (a) the packing, loading and unloading of the goods, and the transfer of the goods to or from a vehicle;

(b) the marking of packages and unit loads containing petroleum or flammable material for transport, and placarding containers and vehicles in which such petroleum or flammable material are transported;
15 and

(c) any other matters incidental to their transport.”;
and

(f) by renumbering the section as subsection (1) of that section, and
20 by inserting immediately thereafter the following subsections:

“(2) For the purposes of this Part and section 61, a person may be regarded as transporting any class of petroleum or any flammable material —

(a) by his marking packages and unit loads containing
25 such petroleum or flammable material for transport, and placarding containers and any vehicles in which such petroleum or flammable material are transported;

(b) by his consigning such petroleum or flammable material for transport;

(c) by his loading such petroleum or flammable material
30 into or onto a vehicle, or into a tank container or container that is to be put on a vehicle, for transport or unloading any class of petroleum or any flammable material that has been transported;

- (d) by his marshalling vehicles and separating such petroleum or flammable material;
- (e) by his undertaking, or being responsible for, otherwise than as an employee or subcontractor, the transport of such petroleum or flammable material;
- (f) by his providing emergency information in relation to the transport of such petroleum or flammable material;
- (g) by his driving a vehicle carrying such petroleum or flammable material;
- (h) by being the consignee of such petroleum or flammable material that are to be transported; or
- (i) by being involved as a director, secretary or manager of a body corporate, or other person who takes part in the management of a body corporate, that takes part in an activity referred to above.

(3) The Minister may at any time, by order published in the *Gazette*, amend the Schedule.”.

Repeal and re-enactment of section 35 and new sections 35A and 35B

16. Section 35 of the principal Act is repealed and the following sections substituted therefor:

“Storage of petroleum and flammable materials

35. No person shall store or keep, or cause to be stored or kept, any class of petroleum or any flammable material except —

- (a) in or on premises licensed for the storage or keeping of such petroleum or flammable material;
- (b) in such quantities and in such manner and subject to such conditions as may be prescribed in relation to such petroleum or flammable material; and
- (c) under the authority of and in accordance with the provisions of a licence from the Commissioner and every condition specified therein.

Import of petroleum and flammable materials

35A.—(1) No person shall import any class of petroleum or any flammable material if —

- (a) the regulations require the person importing such petroleum or flammable material to hold a licence from the Commissioner to import such petroleum or flammable material; and
- (b) the person does not hold such a valid licence.

(2) No person shall import any class of petroleum or any flammable material unless the importation —

- (a) is effected in accordance with the provisions of his licence and with every condition specified therein; and
- (b) is in such quantities and in such manner and subject to such conditions as may be prescribed in relation to such petroleum or flammable material.

Transport of petroleum and flammable material

35B.—(1) No person shall transport any class of petroleum or any flammable material (other than as a driver of a road vehicle) if —

- (a) the regulations require the person transporting such petroleum or flammable material to hold a licence from the Commissioner to transport such petroleum or flammable material; and
- (b) the person does not hold such a valid licence.

(2) No person shall transport any class of petroleum or any flammable material (other than as a driver of a road vehicle) unless the transportation —

- (a) is in accordance with the provisions of his licence and with every condition specified therein; and
- (b) is in such quantities and in such manner and subject to such conditions as may be prescribed in relation to such petroleum or flammable material.

(3) No person shall drive any vehicle transporting any class of petroleum or any flammable material by road if —

(a) the regulations require the vehicle to be licensed to transport such petroleum or flammable material and the vehicle is not licensed by the Commissioner to carry such petroleum or flammable material; and

(b) the regulations require the person to hold a permit from the Commissioner to drive a vehicle carrying such petroleum or flammable material and the person does not hold such a valid permit.

(4) No person shall drive any vehicle transporting any class of petroleum or any flammable material by road unless he does so in such manner and subject to such conditions as may be prescribed in relation to such petroleum or flammable material, and in accordance with the provisions of his permit and every condition specified therein.

