



**THE STATUTES OF THE REPUBLIC OF SINGAPORE**

**FIRE SAFETY ACT**

**(CHAPTER 109A)**

**(Original Enactment: Act 39 of 1993)**

**REVISED EDITION 2000**

(30th December 2000)

*Prepared and Published by*

THE LAW REVISION COMMISSION  
UNDER THE AUTHORITY OF  
THE REVISED EDITION OF THE LAWS ACT (CHAPTER 275)

Informal Consolidation – version in force from 2/1/2011 to 1/9/2013

# Fire Safety Act

## ARRANGEMENT OF SECTIONS

### PART I

#### PRELIMINARY

#### Section

1. Short title
2. Interpretation
3. Authorised officers
4. Register of registered inspectors
5. Registration of registered inspectors
- 5A. Cancellation of registration and suspension from practice
6. Independence of registered inspectors
- 6A. Appointment of Inquiry Panel, etc.
- 6B. Proceedings of Inquiry Committee
- 6C. Commencement of inquiry, etc.
- 6D. Powers of Inquiry Committee
7. Powers in event of fire
8. General powers of entry
9. Power to fix plate showing position of fire-hydrant
10. Power to install fire-hydrants
11. Damaging, etc., of fire-hydrants
12. False alarm

### PART II

#### FIRE HAZARD IN BUILDINGS

13. Abatement of fire hazards
14. Commissioner may abate fire hazard in emergency
15. Power to order closure of premises in emergency
16. Fire hazard order
17. Provision as to appeal against order
18. Property and materials seized or removed by Commissioner in abating fire hazard
19. Recovery of costs and expenses by Commissioner

## PART III

## FIRE PREVENTION IN BUILDINGS

## Section

- 20. Fire certificate
- 21. Fire emergency plan
- 22. Fire safety managers

## PART IIIA

## FIRE SAFETY ENGINEERS

- 22A. Duties and responsibilities of fire safety engineers
- 22B. Registration of fire safety engineers
- 22C. Disciplinary action against fire safety engineers
- 22D. Investigation Committee
- 22E. Fire Safety Engineers Discipline Panel
- 22F. Register of fire safety engineers

## PART IV

## CONTROL OF FIRE SAFETY WORKS

- 23. Fire safety works
- 24. Prohibition of fire safety works without approval of plans
- 25. Appointment and duties of qualified person
- 26. Supervision of fire safety works
- 27. Modification or waiver of requirements relating to fire safety
- 28. Appeal Advisory Board
- 29. Fire safety certificate
- 30. Application for change of use of premises
- 30A. Order for demolition, removal, etc., of unauthorised fire safety works
- 30B. Closure order
- 30C. Appeals to Minister
- 30D. Application of this Part to Government buildings, etc.

## PART V

## [REPEALED]

- 31. [Repealed]
- 32. [Repealed]
- 33. [Repealed]

## PART VI

CONTROL OF PETROLEUM AND  
FLAMMABLE MATERIALS

## Section

- 34. Interpretation of this Part
- 35. Storage of petroleum and flammable materials
- 35A. Import of petroleum and flammable materials
- 35B. Transport of petroleum and flammable material
- 36. Dispensing of petroleum and flammable material
- 37. Offences
- 38. Powers of Commissioner
- 39. Grant and renewal of licence or permit
- 40. Cancellation of licence or permit
- 41. [*Repealed*]
- 42. Disposal of stocks and equipment

## PART VII

## MISCELLANEOUS

- 43. Obstructing authorised persons in execution of their duty
  - 44. Authorised persons may make forcible entry
  - 45. Analyst's certificate
  - 46. Powers of arrest
  - 47. Inaccuracies in documents
  - 48. Evidence
  - 49. Service of notices, etc.
  - 50. Jurisdiction of Courts
  - 51. Compounding of offences
  - 52. Conduct of prosecutions
  - 53. Exemption
  - 54. Offence by body corporate
  - 55. Adoption of codes and standards
  - 56. General penalties
  - 57. Furnishing of information
  - 58. Saving of prosecutions under other laws
  - 59. Protection from liability
  - 60. Transfer of employees to Force
  - 61. Regulations
  - 62. Transitional provisions
- The Schedule — Flammable Materials

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

[8th April 1994 (except Part VI, sections 60 and 62) ;  
29th April 1994: Part VI, sections 60 and 62 ]

## PART I

### PRELIMINARY

#### Short title

1. This Act may be cited as the Fire Safety Act.

#### Interpretation

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

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

- (a) a deterministic or probabilistic analysis of fire scenarios or both types of analysis; or
- (b) a quantitative or qualitative assessment of design alternatives or both against the fire performance requirements in the Fire Code,

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

*[7/2004 wef 15/04/2004]*

“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;

“Commissioner” means the Commissioner of Civil Defence appointed under section 6 of the Civil Defence Act (Cap. 42);

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

*[7/2004 wef 15/04/2004]*

“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 public building or any building used occasionally or regularly for public worship or religious ceremonies such as might render escape in the event of fire more difficult;

*[7/2004 wef 15/04/2004]*

(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, common property or limited common property of any building such as might render escape in the event of fire more difficult; and

*[47/2004 wef 01/04/2005]*

(f) any other matter or circumstance which would materially hamper the Force in the discharge of its duties in the event of fire;

“fire hazard abatement notice” means a notice in writing issued by the Commissioner under section 13(1);

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

*[7/2004 wef 15/04/2004]*

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

*[7/2004 wef 15/04/2004]*

“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 (Cap. 42) 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 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 (Cap. 254) 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;



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

*[47/2004 wef 01/04/2005]*

(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;

*[Deleted by 7/2004 wef 15/04/2004]*

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

*[7/2004 wef 15/04/2004]*

“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 of a building —

- (a) used as a hospital or a nursing home;
- (b) used ordinarily or occasionally to provide residential care to aged persons or child care for groups of children;
- (c) used wholly or mainly as or in connection with a hotel, shop or restaurant; or
- (d) where the public or any part thereof or numbers of persons occasionally or regularly assemble for —
  - (i) civic or social (but not religious or educational) purposes;
  - (ii) entertainment, recreational or sporting purposes; or

(iii) business purposes;

*[7/2004 wef 15/04/2004]*

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

- (a) an architect under the Architects Act (Cap. 12) and has in force a practising certificate issued under that Act; or
- (b) a professional engineer under the Professional Engineers Act (Cap. 253) and has in force a practising certificate issued under that Act;

“register of registered inspectors” means the register kept and maintained under section 4(1);

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

“street” has the same meaning as in the Street Works Act (Cap. 320A).

*[5/2000]*

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

### **Authorised officers**

**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:

- (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 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.

**Cancellation of registration and suspension from practice**

**5A.—(1)** Without prejudice to section 6C(7), the Commissioner may by order cancel the registration of any registered inspector or suspend him from practice for a period not exceeding 12 months under any of the following circumstances:

- (a) if he is deceased;
- (b) if he has contravened or failed to comply with section 6(1);
- (c) if he is convicted of an offence involving fraud or dishonesty or an offence under this Act or any regulations made thereunder;
- (d) if it appears to the Commissioner that he is no longer in the position to carry out the duties or responsibilities of a registered inspector under this Act or any regulations made thereunder;

(e) if he has procured his registration by fraud or misrepresentation; or

*[7/2004 wef 01/07/2004]*

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

*[7/2004 wef 15/04/2004]*

*[5/2000]*

(2) The Commissioner may, if he considers that no cause of sufficient gravity for cancellation of registration or suspension from practice exists, by writing censure the registered inspector.

*[5/2000]*

(3) The Commissioner shall not exercise his powers under subsection (1)(b), (c), (d), (e) or (f) or (2) unless an opportunity of being heard has been given to the registered inspector against whom the Commissioner intends to exercise his powers.

*[7/2004 wef 01/07/2004]*

*[5/2000]*

(4) Where a registered inspector has been suspended from practice under subsection (1), the Commissioner shall, within 7 days of the expiry of such suspension, restore the name and particulars of that registered inspector to the register of registered inspectors and issue to him a fresh certificate of registration.

