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THE STATUTES OF THE REPUBLIC OF SINGAPORE

**FIRE SAFETY ACT
(CHAPTER 109A)**

**Act
39 of 1993**

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Fire Safety Act

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An Act to make provisions for fire safety and for matters connected therewith.

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PART I

PRELIMINARY

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

(2) The Minister may appoint different dates for the coming into operation of the different provisions of this Act.

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

“building” has the same meaning as in the Building Control Act; Cap. 29.

“building works” has the same meaning as in the Building Control Act;

*No date has yet been appointed for the coming into operation of this Act.

Cap. 42.

“Commissioner” means the Commissioner of Civil Defence appointed under section 6 of the Civil Defence Act;

“fire hazard” means any matter or circumstance which materially increases the likelihood of fire or the danger to life or property that would result from the outbreak of fire and includes —

- (a) any alteration to any building in contravention of any law relating to building works or fire safety works such as might render escape in the event of fire more difficult;
- (b) the overcrowding of any place of public resort such as might render escape in the event of fire more difficult;
- (c) any removal from any building of any fire safety measure which was provided in such building in accordance with plans approved by the Commissioner under section 23;
- (d) the presence in any building of any fire safety measure which from lack of proper maintenance or for any other reason is not in efficient working order;
- (e) the obstruction of escape routes, passageways or common property of any building such as might render escape in the event of fire more difficult; and
- (f) any other matter or circumstance which would materially hamper the Force in the discharge of its duties in the event of fire;

“fire protection system” includes any installation, equipment or works manufactured, used or designed to be used for the purposes of —

- (a) extinguishing, attacking, preventing or limiting a fire and its by product; or
- (b) giving warning of a fire;

“fire protection works” means the provision, extension or alteration of any fire protection system;

“fire safety measures” includes any installation, equipment or works manufactured, used or designed to be used for the purposes of —

- (a) extinguishing, attacking, preventing or limiting a fire and controlling the spread of smoke resulting from the fire;
- (b) giving warning of a fire;
- (c) providing access to any premises or place for the purpose of extinguishing, attacking, preventing or limiting a fire; or
- (d) providing means of escape;

“fire safety works” means any fire protection works, fire safety measures or minor works;

“Force” has the same meaning as in the Civil Defence Act; Cap. 42.

“member” has the same meaning as in the Civil Defence Act and includes any public officer serving in the Force as engineering or technical staff;

“minor works” means —

- (a) the addition, alteration or repair of a building that involves the use of combustible materials or that affects the means of escape or the effectiveness of fire safety measures; or
- (b) the provision, extension or alteration of any air-conditioning service, ventilating system in or in connection with a building;

“occupier”, in relation to any premises, means the person in occupation of any premises or having the charge, management or control thereof and, in relation to any part of any premises different parts of which are occupied by different persons, means the person in occupation or having the charge, management or control of that part;

“officer” has the same meaning as in the Civil Defence Act and includes any public officer serving in the Force as engineering or technical officer;

“owner” —

- (a) in relation to any premises, includes any mortgagee in possession and any person for the time being receiving the rent of the premises whether on his own account or as agent or trustee or as receiver, or who would receive the same if the premises

Cap. 254.

were let to a tenant, and any person whose name is entered in the Valuation List authenticated under section 15 of the Property Tax Act as the owner of the premises;

(b) in relation to the common property of any building erected on land comprised in a strata subdivision plan approved by the competent authority, means the management corporation having control of the building;

(c) in respect of any fire safety measure, includes the occupier or the owner of the premises in or on which the fire safety measure is installed or kept;

“place of public resort” means a building or a defined or enclosed place used or constructed or adapted to be used either ordinarily or occasionally as a church, chapel, mosque, temple or other place where public worship is or religious ceremonies are performed, not being merely a dwelling-house so used, or as a cinema, theatre, public hall, public concert room, public ballroom, public lecture room, or public exhibition room, club, association, restaurant, hotel, coffee house, eating house or milk bar, or as a public place of assembly for persons admitted thereto by ticket or otherwise or used or constructed or adapted to be used either ordinarily or occasionally for any other public purpose;

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

“public building” means a building or part thereof used or constructed or adapted to be used as a shop, office, hospital or place of public resort, not being a church, chapel, mosque, temple or other place where public worship is or religious ceremonies are performed;

“qualified person” means a person who is registered as —

(a) an architect under the Architects Act and has in force a practising certificate issued under that Act; or Cap. 12.

(b) a professional engineer under the Professional Engineers Act and has in force a practising certificate issued under that Act; Cap. 253.

“registered inspector” means a person who is registered as a registered inspector under section 5;

“street” has the same meaning as in the Local Government Integration Act. Cap. 166.

(2) In this Act, unless the context otherwise requires, any reference to a building includes a reference to a part of a building.

3.—(1) The powers conferred and the duties imposed on the Commissioner under this Act and any regulations made thereunder may be exercised and carried out by any of the following persons generally or specially authorised by name or office by the Commissioner and subject to his directions: Authorised officers.

(a) any member of the Singapore Civil Defence Force; or

(b) any qualified person in the employment of the Government.

(2) Subject to the directions of the Commissioner, the powers conferred and the duties imposed on the Commissioner under the provisions of Part IV relating to the approving of plans of fire safety works and any regulations made under this Act necessary for carrying out or giving effect to those provisions may also be exercised and carried out by any qualified person who is —

(a) in the employment of the Housing and Development Board, the Jurong Town Corporation or such other public authority constituted by any written law as the Minister may approve for the purpose; and

(b) generally or specially authorised by name or office by the Commissioner.

(3) The Commissioner may authorise any qualified person in writing to carry out the duties and responsibilities or exercise all or any of the powers of the Commissioner

under this Act or any regulations made thereunder subject to subsection (4) and such conditions or limitations as the Commissioner may specify.

(4) The duties, responsibilities and powers which the Commissioner may authorise any qualified person to carry out or exercise under subsection (3) shall be such as may be approved by the Minister in writing.

(5) Any qualified person who is generally or specially authorised under subsection (2) or (3) to carry out the duties and responsibilities or exercise all or any of the powers of the Commissioner under this Act or any regulations made thereunder shall be deemed to be —

(a) a public officer for the purposes of this Act; and

(b) a public servant for the purposes of the Penal Code.

Cap. 224.

Register of
registered
inspectors.

4.—(1) The Commissioner shall keep and maintain a register (referred to in this section and section 5 as the register of registered inspectors) in which shall be entered the names and prescribed particulars of all persons registered under section 5 as registered inspectors.

(2) The register of registered inspectors shall be kept and maintained at the office of the Commissioner and shall be available for inspection by any person without charge at such time as that office is open for business.

Registration
of registered
inspectors.

5.—(1) An application for registration as a registered inspector shall be made in such manner and shall be accompanied by such documents and particulars as may be prescribed.

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

(3) Without prejudice to subsection (2), the Commissioner may refuse to register as a registered inspector an applicant who, in his opinion, is not of good character and reputation or unable to carry out the duties and responsibilities of a registered inspector under this Act or any regulations made thereunder.

(4) The Commissioner may appoint a committee of persons to assist him in considering applications for registration as registered inspectors.

(5) Where the Commissioner has registered a person as a registered inspector, the Commissioner shall issue to the person a certificate of registration.

