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ENVIRONMENTAL PUBLIC HEALTH ACT (CHAPTER 95)

ENVIRONMENTAL PUBLIC HEALTH (SPECIFIED CONSTRUCTION SITES) REGULATIONS 2021

ARRANGEMENT OF REGULATIONS

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In exercise of the powers conferred by section 111 of the Environmental Public Health Act, the National Environment Agency, with the approval of the Minister for Sustainability and the Environment, makes the following Regulations:

Citation and commencement

1. These Regulations are the Environmental Public Health (Specified Construction Sites) Regulations 2021 and come into operation on 30 September 2021.

Definitions

2. In these Regulations, unless the context otherwise requires —
“occupier”, in relation to any specified construction site, includes, in the case where section 62(2A) of the Act applies, the developer of that specified construction site;

“site environmental control programme” —

- (a) means any site environmental control programme developed under regulation 3; and
- (b) includes the site environmental control programme as amended and updated from time to time;

“site environmental control report” means any site environmental control report prepared under regulation 3;

“specified construction site” means any construction site to which section 62 of the Act applies.

Site environmental control programme and site environmental control report

3.—(1) The Environmental Control Officer for any specified construction site must, in accordance with the applicable codes of practice and standards of performance —

- (a) develop a site environmental control programme for the specified construction site;
- (b) where the Director-General requires the site environmental control programme to be amended, amend that site environmental control programme in the manner directed by the Director-General in writing;
- (c) review and update the site environmental control programme in the manner required by the applicable codes of practice or standards of performance;
- (d) submit the developed, amended or updated (as the case may be) site environmental control programme to the occupier of the specified construction site;
- (e) prepare and submit to the occupier a site environmental control report at least once a month, or at such other longer or shorter intervals as the Director-General may require, after the commencement of the works on the specified construction site;

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- (f) monitor the implementation of the developed, amended or updated (as the case may be) site environmental control programme and of each site environmental control report;
 - (g) identify and notify the occupier of any default in the implementation of the site environmental control programme or of any site environmental control report; and
 - (h) recommend remedial measures to address any default in the implementation of the site environmental control programme or of any site environmental control report.
- (2) The occupier of any specified construction site must —
- (a) endorse and submit to the Director-General the site environmental control programme mentioned in paragraph (1)(d) —
 - (i) in the manner that the Director-General requires; and
 - (ii) within the applicable period mentioned in paragraph (3) or such longer period as the Director-General may allow in any particular case;
 - (b) implement that site environmental control programme upon endorsing it;
 - (c) endorse each site environmental control report mentioned in paragraph (1)(e);
 - (d) implement each site environmental control report upon endorsing it; and
 - (e) implement any remedial measures recommended under paragraph (1)(h).
- (3) For the purposes of paragraph (2)(a)(ii), the applicable period for any specified construction site is —
- (a) in the case of a developed site environmental control programme mentioned in paragraph (1)(a) for the specified construction site — one month after the date of commencement of the works on the specified construction site; or

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- (b) in the case of an amended or updated site environmental control programme mentioned in paragraph (1)(b) or (c) (as the case may be) for the specified construction site — 14 days after the date on which the site environmental control programme is amended or updated.
- (4) The occupier of any specified construction site must —
- (a) keep, in such form as the Director-General may require, a copy of the following documents:
- (i) the site environmental control programme for the specified construction site that is up-to-date;
 - (ii) each site environmental control report for the specified construction site;
- (b) keep and maintain, in such form and manner as the Director-General may require, and for the applicable period mentioned in paragraph (5), complete and accurate records of any step taken by the occupier for the implementation of the site environmental control programme, any site environmental control report or any remedial measures recommended under paragraph (1)(h), as the case may be; and
- (c) make available for inspection by the Director-General or any authorised officer —
- (i) the copies mentioned in sub-paragraph (a), when so requested by the Director-General or any authorised officer; and
 - (ii) the records mentioned in sub-paragraph (b), during the applicable period mentioned in paragraph (5), when so requested by the Director-General or any authorised officer.

