

**THE STATUTES OF THE REPUBLIC OF SINGAPORE**

**CLEAN AIR ACT  
(CHAPTER 45)**

**Act  
29 of 1971**

**Amended by  
5 of 1975  
S 127/80**

**REVISED EDITION 1985**

PRINTED BY THE GOVERNMENT PRINTER, SINGAPORE

1986

# Clean Air Act

## ARRANGEMENT OF SECTIONS

### PART I

#### PRELIMINARY

Section

1. Short title.
2. Interpretation.
3. Appointment of Director and authorised officers.

### PART II

#### SCHEDULED PREMISES

4. Permission for use of scheduled premises.
5. Power of Director to attach conditions to permission.
6. Certain work on scheduled premises to have written permission.
7. Change of occupier.

### PART III

#### INDUSTRIAL AND TRADE PREMISES

8. Occupiers to maintain and operate control equipment.
9. Prohibition of dark smoke from chimney.
10. Prescribed standards of air impurities not to be exceeded.
11. Power of Director to require work on any premises.
12. Provisions of Part to apply to other premises as the Minister may direct.

### PART IV

#### MISCELLANEOUS PROVISIONS

13. Occupiers required to furnish information.
14. Refusal to furnish information.
15. Power of Minister to prohibit use of combustible materials, fuel burning equipment or industrial plant in certain areas.
16. Power to prohibit trades, industries, processes, etc., in certain circumstances.
17. Appeals.
18. Powers of authorised officer.
19. Occupiers to allow entry and inspection.
20. Obstructing an authorised officer.

## Section

21. Exemption.
22. Service of notices.
23. Penalty.
24. Jurisdiction of District and Magistrate's Courts.
25. Advisory and technical committees.
26. Regulations.

The Schedule — Scheduled premises.

---

An Act relating to the prevention and reduction of air pollution and for purposes connected therewith.

[15th January 1972]

## PART I

## PRELIMINARY

Short title.

1. This Act may be cited as the Clean Air Act.

Inter-pretation.  
5/75.

2.—(1) In this Act, unless the context otherwise requires —

“air impurity” includes smoke, soot, dust, ash (including fly-ash), cinders, solid particles of any kind, gases, fumes, mists, odours and radioactive substances;

“air pollution” means the emission into the air of any air impurity;

“authorised officer” means any officer appointed as an authorised officer under section 3;

“chimney” includes any structure or opening from or through which air impurities may be emitted, and any reference to a chimney of or used in connection with any premises includes a reference to a chimney which serves the whole or a part of the premises though structurally separate from the premises or building thereon;

“construction sites” means any premises on or in which the construction, alteration or demolition of any building or structure is carried on;

“control equipment” includes —

- (a) any apparatus for separating any air impurities from the gas or liquid medium in which they are carried;

- (b) any automatic device used for securing the more efficient operation of any fuel burning equipment;
  - (c) any device to indicate or record air pollution or give warning of excessive air pollution; and
  - (d) any other device used for the purposes of preventing or limiting air pollution;
- “dark smoke” means smoke which by any prescribed method is ascertained to be dark smoke;
- “Director” means the Director of Air Pollution Control appointed under section 3;
- “fuel burning equipment” means any furnace, boiler, fireplace, oven, retort, incinerator, open fire, vehicle, vessel or chimney, or any other apparatus, device, mechanism or structure used or to be used in connection with the burning of any combustible material in, or in relation to, any industrial plant;
- “industrial or trade premises” means premises used for any industrial or trade purposes or premises on which matter is burnt in connection with any industrial or trade process, and includes all scheduled premises and construction sites;
- “industrial plant” means any plant used for the generation of power, or for any industrial use, or for the operation of vessels, aircraft, locomotives, cranes or other machines using any combustible material for their operation;
- “occupier”, in relation to any premises, means the person in occupation or control of the premises, and, in relation to any part of any premises different parts of which are occupied by different persons, means the person in occupation or control of that part;
- “practicable” means reasonably practicable having regard, amongst other things, to local conditions and circumstances and to the current state of technical knowledge, and “best practicable means” includes the provision and the efficient maintenance of plant and the proper use thereof and the supervision by or on behalf of the occupier of any process or operation;

“premises” includes any messuages, buildings, lands, easements and hereditaments whether open or enclosed, whether built on or not, whether public or private, and whether maintained or not under statutory authority;

“scheduled premises” means any premises for the time being specified in the Schedule.