(6) The Commissioner may cancel the registration of a registered inspector —

- (a) who is deceased;
- (b) who has contravened or failed to comply with section 6 (1);
- (c) who is convicted of an offence involving fraud or dishonesty or an offence under this Act or any regulations made thereunder;
- (d) who, in the opinion of the Commissioner, is no longer in a position to carry out the duties and responsibilities of a registered inspector under this Act or any regulations made thereunder; or
- (e) whose name has been included in the register of registered inspectors by fraud or misrepresentation,

except that the Commissioner shall not exercise his powers under paragraph (b), (c), (d) or (e) unless an opportunity of being heard has been given to the registered inspector against whom the Commissioner intends to exercise his powers.

(7) Where the Commissioner cancels the registration of a registered inspector under subsection (6), he shall remove the name and particulars of the person from the register of registered inspectors and cancel any certificate of registration issued to the person under subsection (5) and the person shall, within 14 days of being notified of the removal, surrender to the Commissioner the certificate of registration and, if the person fails to do so, he shall be guilty of an offence.

(8) Any person whose application for registration as a registered inspector is refused, or who is dissatisfied with the decision of the Commissioner under subsection (6), may, within 14 days of being notified in writing of the refusal or the decision, appeal to the Minister whose decision shall be final.

(9) Any person whose name has been removed from the register of registered inspectors under subsection (6) (b), (c), (d) or (e) shall, if his appeal to the Minister is allowed, have his name reinstated forthwith.

Independence
of registered
inspectors.

6.—(1) At the time of carrying out 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, a registered inspector shall have no professional or financial interest in the building or any part thereof or in the building or fire safety works in respect of which the duties and responsibilities or powers are to be carried out or exercised.

(2) A registered inspector shall be regarded as having a professional or financial interest in the building or any part thereof or in the building or fire safety works if —

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

(3) For the purposes of this Act —

- (a) a person shall be treated as having a professional or financial interest in the building or any part thereof or in the building or fire safety works even if he has that interest only as 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.

(4) For the purposes of this Act —

- (a) involvement in the fire safety works as a registered inspector; and
- (b) entitlement to any fee paid for his function as a registered inspector,

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

(5) In this section, “fire safety works” means fire protection works, minor works and the installation of fire safety measures in building works.

(6) Any person who contravenes this section shall be guilty of an offence.

7. The Commissioner or any officer authorised by him may, in the event of a fire or a suspected fire, by himself or with other members under his command —

Powers in
event of fire.

- (a) enter, break into or through and take possession of or demolish or cause to be taken possession of or demolished any premises or thing for the purpose of extinguishing or preventing the spread of the fire;
- (b) take any equipment required to be used into, through or upon any premises where he thinks it necessary for the purpose of carrying out his duties;
- (c) remove from any building or structure which is on fire or is in the vicinity of the fire, any flammable, combustible, explosive or dangerous material found therein without responsibility for any consequent loss or damage;
- (d) for the purpose of extinguishing or preventing the spread of the fire, cause any building or structure which is on fire, or which is adjacent to or in the vicinity of any building or structure which is on fire, to be pulled down, either wholly or partially, or otherwise destroyed or damaged;
- (e) cause water to be shut off from, or turned into, any main or pipe in order to obtain a greater pressure and supply of water for the purpose of

extinguishing the fire in consultation with the Public Utilities Board;

- (f) shut off or disconnect, or order any person having the control thereof to shut off or disconnect, the supply of gas, fuel oil or electricity to any premises which is on fire or which is in the vicinity of the fire and no person or body (including the Government) shall be liable to any action, penalty or claim by reason of any such action;
- (g) close or cause to be closed any street in the vicinity of the fire or calamity;
- (h) remove any vehicle impeding the operation of the Force and, where reasonably necessary for that purpose, he may use force or break into any such vehicle;
- (i) remove, using reasonable force if necessary, any person who, by his presence or otherwise, interferes with the fire-fighting operations or who is, in his opinion, endangered by the fire;
- (j) control and direct all operations for the extinguishing of the fire and all fire services present and all persons there who place their services at his disposal;
- (k) use any convenient supply of water; and
- (l) generally do all other things that are reasonably necessary for protecting life or property or for extinguishing the fire or for preventing the spread thereof.

General powers of entry.

8.—(1) Subject to this section, the Commissioner or any member of the Force authorised by him in writing on producing, if so required, an authenticated document showing his authority shall have a right to enter any premises at all reasonable hours for the purpose of —

- (a) ascertaining whether there is or has been, on or in connection with the premises, any contravention of any of the provisions of this Act or any regulations made thereunder;
- (b) obtaining information required for fire-fighting purposes with respect to the character of the

- premises, the availability of water supplies and the means of access thereto and other material circumstances relating to fire-fighting purposes;
- (c) conducting fire-drills and exercises provided prior reasonable notice in writing is given to the owner or occupier of such premises;
 - (d) ascertaining whether there exists in the premises any fire hazard;
 - (e) determining the cause or causes of any fire which has occurred in such premises;
 - (f) ascertaining whether or not any place of public assembly or premises used for purposes of entertainment or recreation are being used to accommodate a larger number of persons than is permitted under any regulations made under this Act;
 - (g) checking and testing fire safety measures; and
 - (h) performance by the Commissioner or the Force of his or its powers under this or any other written law.

(2) The Commissioner or any person authorised by him in writing shall not exercise the right of entry conferred by this section in respect of such premises as are not a place of public entertainment or public assembly, factory, workshop or workplace nor premises otherwise used for business purposes, unless 24 hours' notice in writing of the intended entry has been given to the occupier.

9.—(1) Upon giving 7 days' notice in writing to the owner or occupier of any property situate in the vicinity of a fire-hydrant or water supply, the Commissioner may thereafter cause a plate indicating the location of such fire-hydrant or water supply to be fixed to any part of the property as may, in the opinion of the Commissioner, be best suited to indicate such location.

Power to
fix plate
showing
position of
fire-hydrant.

(2) Any person who refuses to allow the fixing of any such plate referred to in subsection (1) or obstructs any person in the course of the fixing thereof or removes or defaces any such plate after it has been so fixed shall be

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

Power to
install
fire-hydrants.

10. The Commissioner may place or cause to be placed fire-hydrants as he may think necessary at convenient places in streets or roads.

Damaging,
etc., of
fire-hydrants.

11.—(1) Any person who —

(a) not being a member of the Force takes water from a fire-hydrant other than for the extinguishment of a fire without the consent of the Commissioner or the Public Utilities Board, as the case may be; or

(b) wilfully damages a fire-hydrant,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000.

(2) Any person convicted of an offence under subsection (1) (b) shall, in addition to the fine imposed on him under that subsection, also be liable to pay compensation to the Public Utilities Board for any expenses reasonably incurred in repairing or replacing such fire-hydrant.

False alarm.

12.—(1) Any person who knowingly gives or causes to be given a false alarm of fire to the Force or to the police shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 3 months or to both.

(2) For the purposes of this section, “false alarm of fire” includes a false call for the ambulance or other services provided by the Force.

PART II

FIRE HAZARD IN BUILDINGS

Abatement
of fire
hazards.

