

ENVIRONMENTAL PROTECTION AND MANAGEMENT ACT 1999

[1 April 1999]

PART 1

PRELIMINARY

Short title

1. This Act is the Environmental Protection and Management Act 1999.

[26/2007]

Interpretation

2. In this Act, unless the context otherwise requires —

“Agency” means the National Environment Agency established under the National Environment Agency Act 2002;

“air impurities” includes smoke, cinders, solid particles of any kind, gases, fumes, mists, odours and radioactive substances;

“air pollution” means the emission into the air of any air impurity;

“air pollution control equipment” includes —

- (a) any apparatus for separating any air impurities from the gas or liquid medium in which they are carried;
- (b) any automatic device used for securing the more efficient operation of any fuel burning equipment;
- (c) any device to indicate or record air pollution or give warning of excessive air pollution; and
- (d) any other device used for the purposes of preventing or limiting air pollution;

“analysis” includes the taking of a sample or any test, measurement, calculation or examination made for the purpose of determining the characteristics of any matter or substance or the effects of any discharge, emission or deposit of trade effluent, air impurity or hazardous substance;

“analyst” means an analyst appointed or approved by the Director-General;

“authorised officer” means any person appointed to be an authorised officer under

section 3(2);

“auxiliary officer” means an individual who is appointed as an auxiliary officer under section 16A(1) of the National Environment Agency Act 2002;

“building” includes any house, hut, shed or roofed enclosure, whether used for the purpose of human habitation or otherwise;

“building works” has the meaning given by the Building Control Act 1989;

“chimney” includes a structure or opening of any kind from or through which air impurities may be emitted, and any reference to a chimney of or used in connection with any premises includes a reference to a chimney which serves the whole or a part of the premises though structurally separate from the premises;

“construction site” means any premises on or in which the construction, alteration or demolition of any building or structure is carried on and includes —

- (a) all the land within the vicinity of the work place which are owned by the person for whom the construction works are being carried out and to which the principal contractor has control of access; and
- (b) any canteen, sleeping quarters, office and other structures or buildings erected on the construction site;

“container” means —

- (a) any vessel, can, drum, barrel or other receptacle; or
- (b) where such vessel, can, drum, barrel or other receptacle is contained in another container or is wholly enveloped in a covering or coverings of whatever nature — the outermost container or covering, as the case may be,

but does not include the carrying tank of a road tanker, a tank container or a freight container;

“dark smoke” means smoke which is ascertained by any method that may be prescribed to be dark smoke;

“day” means a period of 24 hours from midnight;

“Director-General” means the Director-General of Environmental Protection appointed under section 3(1);

“drain” includes any watercourse or river;

“export”, with its grammatical variations and cognate expressions, means to take or cause to be taken out of Singapore by land, water or air and includes the placing of any substances, plant, equipment, machinery or any products in a vessel, conveyance or aircraft for the purposes of the substances, plant, equipment, machinery or any products being taken out of Singapore by water or air; but does not include the taking out of Singapore by water or air of any substances, plant, equipment, machinery or any products on the same vessel or aircraft on which they were brought into Singapore unless, after being brought into Singapore, the substances, plant, equipment, machinery or any products have been landed or transhipped within Singapore;

“fuel burning equipment” means any furnace, boiler, fire place, oven, retort, incinerator, internal combustion engine, vessel or chimney, or any other apparatus, device, mechanism or structure used or to be used in connection with the burning of any combustible material in, or in relation to, any industrial plant;

“hazardous substance” means any of the substances specified in the first column of Part I of the Second Schedule but does not include —

- (a) the substance when contained in any substance, preparation or product specified in the second column of that Part corresponding to that substance; or
- (b) the substance when contained in any substance, preparation or product specified in Part II of that Schedule;

“import”, with its grammatical variations and cognate expressions, means to bring or cause to be brought into Singapore by land, water or air from any place which is outside Singapore but does not include the bringing into Singapore by water or air of any substances, plant, equipment, machinery or any products which it is proved to be intended to be taken out of Singapore on the same vessel or aircraft on which they were brought into Singapore without any landing or transhipment within Singapore;

“industrial or trade premises” means premises used for any industrial or trade purposes or premises on which matter is burnt in connection with any industrial or trade process, and includes all scheduled premises and construction sites;

“industrial plant” means any plant or equipment used for the generation of power, or for any industrial use, or for the operation of vessels, aircraft, locomotives, cranes, internal combustion engines or other machines using any combustible material for their operation;

