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GOVERNMENT GAZETTE

ACTS SUPPLEMENT

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The following Act was passed by Parliament on 6 February 2018 and assented to by the President on 5 March 2018:—

REPUBLIC OF SINGAPORE

No. 11 of 2018.

I assent.

HALIMAH YACOB,
President.
5 March 2018.



An Act to amend the Public Utilities Act (Chapter 261 of the 2002 Revised Edition) and to make consequential and related amendments to certain other Acts.

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 is the Public Utilities (Amendment) Act 2018 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 2

2. Section 2 of the Public Utilities Act (called in this Act the principal Act) is amended —

(a) by inserting, immediately after the definition of “Chief Executive”, the following definition:

““connecting pipe” means a pipe from a water main to the meter position;”;

(b) by inserting, immediately after the definition of “Deputy Chairman”, the following definitions:

““discharge pipe” means a pipe that enables any sewage or sullage water to be conveyed from a sanitary appliance or floor trap to a drain-line;

“drain-line” has the same meaning as in section 2 of the Sewerage and Drainage Act (Cap. 294);”;

(c) by inserting, immediately after the word “collection,” in the definition of “installation”, the word “conveyance,”;

(d) by deleting the definition of “licensed water service worker” and substituting the following definitions:

““licensed plumber” means an individual who holds a plumber’s licence;

“limited WSI design works” means the designing of any water service installation that is to be installed downstream of a meter, where the water service installation being designed does not include any pumping equipment or storage tank;”;

(e) by inserting, immediately after the word “supplied” in the definition of “main”, the words “or conveyed”;

(f) by inserting, immediately after the definition of “member”, the following definition:

“ “meter” means any appliance or device to measure, ascertain or regulate the amount of water taken from a supply or conveyance of water to any place;”;

(g) by inserting, immediately after the definition of “occupier”, the following definition:

“ “plumber’s licence” means a licence granted under section 40J;”;

(h) by inserting, immediately after the definition of “premises”, the following definitions:

“ “professional engineer” means an individual who is registered as a professional engineer under the Professional Engineers Act (Cap. 253) and has in force a practising certificate issued under that Act;

“regulated works” means any sanitary works, limited WSI design works or WSI works, but does not include any of such works as the Minister may, after consulting the Board, prescribe by order in the *Gazette*;

“sanitary appliances” and “sanitary facilities” have the same meanings as in section 2 of the Sewerage and Drainage Act;

“sanitary works” means —

(a) constructing, altering, repairing, replacing, discontinuing or closing up any discharge pipe, ventilating pipe, drain-line, fitting, floor trap, inspection chamber, grease trap, pump or any other appurtenance

related to the conveyance of sewage or sullage water from any sanitary appliance or sanitary facility to a sewerage system; and

- (b) installing, fixing, altering, repairing or removing a sanitary appliance or sanitary facility, and any other connected works;”;
- (i) by inserting, immediately after the words “as in” in the definitions of “sewage” and “sewerage system”, the words “section 2 of”;
- (j) by inserting, immediately after the definitions of “sewage” and “sewerage system”, the following definition:
 - “ “storage tank” means any tank or storage cistern that has a free water surface under atmospheric pressure, but does not include —
 - (a) a flushing cistern; or
 - (b) a drinking-trough or drinking-bowl for animals (including poultry);”;
- (k) by inserting, immediately after the definition of “street”, the following definitions:
 - “ “ventilating pipe” means a pipe provided to limit the pressure fluctuations in any discharge pipe;
 - “vessel” means —
 - (a) a ship, a boat, an air-cushioned vehicle or any other similar craft used in any reservoir or waterway, however moved or propelled; or
 - (b) a barge, a lighter, a rig, a platform or any other floating structure, that may or may not be moved or propelled;
 - “water fitting” means —
 - (a) any pipe that is not a water main;

(b) any pipe fitting, tap, cock, valve or ferrule;

(c) any meter; or

(d) any flushing cistern,

and any other similar apparatus used in connection with the supply or conveyance, and use, of water;”;

(l) by inserting, immediately after the word “supply” in the definition of “water installation”, the words “or conveyance”;

(m) by inserting, immediately after the definition of “water installation”, the following definition:

“ “water main” means any pipe used or to be used for the conveyance of water, other than a connecting pipe;”;

(n) by deleting the definitions of “water service work”, “water service worker” and “water service worker licence”;

(o) by inserting, immediately before the definition of “waterway”, the following definition:

“ “water suitable for drinking” means —

(a) potable water; and

(b) any water held out by a person who supplies it as potable water,

but does not include any water intended for consumption solely by animals;”;

(p) by deleting the full-stop at the end of the definition of “waterway” and substituting a semi-colon, and by inserting immediately thereafter the following definitions:

“ “WSI design works” means the designing of any water service installation that is to be installed downstream of a meter, and includes any limited WSI design works;

“WSI works” means any works on any water service installation including constructing, erecting, installing, maintaining, altering, repairing or replacing the water service installation.”.