(5) For the purposes of paragraph (4)(b) and (c), the applicable period, in relation to records of any step taken by the occupier of the specified construction site for the implementation of the site environmental control programme, any site environmental control report or any remedial measures recommended under paragraph (1)(h) (as the case may be), is 12 months after the date of the taking of that step.

(6) A person that contravenes paragraph (2)(a), (b), (c), (d) or (e) or (4)(a), (b) or (c) shall be guilty of an offence and shall be liable on conviction —

- (a) for a first offence, to a fine not exceeding \$5,000; and
- (b) for a second or subsequent offence, to a fine not exceeding \$10,000.

(7) In this regulation —

“implement”, in relation to a site environmental control programme, a site environmental control report or remedial measures, includes the carrying out of activities and measures specified in the site environmental control programme, site environmental control report or remedial measures (as the case may be), and “implementation” is to be construed accordingly;

“works”, in relation to a specified construction site, means —

- (a) the erection, construction, alteration, repair or maintenance of buildings, structures or roads;
- (b) the breaking up or opening of, or boring under, any road or adjacent land in connection with the construction, inspection, maintenance or removal of works;
- (c) demolition or dredging works; or
- (d) any other work of engineering construction.

Replacement of Environmental Control Officer

4.—(1) If the appointment of the Environmental Control Officer for any specified construction site is terminated, or the registration of the Environmental Control Officer for any specified construction site is suspended or cancelled under section 61A(3) of the Act, the occupier of the specified construction site must, within the applicable period mentioned in paragraph (2), or such longer period as the Director-General may allow in any particular case —

- (a) appoint another registered Environmental Control Officer (who is authorised under his or her registration to act for specified construction sites) as the new Environmental Control Officer for the specified construction site; and
- (b) endorse and submit to the Director-General, in accordance with regulation 3(2), the site environmental control programme for the specified construction site that is updated with the particulars of the new registered Environmental Control Officer appointed under sub-paragraph (a).

(2) For the purposes of paragraph (1), the applicable period for any specified construction site is —

- (a) where the appointment of the Environmental Control Officer for the specified construction site is terminated — 14 days after the termination of the appointment; or
- (b) where the registration of the Environmental Control Officer for the specified construction site is suspended or cancelled under section 61A(3) of the Act — 14 days after the suspension or cancellation (as the case may be) of the registration.

(3) A person that contravenes paragraph (1)(a) or (b) shall be guilty of an offence and shall be liable on conviction —

- (a) for a first offence, to a fine not exceeding \$5,000; and
- (b) for a second or subsequent offence, to a fine not exceeding \$10,000.

Other duties of occupier of specified construction site

- 5.—(1) The occupier of any specified construction site must —
- (a) provide the Environmental Control Officer for the specified construction site with the facilities, equipment and information that are necessary to enable the Environmental Control Officer to discharge his or her duties effectively;
 - (b) permit the Environmental Control Officer for the specified construction site to attend the meetings and training courses relating to the work of the Environmental Control Officer that the Director-General may require;
 - (c) reimburse the Environmental Control Officer for the specified construction site for all expenses incurred by the Environmental Control Officer in attending the meetings or training courses mentioned in sub-paragraph (b); and
 - (d) not make any deduction from the remuneration of the Environmental Control Officer for the specified construction site for being absent from work for the purposes of attending the meetings or training courses mentioned in sub-paragraph (b).
- (2) A person that contravenes paragraph (1)(a), (b), (c) or (d) shall be guilty of an offence and shall be liable on conviction —
- (a) for a first offence, to a fine not exceeding \$1,000; and
 - (b) for a second or subsequent offence, to a fine not exceeding \$2,000.

Revocation

6. The Environmental Public Health (Construction Sites) Regulations (Rg 2) are revoked.

Made on 24 September 2021.

LEE CHUAN SENG
Chairman,
National Environment Agency,
Singapore.

[C030/01/101; NEA/LD/176; AG/LEGIS/SL/95/2020/22 Vol. 1]

(To be presented to Parliament under section 111(4) of the Environmental Public Health Act).