*[7/2004 wef 01/07/2004]*

*[5/2000]*

(5) Any person whose application for registration as a registered inspector is refused, or who is dissatisfied with the decision of the Commissioner under subsection (1), may, within 14 days of being notified in writing of the refusal or the decision, appeal to the Minister whose decision shall be final.

(6) Where an appeal is made to the Minister within the period referred to in subsection (5), an order made by the Commissioner under subsection (1) shall, unless the Minister otherwise directs, not take effect unless —

(a) it is confirmed by the Minister;

- (b) the appeal is for any reason dismissed by the Minister; or
- (c) the appellant withdraws the appeal.

[5/2000]

(7) Before the Minister makes a decision to allow or dismiss an appeal, the Minister may refer the matter to an Appeal Advisory Board appointed under section 28.

[5/2000]

(8) The Minister may, in making his decision, have regard to any report made to him by the Appeal Advisory Board.

[5/2000]

(9) Where an order made by the Commissioner to cancel the registration of a registered inspector or suspend the registered inspector from practice has taken effect, the Commissioner shall —

- (a) remove the name and particulars of the inspector concerned from the register of registered inspectors;
- (b) cancel any certificate of registration issued to the inspector concerned under section 5(5); and
- (c) notify the inspector concerned accordingly.

[5/2000]

(10) The inspector concerned shall, within 14 days of being notified of the removal of his name and particulars from the register of registered inspectors, surrender to the Commissioner the certificate of registration issued to him.

[5/2000]

(11) Any person who fails to comply with subsection (10) shall be guilty of an offence.

[5/2000]

(12) Any person whose name has been removed from the register of registered inspectors under subsection (1)(b), (c), (d), (e) or (f) shall, if his appeal to the Minister is allowed, have his name reinstated forthwith.

[7/2004 wef 01/07/2004]

### **Independence of registered inspectors**

**6.—(1)** At the time of carrying out his duties and responsibilities or exercising his powers as a registered inspector under this Act or any

regulations made thereunder, 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.

*[7/2004 wef 15/04/2004]*

(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.

### **Appointment of Inquiry Panel, etc.**

**6A.**—(1) For the purpose of enabling an Inquiry Committee to be constituted in accordance with this section, the Minister shall appoint a panel (referred to as the Inquiry Panel) consisting of such numbers of —

(a) qualified persons who are not members of the Force; and

(b) members of the Force,

as the Commissioner may determine.

*[7/2004 wef 15/04/2004]*

*[5/2000]*

(2) A member of the Inquiry Panel shall be appointed for a term of 2 years and shall be eligible for reappointment.

*[5/2000]*

(3) Where any complaint against a registered inspector relating to his conduct or the discharge of his duties or responsibilities is received by the Commissioner, the Commissioner may constitute an Inquiry Committee consisting of 5 members of the Inquiry Panel, for the purposes of inquiring into the complaint.

*[5/2000]*

(4) An Inquiry Committee shall consist of —

(a) a Chairman appointed by the Commissioner;

(b) 2 qualified persons who are not members of the Force; and

(c) 2 members of the Force.

*[5/2000]*

(5) The Commissioner may, on his own motion, constitute an Inquiry Committee for the purposes of inquiring into the conduct of any registered inspector or the discharge of a registered inspector’s duties or responsibilities if it appears to the Commissioner that the



registered inspector has contravened or failed to comply with any provision of the prescribed code of professional conduct and ethics.  
[5/2000]

(6) The Chairman of an Inquiry Committee shall preside at every meeting of the Inquiry Committee.  
[5/2000]

(7) In the absence of the Chairman of an Inquiry Committee, the Commissioner shall appoint an acting Chairman who shall have and exercise all the powers of the Chairman.  
[5/2000]

(8) The Minister may at any time remove any member of an Inquiry Committee or fill any vacancy in its membership.  
[7/2004 wef 15/04/2004]  
[5/2000]

### **Proceedings of Inquiry Committee**

**6B.**—(1) An Inquiry Committee may meet for the purposes of its inquiry, adjourn and otherwise regulate the conduct of its inquiry as the members may think fit.  
[5/2000]

(2) The Chairman of an Inquiry Committee may at any time summon a meeting of the Inquiry Committee.  
[5/2000]

(3) All the members of an Inquiry Committee shall be present to constitute a quorum for a meeting of the Inquiry Committee.  
[5/2000]

(4) Any decision to be made at any meeting of the Inquiry Committee shall be determined by a majority of votes of the members of the Inquiry Committee and, in the case of an equality of votes, the Chairman of the Inquiry Committee shall have a second or casting vote.  
[5/2000]

(5) A member of an Inquiry Committee shall, notwithstanding that he has ceased to be a member of the Inquiry Panel on the expiry of his term of office, be deemed to be a member of the Inquiry Panel until such time as the Commissioner has decided that the Inquiry Committee of which he is a member has completed its work.  
[5/2000]

**Commencement of inquiry, etc.**

**6C.—(1)** An Inquiry Committee shall, within a reasonable time of its constitution, commence its inquiry and, subject to subsection (2), submit a written report of its findings (referred to in this section as the written report) to the Commissioner not later than 6 months after its constitution.

[5/2000]

(2) The Commissioner may grant an extension of time to an Inquiry Committee to submit the written report to him if he is satisfied that the circumstances of the case justify the grant of an extension of time.

[5/2000]

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

[5/2000]

(4) Where an Inquiry Committee is of the opinion that a registered inspector should be called upon to answer any allegation made against him, the Inquiry Committee shall —

(a) post or deliver to the registered inspector concerned —

(i) copies of any complaint made against him; and

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

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

(c) give the registered inspector concerned reasonable opportunity to be heard if he so desires; and

(d) give due consideration to any explanation (if any) given by the registered inspector concerned.

[5/2000]

(5) Where the complainant withdraws his complaint before the Inquiry Committee is constituted or before the inquiry by the Committee is concluded, the Commissioner may, notwithstanding such withdrawal, constitute an Inquiry Committee and direct it to

inquire, or may direct the Inquiry Committee to continue with its inquiry, into the matter, and the Inquiry Committee shall comply with that direction.

[7/2004 wef 15/04/2004]

(6) An Inquiry Committee shall, in its written report, make such recommendation as it thinks fit.

[5/2000]

(7) The Commissioner shall consider the written report submitted by an Inquiry Committee and may —

- (a) dismiss the complaint;
- (b) by order cancel the registration of the registered inspector concerned;
- (c) by order suspend the registered inspector concerned from practice for a period not exceeding 12 months;
- (d) by order impose a penalty not exceeding \$5,000;
- (e) in writing censure the registered inspector concerned; or
- (f) make such other order as the Commissioner thinks fit.

[5/2000]

(8) The Commissioner shall not be bound by any recommendation made by an Inquiry Committee in its written report.

[5/2000]

(9) The Commissioner shall in writing notify the registered inspector concerned of his decision or any order made against the registered inspector concerned under subsection (7).

[5/2000]

(10) A registered inspector who is aggrieved by a decision of or an order made by the Commissioner under subsection (7)(b), (c), (d) or (f) may, within 14 days of the receipt of the written notification, appeal to the Minister whose decision shall be final.

[5/2000]

(11) Where an appeal is made to the Minister within the period referred to in subsection (10), the decision of or an order made by the Commissioner under subsection (7)(b), (c), (d) or (f), as the case may be, shall, unless the Minister otherwise directs, not take effect unless —

- (a) it is confirmed by the Minister;
- (b) the appeal is for any reason dismissed by the Minister; or
- (c) the appellant withdraws the appeal.

[5/2000]

(12) Before the Minister makes a decision to allow or dismiss an appeal, the Minister may refer the matter to an Appeal Advisory Board appointed under section 28.

[5/2000]

(13) The Minister may, in making his decision, have regard to any report made to him by the Appeal Advisory Board.

[5/2000]

(14) Any penalty imposed by the Commissioner in exercise of the powers conferred by subsection (7) shall be recoverable as a judgment debt from the registered inspector ordered to pay the penalty.

[5/2000]

### **Powers of Inquiry Committee**

**6D.**—(1) For the purposes of any inquiry conducted by an Inquiry Committee, the Inquiry Committee may —

- (a) require evidence to be given on oath and for that purpose the Chairman of the Inquiry Committee may administer an oath; and
- (b) require any person to attend and give evidence before it and to produce all plans, books, documents and papers in the custody of that person or under his control relating to the subject-matter of the inquiry.