Amendment of section 12

3. Section 12 of the principal Act is amended —

- (a) by deleting the words “No suit or other legal proceedings shall lie against” and substituting the words “No liability shall lie personally against”; and
- (b) by deleting the words “for anything which is in good faith done or intended to be done in the execution or purported execution of this Act or any other written law” and substituting the words “who, acting in good faith and with reasonable care, does or omits to do anything in the execution or purported execution of this Act”.

Amendment of heading to Part III

4. Part III of the principal Act is amended by deleting the words “AND WATER SERVICE WORKERS” in the Part heading.

Amendment of section 20

5. Section 20 of the principal Act is amended —

- (a) by deleting subsection (5);
- (b) by deleting the word “amount” in subsection (7)(b) and (c) and substituting in each case the word “volume”; and
- (c) by inserting, immediately after subsection (7), the following subsection:

“(7A) For the purposes of subsection (4), the Minister may prescribe different amounts of waterborne tax for persons differently situated, including different amounts of waterborne tax for different volumes of water supplied and estimates of

different volumes of used water (including sewage, waste matter and effluent) disposed of.”.

Amendment of section 24A

6. Section 24A(1) of the principal Act is amended by deleting paragraph (b) and substituting the following paragraph:

“(b) to inspect, maintain, adjust, repair or alter —

- (i) any main, pipe, water installation or water service installation mentioned in paragraph (a); and
- (ii) any other main, water installation or pipe that is acquired by the Board and immediately leased back to another person, and is used for the supply of water to those or other premises;”.

Amendment of section 33

7. Section 33(1) of the principal Act is amended by inserting, immediately after the words “in the vicinity of any”, the word “water”.

Repeal of section 40

8. Section 40 of the principal Act is repealed.

New Part IIIB

9. The principal Act is amended by inserting, immediately after section 40F, the following Part:

“PART IIIB

REGULATED WORKS AND WSI DESIGN WORKS

Division 1 — Prohibitions relating to regulated works and WSI design works

Prohibitions against carrying out of regulated works, etc.

40G.—(1) An individual must not carry out, or offer or undertake to carry out, any regulated works unless —

- (a) the individual is a licensed plumber; or

(b) the individual acts under the direct supervision of a licensed plumber.

(2) An individual must not hold himself out (whether by an advertisement or any other means) as authorised under this Act to carry out any regulated works, unless the individual is a licensed plumber.

(3) A person must not in the course of business (whether or not carried on for profit) provide, or offer or undertake to provide, the carrying out of any regulated works unless the person ensures that those works are carried out by —

(a) one or more licensed plumbers; or

(b) one or more individuals acting under the direct supervision of one or more licensed plumbers.

(4) A person must not hold out (whether by an advertisement or any other means) that the person is authorised under this Act to provide in the course of business the carrying out of any regulated works, unless the person ensures that those works are carried out by the individuals mentioned in subsection (3)(a) or (b).

(5) An owner or occupier of any premises who wishes to have any sanitary works or WSI works carried out at the premises must only engage a person permitted under subsection (1) or (3) to carry out those works or provide the carrying out of those works (as the case may be).

(6) An owner or occupier of any premises who wishes to have any limited WSI design works carried out on a water service installation situated at the premises must only engage —

(a) a person permitted under subsection (1) or (3) to carry out those works or provide the carrying out of those works (as the case may be); or

(b) a professional engineer to carry out those works.

(7) Any person who contravenes subsection (1), (2), (3) or (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 years or to both.

(8) Any person who contravenes subsection (5) or (6) shall be guilty of an offence.

(9) Subsections (1), (2), (3) and (4) do not apply to a professional engineer in respect of any limited WSI design works.

Prohibition against engagement of persons to carry out certain WSI design works

40H.—(1) An owner or occupier of any premises who wishes to have any WSI design works carried out on a water service installation situated at the premises must, where the WSI design works are not limited WSI design works, only engage a professional engineer to carry out those works.

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

Division 2 — Licensing of plumbers

Application for plumber's licence

40I.—(1) An application to the Board for a plumber's licence must —

- (a) be in such form and manner as the Board may require;
- (b) be accompanied by an application fee (if prescribed);
and
- (c) be accompanied by the documents and information required by the Board to consider the application.

(2) In considering an application under subsection (1), the Board may carry out such inquiries and investigations in relation to the application as the Board considers necessary.

(3) The Board may refuse to consider an application for a plumber's licence that is incomplete or not made in accordance with this section.

Grant of plumber's licence

40J.—(1) An applicant is ineligible for a plumber's licence if the applicant —

- (a) has not completed any course, training, assessment, examination or test on any regulated works as the Board may require;
- (b) does not, in the Board's opinion, have the necessary qualifications or experience to be a licensed plumber;
- (c) does not, in the Board's opinion, have an acceptable knowledge of the requirements imposed by or under this Act or the Sewerage and Drainage Act (Cap. 294) on a licensed plumber; and
- (d) does not satisfy other eligibility requirements (if prescribed) to be a licensed plumber.