(2) The Minister may, by notification published in the *Gazette*, amend the Schedule by inserting therein or removing therefrom any premises or class of premises.

Appointment of Director and authorised officers.

3.—(1) The Minister may appoint an officer to be known as the Director of Air Pollution Control and such other officers to be authorised officers for the purposes of this Act.

(2) Subject to any general or special directions of the Minister or the Director, the powers conferred and duties imposed on the Director by this Act, or any regulations made thereunder, may be exercised or performed by any authorised officer appointed under subsection (1).

## PART II

### SCHEDULED PREMISES

Permission for use of scheduled premises.

4.—(1) No person shall, without the written permission of the Director, occupy or use any premises as scheduled premises.

(2) Any application for permission under this section shall be made to the Director giving details of the trade, industry or process proposed to be carried in or on the premises together with details of the methods intended to be adopted so as to control air pollution from the premises.

(3) The Director may —

- (a) require an applicant to furnish such information as the Director may consider necessary;
- (b) grant permission in respect of the application either subject to conditions or unconditionally, or refuse to grant permission if he is of the opinion that the occupier is likely to cause or increase air pollution from the premises or increase air pollution in the area; and

- (c) at any time vary, whether by way of addition or substitution, the conditions attached to any permission.

(4) This section shall not apply to a person who immediately before the commencement of this Act is the occupier of any scheduled premises.

5. Without prejudice to the generality of section 4 (3), the Director may in granting permission under that section impose conditions —

Power of Director to attach conditions to permission. 5/75.

- (a) requiring the occupier —
- (i) to repair, alter or replace any industrial plant, fuel burning equipment or control equipment installed in or on the scheduled premises;
  - (ii) to install and operate industrial plant, fuel burning equipment or control equipment in or on the scheduled premises;
  - (iii) to erect or alter the height or dimension of any chimney through which air impurities may be discharged from the scheduled premises;
  - (iv) to alter the method of operation or process used in or on the scheduled premises to prevent or reduce air pollution;
  - (v) to install and operate instruments and carry out tests and keep records of any such tests and any method of operation or supervision as may be required;
  - (vi) to use a specified type of fuel to prevent or reduce air pollution;
  - (vii) to carry out any of the requirements imposed on him under this paragraph within such period as may be specified in those conditions;
- (b) prohibiting the occupier from altering or replacing any control equipment installed in or on the scheduled premises except with the approval of the Director; or
- (c) prohibiting the occupier from operating any newly installed or altered fuel burning equipment or

industrial plant until approval to do so has been given by the Director.

Certain work on scheduled premises to have written permission. 5/75.

6.—(1) The occupier of any scheduled premises shall not without the written permission of the Director —

- (a) alter the method of operation of any trade, industry, process, fuel burning equipment or control equipment or industrial plant in or on the scheduled premises;
- (b) install, alter or replace any fuel burning equipment or control equipment or industrial plant in or on the scheduled premises;
- (c) erect or alter the height or dimension of any chimney through which air impurities may be emitted from the scheduled premises; or
- (d) use any fuel other than the type of fuel specified by the Director.

(2) An application for permission under subsection (1) shall contain details of the proposed installation, alteration, replacement or erection.

(3) The Director may —

- (a) require an applicant to furnish such information as the Director may consider necessary;
- (b) grant permission in respect of the application either subject to conditions or unconditionally, or refuse to grant permission if he is of the opinion that the occupier is likely to cause or increase air pollution from the premises or increase air pollution in the area; and
- (c) at any time vary whether by way of addition or substitution the conditions attached to any permission.

Change of occupier.

7. Where there has been any change in the occupancy of any scheduled premises, the person who becomes the occupier thereof shall notify the Director in writing of the change within 14 days from the date of his taking over of the scheduled premises.