[5/2000]

(2) Every person who, without lawful excuse, refuses or fails to —

- (a) attend and give evidence when required to do so by the Inquiry Committee;
- (b) answer truly and fully any question put to him by a member of the Inquiry Committee; or
- (c) produce to the Inquiry Committee any plans, book, document or paper required to be produced by him,

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

[5/2000]

(3) For the purposes of conducting an inquiry, an Inquiry Committee may appoint any person to make or assist in the making of whatever preliminary inquiries it thinks necessary.

[5/2000]

### **Powers in event of fire**

7.—(1) The Commissioner or any member of the Singapore Civil Defence Force authorised by him may, in the event of a fire or a suspected fire, by himself or with other members under his command —

- (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;

- (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.

[7/2004 wef 15/04/2004]

(2) No person or body (including the Government) shall be liable to any action, penalty or claim by reason of any action under subsection (1)(f).

### **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.

### **Power to fix plate showing position of fire-hydrant**

**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.

(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 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 to take all steps necessary to prevent the recurrence of such fire hazard.

[5/2000]

(2) The notice may, if the Commissioner thinks fit, specify any works to be executed for the purposes mentioned in subsection (1).

[5/2000]

(3) 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.

(4) Where a fire hazard abatement notice has been served on any person under subsection (1) and that person —

- (a) fails to comply with any of the requirements within the time specified in the notice; or
- (b) fails to take such steps as are specified in the notice to prevent the recurrence of the fire hazard,

he shall, whether or not an order under section 16 has been made in respect of him, be guilty of an offence.

[5/2000]

**Commissioner may abate fire hazard in emergency**

**14.**—(1) Where a fire hazard abatement notice has been served upon any person under 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 —

- (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.

(2) The Commissioner may recover the expenses incurred under subsection (1), 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.

### **Fire hazard order**

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

- (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.

### **Provision as to appeal against order**

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.

(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.

(4) 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.

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

(6) 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.

(7) Notwithstanding subsection (6) —

- (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 2 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 (Cap. 68) shall apply, with the necessary modifications, 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

**Fire certificate**

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

[7/2004 wef 10/09/2004]

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

- (a) any public building which has an occupant load of more than 200 persons or, if so specified, such other occupant load as the Minister may, by notification in the *Gazette*, specify; and
- (b) any other particular building, or any building in any other class of buildings, designated by the Minister under subsection (1B) to be subject to this section.

[7/2004 wef 10/09/2004]

(1B) Where, in the opinion of the Minister, any fire within any building (whether used as a residential building or an industrial building or otherwise) is likely to be a significant source of danger to the occupants in the building, or to life or property in the vicinity of that building, the Minister may, by order published in the *Gazette*, designate that particular building or a class of such buildings to be subject to this section.

[7/2004 wef 10/09/2004]

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

[7/2004 wef 10/09/2004]

(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 —

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



- (a) the manufacture of goods or materials or the subjection of goods or materials to any process, including any research or development for any manufacturing trade or business; or
- (b) the purposes of any water, gas, telecommunication, electricity or other industrial undertaking, including research and development for any such industrial undertaking;

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

[7/2004 wef 10/09/2004]

### **Fire emergency plan**

**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.

(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 IIIA

#### FIRE SAFETY ENGINEERS

*[7/2004 wef 15/04/2004]*

#### **Duties and responsibilities of fire safety engineers**

**22A.**—(1) Subject to the provisions of this Act, no person shall prepare or propose plans for any fire safety works using any alternative solution to satisfy any fire performance requirements unless he is —

- (a) an appropriate qualified person who is also a fire safety engineer; or
- (b) a qualified person preparing or proposing the alternative solution under the direct supervision of a fire safety engineer.

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

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

(4) Where a fire safety engineer is appointed as a peer reviewer to review and assess whether any alternative solution satisfies any fire performance requirements, the peer reviewer shall not issue any certification under section 23(4)(a)(iii) unless he has taken all

reasonable steps and exercised due diligence to ensure that the alternative solution in respect of which his certification is being sought satisfies those fire performance requirements.

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

- (a) the fire safety works or the building works in respect of which his duties and responsibilities as peer reviewer are to be carried out; or
- (b) the building or any part thereof to which the fire safety works relate.

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

- (a) he is or has been responsible for, or is acting as the consultant for, the design or construction of the building or any of the fire safety works in any capacity;
- (b) he, or any nominee of his, is a member, officer or employee of a company or other body which has a professional or financial interest in the building or any part thereof, or in the building works or fire safety works; or
- (c) he is a partner or is in the employment of a person who has a professional or financial interest in the building or any part thereof, or in the building works or fire safety works.

(7) For the purposes of this section —

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

- (b) in the case of a husband and wife living together, the interest of one spouse shall, if known to the other, be deemed to be also an interest of the other.
- (8) For the avoidance of doubt —
- (a) involvement in the fire safety works as a peer reviewer; and
- (b) entitlement to any fee paid for acting as a peer reviewer,
- shall not be regarded as constituting a professional or financial interest.
- (9) Any person who contravenes subsection (1) or (2) shall be guilty of an offence.
- (10) Any fire safety engineer who contravenes subsection (3), (4) or (5) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 12 months or to both.

### **Registration of fire safety engineers**

- 22B.**—(1) An application for registration as a fire safety engineer shall be made to the Commissioner in such form and manner, and be accompanied by such documents, particulars and fee, as may be prescribed.
- (2) No person shall be registered as a fire safety engineer unless he can satisfy the Commissioner that he possesses the prescribed qualifications and practical experience.
- (3) The Commissioner may —
- (a) appoint a committee of persons to assist him in considering applications for registration as fire safety engineers; and
- (b) by himself or through the committee appointed under paragraph (a), interview the applicants and make such enquiries or do anything which the Commissioner may think necessary or expedient for the purposes of subsections (2) and (4).

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

- (a) is not of good character and reputation; or
- (b) is unable to effectively carry out his duties and responsibilities as a fire safety engineer under this Act or any regulations made thereunder.

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

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

### **Disciplinary action against fire safety engineers**

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

- (a) has been convicted of any offence under this Act or any regulations made thereunder, or any other offence involving fraud or dishonesty;
- (b) has obtained his registration under this Act by fraud or misrepresentation;
- (c) has his qualification for registration withdrawn or cancelled by the institution or authority through which it was acquired or by which it was awarded;
- (d) has contravened section 22A(3), (4) or (5);
- (e) has not complied with the prescribed requirements relating to continuous professional education as a fire safety engineer;
- (f) is no longer in a position to effectively carry out his duties or responsibilities as a fire safety engineer or peer reviewer under this Act or any regulations made thereunder;

- (g) has his registration as a registered inspector cancelled or has been suspended from practice as a registered inspector, where the fire safety engineer is also a registered inspector; or
- (h) has for any reason ceased to be a qualified person, where the fire safety engineer is also a qualified person,

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

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

- (a) cancel the registration of the fire safety engineer;
- (b) suspend the registration of the fire safety engineer for such period not exceeding 12 months;
- (c) impose such conditions as are necessary to restrict the practice of the fire safety engineer for a period not exceeding 12 months, including any condition requiring the fire safety engineer to undergo further training, to practise only under supervision or to cease acting as a peer reviewer;
- (d) require the fire safety engineer to give such undertaking as the Commissioner thinks fit;
- (e) impose on the fire safety engineer a penalty not exceeding \$5,000;
- (f) censure the fire safety engineer in writing;
- (g) dismiss the complaint against the fire safety engineer; or
- (h) make such other orders as the Commissioner thinks fit.