(2) In deciding whether an applicant has an acceptable knowledge of the requirements mentioned in subsection (1)(c), the Board may have regard to —

- (a) the results of any assessment, examination or test mentioned in subsection (1)(a) completed by the applicant; and
- (b) if the Board considers relevant, the results of any other assessment, examination or test on any regulated works completed by the applicant, whether before, on or after the date of commencement of section 9 of the Public Utilities (Amendment) Act 2018.

(3) The Board may, after considering the matters mentioned in subsections (1) and (2) and on payment of a licence fee (if prescribed), grant a plumber's licence to an individual.

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- (4) A plumber's licence granted under subsection (3) —
- (a) authorises a licensed plumber to carry out any regulated works; and
 - (b) is subject to such conditions as the Board may impose.
- (5) A plumber's licence continues in force —
- (a) for the life of the holder of a plumber's licence; or
 - (b) for such period as the Board may specify in the licence,

unless the licence is earlier suspended or cancelled under section 40L or earlier surrendered under section 40M.

(6) A plumber's licence is neither transferable nor assignable, and any purported transfer or assignment of the licence is void.

Grounds for suspension or cancellation of plumber's licence

40K.—(1) The Board may suspend or cancel the plumber's licence of an individual who —

- (a) has obtained the plumber's licence by making or producing, or causing to be made or produced, any false or fraudulent declaration, certification or representation, whether in writing or otherwise;
- (b) has, in the Board's opinion, contravened any requirement imposed by or under this Act or the Sewerage and Drainage Act (Cap. 294) applicable to the individual, for which the individual is not liable for an offence;
- (c) has, in the Board's opinion, failed to comply with any condition of the plumber's licence;
- (d) has been charged with or convicted of an offence, under this Act or any other written law, such that it is undesirable, in the Board's opinion, that the individual should continue to hold the plumber's licence;

- (e) if required by section 40N to complete any refresher course, training, assessment, examination or test, has failed to do so;
 - (f) is, for any reason, no longer suitable in the Board's opinion to hold a plumber's licence having regard to any of the matters mentioned in section 40J(1)(a) to (d); or
 - (g) in the Board's opinion, has carried out or is carrying out any regulated works in a manner that adversely affects or is likely to adversely affect the health or safety of any individual, or of the public or a section of the public.
- (2) The suspension or cancellation of a plumber's licence under this Act does not prejudice the enforcement —
- (a) by any person of any right or claim against the licensed plumber or former licensed plumber; or
 - (b) by the licensed plumber or former licensed plumber of any right or claim against any person.
- (3) The Board does not have to —
- (a) pay any compensation to any individual whose plumber's licence is suspended or cancelled; or
 - (b) refund any fee or part of the fee paid to the Board, in respect of any unexpired period of a plumber's licence that is cancelled.

Proceedings for suspension or cancellation of plumber's licence

40L.—(1) Before suspending or cancelling the plumber's licence of an individual, the Board must give a written notice to the individual —

- (a) stating that the Board intends to suspend or cancel the plumber's licence; and

(b) specifying the time within which written representations may be made to the Board with respect to the proposed suspension or cancellation, that must not be less than any time prescribed for the making of such representations.

(2) The Board may, after considering any written representation under subsection (1)(b) from an individual —

(a) suspend his plumber's licence for a period not exceeding 12 months or such longer period as may be prescribed in substitution; or

(b) cancel his plumber's licence.

(3) Where the Board has made any decision under subsection (2) against an individual, the Board must serve on the individual concerned a notice of the decision.

(4) The Board's decision under subsection (2) takes effect from the date that the notice under subsection (3) is given, or on such later date as may be specified in the notice.

Surrender of plumber's licence

40M.—(1) Subject to subsection (2), an individual may at any time surrender his plumber's licence to the Board for cancellation.

(2) The Board may refuse the surrender of a plumber's licence under subsection (1) if —

(a) the Board is investigating whether there is any circumstance that may result in the suspension or cancellation of the plumber's licence; or

(b) the Board has started proceedings under section 40L with a view to suspending or cancelling the plumber's licence.

*Division 3 — General provisions***Training requirements for licensed plumbers**

40N. A licensed plumber must —

- (a) complete any refresher course or training on any regulated works as required by the Board; and
- (b) complete to the Board's satisfaction any assessment, examination or test on any regulated works as required by the Board.

Duties of licensed plumbers in relation to regulated works

40O.—(1) A licensed plumber must, in respect of any regulated works that the licensed plumber carries out, or directly supervises another individual to carry out —

- (a) ensure that the carrying out of the regulated works complies with the requirements imposed by or under this Act;
- (b) for any prescribed regulated works —
 - (i) notify the Board, in accordance with any prescribed requirements, before the start of those works; and
 - (ii) submit to the Board, in accordance with any prescribed requirements, certifications for completion of those works; and
- (c) comply with such other requirements as may be prescribed.

(2) Any licensed plumber who fails to comply with subsection (1) shall be guilty of an offence.

