

THE STATUTES OF THE REPUBLIC OF SINGAPORE

CONTROL OF MANUFACTURE ACT
(CHAPTER 57)

1970 Ed. Cap. 241
Ordinance
14 of 1959

Amended by
3 of 1970
S 382/73
S 65/74
S 153/74
S 208/75
S 270/80
S 318/80
S 175/82
S 257/84

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Control of Manufacture Act

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An Act to make provision for the regulation and control of the manufacture of goods.

[4th April 1959]

1. This Act may be cited as the Control of Manufacture Act. Short title.

2. In this Act, unless the context otherwise requires — Inter-pretation.
“goods” includes all materials, commodities and articles for the time being specified in the First or Second Schedule;

“manufacture” means —

(a) the making of any goods or part of any goods;

- (b) the altering, ornamenting, finishing, cleaning or washing or the breaking up or the assembling or processing in any form whatsoever of any goods; or
- (c) the adapting for sale of any goods, in which machinery operated by mechanical power is used;

“registered manufacturer” means, in respect of the goods for the manufacture of which he is so registered, a person registered under section 3;

“Registrar” means the Registrar of Manufacturers appointed under section 4.

Manufacture of goods prohibited except on registration.

3. Subject to the provisions of this Act, no person shall engage in the manufacture for sale or other commercial purpose of any goods unless he is registered under the provisions of this Act in respect of that manufacture.

Appointment of Registrar.

4.—(1) The Minister may, by name or office, appoint for the purposes of this Act a Registrar of Manufacturers and such Deputy and Assistant Registrars of Manufacturers and such other officers as he may consider necessary.

(2) The Minister may, by notification in the *Gazette*, authorise any Deputy or Assistant Registrar of Manufacturers to exercise and perform all or any of the powers and duties conferred and imposed on the Registrar of Manufacturers.

Registration.

5.—(1) Every application for registration shall be made in the prescribed form and shall be accompanied by such information as may be required by rules made under this Act.

(2) The Registrar may in his discretion register or refuse to register any person applying for registration in respect of any goods or class of goods and at the time of registering any person may impose such conditions as he thinks fit:

Provided that where any person satisfies the Minister that immediately before the specification of any particular goods or class of goods in the First Schedule he —

- (a) was engaged in the manufacture in Singapore of those goods or class of goods; or

- (b) had bona fide made substantial preparations for, or incurred expense with a view to, the manufacture in Singapore of those goods or class of goods,

an application by that person for registration in respect of those goods or class of goods within 6 months of the specification shall not be refused, and no condition may be imposed in respect thereof.

(3) Any person aggrieved by the imposition of any condition by the Registrar, or by the refusal of the Registrar to register any person, may appeal in writing to the Minister whose decision shall be final.

(4) Every application for registration shall be accompanied by such fee as may be prescribed.

(5) Registration shall not be transferable from one person to another without the written consent of the Minister, which consent shall not be withheld in respect of any registration to which the proviso to subsection (2) applies.

6.—(1) Where it appears to the Registrar that —

- (a) any registration was effected as a result of a misrepresentation of facts;
- (b) any condition of registration has been contravened by a registered manufacturer; or
- (c) a registered manufacturer has for a continuous period of not less than 3 months ceased to manufacture goods in respect of which he has been registered,

Revocation
of
registration.

the Registrar may, after notice to the registered manufacturer and after such inquiry as he thinks fit, revoke the registration.

(2) The Registrar shall within 7 days of revoking any registration inform the registered manufacturer in writing of the revocation and the grounds for the revocation and inform him of his right to appeal to the High Court.

(3) Any person aggrieved by a decision of the Registrar made under subsection (1) may within 14 days of the notification to him of the grounds of the decision appeal to the High Court whose decision shall be final.

(4) The revocation of any registration under this section shall take effect 21 days after the making of the decision of the Registrar to revoke under subsection (1) or, in the event of an appeal from that decision to the High Court, on the determination of the appeal.

(5) For the purpose of subsection (1) (c), the Registrar may by notice in writing require a registered manufacturer to manufacture such minimum quantity of goods as the Registrar may determine and a registered manufacturer who fails to comply with any such notice shall be deemed to have ceased to manufacture those goods.

Returns and
information.