“industrial plant works” means any of the following works:

- (a) the erection or extension of an industrial plant;
- (b) the alteration or addition of an industrial plant;
- (c) the erection or extension of a plant for the treatment of trade effluent or toxic substances;
- (d) the provision, extension or alteration of any equipment to control pollution from an industrial plant;

“inland waters” means any river, stream, reservoir, lake or pond, whether natural or artificial;

“licensee” means any person licensed under this Act;

“motor vehicle” has the meaning given by the Road Traffic Act 1961;

“occupier”, in relation to —

- (a) any premises — means the person in occupation of the premises or having the charge, management or control thereof; and
- (b) any part of any premises, different parts of which are occupied by different persons — means the person in occupation or having the charge, management or control of that part;

“owner”, in relation to —

- (a) any premises — includes the person for the time being receiving the rent of the premises, whether on the person’s own account or as agent or trustee or as receiver, or who would receive the rent if the premises were let to a tenant, and the person whose name is entered in the Valuation List prepared under section 10 of the Property Tax Act 1960;
- (b) any premises where building works are carried out — includes the developer and the building contractor;
- (c) the common property of any subdivided building — includes the management corporation established under the Building Maintenance and Strata Management Act 2004 having control of the building, or the person receiving any rent or charge for the maintenance of that common property; and
- (d) the limited common property of any subdivided building — includes the subsidiary management corporation established under the

Building Maintenance and Strata Management Act 2004 having control of the limited common property, or the person receiving any rent or charge for the maintenance of that limited common property;

“pollution of the environment” means pollution of the environment due to the release (into any environmental medium) from any process of substances which are capable of causing harm to human or any other living organisms supported by the environment;

“practicable” means reasonably practicable having regard, among other things, to local conditions and circumstances and to the current state of technical knowledge, and “best practicable means” includes the provision and the efficient maintenance of a plant and the proper use thereof and the supervision, by or on behalf of the occupier, of any process or operation;

“premises” includes messuages, houses, buildings, lands, tenements, easements and hereditaments of any tenure, whether open or enclosed, whether built on or not, whether public or private, and whether maintained under statutory authority or not;

“process” means any activity carried on in Singapore, whether on premises or by way of a plant which is designed to move or to be moved whether on roads or otherwise, which are capable of causing pollution to the environment;

“qualified person”, in relation to any industrial plant works mentioned in section 33, means an appropriate qualified person appointed under section 8 or 11 of the Building Control Act 1989 in respect of building works which include industrial plant works;

“registered inspector” means a person whose name is registered under section 34;

“road” has the meaning given by the Road Traffic Act 1961;

“road tanker” means a goods vehicle as defined in the Road Traffic Act 1961 which has a tank that is structurally attached to or is an integral part of the frame of the vehicle;

“sale” includes barter, exchange, import and export and also includes offering or attempting to sell, or causing or allowing to be sold, or exposing for sale or receiving or sending or delivering for sale; and the word “sell” is to be construed accordingly;

“scheduled premises” means any premises specified in the First Schedule;

“sewage” has the meaning given by the Sewerage and Drainage Act 1999;

“sewerage system” has the meaning given by the Sewerage and Drainage Act 1999;

“smoke” includes soot, ash, grit and gritty particles emitted in smoke;

“tank” means a container having a total internal capacity exceeding 250 litres for liquids and 500 litres for gases;

“tank container” means a tank with a total liquid capacity of 450 litres or more which is —

(a) used for the conveyance of a liquid, gaseous, powdery or granular substance; and

(b) constructed for repeated use and to facilitate the carriage of goods by one or more modes of transport without need of removal of its structural equipment or intermediate reloading of its contents;

“the environment” consists of all or any of the following media, namely, air, water and land;

“Town Council” has the meaning given by the Town Councils Act 1988;

“toxic substance” means any trade effluent, chemical, oil or any other substance which is noxious, injurious or polluting;

“trade effluent” means any liquid, either with or without particles of matter suspended in the liquid, which is the outflow from any trade, business or manufacture or of any works of engineering or building construction;

“watercourse” includes a reservoir, lake, river, stream, canal, drain, spring or well or a part of the sea abutting on the foreshore and any other natural, artificial or subsurface body of water;

“work place” means any premises or place used for any industrial, trade, commercial or manufacturing purposes and includes all construction sites, work sites and farms.

[47/2004; 12/2011; 4/2016; 4/2021]