Duties of professional engineers in relation to WSI design works

40P.—(1) A professional engineer must, in respect of any WSI design works that the professional engineer carries out —

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- (a) ensure that the carrying out of the WSI design works complies with the requirements imposed by or under this Act;
 - (b) for any prescribed WSI design works —
 - (i) notify the Board, in accordance with any prescribed requirements, before the start of those works; and
 - (ii) submit to the Board, in accordance with any prescribed requirements, certifications for completion of those works; and
 - (c) comply with such other requirements as may be prescribed.

(2) Any professional engineer who fails to comply with subsection (1) shall be guilty of an offence.

Directions to licensed plumbers, professional engineers, etc.

40Q.—(1) Where the Board is of the opinion that —

- (a) a licensed plumber has failed, or is likely to have failed, to comply with a condition of his plumber's licence in carrying out any regulated works;
- (b) a licensed plumber has contravened, or is likely to have contravened, any requirement imposed by or under this Act or the Sewerage and Drainage Act (Cap. 294), in relation to any regulated works that the licensed plumber is responsible for;
- (c) a professional engineer has contravened, or is likely to have contravened, any requirement imposed by or under this Act, in relation to any WSI design works that the professional engineer is responsible for;
- (d) any water service installation does not conform to any requirement set out in the regulations made under section 72; or

- (e) any sanitary works are not or were not carried out in conformity with any requirement imposed by or under the Sewerage and Drainage Act,

the Board may give a direction, verbally or in writing, to any person specified in subsection (2), and the person must comply with the direction.

(2) The persons specified for the purposes of subsection (1) are —

- (a) for a direction under subsection (1)(a) or (b) —
 - (i) the licensed plumber mentioned in subsection (1)(a) or (b); or
 - (ii) if the Board is of the opinion that the licensed plumber mentioned in sub-paragraph (i) is incapable of carrying out any requirement specified in the Board's direction, another licensed plumber;
- (b) for a direction under subsection (1)(c) —
 - (i) the professional engineer mentioned in subsection (1)(c); or
 - (ii) if the Board is of the opinion that the professional engineer mentioned in sub-paragraph (i) is incapable of carrying out any requirement specified in the Board's direction, another professional engineer;
- (c) for a direction under subsection (1)(d) —
 - (i) the licensed plumber reasonably believed to have last carried out, or directly supervised the carrying out of, any limited WSI design works or WSI works on the water service installation that resulted in its non-conformity;
 - (ii) the professional engineer reasonably believed to have last carried out any WSI design works on the water service installation that resulted in its non-conformity;

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- (iii) if the Board is of the opinion that the licensed plumber or professional engineer mentioned in sub-paragraph (i) or (ii) is incapable of carrying out any requirement specified in the Board's direction, another licensed plumber or professional engineer (as the case may be);
 - (iv) the owner or occupier of the premises where the water service installation is situated; or
 - (v) the consumer who is supplied water through the water service installation; and
- (d) for a direction under subsection (1)(e) —
- (i) the licensed plumber reasonably believed to have last carried out, or directly supervised the carrying out of, the non-conforming sanitary works;
 - (ii) if the Board is of the opinion that the licensed plumber mentioned in sub-paragraph (i) is incapable of carrying out any requirement specified in the Board's direction, another licensed plumber; or
 - (iii) the owner or occupier of the premises where the non-conforming sanitary works are or were carried out.
- (3) A direction given under subsection (1) —
- (a) may require the person specified in subsection (2) to do, or to refrain from doing, such things as are specified in the direction or are of a description as specified in the direction;
 - (b) is to take effect at such time, being the earliest practicable time, as is determined by or under that direction; and
 - (c) may be revoked at any time by the Board.

(4) The Board is not liable for any cost or expense incurred by any person specified in subsection (2) in complying with any direction given by the Board under this section.

(5) Where a licensed plumber or professional engineer receives a direction from the Board under this section —

(a) the licensed plumber or professional engineer (as the case may be) must notify the affected owner, occupier or consumer specified in subsection (2)(c)(iv) or (v) or (d)(iii), as the case may be, of the direction; and

(b) the Board may disconnect or refuse to supply water through the water service installation until such time that the requirements of the Board specified in the direction have been complied with.

(6) Any person to whom a direction is given under this section who fails to comply with the direction shall be guilty of an offence.

(7) To avoid doubt, this section does not affect the application of section 11(2) of the Sewerage and Drainage Act.”.

Amendment of section 41

10. Section 41 of the principal Act is amended —

(a) by deleting subsection (8) and substituting the following subsections:

“(8) The financial penalty imposed on a person under subsection (7) and any interest payable under subsection (8A) —

(a) must be collected, and may be sued for and recovered, by the Board;

(b) is to be treated as a debt due to the Government for the purposes of section 127 of the Bankruptcy Act (Cap. 20) and section 10 of the Government Proceedings Act (Cap. 121); and

(c) must be paid into the Consolidated Fund upon such collection or recovery,

and the person's liability to pay is not affected by the person's written approval under this section ceasing, for any reason, to be in force.

(8A) Where the financial penalty imposed on a person under subsection (7) is not paid in full by the due date for payment (called in this section the outstanding sum), the person concerned is liable to pay interest at the prescribed rate on the outstanding sum.