(3) Where a fire safety engineer in respect of whom any conditions have been imposed, or any undertaking is required to be given, under subsection (2)(c) or (d) fails to comply with any of the conditions or breaches his undertaking, or the fire safety engineer fails to pay the penalty under subsection (2)(e), the Commissioner may, if he thinks

fit, after giving the fire safety engineer concerned a reasonable opportunity of being heard either orally or in writing, by order —

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

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

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

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

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

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

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

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

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

**Investigation Committee**

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

(2) An Investigation Committee shall consist of —

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

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

(3) An Investigation Committee shall —

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

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

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



- (a) post or deliver to the fire safety engineer concerned —
    - (i) copies of any complaint or information touching upon his conduct, including any statutory declaration or affidavit that may be made in support of the complaint or information; and
    - (ii) a notice inviting him to give, within such period (not being less than 14 days) as may be specified in the notice, to the Investigation Committee any written explanation he may wish to offer and to advise the Committee if he wishes to be heard by the Committee;
  - (b) allow the time specified in the notice to elapse;
  - (c) give the fire safety engineer concerned a reasonable opportunity to be heard if he so desires; and
  - (d) give due consideration to any explanation (if any) given by the fire safety engineer concerned.
- (6) For the purposes of any investigation into any complaint or information referred to it under subsection (1), an Investigation Committee may —
- (a) require evidence to be given on oath and for that purpose, the chairman of the Investigation Committee may administer an oath;
  - (b) require any person to attend and give evidence before it, and to produce all plans, books, documents or papers in the possession of that person or under his control relating to the subject-matter of the investigation; or
  - (c) appoint any person to make or assist in the making of such preliminary inquiries as the Investigation Committee thinks fit.
- (7) Any person who, without lawful excuse, refuses or fails to —
- (a) attend and give evidence before an Investigation Committee when required to do so by the Committee;

- (b) answer truly and fully any question put to him by a member of the Investigation Committee; or
- (c) produce to an Investigation Committee any plan, book, document or paper required by the Committee to be produced by him,

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

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

### **Fire Safety Engineers Discipline Panel**

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

- (2) The Fire Safety Engineers Discipline Panel shall comprise —
  - (a) such number of fire safety engineers who are not members of the Singapore Civil Defence Force as the Commissioner may determine; and
  - (b) such number of members of the Singapore Civil Defence Force as the Commissioner may determine.

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

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

(5) Any member of the Fire Safety Engineers Discipline Panel whose term of appointment expires in the course of any investigation by an Investigation Committee to which he has been appointed shall

continue as a member of that Committee until the Committee's written report of the investigation is submitted to the Commissioner under section 22D(3)(b).

### **Register of fire safety engineers**

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

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

- (a) who has died; or
- (b) who has no address in Singapore at which he can be found.

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

- (a) the Commissioner shall immediately remove the name and particulars of the fire safety engineer concerned from the register of fire safety engineers and notify the fire safety engineer concerned;
- (b) the fire safety engineer concerned shall, within 7 days of being so notified, surrender to the Commissioner the certificate of registration issued to him; and
- (c) the Commissioner shall cancel any certificate of registration issued to the fire safety engineer concerned.

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

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

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

- (a) disciplinary action under section 22C is pending against the fire safety engineer; or
- (b) the conduct of the fire safety engineer (whether as a peer reviewer or otherwise) is the subject of any complaint to or information received by the Commissioner.

*[7/2004 wef 15/04/2004]*

## 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.

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

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

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

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

*[7/2004 wef 01/07/2004]*

(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);

(b) disapprove any of the plans which is not in order; or

(c) 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.

*[5/2000]*

(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.

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

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

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

(ii) a written declaration by the fire safety engineer who prepared or (as the case may be) supervised the

preparation of the plans or that part thereof containing the alternative solution, declaring that the alternative solution satisfies the fire performance requirements and complies with the provisions of this Act and any regulations made thereunder; and

(iii) a certification from the peer reviewer that the alternative solution contained in the plans or that part thereof satisfies the fire performance requirements and complies with the provisions of this Act and any regulations made thereunder; or

(b) in the case of plans referred to in subsection (1A)(b), the application and plans are accompanied by a written declaration by the qualified person who prepared those plans declaring that the plans have been prepared in accordance with the Fire Code and the provisions of this Act and any regulations made thereunder.

*[7/2004 wef 01/07/2004]*

(5) Notwithstanding subsection (4), the Commissioner may, in his discretion, carry out random checks on any plans of fire safety works at any time before or after approving the plans under that subsection.

*[5/2000]*

(6) The Commissioner may at any time revoke any approval granted in respect of any plans of fire safety works —

(a) under subsection (2)(a), if he is satisfied that any information given in the application for approval or any document submitted to the Commissioner in respect of the application for approval is false in a material particular; and

(b) under subsection (4), if he is satisfied that the written declaration submitted by the qualified person or fire safety engineer or the certificate of a peer reviewer referred to in that subsection is false.

*[7/2004 wef 01/07/2004]*

*[5/2000]*

(7) The Commissioner shall not revoke any approval granted in respect of any plans of fire safety works unless —

- (a) he has given a written notice to the person for whom the fire safety works are carried out to comply, within such period as may be specified in the notice, with such requirements as the Commissioner may specify for the purpose of ensuring compliance with the Fire Code adopted under section 55, and any of the provisions of this Act and any regulations made thereunder; and
- (b) the person has failed or refused to comply with the requirements specified in the written notice.

[5/2000]

(8) The requirements referred to in subsection (7) may include —

- (a) the amendment of any of the approved plans of fire safety works;
- (b) the rectification of the fire safety works; and
- (c) the alteration or demolition of a building or part thereof to which the fire safety works relate.

[5/2000]

(9) Any person who fails or refuses to comply with any requirement specified in the written notice given by the Commissioner under subsection (7) shall be guilty of an offence.

[5/2000]

(10) The Commissioner shall in writing notify the person for whom the fire safety works are carried out of his decision —

- (a) to disapprove any plans of fire safety works under subsection (2)(b);
- (b) to reject any plans of fire safety works under subsection (3); or
- (c) to revoke an approval granted in respect of any plans of fire safety works under subsection (6),

and shall specify a date, not less than 14 days from the date of the written notification, on which the decision of the Commissioner shall take effect.

[5/2000]

(11) Where a decision of the Commissioner to revoke any approval granted in respect of any plans of fire safety works has taken effect —

(a) any fire certificate granted under section 20 in respect of any building to which the fire safety works relate; and

*[7/2004 wef 01/07/2004]*

(b) any fire safety certificate or temporary fire permit issued in respect of the fire safety works under section 29,

as the case may be, shall automatically lapse.

*[5/2000]*

(12) For the purposes of this section, any plans of any fire safety works that are prepared in accordance with the solutions issued by the Commissioner as in compliance with the fire performance requirements shall be deemed to satisfy the fire performance requirements.

*[7/2004 wef 01/07/2004]*

### **Prohibition of fire safety works without approval of 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.

(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 12 months 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.

### **Appointment and duties of qualified person**

**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 —

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

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



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

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

*[7/2004 wef 01/07/2004]*

(2) If any qualified person or fire safety engineer appointed under subsection (1) or paragraph (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 or fire safety engineer 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

*[7/2004 wef 01/07/2004]*

(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 or fire safety engineer in respect of such works.

*[7/2004 wef 01/07/2004]*

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

*[7/2004 wef 01/07/2004]*

(4) Every qualified person or fire safety engineer 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.

*[7/2004 wef 01/07/2004]*

(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 12 months 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 or fire safety engineer 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.

*[7/2004 wef 01/07/2004]*

(7) 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.

(8) Any qualified person or fire safety engineer 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.

*[7/2004 wef 01/07/2004]*

**Supervision of fire safety works**

**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 or fire safety engineer appointed under section 25(1) or (2)(b).

*[7/2004 wef 01/07/2004]*

(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 12 months 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.

**Modification or waiver of requirements relating to fire safety**

**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.

(2) Every such application shall —

- (a) be made in writing to the Commissioner by or on behalf of the owner of the building to which the application relates;
- (b) state the nature and extent of and the reasons for the proposed modification or waiver of such requirements; and
- (c) 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.

### **Appeal Advisory Board**

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

(2) The Chairman, Vice-Chairman and members of the Appeal Advisory Board —

(a) shall be appointed by the Minister for such period as the Minister may determine and may from time to time be reappointed;

(b) may at any time be removed from office by the Minister; or

(c) 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.

(5) In the absence of both the Chairman and the Vice-Chairman, such member as the members present may elect shall preside at the meeting.