(5) Nothing in this section shall apply to petroleum or any flammable material in the fuel tank of a vehicle which is used or intended to be used as fuel for that vehicle.

(6) Every permit issued by the Commissioner before the date of commencement of section 16 of the Fire Safety (Amendment) Act 2004 authorising any person to drive any vehicle transporting any class of petroleum or any flammable material by road shall be deemed to have been issued under subsection (3)(b).”.

Amendment of section 36

17. Section 36 of the principal Act is amended —

(a) by inserting, immediately after the words “class of petroleum” in subsection (1), the words “or any flammable material”; and

(b) by inserting, immediately after the word “petroleum” in the section heading, the words “and flammable material”.

Repeal and re-enactment of section 37

18. Section 37 of the principal Act is repealed and the following section substituted therefor:

“Offences

37. Any person who contravenes section 35, 35A(1) or (2), 35B(1), (2), (3) or (4) or 36(1) shall be guilty of an offence.”.

Amendment of section 38

5 **19.** Section 38 of the principal Act is amended —

- (a) by deleting the words “any regulations made under this Act” in paragraph (a) and substituting the words “any licence or permit issued under this Part or any regulations made thereunder”;
- 10 (b) by inserting, immediately after the words “of petroleum” in paragraphs (b), (c) and (d), the words “or any flammable material”; and
- (c) by inserting, immediately after the words “class of petroleum” in paragraph (e), the words “, any flammable material”.

Amendment of section 39

15 **20.** Section 39 of the principal Act is amended —

- (a) by deleting subsection (1) and substituting the following subsection:
 - “(1) The grant of any licence or permit under this Part shall be in the absolute discretion of the Commissioner.”; and
- 20 (b) by inserting, immediately after the word “licence” wherever it appears in subsections (2), (3), (4) and (6) and in the section heading, the words “or permit”.

Amendment of section 40

21. Section 40 of the principal Act is amended —

- 25 (a) by inserting, immediately after the word “licence” wherever it appears in subsections (1) to (4) and in the section heading, the words “or permit”; and
- (b) by deleting the words “the licensee concerned” in subsections (5) and (6) and substituting in each case the words “the holder of the licence or permit in question”.
- 30

Repeal of section 41

22. Section 41 of the principal Act is repealed.

Amendment of section 46

23. Section 46(1) of the principal Act is amended by deleting the words
5 “any officer” and substituting the words “any member of or above the rank
of warrant officer”.

Amendment of section 53

24. Section 53 of the principal Act is amended by inserting, immediately
after the word “premises”, the word “, vehicle”.

10 Amendment of section 61

25. Section 61(1) of the principal Act is amended —

(a) by deleting paragraph (f);

(b) by inserting, immediately after the words “class of petroleum”
15 wherever they appear in paragraphs (m), (n), (o), (q) and (r), the
words “or any flammable material”;

(c) by deleting paragraph (p) and substituting the following
paragraph:

20 “(p) the regulation of the transport of any class of petroleum
or any flammable material, including specifying the
time during which such petroleum or flammable
material can be transported and the maximum quantity
of any class of petroleum or any flammable material
that can be transported without a licence or permit;”;

(d) by deleting paragraph (u) and substituting the following
25 paragraph:

“(u) the requiring of any receptacle containing petroleum or
flammable material to carry warning labels and to
denote the class of petroleum or the flammable material
contained therein;”;

30 (e) by deleting paragraph (w) and substituting the following
paragraph:

“(w) the prescribing of conditions to be attached to any licence or permit, and the requirements and conditions to be observed by persons at the premises or driving any vehicle to which the licence or permit relates;”;

5 (f) by inserting, immediately after the word “petroleum” in paragraph (x), the words “or flammable material”;

(g) by inserting, immediately after the words “for licences” in paragraph (y), the words “and permits”;

10 (h) by deleting paragraph (z) and substituting the following paragraph:

“(z) the duties and responsibilities of registered inspectors and fire safety engineers and the manner in which those duties and responsibilities are to be discharged, including a code of conduct and ethics for registered inspectors and fire safety engineers;”;

15 (i) by inserting, immediately after the words “section 6A” in paragraph (zaa), the words “and any Investigation Committee constituted under section 22D”; and

20 (j) by inserting, immediately after the words “registered inspectors” in paragraph (zab), the words “and fire safety engineers”.

