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COMMON SERVICES TUNNELS ACT 2018 (ACT 17 OF 2018)

COMMON SERVICES TUNNELS (APPEALS) REGULATIONS 2021

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In exercise of the powers conferred by section 25 of the Common Services Tunnels Act 2018, the Minister for National Development makes the following Regulations:

Citation and commencement

1. These Regulations are the Common Services Tunnels (Appeals) Regulations 2021 and come into operation on 7 January 2021.

Definitions

2. In these Regulations —

“Minister” includes a person designated by the Minister under section 21(1) of the Act;

“Permanent Secretary” means the Permanent Secretary, Ministry of National Development;

“working day” means any day other than a Saturday, Sunday or public holiday.

Notice of appeal

3.—(1) An appeal to the Minister under section 20 of the Act must be made by filing with the Permanent Secretary a notice of appeal that complies with paragraph (2).

(2) Every notice of appeal —

(a) must state —

- (i) the name and address of the appellant;
- (ii) the name and address of the appellant’s authorised representative or legal representative, if any; and
- (iii) an address in Singapore or an email address for the service of documents on the appellant;

(b) must contain —

- (i) a concise statement of the circumstances under which the appeal arises, the facts and the issues in the appeal;
- (ii) a summary of the grounds of the appeal;
- (iii) a succinct presentation of the appellant’s arguments of fact or law supporting each ground of appeal; and
- (iv) the relief or directions (if any) sought by the appellant;

(c) must be signed and dated by the appellant, or on the appellant’s behalf by the appellant’s authorised representative or legal representative; and

(d) must enclose a copy of —

- (i) the document specified in paragraph (3); and

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- (ii) any other document supporting the grounds of the appeal and arguments of fact or law, including all correspondence between the appellant and the authorised officer whose decision or order is being appealed against.
- (3) The document mentioned in paragraph (2)(d)(i) is —
- (a) in the case of a refusal by an authorised officer to give written approval under section 10(1), 12(1) or 13(1) of the Act, or the imposition of any condition of written approval under section 12(2) or 13(3) of the Act — the authorised officer’s decision; or
 - (b) in the case of an order made by an authorised officer under section 10(2), 11(2) or 12(5) of the Act — the authorised officer’s order.

Service of notice of appeal on authorised officer

4.—(1) The appellant must serve a copy of the notice of appeal mentioned in regulation 3 on the authorised officer against whose decision or order the appellant is appealing.

(2) After complying with paragraph (1), the appellant must, by written notice, inform the Permanent Secretary of the date on which the appellant served the notice of appeal on the authorised officer.

Authorised officer’s response

5.—(1) The authorised officer whose decision or order is being appealed against must file with the Permanent Secretary the authorised officer’s response to the appellant’s notice of appeal within 21 days after being served with a copy of the notice of appeal under regulation 4(1).

- (2) The authorised officer’s response —
- (a) must state —
 - (i) the name of the authorised officer; and
 - (ii) an address in Singapore or an email address for the service of documents on the authorised officer;

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- (b) must contain a succinct presentation of the authorised officer's arguments of fact or law on which he or she is relying in responding to each ground of appeal; and
- (c) must be signed and dated by the authorised officer.

Service of response on appellant

6.—(1) The authorised officer must, within 3 working days after filing his or her response with the Permanent Secretary under regulation 5(1), serve a copy of the response on the appellant.

(2) After complying with paragraph (1), the authorised officer must, by written notice, inform the Permanent Secretary of the date on which the authorised officer served his or her response on the appellant.

Minister may request for other documents or information

7. The Minister may, by written notice, require the appellant or authorised officer to provide, within the period specified in the notice, any other document or information to enable the Minister to decide the appeal.

Extension of time

8.—(1) The Minister may extend the time for doing anything or for anything required to be done under these Regulations.

(2) The Minister may grant an extension under paragraph (1) even if the time delimited for doing that thing has expired.

Minister's decision to be notified

9. The Permanent Secretary must notify the appellant and authorised officer of the Minister's decision in respect of the appeal.

Time

10. Where the time specified by the Minister or these Regulations for doing any act expires on a Saturday, Sunday or public holiday, the act is in time if done on the next following working day.

Made on 1 January 2021.

OW FOONG PHENG
Permanent Secretary,
Ministry of National Development,
Singapore.

[SPD/UG/CST/CST Act 2018; AG/LEGIS/SL/48B/2015/5 Vol. 1]