(8B) The Board may recover as a debt in a court of competent jurisdiction, the outstanding sum and any interest payable under subsection (8A)."; and

(b) by inserting, immediately after subsection (9), the following subsection:

“(9A) Any decision of the Board appealed against under subsection (9) must be complied with until the determination of the appeal, except that any security or financial penalty that is the subject of the appeal need not be paid until the determination of the appeal.”.

Amendment of section 42

11. Section 42 of the principal Act is amended —

(a) by deleting paragraphs (a) and (b) and substituting the following paragraphs:

“(a) comply with the requirements imposed by or under this Act relating to the supply of piped water suitable for drinking, and any other written law relating to the provision of piped water suitable for drinking;

(b) ensure that any installation, water installation and water service installation used by the person for the supply of piped

water suitable for drinking conforms to the requirements set out in the regulations made under section 72;”;

- (b) by deleting the word “water” wherever it appears in paragraphs (c), (d), (e) and (f) and substituting in each case the words “piped water suitable for drinking”;
- (c) by renumbering the section as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

“(2) Where the Board considers that immediate action is necessary due to any contravention or likely contravention of a requirement under subsection (1) by an approved person that endangers the health or safety of consumers, the Board may —

- (a) immediately and without notice enter any premises and carry out, or direct the immediate execution of, any work or the doing of any act that is necessary to safeguard the health or safety of consumers; and
 - (b) on completion of the work or act mentioned in paragraph (a), recover from the approved person, any costs reasonably incurred by the Board in carrying out that work or act.”;
- (d) by inserting, immediately after the words “approved person” in the section heading, the word “, etc.”.

Amendment of section 45

12. Section 45 of the principal Act is amended —

- (a) by deleting the words “master meter and” in subsection (2);
- (b) by deleting the words “a water service worker who is a professional engineer registered under the Professional Engineers Act (Cap. 253)” in subsection (2) and substituting the words “a professional engineer”; and

(c) by inserting, immediately after subsection (7), the following subsection:

“(8) Regulations made under section 72 may specify —

(a) the persons responsible for the matters mentioned in subsections (1) and (2); and

(b) additional responsibilities of any person responsible in relation to a water service installation, or any part of the water service installation.”.

Amendment of section 47A

13. Section 47A of the principal Act is amended —

(a) by inserting, immediately after the words “water main” wherever they appear in subsection (1), the words “or connecting pipe”;

(b) by inserting, immediately after the words “water main,” wherever they appear in subsections (4) and (5), the words “connecting pipe,”; and

(c) by inserting, immediately after subsection (7), the following subsection:

“(8) In this section, a reference to a “water main” or “connecting pipe” includes, for a water main or connecting pipe situated beneath the seabed, any protective armour or casing surrounding the water main or connecting pipe.”.

Repeal and re-enactment of section 55B

14. Section 55B of the principal Act is repealed and the following section substituted therefor:

“Power to enter and investigate

55B.—(1) An authorised officer may, at any time without notice, enter any premises or board any vessel in any reservoir or

waterway, and do all or any of the following for the specified purposes:

- (a) search the premises or vessel and take possession of any thing found in the premises or vessel;
- (b) require the production of, and take and retain extracts from or copies of, records, certificates, notices and documents (wherever and by whoever they are kept);
- (c) take and retain samples of any materials (whether solid, liquid, gaseous or vapour) found for the purpose of analysis;
- (d) take such photographs or video recordings as the authorised officer thinks necessary;
- (e) require any person whom the authorised officer finds in the premises or vessel to produce his identity card or other identification papers for inspection.

(2) In subsection (1), “specified purposes” means all or any of the following purposes:

- (a) to ascertain whether the requirements imposed by or under this Act are complied with;
- (b) to investigate a suspected offence under this Act;
- (c) to investigate whether there is any circumstance that may result in the suspension or cancellation of a plumber’s licence.”.

Amendment of section 59

15. Section 59(3) of the principal Act is amended by deleting the words “to the Board” and substituting the words “into the Consolidated Fund”.

Amendment of section 72

16. Section 72(2) of the principal Act is amended —

- (a) by inserting, immediately after the word “supply” in paragraph (i), the words “, conveyance or distribution”;

(b) by inserting, immediately after paragraph (i), the following paragraph:

“(ia) the regulation of the supply and use of water fittings, including —

- (i) the registration of suppliers of water fittings;
- (ii) the requirements for water fittings, the imposition of water efficiency practices for water fittings, and the labelling of water fittings; and
- (iii) the recall of water fittings;”;

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

“(m) in relation to the regulation of regulated works or WSI design works —

- (i) the process for an application for a plumber’s licence, the form of a plumber’s licence, and the replacement of a plumber’s licence;
- (ii) the duties of licensed plumbers in respect of any regulated works; and
- (iii) the duties of professional engineers in respect of any WSI design works;”;

(d) by inserting, immediately after sub-paragraph (ii) of paragraph (n), the following sub-paragraph:

“(iia) the requirements relating to the use, stowage, storage, conveyance, loading or unloading of dangerous cargoes on such vessels, including the requirement to obtain the Board’s approval and the fees payable for such approval;”;

- (e) by inserting, immediately after the word “reservoir” in paragraph (n)(vi), the words “or waterway”; and
- (f) by inserting, immediately after paragraph (n), the following paragraph:

“(na) the issue of an order by the Board to stop any activity that has caused damage, or is likely to cause damage, to any apparatus, appliance, fittings, pipes and works belonging to the Board used in connection with the collection, production, conveyance or supply of water;”.