(6) 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) Where an application for a fire safety certificate under subsection (1) is accompanied by a certificate of a registered inspector certifying that, to the best of the knowledge and belief of the registered inspector, the completed fire safety works to which the application relates have been carried out in accordance with the approved plans of safety works, the Fire Code adopted under section 55, and the provisions of this Act and any regulations made thereunder, the Commissioner may, without inspecting the completed fire safety works, issue a fire safety certificate or temporary fire permit, as the Commissioner considers appropriate, on the basis of the certificate of the registered inspector.

[5/2000]

(6) Notwithstanding subsection (5), the Commissioner may, in his discretion, carry out random inspections on the completed fire safety works to which any application under this section relates, at any time before or after the issuing of a fire safety certificate or temporary fire permit.

[5/2000]

(7) The Commissioner may at any time revoke any fire safety certificate or temporary fire permit issued in respect of any completed fire safety works —

- (a) under subsection (3), if he is satisfied that any information given in the application for a fire safety certificate or any document submitted to the Commissioner in respect of the application for the fire safety certificate is false in a material particular; and
- (b) under subsection (5), if he is satisfied that any certificate of the registered inspector referred to in that subsection is false.

[5/2000]

(8) The Commissioner shall not revoke a fire safety certificate or temporary fire permit unless —

- (a) he has given a written notice to the person for whom the fire safety works have been carried out to comply, within such period as may be specified in the notice, with such requirements as the Commissioner may specify for the purpose of ensuring compliance with the Fire Code adopted under section 55, and any of the provisions of this Act and any regulations made thereunder; and
- (b) the person has failed or refused to comply with the requirements specified in the written notice.

[5/2000]

(9) The requirements referred to in subsection (8) may include —

- (a) the amendment of any of the approved plans of fire safety works to which the completed fire safety works relate;
- (b) the rectification of the completed fire safety works; and
- (c) the alteration or demolition of a building or part thereof to which the completed fire safety works relate.

[5/2000]

(10) Any person who fails or refuses to comply with any requirement specified in the written notice given by the Commissioner under subsection (8) shall be guilty of an offence.

[5/2000]

(11) The Commissioner shall in writing notify the person for whom the fire safety works are carried out of his decision to revoke a fire safety certificate or temporary fire permit, and shall specify a date,

not less than 14 days from the date of the written notification, on which the decision of the Commissioner shall take effect.

[5/2000]

(12) 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.

### **Application for change of use of premises**

**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.

(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.

(6) Nothing in this section shall be taken in any way to derogate from the provisions of the Planning Act (Cap. 232) and any relevant rules made thereunder relating to change of use of premises.

### **Order for demolition, removal, etc., of unauthorised fire safety works**

**30A.**—(1) Where, in the opinion of the Commissioner, any fire safety works are being carried out or have been carried out in contravention of the Fire Code adopted under section 55, or any of the provisions of this Act or any regulations made thereunder (referred to in this section as the unauthorised fire safety works), the Commissioner may by order in writing require —

- (a) the cessation of the unauthorised fire safety works until the order is withdrawn;
- (b) such work or alteration to be carried out to the unauthorised fire safety works or the building or part thereof to which the unauthorised fire safety works relate as may be necessary to cause the unauthorised fire safety works to comply with the Fire Code adopted under section 55, and any of the provisions of this Act and any regulations made thereunder; or
- (c) the demolition of the building or part thereof to which the unauthorised fire safety works relate.

[5/2000]

(2) An order made under subsection (1) shall specify all or any of the following:



- (a) the manner in which the works, alteration or demolition referred to in subsection (1) is to be carried out;
- (b) the time within which the works, alteration or demolition shall commence;
- (c) the time within which the works, alteration or demolition shall be completed.

[5/2000]

(3) An order made under subsection (1) shall be served —

- (a) where a temporary fire permit has been granted in respect of a building under section 29, on the owner of the building or the occupier of that part of the building affected by the order, as the case may be; or
- (b) where fire safety works are being carried out in a building, on the person for whom the fire safety works are carried out or the qualified person supervising the fire safety works,

and shall specify a date, not less than 14 days from the date of the order, on which the order shall take effect.

[5/2000]

(4) If an order made under subsection (1) is not complied with and no appeal under section 30C has been made to the Minister in respect of the order before the order takes effect, the Commissioner may —

- (a) demolish, remove or alter, or cause to be demolished, removed or altered, the building or the unauthorised fire safety works or to take such other steps as may appear to the Commissioner to be necessary, including ordering the closure of the building or part thereof; and
- (b) recover all expenses reasonably incurred by him in the exercise of his powers under this section from the person in default.

[5/2000]

(5) Without prejudice to the right of the Commissioner to exercise his powers under subsection (4), if any person on whom an order is served under subsection (3) fails to comply with the order, the person 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 or part thereof during which the offence continues after conviction.

[5/2000]

(6) The Commissioner may seize any material resulting from the carrying out of any work under subsection (4).

[5/2000]

(7) Any material seized by the Commissioner under this section shall be confiscated by the Commissioner 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.

[5/2000]

### **Closure order**

**30B.**—(1) Where the Commissioner makes an order under section 30A(4)(a) requiring the closure of any building or part thereof, the order (referred to in this section as a closure order) shall be served —

- (a) where the closure order relates to the building, on the owner of the building; or
- (b) where the closure order relates to a part of the building, on the occupier of that part of the building.

[5/2000]

(2) A closure order shall specify a date, not less than 14 days from the date of the closure order, on which the closure order shall take effect, and may require —

- (a) the owner of the building to which the order relates; or
- (b) the occupier of a part of the building to which the order relates,

as the case may be, to cease to inhabit the building or that part thereof and to remove all goods, furniture and effects from the building or that part thereof before the closure order takes effect.

[5/2000]

(3) Subject to subsection (5), where a closure order is in force in respect of a building or part thereof, as the case may be, no person

other than a member of the Force in the course of his duty shall enter or be in the building or that part thereof to which the closure order relates at any time.

[5/2000]

(4) Any person who contravenes or fails to comply with subsection (3) 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 \$200 for every day or part thereof during which the offence continues after conviction.

[5/2000]

(5) Where a closure order is in force in respect of a building or part thereof, as the case may be, the Commissioner may, if he thinks fit and subject to such conditions as he may impose, by notice in writing permit any person to enter or be in the building or that part thereof to which the closure order relates.

[5/2000]

(6) Any permission granted under subsection (5) may be cancelled by the Commissioner at any time and for any reason.

[5/2000]

(7) A closure order shall remain in force in respect of a building or the part thereof, as the case may be, until the Commissioner has served a notice of expiry of the closure order —

(a) where the closure order relates to the building, on the owner of the building; or

(b) where the closure order relates to a part of the building, on the occupier of that part of the building.

[5/2000]

(8) A notice of expiry of a closure order shall specify the building or the part thereof to which it relates and the date upon which the closure order expires.

[5/2000]

### **Appeals to Minister**

**30C.**—(1) Any person aggrieved by —

(a) a decision of the Commissioner to disapprove any plans of fire safety works under section 23(2)(b);

- (b) a decision of the Commissioner to reject any plans of fire safety works under section 23(3);
- (c) a decision of the Commissioner to revoke any approval granted in respect of any plans of fire safety works under section 23(6);
- (d) a decision of the Commissioner to revoke any fire safety certificate or temporary fire permit under section 29(7);
- (e) an order made by the Commissioner under section 30A(1);  
or
- (f) a closure order made by the Commissioner under section 30A(4)(a),

may, before the decision or order, as the case may be, takes effect, appeal in writing to the Minister.

[5/2000]

(2) The Minister may, before making a decision to allow or dismiss an appeal, refer the matter to an Appeal Advisory Board appointed under section 28.

[5/2000]

(3) The Minister may, in making his decision, have regard to any report made to him by the Appeal Advisory Board.

[5/2000]

(4) Where an appeal is made to the Minister under this section, the decision of or the order made by the Commissioner shall, unless the Minister otherwise directs, not take effect unless —

- (a) it is confirmed by the Minister;
- (b) the appeal is for any reason dismissed by the Minister; or
- (c) the appellant withdraws the appeal.

[5/2000]

(5) The decision of the Minister on any appeal under this section shall be final.

[5/2000]

### **Application of this Part to Government buildings, etc.**

**30D.**—(1) This Part shall apply to fire safety works starting on or after the date of commencement of section 13 of the Fire Safety

(Amendment) Act 2004 and which are carried out by or on behalf of the Government in any building wholly or partly owned or occupied by the Government, but nothing in this Act shall render the Government to prosecution for an offence.

