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RESOURCE SUSTAINABILITY ACT 2019

RESOURCE SUSTAINABILITY (FOOD WASTE SEGREGATION, TREATMENT AND REPORTING) REGULATIONS 2024

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation and commencement
2. Definitions
3. Prescribed food waste treatment process
4. Prescribed buildings
5. Prescribed date for “relevant written permission” definition
6. Date from which food waste must be segregated, etc., under section 26(1) of Act
7. Period of written notice of revocation of written approval under section 27(1) of Act
8. Matter Agency is to have regard to when determining whether to grant permission under section 27B(1)(a) of Act
9. Information report under section 27C(1) or (2) of Act must contain
10. Records to be maintained under section 27E(1) of Act
11. Period to retain records mentioned in section 27E(1) of Act

In exercise of the powers conferred by section 52 of the Resource Sustainability Act 2019, the Minister for Sustainability and the Environment makes the following Regulations:

Citation and commencement

1. These Regulations are the Resource Sustainability (Food Waste Segregation, Treatment and Reporting) Regulations 2024 and come into operation on 8 March 2024.

Definitions

2. In these Regulations —

“catering establishment” means a food establishment used for the purpose of providing a catering service where —

- (a) food is prepared, packed and thereafter delivered to a consumer for the consumer’s consumption or use; or
- (b) food is prepared at premises appointed by a consumer for the consumer’s consumption or use,

except a catering establishment that is part of a non-retail food business;

“fish”, “food”, “manufacturing”, “meat”, “non-retail food business”, “package”, “prepare” and “sell” have the meanings given by section 2 of the Sale of Food Act 1973;

“food additive” has the meaning given by regulation 2(1) of the Food Regulations (Rg 1);

“food establishment” means any premises or part of the premises used for the sale, or for the preparation or manufacture for sale, or for the storage or packing for sale, of food (whether cooked or not) intended for human consumption;

“function area” means any premises or part of the premises used or intended to be used for holding any event such as a meeting, a conference, a seminar, a course, a workshop, an exhibition, a corporate retreat, any corporate training, a wedding or a banquet, or for the purpose of serving meals;

“gross floor area” has the meaning given by the definition of “floor area” in rule 2 of the Planning (Development) Rules 2008 (G.N. No. S 113/2008);

“retail food establishment” means a food establishment used for the purpose of selling food wholly by retail (whether or not the food sold is also prepared, stored or packed for sale or consumed at such premises), including —

- (a) an eating establishment, such as a restaurant;

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- (b) a cut fruit shop;
 - (c) a supermarket;
 - (d) a market-produce shop (including any premises used for the sale of fish or crustacean, or meat or vegetable); and
 - (e) a barbecue meat shop,

except a retail food establishment that is part of a non-retail food business;

“retailer” includes any person who supplies food for the consumption or use of any other person as part of a service rendered by him or her to that other person;

“specified activity” —

(a) means any of the following activities:

(i) operating a food processing establishment where food is manufactured, processed, prepared or packed for the purpose of distribution to wholesalers and retailers, whether or not the food processing establishment also includes a retail food establishment or a catering establishment;

(ii) operating a catering establishment; but

(b) does not include any of the following activities:

(i) manufacturing any food additive, dried food or spices;

(ii) manufacturing bottled drinking water;

(iii) high pressure processing of food;

“usable end product”, in relation to the treatment of food waste, means any material or product derived from such treatment that can be used without further processing but excludes any material or product whose only use is to be combusted in an incinerator to generate energy;

“waste collector licensee” means a person granted a waste collector licence under section 31(2) of the Environmental Public Health Act 1987;

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

Prescribed food waste treatment process

3. The prescribed food waste treatment processes under Part 5 of the Act are as follows:

- (a) the aerobic digestion of food waste;
- (b) the anaerobic digestion of food waste;
- (c) the composting of food waste;
- (d) the processing of food waste into fodder or feeding stuffs for animals, including insects;
- (e) the processing of food waste into ingredients to manufacture food, including but not limited to flavouring, flour and soup stock;
- (f) the processing of food waste into material for non-food products, including but not limited to essential oils, furniture and packaging;
- (g) any other process that changes food waste into a usable end product.