New sections 72A and 72B

17. The principal Act is amended by inserting, immediately after section 72, the following sections:

“Incorporation by reference

72A.—(1) The regulations made under section 72 may apply, adopt or incorporate by reference —

- (a) wholly or partially;
- (b) with or without any addition, omission or substitution;
or
- (c) specifically or by reference,

any code of practice, standard, requirement, specification or other document that relates to any subject matter of any regulations made under section 72 (called in this section the material), as in force or published at a particular time or as in force or published from time to time.

(2) The material mentioned in subsection (1) may be material issued by the Board, or material issued by any standards setting organisation, or other organisation or person.

(3) Any material applied, adopted or incorporated in the regulations by reference under subsection (1) is to be treated for all purposes as forming part of the regulations.

(4) Unless otherwise provided in the regulations, where the material is applied, adopted or incorporated by reference as in force or published from time to time, every amendment to the material that is made by the organisation or person originating the material is to be treated as being a part of those regulations.

(5) Where any material is applied, adopted or incorporated by reference in any provision of any regulations, the Board must give notice in the *Gazette* stating —

- (a) that the material is incorporated in the regulations, and the date on which the relevant provision in the regulations was made;
- (b) that the material is available for inspection, free of charge, and the place at which such material may be inspected;
- (c) that copies of the material can be purchased, and the place where the material can be purchased; and
- (d) if copies of the material are available in other ways, the details of where or how the material can be accessed or obtained.

(6) In addition, the Board must cause a copy of every material applied, adopted or incorporated in the regulations by reference under subsection (1), to be made available for inspection by members of the public without charge at any of its offices during normal office hours.

(7) To avoid doubt, any part of the material that is not applied, adopted or incorporated by reference under subsection (1) has no legislative effect.

Advisory guidelines

72B.—(1) The Board may issue advisory guidelines for the purposes of providing practical guidance or certainty in respect of any one or more requirements imposed by or under this Act.

(2) The advisory guidelines may —

- (a) be of general or specific application; or

(b) specify that different provisions of the advisory guidelines apply to different circumstances, or are applicable to different persons or classes of persons.

(3) The Board may amend or revoke the whole or part of any advisory guidelines issued under subsection (1).

(4) Advisory guidelines issued or amended under this section do not have any legislative effect.”.

Miscellaneous amendments

18. The principal Act is amended —

(a) by deleting the words “water for human consumption” in the following provisions and substituting in each case the words “water suitable for drinking”:

Sections 2 (definition of “approved person”), 6(1)(d), 41(1) and (10) and the section heading and 46(1) and (2), and paragraph 11 of the Second Schedule; and

(b) by deleting the words “WATER FOR HUMAN CONSUMPTION” in the Part heading of Part IV and substituting the words “WATER SUITABLE FOR DRINKING”.

Consequential and related amendments to Environmental Public Health Act

19. Part IX of the Environmental Public Health Act (Cap. 95, 2002 Ed.) is repealed and the following Part substituted therefor:

“PART IX

PROVISION OF WATER SUITABLE FOR DRINKING

Interpretation of this Part

78. In this Part —

“general appearance”, in relation to water suitable for drinking, includes the colour and clarity of the water;

“provide”, in relation to water suitable for drinking, means to convey, distribute, produce, supply, offer to provide or otherwise make available, in the course of business and whether or not carried on for profit, the water —

- (a) to the public, or a section of the public, at a public place, any common area of any residential premises, or any other place, premises or area; and
- (b) by using any reticulation system, storage tank, container, hose, water fitting, generator, tanker, truck or any other system, facility, equipment or vehicle,

but does not include —

- (i) any sale of water suitable for drinking that is regulated under the Sale of Food Act (Cap. 283);
- (ii) any supply to a vessel of water suitable for drinking that is regulated under the Maritime and Port Authority of Singapore Act (Cap. 170A);
- (iii) any provision to a Singapore ship of water suitable for drinking that is regulated under the Merchant Shipping Act (Cap. 179);
- (iv) any provision of water suitable for drinking solely to the Public Utilities Board; and
- (v) any other provision of water prescribed by the Minister by order in the *Gazette*, as not being the provision of water suitable for drinking;

“Public Utilities Board” means the Public Utilities Board continued under section 3 of the Public Utilities Act (Cap. 261);

“water provider” means a person who provides water suitable for drinking;

“water suitable for drinking” means —

- (a) potable water; and

(b) any water held out by a water provider as potable water,

but does not include any water intended for consumption solely by animals.