13.—(1) The Commissioner may, if satisfied of the existence in or on any premises of any fire hazard, serve —

(a) upon the person by reason of whose act, default or sufferance the fire hazard arose or continues;

(b) if such person is the employee or agent of some other person, upon such other person; or

- (c) upon the occupier or owner of the premises in or on which such fire hazard exists,

a notice in writing (referred to in this Act as a fire hazard abatement notice) requiring him to abate the fire hazard within the period specified in the notice, and to do all such things as may be necessary for that purpose, and the notice may, if the Commissioner thinks fit, specify any works to be executed for the purposes aforesaid.

(2) Where the person by reason of whose act, default or sufferance a fire hazard arose or continues cannot be found and it is clear that the fire hazard neither arose nor continues by reason of any act, default or sufferance on the part of the occupier or owner of the premises in or on which it exists, the Commissioner may abate the hazard and may do what is necessary to prevent a recurrence thereof.

(3) Where a fire hazard abatement notice is served on any person pursuant to subsection (1) and that person fails to comply with any of the requirements of the notice within the time specified therein, he shall, whether or not an order under section 16 has been made in respect of him, be guilty of an offence.

14. Where a fire hazard abatement notice has been served upon any person pursuant to section 13 and if the person on whom the notice has been served fails to comply with any of the requirements of the notice within the time specified therein, the Commissioner may if he is satisfied that the fire hazard to which the notice relates —

Commis-
sioner may
abate fire
hazard in
emergency.

- (a) constitutes an immediate or substantial danger of fire in or on the premises; or
- (b) is likely, if fire breaks out in or on the premises, to increase the normal risk to life which occurs in the event of a fire,

cause to be carried out in or on the premises such work including the removal and seizure of any property causing the fire hazard as appears to him to be necessary to abate the fire hazard and to prevent a recurrence thereof and may recover the expenses incurred thereby from the person on whom the notice has been served.

Power to
order closure
of premises
in
emergency.

15.—(1) The Commissioner may, if he is satisfied of the matters specified in section 14 and that the safety of persons in the premises cannot reasonably be ensured by other means —

- (a) order the owner or occupier of the premises forthwith to close the premises for such period not exceeding 72 hours as is specified in that order and as the Commissioner considers necessary for the alleviation of the danger in question; or
 - (b) if an order referred to in paragraph (a) cannot for any reason be given to the owner or occupier of the premises or if such an order, having been given to that owner or occupier, is not forthwith obeyed, close the premises for such period not exceeding 72 hours as the Commissioner considers necessary for the alleviation of the danger in question, using such force as is reasonably necessary for the removal from the premises of persons therein without doing them bodily harm.
- (2) The Commissioner giving an order under subsection (1) shall do so —
- (a) in writing served on the owner or occupier of the premises in question; or
 - (b) orally, in which case he shall, as soon as is practicable thereafter, serve on the owner or occupier of the premises in question confirmation in writing of the contents of that order and of the time and place at which that order was so given, and shall cause a copy of that order or confirmation, as the case requires, to be affixed to that premises in a conspicuous position.
- (3) The Commissioner may, if he considers that the danger to which an order given under subsection (1) relates has been alleviated, rescind that order.
- (4) Any police officer may, if requested by the Commissioner or an authorised officer to do so, assist the Commissioner or authorised officer in the exercise of any power conferred on the Commissioner by this section.

(5) If the Commissioner or an authorised officer considers that a danger in relation to which he has exercised the power conferred on him by subsection (1) cannot be, or has not been, alleviated within a period of 72 hours referred to in that subsection, he shall, having given such prior notice of his intention to do so to the owner or occupier of the premises in question as is practicable in the circumstances, apply to a Magistrate's Court for an order directing the owner or occupier to close or keep closed, as the case requires, that premises for such period as the Court considers necessary for the alleviation of that danger.

(6) A Magistrate's Court may, on an application made to the Court under subsection (5), grant, subject to such conditions as the Court thinks fit to impose, the order sought by the application.

(7) If an application is made to a Magistrate's Court under subsection (5) while the premises in question is closed under subsection (1), that closure shall continue until the application is finally determined or is withdrawn.

(8) Any person who without reasonable excuse fails to comply with any closing order granted by the Commissioner under subsection (1) or the order made by the Magistrate's Court under subsection (6) shall be guilty of an offence.

16.—(1) Where a fire hazard abatement notice is served on any person, and if — Fire hazard order.

(a) that person fails to comply with any of the requirements of the notice within the time specified therein; or

(b) the fire hazard, although abated since the service of the notice, is, in the opinion of the Commissioner, likely to recur in or on the same premises,

the Commissioner may make a complaint to a Magistrate's Court and the Court hearing the complaint may grant or refuse to grant a fire hazard order.

(2) A fire hazard order referred to in subsection (1) may be —

(a) an abatement order, that is to say, an order which requires a person to comply with all or any of the requirements of a fire hazard abatement notice in

connection with which the order is made, or otherwise to abate the fire hazard or to do what may be necessary to prevent the recurrence of the fire hazard within the period specified in the order;

- (b) a prohibition order, that is to say, an order which prohibits the use of any premises for such activities as are specified in the order which activities may materially increase the likelihood of fire or danger to life or property resulting from the outbreak of fire in or on the premises;
- (c) a closing order, that is to say, an order authorising the closure of any premises which is likely to be a danger to life or property in the event of fire; or
- (d) a combination of such orders.

(3) An abatement order or a prohibition order shall, if the person in respect of whom the order is made so requires or if the Magistrate's Court making the order considers it desirable, specify the works to be executed by such person for the purpose of abating, or of preventing the recurrence of, the fire hazard to which the order relates.

(4) A Magistrate's Court, if satisfied that any premises in respect of which a prohibition order or a closing order granted under section 15 (6) or this section is in force has been rendered suitable for the use specified in the order, may, on application by the Commissioner or the owner or occupier of the premises, declare that it is so satisfied and revoke the prohibition order or closing order.

(5) Any person who without reasonable excuse contravenes a fire hazard order shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 and, in the case of a continuing offence, to a further fine not exceeding \$500 for every day during which the default continues after conviction.

(6) Without prejudice to subsection (5), where a fire hazard order has not been complied with, the Commissioner may abate the fire hazard and may do whatever may be necessary in the execution of the order, and may recover any expenses reasonably incurred thereby from the person against whom the order was made.

17.—(1) Where a person appeals to the High Court against a fire hazard order, no liability to a fine shall arise nor, except as mentioned in this section, shall any proceedings be taken or work done under such order until after the determination or abandonment of such appeal.

Provision as
to appeal
against
order.

(2) There shall be no appeal to the High Court against a fire hazard order, unless it is or includes a closing order or requires the execution of structural works.

(3) Where a fire hazard order is made and a person does not comply with it and appeals against it to the High Court and the appeal is dismissed or is abandoned, the appellant shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 for every day during the non-compliance with the order, unless he satisfies the court before which proceedings are taken for imposing a fine that there was substantial ground for the appeal and that the appeal was not brought merely for the purpose of delay and, where the appeal is heard by the High Court, the High Court may, on dismissing the appeal, impose the fine as if the High Court were the court before which proceedings were taken for imposition of the fine.

(4) In the event of an appeal against a fire hazard order, no work, except as mentioned in subsection (5), shall be done pursuant to section 16 (6) under the order until after the determination or abandonment of the appeal.

