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ENVIRONMENTAL PROTECTION
AND MANAGEMENT ACT 1999

ENVIRONMENTAL PROTECTION
AND MANAGEMENT (REGISTERED GHG ENTITIES AND
COMPETENT PERSONS) REGULATIONS 2022

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In exercise of the powers conferred by section 77 of the Environmental Protection and Management Act 1999, the National Environment Agency, with the approval of the Minister for Sustainability and the Environment, makes the following Regulations:

PART 1

PRELIMINARY

Citation and commencement

1. These Regulations are the Environmental Protection and Management (Registered GHG Entities and Competent Persons) Regulations 2022 and come into operation on 1 October 2022.

Definitions

2. In these Regulations, unless the context otherwise requires —

“charging”, “decommissioning”, “maintenance”, “refrigerant”, “specified goods” and “specified water-cooled chiller” have the meanings given by paragraph 2 of the Environmental Protection and Management (Regulated GHG Works) Order 2022 (G.N. No. S 771/2022);

“full-load cooling capacity” has the meaning given by regulation 2 of the Environmental Protection and Management (Regulated Goods and Registered Suppliers) Regulations 2022 (G.N. No. S 274/2022);

“licensed toxic industrial waste collector” means the holder of a toxic industrial waste collector’s licence mentioned in regulation 13 of the Environmental Public Health (Toxic Industrial Waste) Regulations (Rg 11);

“recover” means to extract or remove a refrigerant in any condition from any specified goods and to store the refrigerant in an external container, whether or not the refrigerant is tested or processed in any way.

PART 2

REGISTRATION OF GHG ENTITIES

Application to register as registered GHG entity

3.—(1) An application to be registered as a registered GHG entity must be made —

- (a) using the electronic application service provided by the Agency at <http://www.nea.gov.sg>; or
- (b) where there is a malfunction or failure, or an imminent malfunction or failure, of the electronic application service, in such written form as the Director-General may require.

(2) Every application mentioned in paragraph (1) must be accompanied by —

- (a) the name and details in paragraph (3) of each person whom the applicant intends to be listed as a competent person under the applicant in the register mentioned in section 40O of the Act (called in this regulation a proposed competent person);
- (b) any other documents and information that the Director-General may require to decide on the application; and
- (c) an application fee of \$500, which is not refundable.

(3) The details mentioned in paragraph (2)(a) are —

- (a) in the case where the applicant is an individual carrying on business as a sole proprietor, whether the proposed competent person is the applicant;
- (b) in the case where the applicant is an unincorporated partnership, whether the proposed competent person is a partner in the partnership;
- (c) whether the proposed competent person is an employee of the applicant; and

- (d) a description of how the proposed competent person satisfies the requirements to be a competent person, as published and updated from time to time on the Agency's official website.

(4) Upon the registration of any person as a registered GHG entity, the Director-General must issue an identification number to the registered GHG entity in such form as the Director-General may determine.

Application to withdraw registration

4.—(1) An application by a registered GHG entity to withdraw its registration must be made —

- (a) using the electronic application service provided by the Agency at <http://www.nea.gov.sg>; or
- (b) where there is a malfunction or failure, or an imminent malfunction or failure, of the electronic application service, in such written form as the Director-General may require.

(2) The Director-General may, in any particular case, require any information provided in the application mentioned in paragraph (1) to be verified in any manner that the Director-General considers fit.

PART 3

OBLIGATIONS OF REGISTERED GHG ENTITIES AND COMPETENT PERSONS

Notice of particulars of cessation

5.—(1) For the purposes of section 40O(2) of the Act, the prescribed period is 30 days after the date of the event mentioned in that provision.

(2) A registered GHG entity must inform the Director-General of any individual listed under the registered GHG entity as a competent person in the register mentioned in section 40O of the Act who falls within section 40O(2)(a) or (b) of the Act —

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- (a) using the electronic application service provided by the Agency at <http://www.nea.gov.sg>; or
 - (b) where there is a malfunction or failure, or an imminent malfunction or failure, of the electronic application service, in such written form as the Director-General may require.

Number of competent persons prescribed for regulated GHG works

6. For the purposes of section 40P(1)(a)(i) and (ii) of the Act, the prescribed number of competent persons for any regulated GHG works mentioned in the first column of the Schedule, is the number mentioned in the second column of that Schedule opposite those regulated GHG works.

Manner of carrying out regulated GHG works

7. For the purposes of sections 40P(1)(b) and 40Q(1)(b) of the Act, a registered GHG entity and a competent person must ensure that regulated GHG works are carried out in the following manner:

- (a) the regulated GHG works carried out on any specified goods must be carried out in a manner that does not involve or cause the release of any refrigerant into the atmosphere from the specified goods;
- (b) where the regulated GHG works involve the charging or maintenance of any specified goods, the specified goods must be inspected for any refrigerant leaks, and all refrigerant leaks found must be repaired;
- (c) where the regulated GHG works involve the decommissioning of any specified goods, all refrigerants contained in the specified goods must be recovered from the specified goods;
- (d) any refrigerant recovered in carrying out of any regulated GHG works that is not charged back into the specified goods must be sent to a licensed toxic industrial waste collector for storage, reprocessing, usage, treatment or disposal.