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

*[7/2004 wef 01/07/2004]*

## PART V

31. *[Deleted by Act 7/2004 wef 16/02/2005]*

32. *[Deleted by Act 7/2004 wef 16/02/2005]*

33. *[Deleted by Act 7/2004 wef 16/02/2005]*

## PART VI

### CONTROL OF PETROLEUM AND FLAMMABLE MATERIALS

#### **Interpretation of this Part**

34.—(1) In this Part and in section 61, 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 or any flammable material 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;

*[7/2004 wef 16/02/2005]*

“flammable material” means any substance specified in the Schedule;

*[7/2004 wef 16/02/2005]*

“import”, with its grammatical variations and cognate expressions, means to take or cause to be taken into Singapore by land, sea or air from any place outside Singapore, but does not include the bringing into Singapore by sea or air of any substance or product which it is proved to be intended to be taken out of Singapore on the same vessel or aircraft on which the substance or product was brought into Singapore without any landing or transshipment within Singapore;

*[7/2004 wef 16/02/2005]*

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

*[7/2004 wef 16/02/2005]*

“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;

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

*[7/2004 wef 16/02/2005]*

“transport”, in relation to any class of petroleum or any flammable material, means the carriage of such petroleum

or flammable material by any vehicle on land from one place in Singapore to another place, whether within or outside Singapore, and includes —

- (a) the packing, loading and unloading of the goods, and the transfer of the goods to or from a vehicle;
- (b) the marking of packages and unit loads containing petroleum or flammable material for transport, and placarding containers and vehicles in which such petroleum or flammable material are transported; and
- (c) any other matters incidental to their transport.

*[7/2004 wef 16/02/2005]*

*[7/2004 wef 16/02/2005]*

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

- (a) by his marking packages and unit loads containing such petroleum or flammable material for transport, and placarding containers and any vehicles in which such petroleum or flammable material are transported;
- (b) by his consigning such petroleum or flammable material for transport;
- (c) by his loading such petroleum or flammable material into or onto a vehicle, or into a tank container or container that is to be put on a vehicle, for transport or unloading any class of petroleum or any flammable material that has been transported;
- (d) by his marshalling vehicles and separating such petroleum or flammable material;
- (e) by his undertaking, or being responsible for, otherwise than as an employee or subcontractor, the transport of such petroleum or flammable material;
- (f) by his providing emergency information in relation to the transport of such petroleum or flammable material;

- (g) by his driving a vehicle carrying such petroleum or flammable material;
- (h) by being the consignee of such petroleum or flammable material that are to be transported; or
- (i) by being involved as a director, secretary or manager of a body corporate, or other person who takes part in the management of a body corporate, that takes part in an activity referred to above.

[7/2004 wef 16/02/2005]

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

[7/2004 wef 16/02/2005]

### **Storage of petroleum and flammable materials**

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

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

[7/2004 wef 16/02/2005]

### **Import of petroleum and flammable materials**

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

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



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

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

*[7/2004 wef 16/02/2005]*

### **Transport of petroleum and flammable material**

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

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

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

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

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

- (a) the regulations require the vehicle to be licensed to transport such petroleum or flammable material and the vehicle is not licensed by the Commissioner to carry such petroleum or flammable material; and
- (b) the regulations require the person to hold a permit from the Commissioner to drive a vehicle carrying such petroleum

or flammable material and the person does not hold such a valid permit.

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

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

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

*[7/2004 wef 16/02/2005]*

### **Dispensing of petroleum and flammable material**

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

*[7/2004 wef 16/02/2005]*

(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.

### **Offences**

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

*[7/2004 wef 16/02/2005]*

### **Powers of Commissioner**

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

- (a) waive or modify, subject to such terms and conditions as he thinks fit, any of the requirements of any licence or permit issued under this Part or any regulations made thereunder;  
*[7/2004 wef 16/02/2005]*
- (b) stop and examine any vehicle when he has reason to believe that any class of petroleum or any flammable material is being transported in the vehicle in contravention of this Act or any regulations made thereunder;  
*[7/2004 wef 16/02/2005]*
- (c) inspect, examine and test all classes of petroleum or any flammable material stored on land and for such purposes take samples thereof;  
*[7/2004 wef 16/02/2005]*
- (d) enter any place where he has reason to believe that any class of petroleum or any flammable material is stored in contravention of this Act or any regulations made thereunder; and  
*[7/2004 wef 16/02/2005]*
- (e) seize any stock of any class of petroleum, any flammable material or equipment in respect of which he has reason to believe that an offence under this Act has been committed.  
*[7/2004 wef 16/02/2005]*

### **Grant and renewal of licence or permit**

**39.—**(1) The grant of any licence or permit under this Part shall be in the absolute discretion of the Commissioner.

*[7/2004 wef 16/02/2005]*

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

*[7/2004 wef 16/02/2005]*

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

*[7/2004 wef 16/02/2005]*

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

*[7/2004 wef 16/02/2005]*

(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 or permit granted under this Part shall be guilty of an offence.

*[7/2004 wef 16/02/2005]*

### **Cancellation of licence or permit**

**40.—**(1) If at any time it appears to the Commissioner that any premises or vehicle, in respect of which a licence or permit 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 or permit should for the public safety be cancelled, or if the person to whom the licence or permit was granted contravenes any of the conditions of the licence or permit, the Commissioner may by order cancel the licence or permit.

*[7/2004 wef 16/02/2005]*

(2) The Commissioner shall, before cancelling any licence or permit 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 or permit should not be cancelled.

*[7/2004 wef 16/02/2005]*

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

*[7/2004 wef 16/02/2005]*

(4) The person whose licence or permit 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.

*[7/2004 wef 16/02/2005]*

(5) An order of cancellation shall not take effect until the expiration of a period of 14 days after the Commissioner has informed the holder of the licence or permit in question of the order.

*[7/2004 wef 16/02/2005]*

(6) If within that period the holder of the licence or permit in question 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.

*[7/2004 wef 16/02/2005]*

**41.** *[Deleted by Act 7/2004 wef 16/02/2005]*

### **Disposal of stocks and equipment**

**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.

## 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.

### **Analyst's certificate**

**45.—**(1) A certificate purporting to be signed by an analyst employed by the Health Sciences Authority 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.

(2) In this section, “Health Sciences Authority” means the Health Sciences Authority established under the Health Sciences Authority Act 2001.

*[4/2001 wef 01/04/2001]*

### **Powers of arrest**

**46.—**(1) The Commissioner or any member of or above the rank of warrant 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 —

- (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.

*[7/2004 wef 15/04/2004]*

(2) A person arrested under this section may be detained until his name and address are correctly ascertained.

(3) No person 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.

### **Inaccuracies in documents**

**47.**—(1) 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.

(2) No proceedings taken under or by virtue of this Act or any such regulations shall be invalid for want of form.

### **Evidence**

**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.

(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**

**50.** Notwithstanding the provisions of the Criminal Procedure Code (Cap. 68), 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.



### **Compounding of offences**

**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.

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

### **Conduct of prosecutions**

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

*[15/2010 wef 02/01/2011]*

### **Exemption**

**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, vehicle or fire safety works from all or any of the provisions of this Act or any regulations made thereunder.

*[7/2004 wef 15/04/2004]*

### **Offence by body corporate**

**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 —

- (a) the offence was committed without his consent or connivance; and
- (b) 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.

### **Adoption of codes and standards**

**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 —

- (a) recommended, issued or adopted by the Singapore Productivity and Standards Board;
- (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; or
- (c) included in any document issued by any Government department or issued by the public authority constituted under any written law.

[1/96]

(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.—**(1) 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.

(2) No person shall be punished twice for the same offence.

**Protection from liability**

**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.

(2) Nothing in this Act shall 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.

(3) 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.

### **Transfer of employees to Force**

**60.** On 8th April 1994, every person who immediately before that date was serving in the Singapore Fire Service constituted under the repealed Fire Service Act (Cap. 110) 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 (Cap. 42), and his service in the Singapore Fire Service shall be deemed to be service under the Civil Defence Act.

