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CONSUMER PROTECTION (TRADE DESCRIPTIONS AND SAFETY REQUIREMENTS) ACT (CHAPTER 53)

CONSUMER PROTECTION (CONSUMER GOODS SAFETY REQUIREMENTS) REGULATIONS 2011

ARRANGEMENT OF REGULATIONS

Regulation

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In exercise of the powers conferred by section 11 of the Consumer Protection (Trade Descriptions and Safety Requirements) Act, the Minister for Trade and Industry hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Consumer Protection (Consumer Goods Safety Requirements) Regulations 2011 and shall come into operation on 1st April 2011.

Definitions

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

“Category 1 goods” means any consumer goods for which safety standards have been formulated or adopted and published by any of the following:

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- (a) the International Organisation for Standardisation (ISO);
 - (b) the International Electrotechnical Commission (IEC);
 - (c) the European Committee for Standardisation; or
 - (d) ASTM International;

“Category 2 goods” means any consumer goods other than Category 1 goods;

“consumer goods” means any goods which are ordinarily supplied for private use or consumption, not being any goods set out in the Schedule, and includes the packaging in which the goods are supplied;

“publish” means made available to the public, whether in Singapore or elsewhere;

“Safety Authority” means the Enterprise Singapore Board established by section 3 of the Enterprise Singapore Board Act 2018 (Act 10 of 2018);

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“specific safety requirement” means a specific requirement pertaining to any consumer goods for the purpose of protecting the safety of consumers.

(2) For the purposes of these Regulations, references to safety standards shall not include any provision of such standards that is inappropriate for application in Singapore for any of the following reasons:

- (a) in the case of product standards for electrical goods, the provision relates to the operation of such goods on mains voltage other than 230V ac single phase or 400V ac three phase;
- (b) in the case of product standards for gas products, the provision relates to the specifications of town gas or liquefied petroleum gas (LPG) which are not available in Singapore;

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- (c) the provision presumes a working language other than English;
 - (d) the provision fails to take into account the tropical climate of Singapore;
 - (e) the provision relates to the imposition of any requirement pertaining to consumer goods that is not a specific safety requirement; or
 - (f) any other reason approved by the Safety Authority.

Requirements in case of non-compliance with safety standards

3.—(1) If any consumer goods do not conform to the requirements of regulation 4, the Safety Authority may do any or all of the following:

- (a) issue a public notice declaring such goods to be unsafe;
- (b) direct any person who has, in the course of trade or business, supplied such goods in Singapore on or after 1st April 2011 to take such steps as may be necessary to —
 - (i) control or cease the supply by that person of such goods in Singapore; and
 - (ii) inform users of such goods supplied by that person of the potential danger of the goods.

(2) A public notice referred to in paragraph (1)(a) shall be issued by publishing it in at least 4 daily newspapers circulating in Singapore, one each published in the English, Malay, Chinese and Tamil languages.

(3) Any person who —

- (a) on or after the day following the issue of a public notice declaring any consumer goods to be unsafe pursuant to paragraph (1)(a), supplies such goods in Singapore in the course of trade or business; or
- (b) fails to comply with a direction under paragraph (1)(b),

shall be guilty of an offence and shall be liable on conviction —

- (i) to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 12 months or to both; and
- (ii) in the case of a second or subsequent offence, to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 2 years or to both.

Safety standards

4. For the purposes of regulation 3, the requirements shall be as follows:

- (a) Category 1 goods shall conform to —
 - (i) safety standards for such goods formulated or adopted and published by —
 - (A) ISO and IEC, respectively;
 - (B) the European Committee for Standardisation;
or
 - (C) ASTM International; and
 - (ii) the safety standards and requirements for such goods specified by the Safety Authority and published in its Consumer Protection (Consumer Goods Safety Requirements) Information Booklet;
- (b) Category 2 goods shall conform to the safety standards for such goods that have been formulated or adopted and published by any regional or national standards body.

THE SCHEDULE

Regulation 2(1)

GOODS EXCLUDED FROM DEFINITION OF “CONSUMER GOODS”

1. Controlled goods within the meaning of the Consumer Protection (Safety Requirements) Regulations (Rg 1) which are not exempted from those Regulations.

THE SCHEDULE — *continued*

2. Used or second-hand goods, provided that before supplying the goods, the supplier has informed clearly the person to whom the goods are supplied that the goods are used or second-hand.
3. Goods produced solely for export, or imported solely for re-export, to any place outside Singapore.
4. Any goods which are subject to and regulated by the provisions of any of the written laws specified in the Schedule to the Act.
5. Pesticides and vector repellents, which are regulated under the Control of Vectors and Pesticides Act (Cap. 59).
6. Medicinal products which are regulated under the Medicines Act (Cap. 176).
7. Motor vehicles, motorcycle helmets and child restraints, which are regulated under the Road Traffic Act (Cap. 276).
8. Drugs which are regulated under the Sale of Drugs Act (Cap. 282).
9. Meat or fish, which are regulated under the Wholesome Meat and Fish Act (Cap. 349A).

Made this 1st day of March 2011.

OW FOONG PHENG
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Ministry of Trade and Industry,
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