(5) If the court by which the order was made is of the opinion that the nature of the fire hazard is such as to require immediate abatement, the court may, notwithstanding that the appeal is pending, authorise the Commissioner immediately to abate the hazard:

Provided that —

- (a) if the appeal is allowed, the Commissioner shall pay to the person against whom the order was made the amount of any damage sustained by him by reason of the abatement of the hazard by the Commissioner; and
- (b) if the appeal is dismissed or abandoned, the Commissioner may recover from such person the expenses incurred by him in abating the hazard in the manner provided for in section 19.

Property and materials seized or removed by Commissioner in abating fire hazard.

18.—(1) Any property or materials seized or removed by the Commissioner in abating or doing what is necessary to prevent the recurrence of a fire hazard under this Act or in enforcing any regulations made thereunder, may be confiscated by the Commissioner or may, on application by the owner within two weeks of such seizure or removal, be returned to him on such terms and conditions as the Commissioner thinks fit.

(2) Any property or materials confiscated by the Commissioner under subsection (1) may be sold or disposed of in such manner as the Minister may direct.

(3) The money arising from the sale of any property under subsection (2) may be retained by the Commissioner and applied in payment of the expenses incurred by him in connection with the abatement of the fire hazard and the surplus, if any, shall be paid —

- (a) to the owner of such property if he applies therefor within 12 months of the date of the sale; or
- (b) into the Consolidated Fund if, or to the extent to which, the surplus is not disposed of under paragraph (a).

Recovery of costs and expenses by Commissioner.

19.—(1) If all and any sums payable by or recoverable from the owner in respect of costs and expenses incurred by the Commissioner in or about the execution of any work which are under this Act recoverable from the owner of any premises are not paid by the owner within 14 days after demand, such sums may be reported to a District Court or a Magistrate's Court and recovered in the same manner as if it were a fine imposed by a District Court or a Magistrate's Court, as the case may be.

(2) An appeal shall lie to the High Court from any decision of a District Court or a Magistrate's Court under this section, and the provisions of the Criminal Procedure Code shall apply, *mutatis mutandis*, to all such appeals.

(3) The person liable to pay any sum under subsection (1) shall be the owner at the time when the work was completed.

(4) Any occupier who, when requested by or on behalf of the Commissioner to state the name of the owner of the premises, refuses or wilfully omits to disclose or wilfully

mis-states the same shall, unless he shows cause to the satisfaction of a District Court or a Magistrate's Court for his refusal or mis-statement, be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

PART III

FIRE PREVENTION IN BUILDINGS

20.—(1) The Commissioner may by notice in writing require the owner or occupier of a public building having an occupant load of more than 200 persons to apply and obtain from the Commissioner a fire certificate. Fire certificate.

(2) No person shall occupy or use the building or part thereof or permit the building or part thereof to be occupied or used without a fire certificate authorising such occupation or use.

(3) Such application shall be in accordance with the regulations made under this Act.

(4) Any person to whom subsection (1) or (2) applies who contravenes subsection (1) or (2) shall be guilty of an offence.

(5) In this section, “occupant load” of a building means the total number of persons that may occupy such building at any one time.

21.—(1) The Minister may, by notification in the *Gazette*, designate any premises or class of premises for which a fire emergency plan shall be provided. Fire emergency plan.

(2) Such plan shall conform to such requirements as may be prescribed in any regulations made under this Act.

(3) The owner or occupier of the premises shall be responsible for the preparation and execution of the fire emergency plan, including the distribution of the emergency plan to the occupants of such premises.

(4) The owner or occupier of the premises shall organise and conduct evacuation drills on an annual basis or at such frequency or upon such occasion as may be directed by the Commissioner.

(5) Any person who contravenes this section shall be guilty of an offence.

Fire safety
managers.

22.—(1) The Minister may, by notification in the *Gazette*, specify any premises or class of premises in which the owner or occupier of the premises is required to appoint fire safety managers in respect of such premises or class of premises.

(2) The owner or occupier of the premises shall ensure that the fire safety measures and fire safety practices of such premises comply with the regulations made under this Act and are of the standard specified by the Commissioner.

(3) The fire safety manager of the premises shall assist the owner or occupier of the premises in the performance of his duties under this Act or any regulations made thereunder.

(4) Any person who contravenes this section shall be guilty of an offence.

PART IV

CONTROL OF FIRE SAFETY WORKS

Fire safety
works.

23.—(1) Subject to the provisions of this Act, the person for whom any proposed fire safety works are to be commenced or carried out in any building shall apply in accordance with the regulations made under this Act to the Commissioner for approval of the plans of the fire safety works.

(2) The Commissioner may —

(a) approve, subject to such terms and conditions as he may impose, any one or more of the plans submitted to him under subsection (1); or

(b) in writing direct the applicant to comply, within such period as may be specified in the direction, with such requirements as the Commissioner may specify for the purpose of ensuring compliance with the provisions of this Act and any regulations made thereunder.

(3) If the person to whom any written direction is given under subsection (2) fails to comply with the requirements specified in the direction within the time specified therein, the Commissioner may reject the plans.

24.—(1) Except as otherwise provided in this Act or any regulations made thereunder, no person shall commence or carry out or permit or authorise the commencement or carrying out of any fire safety works in any building unless the Commissioner has approved all the plans of the fire safety works under section 23.

Prohibition of fire safety works without approval of plans.

(2) Any person who contravenes or fails to comply with subsection (1) 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 one year or to both and, in the case of a continuing offence, to a further fine not exceeding \$1,000 for every day during which the offence continues after conviction.

25.—(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 an appropriate qualified person in respect of those works and shall supply to the qualified person appointed under this subsection or subsection (2) (b) a copy of every plan of the fire safety works approved by the Commissioner.

Appointment and duties of qualified person.

(2) If any qualified person appointed under subsection (1) or (2) (b) becomes unwilling or unable, whether by reason of the termination of his appointment or for any other reason, to carry out his duties under subsection (4) —

(a) the qualified person shall, within 14 days of his ceasing to carry out his duties, notify the Commissioner and the person for whom such works are or are to be carried out of the fact; and

(b) the person for whom the fire safety works are or are to be carried out shall cease or cause to be ceased and shall not commence or cause to be commenced the carrying out of such work until he has appointed another appropriate qualified person in respect of such works.

(3) Where the person for whom any such works are or are to be carried out appoints an appropriate qualified person under subsection (2) (b), he shall, within 7 days of the appointment, notify the Commissioner of the appointment.

(4) Every qualified person appointed under this section in respect of any fire safety works shall —

- (a) take all reasonable steps and exercise due diligence in supervising and inspecting the fire safety works to ensure that such works are being carried out in accordance with the provisions of this Act and subject to section 27, any regulations made under this Act, the codes of practice, the plans approved in respect thereof by the Commissioner and any terms and conditions imposed by the Commissioner;
- (b) notify the Commissioner of any contravention of the provisions of this Act or the regulations or codes of practice in connection with the fire safety works; and
- (c) submit to the Commissioner at the prescribed times such reports and certificates as may be prescribed in any regulations made under this Act.

(5) Any person who contravenes or fails to comply with subsection (1) or (2) (b) 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 one year or to both and, in the case of a continuing offence, to a further fine not exceeding \$1,000 for every day during which the offence continues after conviction.

