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FIRE SAFETY ACT (CHAPTER 109A)

FIRE SAFETY (FIRE SAFETY MANAGERS) (AMENDMENT) REGULATIONS 2020

In exercise of the powers conferred by section 61 of the Fire Safety Act, the Minister for Home Affairs makes the following Regulations:

Citation and commencement

1. These Regulations are the Fire Safety (Fire Safety Managers) (Amendment) Regulations 2020 and come into operation on 14 September 2020.

Amendment of regulation 2

2. Regulation 2 of the Fire Safety (Fire Safety Managers) Regulations (Rg 3) (called in these Regulations the principal Regulations) is amended by deleting the definitions of “specified complex premises”, “specified non-complex premises” and “specified premises” and substituting the following definitions:

““specified complex premises” means any specified premises —

(a) that has an occupant load of 5,000 persons or more and —

- (i) that is of 31 storeys or more (including any basement) in height;
- (ii) that has a gross floor area of 50,000 square metres or more; or
- (iii) that has a basement storey with a gross floor area of 10,000 square metres or more; or

(b) in respect of which fire safety works are carried out according to a plan using an alternative solution that the Commissioner may reasonably determine to be complex;

“specified non-complex premises” means any specified premises that are not specified complex premises;

“specified premises” means any premises specified in Part 2 of the Schedule to the Fire Safety (Premises Requiring Fire Safety Manager and Company Emergency Response Team) Notification 2020 (G.N. No. S 768/2020);”.

Amendment of regulation 3

3. Regulation 3 of the principal Regulations is amended —

(a) by deleting paragraph (a) and substituting the following paragraphs:

“(a) where the specified premises are specified complex premises, appoint a fire safety manager certified under regulation 10(5A) for the premises within 90 days after the date the premises become specified complex premises;

(aa) where the specified premises are specified non-complex premises, appoint a fire safety manager certified under regulation 10(5) or (5A) for the premises within 90 days after the date the premises become specified non-complex premises;”;

(b) by deleting the words “14 days of the termination of appointment of his fire safety manager” in paragraph (f) and substituting the words “14 days after the termination of appointment of the fire safety manager, or the revocation or suspension of the certification of the fire safety manager under regulation 14,”;

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- (c) by deleting the words “14 days of” in paragraph (g) and substituting the words “14 days after”; and
 - (d) by deleting the words “in writing of such fact” in paragraph (g) and substituting the words “of that fact through the website at <https://eservices1.scdf.gov.sg/fsm/efsm/index.do>”.

Amendment of regulation 5

4. Regulation 5 of the principal Regulations is amended by inserting, immediately after the words “regulation 3(a)”, the words “or (aa)”.

Amendment of regulation 8

5. Regulation 8 of the principal Regulations is amended —

- (a) by inserting, immediately after the word “report” in paragraph (1), the words “containing the particulars set out in paragraph (2) and”;
- (b) by deleting the words “Without prejudice to paragraph (1), the report referred to in paragraph (1) shall contain the following particulars:” in paragraph (2) and substituting the words “The particulars mentioned in paragraph (1) are —”;
- (c) by inserting the word “and” at the end of paragraph (2)(h);
- (d) by deleting the semi-colon at the end of paragraph (2)(ha) and substituting a full-stop; and
- (e) by deleting sub-paragraph (i) of paragraph (2).

Amendment of regulation 10

6. Regulation 10 of the principal Regulations is amended —

- (a) by deleting the words “regulation 11(1)” in paragraph (6) and substituting the words “regulation 11(3)”; and
- (b) by deleting paragraph (8).

Amendment of regulation 11

7. Regulation 11 of the principal Regulations is amended —
- (a) by deleting paragraph (1);
 - (b) by deleting paragraph (3) and substituting the following paragraph:
 - “(3) The Commissioner must specify —
 - (a) the minimum number of points a fire safety manager must obtain for each training cycle for the purposes of regulation 10(6); and
 - (b) the number of points that may be obtained for successfully completing an approved course under the Programme.”; and
 - (c) by deleting the words “paragraph (1)” in paragraph (6)(a) and substituting the words “paragraph (3)(a)”.

Amendment of regulation 12

8. Regulation 12 of the principal Regulations is amended by inserting, immediately after paragraph (2), the following paragraph:
- “(3) A fire safety manager mentioned in paragraph (1) must attend the course of instruction or training required, and within the time specified, by the Commissioner.”.

Deletion and substitution of regulation 14

9. Regulation 14 of the principal Regulations is deleted and the following regulation substituted therefor:

“Suspension or revocation of certification

- 14.—(1) The Commissioner may, at any time, suspend for a period not exceeding 12 months, or revoke, the certification of any fire safety manager under regulation 10(5) or (5A) if —
- (a) during the training cycle for which the fire safety manager is certified, the fire safety manager is under

investigation for, or has been charged with or convicted of —

- (i) an offence under the Act or any regulations made under the Act; or
 - (ii) an offence involving dishonesty or moral turpitude, whether in Singapore or elsewhere;
- (b) during the training cycle for which the fire safety manager is certified, the Commissioner compounds an offence under the Act committed by the fire safety manager;
- (c) the fire safety manager had submitted an application under regulation 10(3) that contains a statement or information that is untrue, or misleading (including as a result of any omission), in any material particular; or
- (d) the fire safety manager fails to make up for the shortfall in the requisite minimum number of points within such time as may be specified by the Commissioner under regulation 10(7).

(2) Any decision of the Commissioner under paragraph (1) in relation to a fire safety manager does not take effect until the 15th day after the date the fire safety manager is notified of the Commissioner’s decision.”.

Deletion of regulation 15 and new regulations 15 and 16

10. Regulation 15 of the principal Regulations is deleted and the following regulations substituted therefor:

“Appeal to Minister

15. Any person who is aggrieved by the Commissioner’s decision to —

- (a) reject the person’s application for certification under regulation 10(3); or

(b) suspend or revoke the person's certification under regulation 14,

may appeal to the Minister within 14 days after being notified of the Commissioner's decision.

Offences

16. Any person who, without reasonable excuse, contravenes regulation 3, 5, 6, 7, 8(1) or (3), 9, 10(1), 12(3) or 13 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.”.

Transitional provision

11.—(1) For the purposes of regulation 3(a) and (aa) of the principal Regulations as in force on 14 September 2020, despite the Fire Safety (Premises Requiring Fire Safety Manager and Company Emergency Response Team) Notification 2020 (G.N. No. S 768/2020) as in force on 14 September 2020, the date that any premises specified in paragraph (2) become specified complex premises or specified non-complex premises (as the case may be) is taken to be 13 June 2021.

(2) The premises to which paragraph (1) applies are any specified premises —

(a) in respect of which a certificate of statutory completion or temporary occupation permit is issued before 14 September 2020; and

(b) that are not designated under the cancelled Fire Safety (Premises Requiring Fire Safety Manager and Company Emergency Response Team) Notification 2013 (G.N. No. S 537/2013) as in force immediately before 14 September 2020.

(3) In this regulation, “certificate of statutory completion” and “temporary occupation permit” have the meanings given by section 2(1) of the Building Control Act (Cap. 29).

Made on 24 August 2020.

PANG KIN KEONG
*Permanent Secretary,
Ministry of Home Affairs,
Singapore.*

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