Prescribed buildings

4. A building that satisfies all of the following conditions is a prescribed building for the purposes of Part 5 of the Act:

- (a) the building was erected pursuant to a written permission that is granted under the Planning Act 1998 pursuant to an application made on or after 1 January 2021;
- (b) in the case where the building is a single-use building —
 - (i) the building is used as a shopping mall and contains one or more food establishments that collectively exceed 3,000 square metres in gross floor area;

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- (ii) the building is used as a hotel and contains one or more food establishments or function areas (or both) that collectively exceed 3,000 square metres in gross floor area;
 - (iii) the building is used to carry on one or more specified activities and the space used to carry on those activities exceeds 750 square metres in gross floor area; or
 - (iv) the building has more than 20,000 square metres of gross floor area and has more than 20 occupiers who each carry on one or more specified activities;
- (c) in the case where the building is a mixed-use building —
- (i) part of the building is used as a shopping mall and that part of the building contains one or more food establishments that collectively exceed 3,000 square metres in gross floor area;
 - (ii) part of the building is used as a hotel and that part of the building contains one or more food establishments or function areas (or both) that collectively exceed 3,000 square metres in gross floor area;
 - (iii) part of the building is used to carry on one or more specified activities and in relation to that part of the building, the space used to carry on those activities exceeds 750 square metres in gross floor area; or
 - (iv) the building has more than 20,000 square metres of gross floor area and part of the building is used by more than 20 occupiers who each carry on one or more specified activities.

Prescribed date for “relevant written permission” definition

5. For the purposes of the definition of “relevant written permission” in section 24(1) of the Act, the date prescribed for a prescribed building is 1 January 2021.

Date from which food waste must be segregated, etc., under section 26(1) of Act

6. For the purposes of section 26(1) of the Act, the date prescribed for every prescribed building is 8 March 2024.

Period of written notice of revocation of written approval under section 27(1) of Act

7. The prescribed period for section 27(3) of the Act is 30 working days.

Matter Agency is to have regard to when determining whether to grant permission under section 27B(1)(a) of Act

8. The matter prescribed for section 27B(2) of the Act is whether treating the food waste at a licensed waste disposal facility or public disposal facility is likely to generate a more valuable end product than treating the food waste in the prescribed building or within the premises on which the prescribed building is situated.

Information report under section 27C(1) or (2) of Act must contain

9. The prescribed information for section 27C(1)(c) and (2)(c) of the Act is as follows:

- (a) how the food waste is treated, including details of the food waste treatment process used and the end product from the treatment;
- (b) where the food waste is treated at a licensed waste disposal facility or public disposal facility —
 - (i) the name of the licensed waste disposal facility or public disposal facility; and
 - (ii) the waste collector licensee that transported the food waste to the licensed waste disposal facility or public disposal facility.

Records to be maintained under section 27E(1) of Act

10. For the purposes of section 27E(1) of the Act —

- (a) a person who is required to submit a report to the Agency under section 27C(1) of the Act; and
- (b) a person who is required to submit a report to a building manager under section 27C(2) of the Act,

must keep and maintain records containing documents that evidence all the information contained in the report.

Period to retain records mentioned in section 27E(1) of Act

11. The prescribed period for section 27E(2)(a) of the Act is —

- (a) for a record relating to a report under section 27C(1) of the Act, 5 years after the end of the reportable period for the report (as defined in section 27C(1) of the Act); or
- (b) for a record relating to a report under section 27C(2) of the Act, 5 years after the date the report is submitted to the building manager.

Made on 6 March 2024.

STANLEY LOH KA LEUNG
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the Environment,
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