(6) Any qualified person who contravenes or fails to comply with subsection (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 6 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$500 for every day during which the offence continues after conviction:

Provided that it shall be a defence in any prosecution for a contravention or non-compliance with subsection (4) (b) for the person charged to prove to the satisfaction of the court that he did not know, nor could reasonably have discovered, the contravention or non-compliance referred to in the charge.

(7) Any qualified person or person for whom any fire safety works are or are to be carried out, as the case may be, who, without reasonable excuse, contravenes or fails to comply with subsection (2) (a) or (3) shall be guilty of an offence.

26.—(1) Except as otherwise provided in this Act or any regulations made thereunder, no person shall commence or carry out any fire safety works except under the supervision of an appropriate qualified person appointed under section 25 (1) or (2) (b).

Supervision
of fire safety
works.

(2) Any person who contravenes or fails to comply with subsection (1) 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 one year or to both and, in the case of a continuing offence, to a further fine not exceeding \$1,000 for every day during which the offence continues after conviction.

27.—(1) The Commissioner may, on receipt of an application in relation to any particular fire safety works, modify or waive, subject to such terms and conditions as he may impose, any of the requirements relating to fire safety in buildings as may be prescribed in any regulations made under this Act.

Modification
or waiver of
requirements
relating to
fire safety.

(2) Every such application shall be made in writing to the Commissioner by or on behalf of the owner of the building to which the application relates and shall state the nature and extent of and the reasons for the proposed modification or waiver of such requirements and shall be accompanied by such plans and other particulars as may be prescribed.

(3) Where an application made under subsection (2) is refused, or is granted by the Commissioner subject to such terms and conditions as he may impose, the applicant may, if aggrieved by the decision of the Commissioner, appeal in the prescribed form and manner together with payment of the prescribed fees to the Minister within 28 days of the date of notification of the decision.

(4) Before making a decision under subsection (3), the Minister may refer the matter to an Appeal Advisory Board and, in making his decision, the Minister may have regard to any report made to him by the Appeal Advisory Board.

(5) The decision of the Minister on such appeal shall be final.

28.—(1) The Appeal Advisory Board shall consist of a Chairman, a Vice-Chairman and such other members as the Minister may determine.

Appeal
Advisory
Board.

(2) The Chairman, Vice-Chairman and members of the Appeal Advisory Board shall be appointed by the Minister for such period as the Minister may determine and may from time to time be reappointed, or may at any time be removed from office by the Minister, or may at any time resign from their office by writing addressed to the Minister.

(3) At any meeting of the Board, 3 members shall constitute a quorum.

(4) The Chairman or, in his absence, the Vice-Chairman shall preside at every meeting of the Board. In the absence of both the Chairman and the Vice-Chairman, such member as the members present may elect shall preside at the meeting.

(5) Subject to the provisions of this Act and any regulations made thereunder, the Board may determine its own procedure.

Fire safety
certificate.

29.—(1) Any person for whom any fire safety works had been carried out and completed shall apply to the Commissioner and obtain a fire safety certificate in respect of the completed fire safety works.

(2) All applications under subsection (1) shall be made to the Commissioner in the form and manner prescribed in any regulations made under this Act.

(3) The Commissioner may, on application by such person in the prescribed manner, in relation to any building or part thereof —

- (a) issue the fire safety certificate, subject to such conditions as he thinks fit; or
- (b) issue a temporary fire permit and may in writing direct the applicant to comply, within such period as may be specified in the direction, with such requirements as the Commissioner may specify for the purpose of ensuring compliance with the provisions of this Act and any regulations made thereunder.

(4) If the person to whom any written direction is given under subsection (3) (b) fails to comply with the requirements specified in the direction within the time specified therein, the application shall be deemed to be withdrawn.

(5) Any person who fails to comply with this section or with any condition imposed by the Commissioner under subsection (3) (a) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 and, in the case of a continuing offence, to a further fine not exceeding \$500 for every day during which the offence continues after conviction.

30.—(1) Any person who changes the use of a premises shall, if such change of use would cause the existing fire safety measures to become inadequate, prior to carrying out the change, apply to the Commissioner for approval to change the use of the premises.

Application
for change of
use of
premises.

(2) All applications for permission to change the use of the premises shall be made to the Commissioner in the form and manner prescribed in any regulations made under this Act.

(3) The Commissioner may, on application in the prescribed manner, in relation to any premises or part thereof —

(a) grant permission for the change of use, subject to such conditions as he may impose; or

(b) in writing direct the applicant to comply, within such period as may be specified in the direction, with such requirements as the Commissioner may specify for the purpose of ensuring compliance with the provisions of this Act and any regulations made thereunder and such written directions may also —

(i) require the applicant to provide additional fire safety measures in the building; or

(ii) provide that the work or alteration shall be completed before the expiration of a specified period.

(4) If the person to whom any written direction under subsection (3) (b) fails to comply with the requirements specified in the direction within the time specified therein, the application shall be deemed to be withdrawn.

(5) Any person who fails to comply with this section or with any condition imposed by the Commissioner under

subsection (3) (a) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 and, in the case of a continuing offence, to a further fine not exceeding \$500 for every day during which the offence continues after conviction.

Cap. 232.

(6) Nothing in this section shall be taken in any way to derogate from the provisions of the Planning Act and any relevant rules made thereunder relating to change of use of premises.

PART V

PREMISES USED FOR DANGEROUS TRADES OR PURPOSES

Licensing of
dangerous
trades.

31.—(1) No premises shall, except in accordance with a licence granted by the Commissioner, be used by any person for any of the trades or purposes specified in the First Schedule.

(2) The Minister may, by notification in the *Gazette*, amend the First Schedule.

(3) Any person who uses or permits to be used any premises without a licence for any of the trades or purposes specified in the First Schedule or who contravenes any of the terms or conditions of a licence shall be guilty of an offence.

(4) Where the Commissioner is satisfied that any premises have been or are being used in contravention of subsection (1), he may enter the premises and seize any movable property by means of or in respect of which an offence under this section has been or is being committed or which contains evidence of such an offence and which is found therein.

Conditions
and renewal
of licence.

32.—(1) Every licence granted under section 31 shall be subject to such terms or conditions as the Commissioner thinks fit to impose.

(2) Every licence granted under section 31, if it has not been revoked under section 33, may, on the application of the holder of the licence, be renewed by the Commissioner subject to such terms or conditions as he thinks fit to impose.

(3) Any person who is aggrieved by a decision of the Commissioner under subsection (1) or (2) may, within one

month of being notified of the decision of the Commissioner, appeal to the Minister whose decision shall be final.

(4) Every licence shall, on payment of the prescribed fees, be valid for such period as the Commissioner may determine.

33.—(1) The Commissioner may by order at any time suspend or revoke any licence granted under section 31 if he considers it in the public safety to do so.

Suspension
and
revocation
of licence.

(2) A licence shall not be suspended for a period exceeding 6 months.

(3) The Commissioner shall, before suspending or revoking any licence under subsection (1), give to the person concerned notice in writing of his intention to do so specifying a date, not less than 21 days after the notice, upon which the suspension or revocation shall take effect and calling upon the person concerned to show cause to the Commissioner why the licence should not be suspended or revoked.

(4) When the Commissioner has suspended or revoked the licence under subsection (1), he shall forthwith inform the person concerned by notice in writing of the suspension or revocation.