## PART III

## INDUSTRIAL AND TRADE PREMISES

**8.** The occupier of any industrial or trade premises shall maintain any fuel burning equipment and any control equipment installed in or on the premises in an efficient condition and shall operate the equipment in a proper and efficient manner.

Occupiers to maintain and operate control equipment.

**9.—(1)** The occupier of any industrial or trade premises shall not cause, permit or allow the emission of dark smoke from a chimney of, or used in connection with, the premises.

Prohibition of dark smoke from chimney.

(2) This section shall not apply to emissions of dark smoke from any chimney lasting for not longer than such periods on any day as may be prescribed and subject to any prescribed limitations.

**10.—(1)** The occupier of any industrial or trade premises shall not conduct any trade, industry or process, or operate any fuel burning equipment or industrial plant in or on the premises in such manner as to cause, permit or allow the emission of air impurities in excess of the standard of concentration or rate of emission prescribed in respect of that industry, process, fuel burning equipment or industrial plant.

Prescribed standards of air impurities not to be exceeded.

(2) Where any such standard has not been so prescribed, the occupier of any industrial or trade premises shall conduct any trade, industry or process or operate any fuel burning equipment or industrial plant in or on the premises by the best practicable means as may be necessary to prevent or minimise air pollution:

Provided that if at any time any question arises as to the best practicable means available for the purposes of this subsection it shall be determined by the Director.

**11.—(1)** Where in the opinion of the Director any air impurities are being or are likely to be emitted from any industrial or trade premises, the Director may by notice in writing require the occupier of the premises to —

Power of Director to require work on any premises. 5/75.

(a) install and operate any industrial plant, control equipment or additional control equipment, in or on the premises;



- (b) repair, alter, or replace any industrial plant, fuel burning equipment or control equipment installed in or on the premises;
- (c) erect or alter the height or dimension of any chimney through which air impurities may be discharged from the premises;
- (d) alter the method of operation or process used in or on the premises to prevent or reduce air pollution;
- (e) use a specified type of fuel to prevent or reduce air pollution;
- (f) dismantle or disconnect any industrial plant, fuel burning equipment, control equipment or chimney installed in or on the premises; or
- (g) install and operate such instruments and carry out tests and keep records of any such tests and any method of operation or supervision as may be required,

within such time and in such manner as may be specified in the notice.

(2) The occupier of any industrial or trade premises to whom any notice in writing is given under this section shall comply in all respects with the requirements set out in the notice.

Provisions of Part to apply to other premises as the Minister may direct.

**12.** The Minister may, by order published in the *Gazette*, direct that the provisions of this Part shall also apply to any class or description of premises as may be specified in the order, and the provisions of any regulations made under section 25 shall apply to the premises as they apply to industrial or trade premises.

## PART IV

### MISCELLANEOUS PROVISIONS

Occupiers required to furnish information.

**13.** The Director may, by notice in writing served on the occupier of any industrial or trade premises, require the occupier to furnish to him within 14 days or such longer period as may be specified in the notice, any information as to any fuel burning equipment, control equipment, or industrial plant or process in or on the premises and any fuel or any material burned therein or thereon.

14. Any person who, when required by the Director to answer any question, or to furnish any information —

Refusal to furnish information.

- (a) fails to answer the question or furnish the information; or
- (b) gives any answer or furnishes any information that is false or misleading,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

15.—(1) The Minister may, by order published in the *Gazette* —

Power of Minister to prohibit use of combustible materials, fuel burning equipment or industrial plant in certain areas.

- (a) prohibit the use of such combustible materials or fuel burning equipment or industrial plant as may be specified in the order;
- (b) prohibit the use of all combustible materials or fuel burning equipment or industrial plant, other than such combustible materials or fuel burning equipment or industrial plant or such classes of combustible materials or fuel burning equipment or industrial plant as may be specified in the order; or
- (c) prohibit the burning of any material as may be specified in the order,

within such area and at such times as may be so specified.