### **Regulations**

**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:

- (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) [*Deleted by Act 7/2004 wef 16/02/2005*]
- (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 or any flammable material;  
*[7/2004 wef 16/02/2005]*
- (n) the prescribing of the quantities of any class of petroleum or any flammable material 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 or any flammable material that can be stored without a licence for residential, commercial or industrial use;  
*[7/2004 wef 16/02/2005]*
- (o) the regulation of the dispensing of any class of petroleum or any flammable material;  
*[7/2004 wef 16/02/2005]*
- (p) the regulation of the transport of any class of petroleum or any flammable material, including specifying the time during which such petroleum or flammable material can be transported and the maximum quantity of any class of petroleum or any flammable material that can be transported without a licence or permit;  
*[7/2004 wef 16/02/2005]*

- (q) the determining of the quantity of and the receptacles in which any class of petroleum or any flammable material may be carried in any vehicle;  
*[7/2004 wef 16/02/2005]*
- (r) the prescribing of the standard and specification for the construction of any premises in which any class of petroleum or any flammable material is to be stored;  
*[7/2004 wef 16/02/2005]*
- (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 any receptacle containing petroleum or flammable material to carry warning labels and to denote the class of petroleum or the flammable material contained therein;  
*[7/2004 wef 16/02/2005]*
- (v) the prescribing of fees and charges for the purposes of this Act;
- (w) the prescribing of conditions to be attached to any licence or permit, and the requirements and conditions to be observed by persons at the premises or driving any vehicle to which the licence or permit relates;  
*[7/2004 wef 16/02/2005]*
- (x) the regulation, control and licensing of persons and organisations engaged in the business of petroleum or flammable material distribution;  
*[7/2004 wef 16/02/2005]*
- (y) the prescribing of forms for licences and permits and for other purposes for use in connection with this Act;  
*[7/2004 wef 16/02/2005]*
- (z) the duties and responsibilities of registered inspectors and fire safety engineers and the manner in which those duties and responsibilities are to be discharged, including a code

of conduct and ethics for registered inspectors and fire safety engineers;

*[7/2004 wef 15/04/2004]*

- (za) the prescribing of the procedure of the Appeal Advisory Board;
- (zaa) the regulation of the proceedings of any Inquiry Committee constituted under section 6A and any Investigation Committee constituted under section 22D;  
*[7/2004 wef 15/04/2004]*
- (zab) the prescribing of the code of conduct and ethics for registered inspectors and fire safety engineers; and  
*[7/2004 wef 15/04/2004]*
- (zb) the prescribing of any matter which is required for the purposes of this Act.

*[5/2000]*

(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.

### **Transitional provisions**

**62.**—(1) Any scheme, contract, document, licence, permission or resolution prepared, made, granted or approved under the repealed Fire Service Act (Cap. 110) or the repealed section 12, 14, 17, 18 or 19 of the Petroleum Act (Cap. 229) 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.

(2) All moneys belonging to the Fire Service Welfare Fund established under section 12 of the repealed Fire Service Act shall, on 8th April 1994, be transferred to and deemed to be moneys belonging to the Civil Defence Force Fund established under section 101 of the Civil Defence Act (Cap. 42) and shall be used for the purposes stated in that section.

(3) 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 8th April 1994 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.

(4) 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.

## THE SCHEDULE

Section 34(1) and (3)

### FLAMMABLE MATERIALS

- (1) Acetal
- (2) Acetone
- (3) Acetyl chloride
- (4) Acetylene
- (5) Aldehydes
- (6) Allyl acetate
- (7) Allyl bromide
- (8) Allyl chloride
- (9) Allyl formate
- (10) Allyl iodide
- (11) Aluminum alkyl halides
- (12) Aluminum alkyl hydrides
- (13) Aluminum alkyls
- (14) Aluminum borohydride
- (15) Aluminum carbide
- (16) Aluminum ferrosilicon powder
- (17) Aluminum hydride
- (18) Aluminum powder
- (19) Amines



THE SCHEDULE — *continued*

- (20) 2-Amino-4,6-Dinitrophenol, wetted (with not less than 20 percent water by mass)
- (21) Ammonium picrate
- (22) Amyl chlorides
- (23) Amyl nitrites
- (24) Azodicarbonamide
- (25) Barium or Barium alloys
- (26) Barium azide, wetted (with not less than 50 percent water, by mass)
- (27) Benzotrifluoride
- (28) Boron trifluoride dimethyl etherate
- (29) 1-Bromobutane
- (30) Bromomethylpropane
- (31) 2-Bromopentane
- (32) Bromopropanes
- (33) 3-Bromopropyne
- (34) Bromotrifluoroethylene
- (35) Butadienes
- (36) Butanedione
- (37) Butanol
- (38) Butyl acetates
- (39) n-Butyl formate
- (40) tert-Butyl hypochlorite
- (41) Butyl nitrites
- (42) 1,2-Butylene oxide
- (43) Butyryl chloride
- (44) Calcium
- (45) Calcium carbide
- (46) Calcium dithionite (Calcium hydrosulfite)
- (47) Calcium hydride
- (48) Calcium or Calcium alloys

THE SCHEDULE — *continued*

- (49) Calcium silicide
- (50) Carbon disulfide
- (51) Cerium
- (52) Cesium (Caesium)
- (53) Chlorobutane
- (54) 2-Chloropropane
- (55) 2-Chloropropene
- (56) Chlorosilanes
- (57) Cyclobutane
- (58) Cyclopropane
- (59) Decaborane
- (60) Deuterium
- (61) 1,2-Di-(dimethylamino)ethane
- (62) Diacetone alcohol
- (63) 1,1-Dichloroethane
- (64) 1,2-Dichloroethylene
- (65) 1,2-Dichloropropane
- (66) Dichloropropene
- (67) Diethoxymethane
- (68) 3,3-Diethoxypropene
- (69) Diethyl sulfide
- (70) Diethylzinc
- (71) 2,3-Dihydropyran
- (72) 1,2-Dimethoxyethane
- (73) 1,1-Dimethoxyethane
- (74) Dimethyl carbonate
- (75) Dimethyl disulfide
- (76) Dimethyl sulfide
- (77) 2,3-Dimethylbutane

THE SCHEDULE — *continued*

- (78) Dimethylcyclohexane
- (79) Dimethyldiethoxysilane
- (80) Dimethyldioxane
- (81) 2,2-Dimethylpropane
- (82) Dimethylzinc
- (83) Dinitrophenol, wetted (with not less than 15 percent water, by mass)
- (84) Dinitrophenolates, wetted (with not less than 15 percent water, by mass)
- (85) Dinitroresorcinol, wetted (with not less than 15 percent water, by mass)
- (86) Dioxane
- (87) Dioxolane
- (88) Dipicryl sulfide
- (89) Esters
- (90) Ethane
- (91) Ethanol
- (92) Ethers
- (93) Ethyl acetate
- (94) Ethyl acrylate
- (95) Ethyl borate
- (96) Ethyl chloride
- (97) Ethyl crotonate
- (98) Ethyl formate
- (99) Ethyl isobutyrate
- (100) Ethyl methacrylate
- (101) Ethyl nitrite
- (102) Ethyl propionate
- (103) Ethylacetylene
- (104) Ethylbenzene
- (105) Ethyldichlorosilane

THE SCHEDULE — *continued*

- (106) Ethylene
- (107) 1-Ethylpiperidine
- (108) Ferrocenium
- (109) Fluorobenzene
- (110) Fluorotoluene
- (111) Furan
- (112) Hafnium powder
- (113) Hexadiene
- (114) Hexamethyleneimine
- (115) Hydrogen
- (116) 2-Iodobutane
- (117) Iodomethylpropane
- (118) Isobutyl acetate
- (119) Isobutyl formate
- (120) Isobutyryl chloride
- (121) Isoprene
- (122) Isopropanol (Isopropyl alcohol)
- (123) Isopropenyl acetate
- (124) Isopropyl acetate
- (125) Isopropyl isobutyrate
- (126) Isopropyl nitrate
- (127) Isopropyl propionate
- (128) Lead phosphite, dibasic
- (129) Lithium
- (130) Lithium alkyls
- (131) Lithium aluminum hydride
- (132) Lithium borohydride
- (133) Lithium ferrosilicon
- (134) Lithium hydride