Provision of water suitable for drinking

79.—(1) A water provider must not provide water suitable for drinking unless the water is unpolluted and wholesome.

(2) For the purposes of subsection (1), water is unpolluted and wholesome if the water —

(a) conforms to the prescribed requirements concerning the quality, purity and general appearance of water suitable for drinking; and

(b) does not, based on any prescribed methodology or assessment, contain any contaminant, substance or organism, either alone or in any combination, at a concentration or value that constitutes a potential danger to human health.

(3) The regulations prescribing the methodology or assessment mentioned in subsection (2)(b) may —

(a) incorporate by reference any document relating to such methodology or assessment that is —

(i) issued or approved; and

(ii) in force or published at a particular time, or from time to time,

by any organisation or other person whose purposes relate to public health; and

(b) provide for the Director-General to specify any other methodology or assessment.

(4) A water provider who provides, or intends to provide, water suitable for drinking must comply with the prescribed duties of a water provider, which may include the duty to —

- (a) comply with the requirements relating to the composition, type and specifications of any container or other package in which the water is provided or is to be provided (called in this section the water packaging);
- (b) comply with the requirements relating to the way in which the water provided or to be provided is presented, including requirements relating to the labels that may be affixed on the water packaging and information that must accompany the water packaging (whether on the label, printed on the water packaging or on an accompanying document);
- (c) comply with the requirements relating to the risk assessment and risk management measures that are or are to be used in order to minimise the likelihood of the water becoming polluted and unwholesome;
- (d) comply with the requirements relating to the sampling and testing of the water;
- (e) provide, to the Director-General, such information as the Director-General may require relating to the water provided or to be provided;
- (f) carry out such remedial measures as the Director-General may require; and
- (g) comply with any other requirement, as may be prescribed, for the purposes of keeping the water unpolluted and wholesome.

(5) Where the Director-General is of the opinion that any water provider has contravened any requirement under subsection (1) or (4), the Director-General may by notice in writing require the water provider to stop the provision of such water, and the water provider must comply with such notice.

(6) Any person who contravenes subsection (1), (4) or (5) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$20,000 and, in the case of a continuing offence, to a further fine not exceeding \$1,000 for every day or part of a day during which the offence continues after conviction.

Power to enter and investigate

80.—(1) An authorised officer may, at any time without notice, enter any premises and do all or any of the following for the specified purposes:

- (a) search the premises and take possession of any thing found in those premises;
- (b) require the production of, and take and retain extracts from or copies of, records, certificates, notices and documents (wherever and by whoever they are kept);
- (c) take and retain samples of any materials (whether solid, liquid, gaseous or vapour) found for the purpose of analysis;
- (d) take such photographs or video recordings as the authorised officer thinks necessary;
- (e) require any person whom the authorised officer finds in the premises to produce the person’s identity card or other identification papers for inspection.

(2) In subsection (1), “specified purposes” means one or both of the following purposes:

- (a) to ascertain whether the requirements imposed by or under this Part are complied with;
- (b) to investigate a suspected offence under this Part.”.

Consequential and related amendments to Sewerage and Drainage Act

20.—(1) Section 2 of the Sewerage and Drainage Act (Cap. 294, 2001 Ed.) is amended —

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- (a) by inserting, immediately after the definition of “industrial water”, the following definition:

““licensed plumber” means an individual who holds a plumber’s licence as defined in section 2 of the Public Utilities Act (Cap. 261);”;

- (b) by deleting the words “, in relation to any sewerage or drainage works,” in the definition of “qualified person”;
- (c) by deleting the words “the sewerage or drainage works” in the definition of “qualified person” and substituting the words “sewerage works, drainage works or sanitary works”;
- (d) by inserting, immediately after the definition of “sanitary facilities”, the following definition:

““sanitary works” means —

- (a) constructing, altering, repairing, replacing, discontinuing or closing up any discharge pipe, ventilating pipe, drain-line, fitting, floor trap, inspection chamber, grease trap, pump or any other appurtenance related to the conveyance of sewage or sullage water from any sanitary appliance or sanitary facility to a sewerage system; and
- (b) installing, fixing, altering, repairing or removing a sanitary appliance or sanitary facility, and any other connected works;”;
- (e) by deleting the words “the construction and alteration of sanitary facilities” in the definition of “works” and substituting the words “sanitary works”.

(2) Section 11 of the Sewerage and Drainage Act is amended —

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

“(1) No person may —

(a) construct, alter, discontinue or close up any sewerage system; or

(b) carry out any sanitary works,

unless the person obtains a clearance certificate or the approval of the Board under section 33 for those works.”;

(b) by deleting the words “any sewerage system or sanitary facilities are constructed, altered, discontinued or closed up” in subsection (2) and substituting the words “any sewerage system is constructed, altered, discontinued or closed up, or any sanitary works are carried out,”; and

(c) by deleting subsection (5) and substituting the following subsection:

“(5) Any contravention of subsection (1) in respect of any sanitary works must not be dealt with by the Board under section 40Q of the Public Utilities Act (Cap. 261).”.