Repeal and re-enactment of Schedule

26. The Schedule to the principal Act is repealed and the following Schedule substituted therefor:

“THE SCHEDULE

Section 34(1) and (3)

FLAMMABLE MATERIALS

1. Acetal
- 5 2. Acetone
3. Acetyl chloride
4. Acetylene
5. Aldehydes
6. Allyl acetate
- 10 7. Allyl bromide
8. Allyl chloride
9. Allyl formate
10. Allyl iodide
11. Aluminum alkyl halides
- 15 12. Aluminum alkyl hydrides
13. Aluminum alkyls
14. Aluminum borohydride
15. Aluminum carbide
16. Aluminum ferrosilicon powder
- 20 17. Aluminum hydride
18. Aluminum powder
19. Amines
20. 2-Amino-4,6-Dinitrophenol, wetted (with not less than 20 percent water
by mass)
- 25 21. Ammonium picrate
22. Amyl chlorides
23. Amyl nitrites
24. Azodicarbonamide
25. Barium or Barium alloys
- 30 26. Barium azide, wetted (with not less than 50 percent water, by mass)

27. Benzotrifluoride
28. Boron trifluoride dimethyl etherate
29. 1-Bromobutane
30. Bromomethylpropane
- 5 31. 2-Bromopentane
32. Bromopropanes
33. 3-Bromopropyne
34. Bromotrifluoroethylene
35. Butadienes
- 10 36. Butanedione
37. Butanol
38. Butyl acetates
39. n-Butyl formate
40. tert-Butyl hypochlorite
- 15 41. Butyl nitrites
42. 1,2-Butylene oxide
43. Butyryl chloride
44. Calcium
45. Calcium carbide
- 20 46. Calcium dithionite (Calcium hydrosulfite)
47. Calcium hydride
48. Calcium or Calcium alloys
49. Calcium silicide
50. Carbon disulfide
- 25 51. Cerium
52. Cesium (Caesium)
53. Chlorobutane
54. 2-Chloropropane
55. 2-Chloropropene
- 30 56. Chlorosilanes
57. Cyclobutane
58. Cyclopropane

59. Decaborane
60. Deuterium
61. 1,2-Di-(dimethylamino)ethane
62. Diacetone alcohol
- 5 63. 1,1-Dichloroethane
64. 1,2-Dichloroethylene
65. 1,2-Dichloropropane
66. Dichloropropene
67. Diethoxymethane
- 10 68. 3,3-Diethoxypropene
69. Diethyl sulfide
70. Diethylzinc
71. 2,3-Dihydropyran
72. 1,2-Dimethoxyethane
- 15 73. 1,1-Dimethoxyethane
74. Dimethyl carbonate
75. Dimethyl disulfide
76. Dimethyl sulfide
77. 2,3-Dimethylbutane
- 20 78. Dimethylcyclohexane
79. Dimethyldiethoxysilane
80. Dimethyldioxane
81. 2,2-Dimethylpropane
82. Dimethylzinc
- 25 83. Dinitrophenol, wetted (with not less than 15 percent water, by mass)
84. Dinitrophenolates, wetted (with not less than 15 percent water, by mass)
85. Dinitroresorcinol, wetted (with not less than 15 percent water, by mass)
86. Dioxane
87. Dioxolane
- 30 88. Dipicryl sulfide
89. Esters
90. Ethane