(5) The person whose licence has been suspended or revoked may, within 14 days of the receipt of the notice referred to in subsection (4), or such extended period of time as the Minister may allow, appeal in writing against the suspension or revocation to the Minister whose decision shall be final.

(6) An order of suspension or revocation shall not take effect until the expiration of a period of 14 days after the Commissioner has informed the licensee concerned of the order.

(7) If within that period the licensee concerned gives due notice of appeal to the Minister, the order shall not take effect unless the order is confirmed by the Minister or the appeal is for any reason dismissed by the Minister.

PART VI

CONTROL OF PETROLEUM AND FLAMMABLE MATERIALS

Interpre-
tation of
this Part.

34. In this Part, unless the context otherwise requires —

“Class O petroleum” means liquefied petroleum gas;

“Class I petroleum” means any petroleum having a flashpoint of less than 23° celsius but does not include Class O petroleum;

“Class II petroleum” means any petroleum having a flashpoint of or exceeding 23° celsius but less than 61° celsius;

“dispensing” means transferring any class of petroleum from one container to any other container or containers for the purpose of distribution, through hose, pipe or by any other means and includes discharging into a motor vehicle or from the tank of a road tanker;

“flammable materials” includes —

(a) any liquid or mixtures of liquids containing solids in solution or suspension which have a flashpoint not greater than 61° celsius when tested in accordance with such method as may be prescribed by any regulations made under this Act;

(b) any gas that has a lower flammability limit less than 13% by volume or a flammability range greater than 12; and

(c) any other substances that are easily combustible or which on contact with water, emit flammable gases;

“licensed premises” means any premises licensed for the storage of any class of petroleum under this Act;

“liquefied petroleum gas” means any material having a vapour pressure not exceeding that allowed for commercial propane and composed predominantly of the following hydrocarbons, either by themselves or as mixtures, that is to say, propane, propylene, butane (normal butane or iso-butane) and butylenes;

“petroleum” includes crude petroleum, liquefied petroleum gas and other naturally occurring hydrocarbon liquid derived from crude petroleum, coal, shale, peat or other bituminous substances;

“place” includes houses, yards and open spaces appurtenant thereto, buildings and footways and any underground space;

“transport” means to remove from any place to any other place within or without Singapore.

35. No person shall —

(a) transport or cause to be transported; or

(b) store or keep or cause to be stored or kept,

Transport
and storage
of petroleum.

any class of petroleum except under and in accordance with this Act or any regulations made thereunder.

36.—(1) No person shall dispense or cause to be dispensed any class of petroleum at any place other than at a licensed premises.

Dispensing
of petroleum.

(2) Any licensed premises to be used for the dispensing of liquid petroleum gas into cylinders must be specifically approved for that purpose by the Commissioner who may impose additional requirements as he thinks fit.

37. Any person who contravenes section 35 or 36 shall be guilty of an offence.

Offence.

38. For the purposes of this Part, the Commissioner shall have powers to —

Powers of
Commis-
sioner.

(a) waive or modify, subject to such terms and conditions as he thinks fit, any of the requirements of any regulations made under this Act;

(b) stop and examine any vehicle when he has reason to believe that any class of petroleum is being transported in the vehicle in contravention of this Act or any regulations made thereunder;

(c) inspect, examine and test all classes of petroleum stored on land and for such purposes take samples thereof;

- (d) enter any place where he has reason to believe that any class of petroleum is stored in contravention of this Act or any regulations made thereunder; and
- (e) seize any stock of any class of petroleum or equipment in respect of which he has reason to believe that an offence under this Act has been committed.

Grant and
renewal of
licence.

39.—(1) The grant of any licence under this Part shall be in the absolute discretion of the Commissioner, and any such licence shall stipulate the quantity of each class of petroleum which may be stored in any premises or transported in any vehicle, as the case may be.

(2) Every licence granted under this Part shall be subject to such conditions as the Commissioner thinks fit to impose.

(3) Every licence granted under this Part, if it has not been cancelled under section 40, may, on the application of the holder of the licence, be renewed by the Commissioner subject to such conditions as he thinks fit to impose.

(4) Every licence shall, on payment of the prescribed fees, be valid for such period not exceeding 3 years as the Commissioner may determine.

(5) Any person who is aggrieved by any decision of the Commissioner under this section may, within one month of being notified of the decision of the Commissioner, appeal to the Minister whose decision shall be final.

(6) Any person who contravenes any of the conditions of a licence granted under this Part shall be guilty of an offence.

Cancellation
of licence.

40.—(1) If at any time it appears to the Commissioner that any premises or vehicle, in respect of which a licence has been granted, has become unfit for the purpose for which it was licensed by reason of the increase of building or of population in its neighbourhood, or that from any other cause, any licence should for the public safety be cancelled, or if the person to whom the licence was granted contravenes any of the conditions of the licence, the Commissioner may by order cancel the licence.

(2) The Commissioner shall, before cancelling any licence under subsection (1), give to the person concerned notice in writing of his intention to do so specifying a date, not less than 21 days after the notice, upon which the cancellation shall take effect and calling upon the person concerned to show cause to the Commissioner why the licence should not be cancelled.

(3) When the Commissioner has cancelled the licence under subsection (1), he shall forthwith inform the person concerned by notice in writing of such cancellation.

(4) The person whose licence has been cancelled may, within 14 days of the receipt of the notice referred to in subsection (3), or such extended period of time as the Minister may allow, appeal in writing against the cancellation to the Minister whose decision shall be final.

(5) An order of cancellation shall not take effect until the expiration of a period of 14 days after the Commissioner has informed the licensee concerned of the order.

(6) If within that period the licensee concerned gives due notice of appeal to the Minister, the order shall not take effect unless the order is confirmed by the Minister or the appeal is for any reason dismissed by the Minister.

41. The Minister may by order direct that this Part or any provision thereof or any regulations made under this Act shall apply to any flammable material and specifying the quantity which may be kept or stored without a licence, and thereupon this Part, the provision thereof or the regulations specified in the order shall, during the continuance of the order, apply to such flammable material.

Power of
Minister to
make orders.

42. Any property or thing seized or removed by the Commissioner in exercise of his powers under this Part or any regulations made under this Act shall be confiscated and shall be disposed of in such manner as the Commissioner thinks fit, and the proceeds, if any, of such disposal shall be paid into the Consolidated Fund.

Disposal of
stocks and
equipment.

PART VII

MISCELLANEOUS

Obstructing
authorised
persons in
execution of
their duty.

43. Any person who refuses any authorised person access to any place, premises or vehicle or otherwise hinders him in the performance of his duty, or refuses or neglects to give any information which is reasonably required of him and which he has it in his power to give or which he is required by this Act to give 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 6 months or to both.

Authorised
persons
may make
forcible
entry.

44.—(1) When any place liable to inspection under section 38 is closed, any person residing in or being in charge of such place shall, on demand by any authorised person, allow him free entry thereto and afford all reasonable facilities for a search therein.

(2) If entry to such place cannot be obtained, any authorised person may —

- (a) break open any outer or inner door or window of any place;
- (b) forcibly enter such place and every part thereof; or
- (c) remove by force any obstruction to such entry or search.

(3) Any person who refuses any such entry or in any way prevents or obstructs any authorised person in effecting an entrance or search under this section 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 6 months or to both.

Scientific
Officer's
certificate.