(2) Any person who contravenes or fails to comply with an order made under subsection (1) shall be guilty of an offence. <sup>5/75.</sup>

(3) If in any proceedings for a contravention or non-compliance of an order made under subsection (1) it is shown that any combustible material, fuel burning equipment or industrial plant was found or that the burning of any material was done in or on any premises, it shall be presumed unless the contrary is proved that —

- (a) the combustible material, fuel burning equipment or industrial plant was used; or
- (b) the burning of any material was done, by the occupier of the premises.

Power to prohibit trades, industries, processes, etc., in certain circumstances.

**16.—(1)** Where the Director reports to the Minister that the emission of air impurities from any industrial or trade premises is or is likely to be injurious to public health, the Minister may by order direct the occupier of the premises to cease forthwith conducting any trade, industry, or process, or operating any fuel burning equipment or industrial plant, in or on the premises for such period as may be specified in the order.

(2) The occupier of any industrial or trade premises who fails to comply with any order under subsection (1) 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 months or to both.

(3) Where the occupier of any industrial or trade premises has failed to comply with any order under subsection (1), the Director may at all reasonable times enter upon the premises and take such measures and do such work as may be necessary to comply with the order.

Appeals.

**17.—(1)** Any person who is aggrieved by —

(a) any decision of the Director with respect to his application under section 4; or

(b) any notice given by the Director under section 11, may appeal to the Minister whose decision shall be final.

(2) An appeal under this section shall be instituted within 14 days after the person has been notified of the decision of the Director under section 4 or been given the notice under section 11, as the case may be.

Powers of authorised officer.

**18.** The Director or any authorised officer may at all reasonable times enter any industrial or trade premises and may —

(a) examine and inspect any control equipment, fuel burning equipment or industrial plant on the premises; and

(b) make such examination or inquiry and such tests as he considers necessary,

to ascertain whether the provisions of this Act or any requirement made under or pursuant thereto or the conditions attached to any permission or exemption are being or have been complied with.

19. The occupier of any industrial or trade premises and his employees and agents shall furnish to the Director or any authorised officer all reasonable assistance and all such information as may be required by the Director or authorised officer in the exercise of his powers under this Act.

Occupiers to allow entry and inspection.

20. Any person who —

- (a) delays or obstructs the Director or any authorised officer in the exercise of his powers under this Act; or
- (b) fails to facilitate by all reasonable means the entry and inspection of any premises by the Director or any authorised officer, or the examination of any fuel burning equipment, control equipment, or industrial plant, or the making of any tests which the Director or any authorised officer is empowered under this Act to make,

Obstructing an authorised officer.

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

21.—(1) The Minister may exempt the occupier of any industrial or trade premises from all or any of the provisions of this Act subject to such conditions and for such period as he thinks fit.

Exemption.

(2) The Minister may at any time revoke or vary, whether by way of addition or substitution, any terms or conditions of any exemption.

22. Every notice, order or document required or authorised by this Act or any regulations made thereunder to be served on any person may be served —

Service of notices.

- (a) by delivering it personally to that person;
- (b) by leaving it at the usual or last known place of abode or business of that person; or
- (c) by sending it by post addressed to that person at his usual or last known place of abode or business.

23.—(1) Any person who —

Penalty.

- (a) fails to comply with any provisions of this Act; or
- (b) fails to comply with any condition subject to which any permission is granted by the Director,

shall be guilty of an offence.

(2) Any person guilty of an offence under this Act shall where no other penalty is expressly provided be liable on conviction to a fine not exceeding \$10,000 and in the case of a continuing offence to a fine not exceeding \$500 for every day during which the offence continues after conviction.

Jurisdiction  
of District  
and  
Magistrate's  
Courts.  
Cap. 68.  
5/75.

**24.** Notwithstanding anything to the contrary in the Criminal Procedure Code, a District Court or Magistrate's Court shall have jurisdiction to try any offence under this Act or any regulations made thereunder and to impose the full penalty or punishment in respect of any such offence.

[23A

Advisory  
and  
technical  
committees.

**25.—(1)** The Minister may, from time to time, appoint such advisory or technical committees as he thinks fit for the purpose of giving advice and assistance in regard to any matter falling within the provisions of this Act.