91. Ethanol
92. Ethers
93. Ethyl acetate
94. Ethyl acrylate
- 5 95. Ethyl borate
96. Ethyl chloride
97. Ethyl crotonate
98. Ethyl formate
99. Ethyl isobutyrate
- 10 100. Ethyl methacrylate
101. Ethyl nitrite
102. Ethyl propionate
103. Ethylacetylene
104. Ethylbenzene
- 15 105. Ethyldichlorosilane
106. Ethylene
107. 1-Ethylpiperidine
108. Ferrocium
109. Fluorobenzene
- 20 110. Fluorotoluene
111. Furan
112. Hafnium powder
113. Hexadiene
114. Hexamethyleneimine
- 25 115. Hydrogen
116. 2-Iodobutane
117. Iodomethylpropane
118. Isobutyl acetate
119. Isobutyl formate
- 30 120. Isobutyryl chloride
121. Isoprene
122. Isopropanol (Isopropyl alcohol)

- 123. Isopropenyl acetate
- 124. Isopropyl acetate
- 125. Isopropyl isobutyrate
- 126. Isopropyl nitrate
- 5 127. Isopropyl propionate
- 128. Lead phosphite, dibasic
- 129. Lithium
- 130. Lithium alkyls
- 131. Lithium aluminum hydride
- 10 132. Lithium borohydride
- 133. Lithium ferrosilicon
- 134. Lithium hydride
- 135. Lithium nitride
- 136. Lithium silicon
- 15 137. Magnesium alkyls
- 138. Magnesium diamide
- 139. Magnesium diphenyl
- 140. Magnesium hydride
- 141. Magnesium or Magnesium alloys
- 20 142. Magnesium silicide
- 143. Methane
- 144. Methanol
- 145. Methyl acetate
- 146. Methyl acetylene
- 25 147. Methyl acrylate
- 148. Methyl allyl chloride
- 149. Methyl butene
- 150. Methyl butyrate
- 151. Methyl formate
- 30 152. Methyl isovalerate
- 153. Methyl magnesium bromide
- 154. Methyl methacrylate monomer

- 155. Methyl propionate
- 156. Methylal
- 157. 3-Methylbutan-2-one
- 158. Methylchlorosilane
- 5 159. 2-Methylfuran
- 160. n-methylmorpholine
- 161. Methylpentadiene
- 162. 1-Methylpiperidine
- 163. Methyltetrahydrofuran
- 10 164. Nitriles
- 165. Nitrocellulose, wetted (with not less than 25 percent water, by mass)
- 166. Nitroguanidine, wetted (with not less than 20 percent water, by mass)
- 167. Nitromethane
- 168. p-Nitrosodimethylaniline
- 15 169. Nitrostarch, wetted (with not less than 20 percent water, by mass)
- 170. Pentaborane
- 171. Pentanol
- 172. Phosphorus heptasulfide
- 173. Phosphorus pentasulfide
- 20 174. Phosphorus sesquisulfide
- 175. Phosphorus trisulfide
- 176. Phosphorus
- 177. Potassium or Potassium alloys
- 178. Potassium borohydride
- 25 179. Potassium dithionite (Potassium hydrosulfite)
- 180. Potassium sodium alloys
- 181. Potassium sulfide
- 182. Propadiene
- 183. Propanethiol
- 30 184. n-Propanol
- 185. Propionyl chloride
- 186. n-Propyl acetate

187. Propyl chloride
188. Propyl formates
189. n-Propyl nitrate
190. Propylene oxide
- 5 191. Propyleneimine
192. Pyridine
193. Pyrrolidine
194. Rubidium
195. Silane
- 10 196. Silver picrate
197. Sodium
198. Sodium aluminum hydride
199. Sodium borohydride
- 15 200. Sodium dinitro-o-cresolate, wetted (with not less than 15 percent water,
by mass)
201. Sodium dithionite (Sodium hydrosulfite)
202. Sodium hydride
203. Sodium hydrosulfide
204. Sodium methylate
- 20 205. Sodium picramate, wetted (with not less than 20 percent water, by mass)
206. Sodium sulfide
207. Strontium
208. Tetrahydrofuran
209. 1,2,3,6-Tetrahydropyridine
- 25 210. Tetrahydrothiophene
211. Tetramethylsilane
212. Thioacetic acid
213. Thiophene
214. Thiourea dioxide
- 30 215. Titanium hydride
216. Titanium powder
217. Titanium trichloride