(3) Section 33(4) of the Sewerage and Drainage Act is amended by deleting paragraph (a) and substituting the following paragraph:

“(a) to be made by any of the following persons as the Board may decide:

(i) a qualified person whose qualifications the Board considers are appropriate to the works to which the application relates;

(ii) a licensed plumber; and”.

(4) Section 34(1) of the Sewerage and Drainage Act is amended by inserting, immediately after the words “a qualified person”, the words “whose qualifications are appropriate to the nature of those works”.

(5) The Sewerage and Drainage Act is amended by inserting, immediately after section 35, the following section:

“Directions to qualified persons

36.—(1) Where the Board is of the opinion that a qualified person has contravened, or is likely to have contravened, any requirement imposed by or under this Act, the Board may give a direction, verbally or in writing, to any person specified in subsection (2), and the person must comply with the direction.

(2) The persons specified for the purposes of subsection (1) are —

- (a) the qualified person;
- (b) if the Board is of the opinion that the qualified person is incapable of carrying out any requirement specified in the Board’s direction, another qualified person;
- (c) where the contravention or likely contravention relates to any sewerage system or sanitary facilities, the owner or occupier of any premises to which the sewerage system or sanitary facilities belong or for the use of which they are maintained; or
- (d) any person authorised to construct, alter or demolish the sewerage system or sanitary facilities.

(3) A direction given under subsection (1) —

- (a) may require the person specified in subsection (2) to do, or to refrain from doing, such things as are specified in the direction or are of a description as specified in the direction;
- (b) is to take effect at such time, being the earliest practicable time, as is determined by or under that direction; and
- (c) may be revoked at any time by the Board.

(4) The Board is not liable for any cost or expense incurred by any person specified in subsection (2) in complying with any direction given by the Board under this section.

(5) Where a qualified person receives a direction from the Board under this section, the qualified person must notify the owner or occupier specified in subsection (2)(c) of the direction.

(6) Any person to whom a direction is given under this section who fails to comply with the direction shall be guilty of an offence.”.

(6) Section 74(1) of the Sewerage and Drainage Act is amended by inserting, immediately after paragraph (a), the following paragraph:

“(aa) prescribe matters relating to the requirement for a clearance certificate or the approval of the Board under section 33 in respect of the works mentioned in section 11(1)(a) and (b), including —

- (i) the persons who are required to submit applications for the clearance certificate or approval (as the case may be), the qualifications required of those persons and the duties of those persons in submitting the applications;
- (ii) the types of works that require the clearance certificate or approval (as the case may be); and
- (iii) the persons who are required to carry out works that require the clearance certificate or approval (as the case may be) and the duties of those persons in carrying out such works;”.

Saving and transitional provisions

21.—(1) Except as expressly provided by this section, this section applies without affecting section 16 of the Interpretation Act (Cap. 1).

(2) Every application under the repealed provision for a water service worker licence that is pending on the date of commencement of section 8 is deemed to be an application for a plumber’s licence made under section 40I of the Amended Act.

(3) Despite this Act, an individual who, immediately before the date of commencement of section 9, is both —

- (a) a licensed water service worker; and
- (b) a specified sanitary plumber,

is deemed to be a licensed plumber under the Amended Act.

(4) Despite this Act, an individual who, immediately before the date of commencement of section 9, is a licensed water service worker may continue to carry out any limited WSI design works or WSI works without a plumber's licence as if the individual were a licensed plumber until the earlier of the following events:

- (a) the individual is granted a plumber's licence under the Amended Act;
- (b) 6 months after the date of commencement of section 9.

(5) Despite this Act, an individual who, immediately before the date of commencement of section 9, is a specified sanitary plumber may continue to carry out any sanitary works without a plumber's licence as if the individual were a licensed plumber until the earlier of the following events:

- (a) the individual is granted a plumber's licence under the Amended Act;
- (b) 6 months after the date of commencement of section 9.

(6) This Act does not affect any investigation started, before the date of commencement of section 8, under the principal Act in respect of a person who carries out any water service work, and every such investigation may be continued and everything in relation to such investigation may be done in all respects after that day as if section 8 had not been enacted.

(7) For a period of 2 years after the date of commencement of any provision of this Act, the Minister may, by regulations, prescribe such additional provisions of a saving or transitional nature consequent on the enactment of that provision as the Minister may consider necessary or expedient.

(8) In this section —

“Amended Act” means the principal Act as amended by this Act;

“licensed water service worker” means the holder of a valid water service worker licence granted under the repealed provision;

“repealed provision” means section 40 of the principal Act as in force immediately before the date of commencement of section 8;

“specified sanitary plumber” means —

- (a) any individual registered under section 36 of the Sewerage and Drainage Act (Cap. 294, 2001 Ed.) as in force immediately before its repeal by section 6 of the Sewerage and Drainage (Amendment) Act 2002 (Act 9 of 2002); or
- (b) any individual registered or formerly registered as a sanitary plumber with the Singapore Plumbing Society;

“water service work” and “water service worker licence” have the same meanings as in section 2 of the principal Act as in force immediately before the date of commencement of section 8.