45. A certificate purporting to be signed by a Scientific Officer and purporting to relate to petroleum shall be admitted in evidence in any proceedings for an offence under Part VI, on its production by the prosecution without proof of signature and, until the contrary is proved, such certificate shall be prima facie evidence of all matters contained therein.

46.—(1) The Commissioner or any officer duly authorised in writing in that behalf by the Commissioner or any police officer may without warrant arrest any person whom he reasonably suspects to have committed an offence under this Act or any regulations made thereunder —

Powers of arrest.

- (a) if the name and address of the person are unknown to him;
- (b) if the person declines to give his name and address; or
- (c) if there is any reason to doubt the accuracy of the name and address, if given.

(2) A person arrested under this section may be detained until his name and address are correctly ascertained except that no person so arrested shall be detained longer than is necessary for bringing him before a court unless the order of a court for his detention is obtained.

47. No misnomer or inaccurate description of any person, premises, building, holding, street or place named or described in any document prepared, issued or served under, by virtue of or for the purposes of this Act or any regulations made thereunder shall in any way affect the operation of this Act or any such regulations as respects that person or place if that person or place is so designated in the document as to be identifiable, and no proceedings taken under or by virtue of this Act or any such regulations shall be invalid for want of form.

Inaccuracies in documents.

48.—(1) The contents of any document prepared, issued or served under, by virtue of or for the purposes of this Act or any regulations made thereunder shall, until the contrary is proved, be presumed to be correct.

Evidence.

(2) All records and other documents required by this Act or any regulations made thereunder to be kept by the Commissioner shall be deemed to be public documents and copies thereof or extracts therefrom certified by the officer responsible for the custody thereof to be true copies or extracts, as the case may be, subscribed by that officer with his name and his official title shall be admissible in evidence as proof of the contents of the documents or extracts.

(3) A certificate purporting to be under the hand of the Commissioner and specifying the costs and expenses or arrears as due and payable by any person shall be prima facie evidence of the facts certified therein and of the signature of the Commissioner.

Service of notices, etc.

49.—(1) Any notice, order or document required or authorised by this Act or any regulations made thereunder to be served on any person shall be deemed to be sufficiently served —

- (a) by delivering a copy thereof to the person to whom it is addressed or by delivering it at the last known place of residence of that person to some adult member or servant of his family;
- (b) by delivering it at the usual or last known place of residence or business of that person in a cover addressed to that person; or
- (c) by sending it by registered post addressed to that person at his usual or last known place of residence or business.

(2) A notice, order or document required or authorised by this Act or any regulations made thereunder to be served on the owner or occupier of any premises shall be deemed to be properly addressed if addressed by the description of the “owner” or “occupier” of the premises without further name or description.

(3) Any notice, order or document required or authorised by this Act or any regulations made thereunder to be served on the owner or occupier of any premises may be served by delivering the same or a true copy thereof to some adult person on the premises or, if there is no such person on the premises to whom the same can with reasonable diligence be delivered, by affixing the notice to some conspicuous part of the premises.

Jurisdiction of Courts. Cap. 68.

50. Notwithstanding the provisions of the Criminal Procedure Code, a District Court or a Magistrate’s Court shall have jurisdiction to hear and determine all offences under this Act and shall have power to impose the full penalty or punishment in respect of an offence under this Act.

51.—(1) The Commissioner may, in his discretion, compound any offence under this Act or any regulations made thereunder which is prescribed as a compoundable offence by collecting from the person reasonably suspected of having committed the offence a sum not exceeding \$500.

Compounding of offences.

(2) The Minister may make regulations to prescribe the offences which may be compounded under this section.

52. Proceedings in respect of any offence under this Act or any regulations made thereunder may be conducted by any officer of the Force or any other person authorised in writing in that behalf by the Commissioner.

Conduct of prosecutions.

53. The Minister may, by order either generally or in any particular case, and subject to such conditions as he may impose, exempt any person, premises or fire safety works from all or any of the provisions of this Act or any regulations made thereunder.

Exemption.

54. Where an offence under this Act or any regulations made thereunder has been committed by a body corporate, a partnership or unincorporated association of persons, any person who at the time of the commission of the offence was a director, manager, partner, secretary or other similar officer thereof, or was purporting to act in any such capacity shall be guilty of that offence unless he proves that the offence was committed without his consent or connivance and that he had exercised all such diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions in that capacity and to all the circumstances.

Offence by body corporate.

55.—(1) Any regulations made under section 61 may adopt wholly or partially or as amended by the regulations or by reference any code, standard, rule, specification or provision which relates to any matter with which the regulations deal and which is —

Adoption of codes and standards.

- (a) recommended, issued or adopted by the Singapore Institute of Standards and Industrial Research;
- (b) recommended, issued or adopted by any other standards organisation or body of any place outside Singapore being an organisation or body approved by the Commissioner;

(c) included in any document issued by any Government department or issued by the public authority constituted under any written law.

(2) The Commissioner shall cause a copy of every code, standard, rule, specification or provision adopted under subsection (1) (b) or (c) to be made available for inspection by members of the public without charge at the office of the Commissioner during normal office hours.

(3) In any proceedings under this Act or any regulations made thereunder, a copy certified by the Commissioner as a true copy of a code, standard, rule, specification or provision adopted under subsection (1) (b) or (c) shall be evidence of the code, standard, rule, specification or provision so adopted.

General penalties.

56. Any person who is guilty of an offence under this Act for which no penalty is expressly provided shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$500 for every day during which the offence continues after conviction.

Furnishing of information.

57.—(1) The Commissioner may by notice require any person who appears to the Commissioner to be acquainted with the circumstances of any case which is under investigation to furnish him within such time as may be specified in the notice with information relating to that case in that person's possession.

(2) Any person who fails to comply with any notice under subsection (1) or who furnishes any information which he knows or has reason to believe is false or misleading shall be guilty of an offence.

Saving of prosecutions under other laws.

58. Nothing in this Act shall prevent any person from being prosecuted under any other written law for any act or omission which constitutes an offence under this Act or any regulations made thereunder or from being liable under that other law to any other or higher punishment or penalty than that provided by this Act or any such regulations but no person shall be punished twice for the same offence.

59.—(1) No liability shall lie against the Government or any public officer by reason of the fact that any fire safety works are carried out in accordance with the provisions of this Act or that such works or plans of the building are subject to inspection or approval by the Commissioner or the public officer; nor shall anything in this Act make it obligatory for the Commissioner to inspect any building or fire safety works or the site of any proposed building to ascertain whether the provisions of this Act or any regulations made thereunder are complied with or whether any plans, certificates, notices or other documents submitted to him are accurate.

Protection
from liability.

(2) No matter or thing done by the Commissioner or by any public officer shall, if it were done bona fide for the purpose of carrying out the provisions of this Act or any regulations made thereunder, subject him or such person personally liable to any action, liability, claim or demand whatsoever.

60. Upon the date of commencement of this Act, every person who immediately before that date was serving in the Singapore Fire Service constituted under the Fire Service Act and in force immediately before that date shall be transferred to the Force on the same terms and rank enjoyed or attained by him immediately prior to his transfer and shall be deemed to be appointed under the Civil Defence Act and his service in the Singapore Fire Service shall be deemed to be service under the Civil Defence Act.

Transfer of
employees
to Force.
Cap. 110.

Cap. 42.