218. Tributylphosphane
219. Triisopropyl borate
220. Trimethyl borate
221. Trinitrobenzene, wetted (with not less than 30 percent water, by mass)
- 5 222. Trinitrobenzoic acid, wetted (with not less than 30 percent water, by mass)
223. Trinitrophenol, wetted (with not less than 30 percent water, by mass)
224. Trinitrotoluene, wetted (with not less than 30 percent water, by mass)
225. Urea nitrate, wetted (with not less than 20 percent water, by mass)
- 10 226. Vinyl Acetylene
227. Vinyl acetate
228. Vinyl bromide
229. Vinyl butyrate
230. Vinyl chloride
- 15 231. Vinyl fluoride
232. Vinylidene chloride
233. Xanthates
234. Zinc powder or Zinc dust
235. Zirconium hydride
- 20 236. Zirconium picramate, wetted (with not less than 20 percent water, by mass)
237. Zirconium powder.”.

Transitional and savings provisions

25 **27.**—(1) Any licence granted by the Commissioner of Civil Defence under Part V of the principal Act and that is in force immediately before the date of commencement of section 14 of this Act shall, unless revoked, suspended or cancelled, and in so far as it is not inconsistent with the corresponding provisions of the principal Act as amended by this Act —

- 30 (a) continue and be deemed to be a licence under those corresponding provisions;
- (b) be subject to the terms and conditions specified in the licence; and

(c) expire on the date it would have expired as if this Act had not been enacted.

(2) Where an appeal has been made to the Minister under Part V of the principal Act and the appeal has not been dealt with or disposed of immediately before the date of commencement of section 14 of this Act, that appeal may be dealt with as if this Act had not been enacted.

(3) The Minister may, by order published in the *Gazette*, prescribe such other transitional and savings provisions as he may consider necessary or expedient.

10 **Consequential amendments to other written laws**

28. The provisions of the Acts specified in the first column of the Schedule are amended in the manner set out in the second column thereof.

THE SCHEDULE

Section 28

15 **CONSEQUENTIAL AMENDMENTS TO OTHER WRITTEN LAWS**

<i>First column</i>	<i>Second column</i>
<p>(1) Land Titles (Strata) Act (Chapter 158, 1999 Ed.) First Schedule, Part II</p>	<p>Delete the words “Part V of the Fire Safety Act (Cap. 109A) authorising the use of a lot for a trade or other purpose specified in that Part” in by-law 20(2) and substitute the words “section 35 of the Fire Safety Act (Cap. 109A) authorising the use of a lot for a purpose referred to in that licence”.</p>
<p>(2) Petroleum Act (Chapter 229, 2000 Ed.)</p>	<p>Repealed.</p>

*First column**Second column*

(3) Professional Engineers Act
(Chapter 253, 1992 Ed.)

The Schedule

Insert, immediately after item 3, the following item:

“4. Fire safety engineers registered under the Fire Safety Act (Cap. 109A).”.

EXPLANATORY STATEMENT

This Bill seeks to amend the Fire Safety Act (Cap. 109A) and to make consequential amendments to certain other written laws for the following purposes:

- (a) to introduce a performance-based approach in the preparation and approval of fire safety plans;
- (b) to regulate fire safety engineers who will be solely authorised to prepare and review fire safety plans prepared using the performance-based approach;
- (c) to extend the present requirement for each public building to have a fire certificate to any other building which poses a significant source of danger to its occupants or to life and property in its vicinity in the event of fire;
- (d) to confer on the Commissioner of Civil Defence (the Commissioner) the new function of regulating the storage, import and transport of flammable materials not presently regulated by other written law;
- (e) to bring fire safety works carried out by or on behalf of the Government or in Government buildings within the scope of Part IV of the Act governing fire safety works; and
- (f) to extend the powers in the event of fire to all Singapore Civil Defence Force members and to confer a power of arrest without warrant to Singapore Civil Defence Force Warrant officers and above.