THE SCHEDULE — *continued*

- (135) Lithium nitride
- (136) Lithium silicon
- (137) Magnesium alkyls
- (138) Magnesium diamide
- (139) Magnesium diphenyl
- (140) Magnesium hydride
- (141) Magnesium or Magnesium alloys
- (142) Magnesium silicide
- (143) Methane
- (144) Methanol
- (145) Methyl acetate
- (146) Methyl acetylene
- (147) Methyl acrylate
- (148) Methyl allyl chloride
- (149) Methyl butene
- (150) Methyl butyrate
- (151) Methyl formate
- (152) Methyl isovalerate
- (153) Methyl magnesium bromide
- (154) Methyl methacrylate monomer
- (155) Methyl propionate
- (156) Methylal
- (157) 3-Methylbutan-2-one
- (158) Methylchlorosilane
- (159) 2-Methylfuran
- (160) n-methylmorpholine
- (161) Methylpentadiene
- (162) 1-Methylpiperidine
- (163) Methyltetrahydrofuran

THE SCHEDULE — *continued*

- (164) Nitriles
- (165) Nitrocellulose, wetted (with not less than 25 percent water, by mass)
- (166) Nitroguanidine, wetted (with not less than 20 percent water, by mass)
- (167) Nitromethane
- (168) p-Nitrosodimethylaniline
- (169) Nitrostarch, wetted (with not less than 20 percent water, by mass)
- (170) Pentaborane
- (171) Pentanol
- (172) Phosphorus heptasulfide
- (173) Phosphorus pentasulfide
- (174) Phosphorus sesquisulfide
- (175) Phosphorus trisulfide
- (176) Phosphorus
- (177) Potassium or Potassium alloys
- (178) Potassium borohydride
- (179) Potassium dithionite (Potassium hydrosulfite)
- (180) Potassium sodium alloys
- (181) Potassium sulfide
- (182) Propadiene
- (183) Propanethiol
- (184) n-Propanol
- (185) Propionyl chloride
- (186) n-Propyl acetate
- (187) Propyl chloride
- (188) Propyl formates
- (189) n-Propyl nitrate
- (190) Propylene oxide
- (191) Propyleneimine
- (192) Pyridine

THE SCHEDULE — *continued*

- (193) Pyrrolidine
- (194) Rubidium
- (195) Silane
- (196) Silver picrate
- (197) Sodium
- (198) Sodium aluminum hydride
- (199) Sodium borohydride
- (200) Sodium dinitro-o-cresolate, wetted (with not less than 15 percent water, by mass)
- (201) Sodium dithionite (Sodium hydrosulfite)
- (202) Sodium hydride
- (203) Sodium hydrosulfide
- (204) Sodium methylate
- (205) Sodium picramate, wetted (with not less than 20 percent water, by mass)
- (206) Sodium sulfide
- (207) Strontium
- (208) Tetrahydrofuran
- (209) 1,2,3,6-Tetrahydropyridine
- (210) Tetrahydrothiophene
- (211) Tetramethylsilane
- (212) Thioacetic acid
- (213) Thiophene
- (214) Thiourea dioxide
- (215) Titanium hydride
- (216) Titanium powder
- (217) Titanium trichloride
- (218) Tributylphosphane
- (219) Triisopropyl borate
- (220) Trimethyl borate

THE SCHEDULE — *continued*

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

[7/2004 wef 16/02/2005]



## LEGISLATIVE HISTORY

### FIRE SAFETY ACT (CHAPTER 109A)

This Legislative History is provided for the convenience of users of the Fire Safety Act. It is not part of this Act.

#### **1. 1994 Revised Edition — Fire Safety Act**

Date of operation : 15 March 1994

#### **2. Act 1 of 1996 — Singapore Productivity and Standards Board Act 1995**

Date of First Reading : 1 November 1995  
(Bill No. 39/1995 published on  
2 November 1995)

Date of Second and Third Readings : 5 December 1995

Date of commencement : 1 April 1996

#### **3. Act 5 of 2000 — Fire Safety (Amendment) Act 1999**

Date of First Reading : 24 November 1999  
(Bill No. 43/1999 published on  
25 November 1999)

Date of Second and Third Readings : 17 January 2000

Date of commencement : 1 April 2000

#### **4. G. N. No. S 449/2000 — Fire Safety Act (Amendment of First Schedule) Notification 2000**

Date of commencement : 15 October 2000

#### **5. 2000 Revised Edition — Fire Safety Act**

Date of operation : 30 December 2000

#### **6. Act 4 of 2001 — Health Sciences Authority Act 2001**

Date of First Reading : 12 January 2001  
(Bill No. 2/2001 published on  
13 January 2001)

Date of Second and Third Readings : 22 February 2001

Date of commencement : 1 April 2001

**7. Act 7 of 2004 — Fire Safety (Amendment) Act 2004**

Date of First Reading : 5 January 2004  
(Bill No. 4/2004 published on  
6 January 2004)

Date of Second and Third Readings : 6 February 2004

Date of commencement : 15 April 2004

**8. Act 7 of 2004 — Fire Safety (Amendment) Act 2004**

Date of First Reading : 5 January 2004  
(Bill No. 4/2004 published on  
6 January 2004)

Date of Second and Third Readings : 6 February 2004

Date of commencement : 1 July 2004

**9. Act 7 of 2004 — Fire Safety (Amendment) Act 2004**

Date of First Reading : 5 January 2004  
(Bill No. 4/2004 published on  
6 January 2004)

Date of Second and Third Readings : 6 February 2004

Date of commencement : 10 September 2004

**10. Act 7 of 2004 — Fire Safety (Amendment) Act 2004**

Date of First Reading : 5 January 2004  
(Bill No. 4/2004 published on  
6 January 2004)

Date of Second and Third Readings : 6 February 2004

Date of commencement : 16 February 2005

**11. Act 47 of 2004 — Building Maintenance and Strata Management Act 2004**

Date of First Reading : 6 February 2004  
(Bill No. 6/2004 published on  
7 February 2004)

Date of Second and Third Readings : 19 October 2004

Date of commencement : 1 April 2005

**12. Act 15 of 2010 — Criminal Procedure Code 2010**

Date of First Reading	:	26 April 2010 (Bill No. 11/2010 published on 26 April 2010)
Date of Second and Third Readings	:	19 May 2010
Date of commencement	:	2 January 2011

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

The following provisions in the 1993 Revised Edition of the Fire Safety Act have been renumbered by the Law Revision Commissioners in this 2000 Revised Edition.

This Comparative Table is provided for the convenience of users. It is not part of the Fire Safety Act.

<b>2000 Ed.</b>	<b>1993 Ed.</b>
<b>5A</b> — (1)	<b>5</b> — (6)
(2)	(6A)
(3)	(6B)
(4)	(7)
(5)	(8)
(6)	(8A)
(7)	(8B)
(8)	(8C)
(9)	(8D)
(10)	(8E)
(11)	(8F)
(12)	(9)
<b>7</b> — (1) and (2)	<b>7</b>
<b>13</b> — (1) and (2)	<b>13</b> — (1)
(3)	(2)
(4)	(3)
<b>14</b> — (1) and (2)	<b>14</b>
<b>17</b> — (3) and (4)	<b>17</b> — (3)
(5)	(4)
(6)	(5)
(7)	Proviso to (5)

<b>25</b> — (7)	Proviso to <b>25</b> — (6)
(8)	<b>25</b> — (7)
<b>28</b> — (4) and (5)	<b>28</b> — (4)
(6)	(5)
<b>29</b> — (5)	<b>29</b> — (4A)
(6)	(4B)
(7)	(4C)
(8)	(4D)
(9)	(4E)
(10)	(4F)
(11)	(4G)
(12)	(5)
<b>46</b> — (2) and (3)	<b>46</b> — (2)
<b>47</b> — (1) and (2)	<b>47</b>
<b>58</b> — (1) and (2)	<b>58</b>
<b>59</b> — (1) and (2)	<b>59</b> — (1)
(3)	(2)
<i>Deleted</i>	<b>62</b> — (1) and (2)
<b>62</b> — (1)	(3)
(2)	(4)
(3)	(5)
<i>Deleted</i>	(6)
(4)	(7)