61.—(1) The Minister may make regulations for carrying out the purposes and provisions of this Act as he considers necessary and for any matter which is required under this Act to be prescribed and, in particular, the Minister may make regulations in respect of all or any of the following matters:

Regulations.

- (a) the establishment, registration and regulation of fire safety managers in any premises or any class of premises as may be prescribed by the Minister;
- (b) the control of the sale, supply, installation, repair, maintenance and inspection of fire safety works;

- (c) the licensing of persons who carry on the trade or business of supplying, selling, maintaining, repairing or inspecting fire safety works;
- (d) the prescribing of the type of fire safety measures to be installed in any premises;
- (e) the prescribing of the requirements of a fire emergency plan in designated premises;
- (f) the control, regulation and supervision by registration, licensing or otherwise of premises used for any trade or purpose specified in the First Schedule;
- (g) the control, regulation and supervision by registration, licensing, inspection or otherwise of places to which the public has access;
- (h) the submission of plans and specifications of fire safety works, the authorisation of persons qualified to submit the same and their duties and responsibilities and the nature or classifications of plans or specifications which each such person may submit;
- (i) the time and manner of making an application for temporary fire permits and fire safety certificate;
- (j) the time and manner of making an application for the change of use of premises;
- (k) the prescribing of the type of tests to be applied to any petroleum or flammable material to ascertain its flashpoint and the methods of applying the same;
- (l) the determining of the standard of any class of petroleum;
- (m) the licensing and management of places for storing any class of petroleum;
- (n) the prescribing of the quantities of any class of petroleum that may be stored in any licensed premises and the method in which it is to be stored including the maximum quantity of any class of petroleum that can be stored without a licence for residential, commercial or industrial use;

- (o) the regulation of the dispensing of any class of petroleum;
- (p) the regulation of the transportation of any class of petroleum including specifying the time periods under which petroleum can be transported and the maximum quantity of any class of petroleum that can be transported without a licence;
- (q) the determining of the quantity of and the receptacles in which any class of petroleum may be carried in any vehicle;
- (r) the prescribing of the standard and specification for the construction of any premises in which any class of petroleum is to be stored;
- (s) the prescribing of the types and standards of materials and appliances to be used for preventing or extinguishing fire in any licensed premises;
- (t) the provisions for the protection of premises adjacent to licensed premises;
- (u) the requiring of receptacles containing petroleum to carry warning labels and to denote the class of petroleum contained therein;
- (v) the prescribing of fees and charges for the purposes of this Act;
- (w) the prescribing of the conditions to be attached to any licence and the prescribing of the requirements and conditions to be observed by persons employed at the premises to which the licence relates;
- (x) the regulation, control and licensing of persons and organisations engaged in the business of petroleum distribution;
- (y) the prescribing of forms for licences and for other purposes for use in connection with this Act;
- (z) the duties and responsibilities of registered inspectors and the manner in which such duties and responsibilities are to be discharged;
- (za) the prescribing of the procedure of the Appeal Advisory Board; and

(zb) the prescribing of any matter which is required for the purposes of this Act.

(2) The Minister may, in making any regulations under subsection (1), provide that any contravention or failure to comply with any of the provisions of the regulations shall be an offence punishable with a fine not exceeding \$10,000 or with imprisonment for a term not exceeding 6 months or with both.

Repeal,
amendments
and
transitional
provisions.
Cap. 110.
Cap. 229.

62.—(1) The Fire Service Act is repealed.

(2) Sections 12, 14, 17, 18 and 19 of the Petroleum Act are repealed.

(3) Any scheme, contract, document, licence, permission or resolution prepared, made, granted or approved under the repealed Fire Service Act or the repealed section 12, 14, 17, 18 or 19 of the Petroleum Act shall, so far as it is not inconsistent with the provisions of this Act and except as otherwise expressly provided in this Act or in any other written law, continue and be deemed to have been prepared, made, granted or approved under the corresponding provisions of this Act.

(4) All moneys belonging to the Fire Service Welfare Fund established under section 12 of the repealed Fire Service Act shall, on the commencement of this Act, be transferred to and deemed to be moneys belonging to the Civil Defence Force Fund established under section 101 of the Civil Defence Act and shall be used for the purposes stated in that section.

Cap. 42.

(5) Any subsidiary legislation made under the repealed Fire Service Act or pursuant to the repealed section 12, 14, 17, 18 or 19 of the Petroleum Act and in force immediately before the commencement of this Act shall, so far as it is not inconsistent with the provisions of this Act, continue in force as if made under this Act until it is revoked or repealed by subsidiary legislation made under this Act.

(6) The enactments mentioned in the Second Schedule shall have effect subject to the amendments to the extent therein specified (being minor amendments or amendments consequential on the preceding provisions of this Act).

(7) The Minister may, by order published in the *Gazette*, repeal or amend any written law which appears to him to be inconsistent with any of the provisions of this Act.

FIRST SCHEDULE

Section 31

DANGEROUS TRADES OR PURPOSES

1. Making or storing of matches, fireworks or calcium carbide.
2. A sawmill or a place where machinery other than light portable machinery is used to fashion timber into furniture, house fittings and other woodworks.
3. Manufacture, treatment, smoking or preparation of rubber in any form.
4. A garage or place kept or used for painting motor vehicles, except a garage or place used in connection with a private dwelling-house and kept for private use only.
5. A place in which retreading of tyre is carried out.
6. Storage of cellulose solutions.
7. Acetylene manufacturing or storage.

SECOND SCHEDULE

Section 62 (6)

CONSEQUENTIAL AMENDMENTS

- 1.—(1) Section 4 (2) of the Civil Defence Act is amended —
- Amendments
to Civil
Defence Act.
Cap. 42.
- (a) by deleting paragraph (h) and substituting the following paragraph:
- “(h) take lawful measures to extinguish and prevent the spread of fire;”;
- (b) by deleting the word “and” at the end of paragraph (k); and
- (c) by deleting the full-stop at the end of paragraph (l) and substituting a semi-colon, and by inserting immediately thereafter the following paragraphs:
- “(m) take lawful measures for protecting life and property in case of fire;

- (n) provide and maintain an adequate emergency ambulance service;
- (o) ensure effective co-ordination between the Force and other fire services in Singapore; and
- (p) execute such other duties as may be imposed on it by this Act or any other written law.”.

(2) Section 5 (3) of the Civil Defence Act is amended —

- (a) by deleting the word “and” at the end of paragraph (b); and
- (b) by deleting the full-stop at the end of paragraph (c) and substituting the word “; and”, and by inserting immediately thereafter the following paragraph:
 - “(d) public officers who are serving in the Force as engineering or technical officers.”.

Amendment
to Consular
Conventions
Act.
Cap. 52.

2. Section 3 (2) (a) of the Consular Conventions Act is amended by deleting the words “section 7 (a) of the Fire Service Act” in the first line and substituting the words “section 4 of the Fire Safety Act”.

Amendment
to
Diplomatic
Privileges
(Common-
wealth
Countries
and Republic
of Ireland)
Act.
Cap. 83.

3. Section 3 (2) (a) of the Diplomatic Privileges (Commonwealth Countries and Republic of Ireland) Act is amended by deleting the words “section 7 (a) of the Fire Service Act” in the first and second lines and substituting the words “section 4 of the Fire Safety Act”.