Clause 1 relates to the short title and commencement.

Clause 2 amends section 2(1) by inserting new definitions of “alternative solution”, “Fire Code”, “fire performance requirements”, “fire safety engineer” and “peer reviewer” in connection with using the performance-based approach in fire safety works, and re-introduces a more comprehensive definition of “public building”.

Clause 3 amends section 5A to provide that where a registered inspector who is also a registered architect, professional engineer or fire safety engineer has his registration as such cancelled or suspended, his registration as a registered inspector may also be cancelled or suspended.

Clause 4 makes a minor amendment to section 6(1) as a consequence of the amendment to section 5A.

Clause 5 amends section 6A to change the appointing authority of persons on the Inquiry Panel for registered inspectors from the Commissioner to the Minister.

Clause 6 amends section 6C(5) to harmonise the disciplinary process for registered inspectors with that for fire safety engineers.

Clause 7 amends section 7(1) to extend the current powers in the event of fire from officers of the rank of 2nd Lieutenant to all members of the Singapore Civil Defence Force.

Clause 8 amends section 20 to extend the present requirement for each public building to have a fire certificate to any other building (which may be a residential building or an industrial building or otherwise) which poses a significant source of danger to its occupants or to life and property in its vicinity in the event of fire.

Clause 9 inserts a new Part IIIA (comprising new sections 22A to 22F) relating to fire safety engineers.

The new section 22A describes the duties and responsibilities of fire safety engineers. Only a fire safety engineer can prepare or propose, or supervise a qualified person in the preparation or proposal of, alternative solutions to satisfy fire performance requirements in the Fire Code. In addition, only a fire safety engineer can be a peer reviewer, that is, to review and assess whether an alternative solution prepared by another satisfies the fire performance requirements in the Fire Code. A fire safety engineer will be under a duty to exercise due diligence in the performance of his duties. In addition, when reviewing and assessing whether an alternative solution prepared by another satisfies the fire performance requirements, a peer reviewer must not have any professional or financial interest in those fire safety works or related building works, or in the building in which those works are to be carried out.

The new section 22B deals with the registration of fire safety engineers by the Commissioner. To be registered as a fire safety engineer, a person must have the necessary qualifications and practical experience, which will be prescribed by regulations.

The new section 22C provides for disciplinary action against fire safety engineers. After considering the report of an Investigation Committee into any complaint or information received regarding a fire safety engineer, the Commissioner may either cancel the registration of a fire safety engineer, suspend his registration for up to 12 months, impose a penalty of up to \$5,000, censure in writing, require undertakings from or impose restrictions on practice on the fire safety engineer concerned. The disciplinary action will be taken only after the fire safety engineer concerned is given reasonable opportunity of being heard. The fire safety engineer has 14 days to appeal to the Minister if he is aggrieved by the decision of the Commissioner.

The new section 22D provides for the formation of Investigation Committees to look into written complaints against or information about any fire safety engineer when received by the Commissioner. An Investigation Committee comprises a chairman, 2

fire safety engineers who are not members of the Singapore Civil Defence Force and 2 others who are members of the Singapore Civil Defence Force. An Investigation Committee will have power to require evidence to be given on oath and require the production of plans, books, documents and papers.

The new section 22E establishes the Fire Safety Engineers Discipline Panel, from which Investigation Committees may be constituted. Persons are appointed to the Panel by the Minister for a term of 2 years, and may be re-appointed.

Finally, the new section 22F deals with the register of fire safety engineers, and the removal and reinstatement of names from the register.