Records to be kept by registered GHG entities

- 8.—(1) For the purposes of section 40P(1)(d) of the Act —
- (a) a registered GHG entity must keep and maintain complete and accurate records containing the following information for any regulated GHG works the registered GHG entity carries out:
 - (i) the date and time the regulated GHG works are carried out;
 - (ii) the address at which the regulated GHG works are carried out;
 - (iii) the name, telephone number and email address of the person (*A*) who engages the registered GHG entity to carry out the regulated GHG works, and the name of the contact person of *A*;
 - (iv) the name of every competent person who carries out the regulated GHG works or directly supervises the carrying out of the regulated GHG works;
 - (v) the brand and model of the specified goods the regulated GHG works are carried out on;
 - (vi) every refrigerant used or handled in connection with the regulated GHG works;
 - (vii) the full-load cooling capacity of the specified goods that the regulated GHG works are carried out on;
 - (viii) the total refrigerant charge of the specified goods that the regulated GHG works are carried out on;
 - (ix) in the case of regulated GHG works that involve the charging of specified goods, the quantity of refrigerant charged into the specified goods;
 - (x) in the case of regulated GHG works that involve the maintenance of specified goods —
 - (A) a description of all activities carried out involving the use or handling of a refrigerant;

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- (B) the quantity of refrigerant recovered and charged back into the specified goods;
 - (C) the quantity of refrigerant (not being refrigerant mentioned in sub-paragraph (B)) charged into the specified goods;
 - (D) the quantity of refrigerant that is recovered and sent to a licensed toxic industrial waste collector for storage, reprocessing, usage, treatment or disposal; and
 - (E) details of all documents mentioned in paragraph (2) received from a licensed toxic industrial waste collector, including —
 - (EA) the date of issue and serial number of the document, if any; and
 - (EB) the name of the person who engaged the licensed toxic industrial waste collector;
- (xi) in the case of regulated GHG works that involve the decommissioning of specified goods —
- (A) the quantity of refrigerant that is recovered and sent to a licensed toxic industrial waste collector for storage, reprocessing, usage, treatment or disposal; and
 - (B) details of all documents mentioned in paragraph (2) received from a licensed toxic industrial waste collector, including —
 - (BA) the date of issue and serial number of the document, if any; and
 - (BB) the name of the person who engaged the licensed toxic industrial waste collector; and
- (b) the prescribed period for which each record must be kept is 5 years after the date of creation of the record.

(2) Where a registered GHG entity sends any refrigerant it has recovered in carrying out any regulated GHG works to a licensed toxic industrial waste collector for storage, reprocessing, usage, treatment or disposal, the registered GHG entity must request the licensed toxic industrial waste collector to provide a document evidencing all of the following:

- (a) the name of the licensed toxic industrial waste collector;
- (b) the name of the person who engaged the licensed toxic industrial waste collector;
- (c) the date on which the licensed toxic industrial waste collector received the refrigerant from the registered GHG entity;
- (d) the address at which the licensed toxic industrial waste collector received the refrigerant from the registered GHG entity;
- (e) the amount and type of refrigerant that was received by the licensed toxic industrial waste collector.

(3) The registered GHG entity must keep any document mentioned in paragraph (2) that it receives for such time as it keeps and maintains records for that document under paragraph (1)(a)(x)(E) or (xi)(B), as the case may be.

(4) Where a registered GHG entity is engaged to carry out any works involving the final shut-down and removal from operation or usage of any specified goods or any part of any specified goods (including any gas carrying conductor or circuit) that contains or is designed to contain any greenhouse gas, and before or during the performance of the works, it is found that the specified goods or part do not contain any refrigerant, the registered GHG entity must keep and maintain complete and accurate records containing the following information concerning the works:

- (a) the date and time the works were carried out;
- (b) the address at which the works were carried out;

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- (c) the name, telephone number and email address of the person (*A*) who engaged the registered GHG entity to carry out the works, and the name of the contact person of *A*;
 - (d) the name of every competent person who carried out the works or directly supervised the carrying out of the works;
 - (e) the brand and model of the specified goods or part that the works were carried out on;
 - (f) the full-load cooling capacity of the specified goods or part that the works were carried out on;
 - (g) the total refrigerant charge of the specified goods or part that the works were carried out on;
 - (h) the fact that there was no refrigerant contained in the specified goods or part.
- (5) The registered GHG entity must keep each record mentioned in paragraph (4) for 5 years after the date of creation of the record.

THE SCHEDULE

Regulation 6

PRESCRIBED NUMBER OF COMPETENT PERSONS

<i>First column</i>	<i>Second column</i>
<i>Regulated GHG works</i>	<i>Prescribed number of competent persons</i>
1. Any charging, decommissioning or maintenance of any specified water-cooled chiller	1

Made on 28 September 2022.

LEE CHUAN SENG
Chairperson,
National Environment Agency,
Singapore.

[NEA/LD/40 V.2; AG/LEGIS/SL/94A/2020/12 Vol. 1]

(To be presented to Parliament under section 77(3) of the Environmental Protection and Management Act 1999).