7.—(1) The Registrar may by notice in writing call upon any registered manufacturer to furnish before a specified date such information pertaining to the conditions of his registration as the Registrar may require:

Provided that nothing in this subsection shall be deemed to authorise the Registrar to require a registered manufacturer to disclose any secret process used by him in the manufacture of goods.

(2) The information given by a registered manufacturer under subsection (1) shall be treated as confidential and shall not be used, published or disclosed otherwise than for the purposes of this Act without the consent in writing of the registered manufacturer.

Offences.

8.—(1) Any person who engages in the manufacture for sale or other commercial purposes of any goods specified in the First and Second Schedules without being registered under this Act in respect of those goods shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 and to a fine not exceeding \$1,000 for every day during which the offence continues after conviction.

(2) Any registered manufacturer who fails to comply with any condition of registration shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 and to a fine not exceeding \$1,000 for every day during which the offence continues after conviction.

(3) Any person who —

(a) omits or refuses to supply information required by the Registrar under section 7; or

(b) supplies for the purposes of this Act any information which he knows or has reason to believe to be false,

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

(4) Notwithstanding the provisions of any written law to the contrary a District Court may award the full punishment for any offence under this Act.

(5) The Registrar may, in his discretion, compound any offence under this Act by accepting from a person reasonably suspected of having committed such an offence a sum of money not exceeding \$1,000.

9. Any person duly authorised by the Registrar in writing may, subject to any rules made under this Act, at all times enter into and inspect any premises which are used or to be used, or which that person has reasonable cause to believe to be used, for the purpose of the manufacture of goods.

Powers of entry and inspection.

10. When any person would be liable under the provisions of this Act to any penalty for any act, omission, neglect or default, he shall be liable to the same penalty for every similar act, omission, neglect or default of any agent or servant employed by him in connection with the manufacture of the goods or class of goods in respect of which he is registered under this Act.

Liability for act of servant.

11. The Minister may make rules for the purpose of carrying out the provisions of this Act and without prejudice to the generality of that power may make rules for or in respect of all or any of the following matters:

Rules.

- (a) all matters required by this Act to be prescribed;
- (b) the form of applications for registration, the information to be supplied and the fees payable in connection therewith;
- (c) the maintenance of registers and the particulars to be entered therein; and
- (d) the inspection of registers or parts thereof and the disclosure of information by the Registrar.

12.—(1) The Minister may, by order, impose an annual duty for the manufacture of goods to be levied on registered manufacturers at such rate as the Minister may determine.

Imposition of duty.

(2) The Minister may in such an order prescribe different rates of duties for different categories of goods.

(3) All duties due and payable by a registered manufacturer shall be recoverable as a debt due to the Government.

Power to vary First Schedule.

13. The Minister may from time to time by order add to, vary or amend the whole or any part of the First Schedule.

Power of Minister to exempt and to impose restriction on manufacture of goods.

14.—(1) The Minister may exempt any person from the provisions of this Act.

(2) The Minister may, where he considers it in the interest of the public to do so, by order served on the registered manufacturer or published in the *Gazette*, fix the maximum amount of goods which may, from time to time, be manufactured by any registered manufacturer; and any registered manufacturer who contravenes or fails to comply with any such order shall for the purposes of this Act be deemed to have contravened a condition of registration.

Rules and orders to be presented to Parliament.

15. All rules and orders made under section 11, 12 or 13 shall be published in the *Gazette* and shall be presented to Parliament as soon as possible after publication.

Compliance with other written law not affected.

16. Nothing in this Act shall be deemed to absolve a registered manufacturer from compliance with the requirements of any other written law.

Sections 2, 5 (2), 8 (1), 13.

FIRST SCHEDULE

Specified Goods

S 382/73
S 65/74
S 153/74
S 208/75
S 270/80
S 318/80
S 175/82
S 257/84.

1. Air-conditioners.
2. Beer and stout.
3. Cigars.
4. Drawn steel products.
5. Firecrackers.
6. Pig iron and sponge iron.
7. Refrigerators.
8. Rolled steel products.
9. Steel ingots, billets, blooms and slabs.

Sections 2, 8 (1).

SECOND SCHEDULE

Specified Goods

1. Cigarettes.
2. Matches.