Clause 10 amends section 23 to provide a different process where plans for fire safety works are to be prepared using a performance-based approach and for their approval by the Commissioner. Where plans for fire safety works are to be prepared using a performance-based approach using an alternative solution to satisfy a fire performance requirement, the person for whom the fire safety works are to be carried out must appoint a fire safety engineer to prepare or supervise the preparation of those plans or part thereof containing the alternative solution, and another fire safety engineer as peer reviewer to review and assess those plans. The Commissioner may, without checking such plans, approve them if the plans are accompanied by a certificate from a peer reviewer who has reviewed and assessed those plans as satisfying the fire performance requirements. Like in the case of other plans for fire safety works done by architects and professional engineers, the Commissioner may conduct random checks on such approved plans prepared using a performance-based approach, and revoke his approval of the plans.

Clause 11 amends section 25 to provide that where the approved plans for fire safety works use a performance-based approach, the person for whom the fire safety works are to be carried out must appoint a fire safety engineer to supervise the carrying out of those works.

Clause 12 makes a minor amendment to section 26(1) as a consequence of the amendment to section 25.

Clause 13 inserts a new section 30D which provides that fire safety works carried out in Government buildings by or on behalf of the Government come within the scope of Part IV of the Act governing fire safety works.

Clause 14 repeals Part V (which relates to premises used for dangerous trades or purposes) as a consequence of the amendments to clauses 15 to 22.

Clause 15 amends section 34 by introducing new definitions of “import”, “road tanker” and “transport” that cover all aspects of transport, and a list of flammable materials set out in the Schedule. The Schedule may be amended by the Minister from time to time by order published in the *Gazette*.

Clause 16 repeals and re-enacts section 35 with 2 new sections 35A and 35B to confer on the Commissioner the functions of —

- (a) regulating the storage, import and transport of petroleum and hazardous substances which are flammable materials; and
- (b) regulating the drivers of road vehicles carrying petroleum or such flammable materials.

Clause 17 amends section 36 to confer on the Commissioner the function of regulating the dispensing of flammable materials.

Clause 18 repeals and re-enacts section 37 to provide that the unauthorised storage, import or transport of flammable materials or any class of petroleum will be an offence.

Clause 19 amends section 38 to extend the powers of the Commissioner in enforcing and administering the licensing of storage and transport of petroleum to flammable materials.

Clause 20 makes amendments to section 39 (on licences) as a consequence of the Commissioner being conferred the function of regulating the storage, import and transport of flammable materials.

Clause 21 amends section 40 as a consequence of the amendments to section 39.

Clause 22 repeals section 41 (which empowers the Minister to extend the Act to flammable materials) as it is made redundant by the preceding amendments which directly empower the Commissioner to regulate the storage, import and transport of hazardous substances which are flammable materials.

Clause 23 amends section 46(1) to confer a power of arrest without warrant to Singapore Civil Defence Force Warrant officers and above.

Clause 24 amends section 53 to extend the Minister's power of exemption to vehicles.

Clause 25 amends section 61(1) to empower the Minister to make regulations —

- (a) for regulating the storage, import and transport of flammable materials; and
- (b) for regulating the conduct and responsibilities of fire safety engineers and the conduct of proceedings by Investigation Committees.

Clause 26 repeals the existing Schedule (relating to dangerous trades) and re-enacts a new Schedule specifying a list of flammable materials for the purposes of the amended sections 34 and 35 and new sections 35A and 35B (as amended by clauses 15 and 16).

Clause 27 contains transitional provisions occasioned by the repeal of Part V, and allows the Minister to prescribe by order such other transitional or savings provisions as he may consider necessary or expedient.

Clause 28 (to be read with the Schedule) repeals the Petroleum Act (Cap. 229) and provides for consequential amendments to the Land Titles (Strata) Act (Cap. 158) and the Professional Engineers Act (Cap. 253).

EXPENDITURE OF PUBLIC MONEY

This Bill will not involve the Government in any extra financial expenditure.