(2) The composition of such committees and the terms of appointment of the members thereof shall be determined by the Minister.

[24

Regulations.

**26.—(1)** The Minister may make regulations —

- (a) prescribing the types of tests to be carried out and the records to be maintained by occupiers of industrial or trade premises with respect to the emission of air impurities from and the consumption of fuel on those premises;
- (b) prescribing the types of control equipment that may be used in or on any industrial or trade premises, and the manner in which the equipment shall be operated and maintained;
- (c) prescribing the assistance and facilities (including access to, and the means of making examinations, inspections and tests) to be provided by the occupiers of industrial or trade premises to enable the Director and authorised officers to exercise their powers under this Act;
- (d) prescribing standards of concentration or rates of emission of air impurities from any source of air pollution and the method of making tests for the purposes of ascertaining whether any of the provisions of this Act or any conditions attached

- to a permission or to an exemption are being or have been complied with;
- (e) prescribing the types and composition of fuel to be used;
  - (f) prescribing returns of any information, statistics and data relating to air pollution to be furnished to the Director and the contents thereof, and the persons or classes of persons who shall furnish those returns;
  - (g) prescribing a penalty not exceeding \$5,000 for any offence against any regulations made under this Act and in the case of a continuing offence against any regulations a penalty not exceeding \$200 for every day during which the offence continues after conviction;
  - (h) prescribing any matter which is required under this Act to be prescribed; and
  - (i) generally for carrying out the purposes and provisions of this Act.

(2) All such regulations shall be published in the *Gazette* and shall be presented to Parliament as soon as possible after publication. [25

THE SCHEDULE  
SCHEDULED PREMISES

Section 2.  
S 127/80.

Any premises —

- (a) being used for —
  - (i) cement works, being works for the manufacture or packing of portland cement, similar cement or pozzolanic materials;
  - (ii) concrete works, being works for the manufacture of concrete and of each batch capacity greater than  $\frac{1}{2}$  cubic metre;
  - (iii) asphalt works, being works for the manufacture of asphalt or tarmacadam;
  - (iv) ceramic works, being works in which any products such as bricks, tiles, pipes, pottery goods, refractories or glass are manufactured in furnaces or kilns fired by any fuel;
  - (v) chemical works, being works in which acids, alkali chemical fertilizer, soap, detergent, sodium silicates, lime or other calcium compounds, chlorine, chemical or chemical products are manufactured;

- (vi) coke or charcoal works, being works in which coke and charcoal are produced and quenched, cut, crushed or graded;
  - (vii) ferrous and non-ferrous metal works, being works in which metal melting process for casting and metal coating or either of such works are carried out;
  - (viii) gas works, being works in which coal, coke, oil or other mixtures or derivatives are handled or prepared for carbonisation or gasification and in which those materials are subsequently carbonised or gasified;
  - (ix) crushing, grinding and milling works, being works in which rock, ores, minerals, chemicals or natural grain products are processed by crushing, grinding, milling or separating into different sizes by sieving, air elutriation or in any other manner;
  - (x) petroleum works, being works in which crude or shale oil or crude petroleum or other mineral oil is refined or reconditioned;
  - (xi) scrap metal recovery works, being works in which scrap metals are treated in any type of furnace for recovery of metal irrespective of whether this is the primary object of any specific premises or not;
  - (xii) primary metallurgical works, being works in which ores are smelted or converted to metal of any kind;
  - (xiii) pulping works, being works in which wood or cellulose material is made into pulp;
- (b) on which there is erected any boiler of steam generating capacity of 2,300 kilogrammes or more per hour, incinerator or furnace burning 500 kilogrammes or more of solid combustible material per hour or 220 kilogrammes or more of liquid material per hour; and
- (c) being used or intended to be used for storing —
- (i) more than 100 tonnes of one or more of the following substances — chemicals, chemical products, hydrocarbons or hydrocarbon products which are toxic or which produce toxic gases on burning or on contact with water or air; or
  - (ii) more than 1,000 tonnes of one or more of the following substances — chemicals, chemical products, hydrocarbons or hydrocarbon products with a flash point lower than 55°C.