

Fire Safety (Regulated Fire Safety Products) Regulations 2020

Table of Contents

Enacting Formula

Part 1 Preliminary

1 Citation and commencement

2 Definitions

3 Regulated fire safety products

Part 2 Duties of accredited certification bodies

4 Register of certificates

5 Post-certification tests

6 Representations of compliance

7 Duty to inspect where serial labels issued

8 Keeping and submission of records

Part 3 Duties of certificate holders and local representatives

9 Duty to notify accredited certification body

10 Duty in relation to representations of compliance

11 Giving false information in relation to post-certification tests

12 Other duties of local representative

FIRST SCHEDULE Regulated fire safety products

SECOND SCHEDULE Information to be included in register of certificates

THIRD SCHEDULE

No. S 775

**FIRE SAFETY ACT
(CHAPTER 109A)**

**FIRE SAFETY
(REGULATED FIRE SAFETY PRODUCTS)
REGULATIONS 2020**

In exercise of the powers conferred by section 61 of the Fire Safety Act, the Minister for Home Affairs makes the following Regulations:

PART 1

PRELIMINARY

Citation and commencement

1. These Regulations are the Fire Safety (Regulated Fire Safety Products) Regulations 2020 and come into operation on 14 September 2020.

Definitions

2. In these Regulations —

“certificate” means a certificate of conformity;

“declaration of compliance”, in relation to a regulated fire safety product, means a statement by an accredited certification body stating that the regulated fire safety product installed or to be installed in the location specified in the statement is a compliant fire safety product;

“renewed certificate”, in relation to a certificate issued for a regulated fire safety product, means a certificate issued for the same regulated fire safety product on or before the date of expiry of the firstmentioned certificate;

“representation of compliance” means a declaration of compliance or a serial label;

“serial label” means a label issued by an accredited certification body stating that the regulated fire safety product on which the label is affixed is a compliant fire safety product;

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

Regulated fire safety products

3. Every material or product set out in the First Schedule is prescribed as a regulated fire safety product for the purposes of Part V of the Act.

PART 2

DUTIES OF ACCREDITED CERTIFICATION BODIES

Register of certificates

4.—(1) An accredited certification body must maintain a register in which is recorded the information specified in the Second Schedule in relation to each certificate that the accredited certification body issues on or after 14 September 2020.

(2) The register required by paragraph (1) must be in the form that the Commissioner requires.

(3) Subject to paragraph (5), where there is a change in the status of any certificate issued by an accredited certification body, the accredited certification body must, no later than 5 working days after the date of the change, amend the relevant record in the register mentioned in paragraph (1) to state that change.

(4) An accredited certification body must keep and retain each record made under paragraph (1) for the retention period.

(5) An accredited certification body must not terminate a certificate that is —

(a) suspended; or

(b) issued in respect of a regulated fire safety product that the accredited certification body knows is the subject of investigations for any offence under the Act.

(6) Where an accredited certification body knows or has reason to believe that a regulated fire safety product to which a certificate issued by the accredited certification

body relates was manufactured by a person or in a location not mentioned in the application for the certificate, the accredited certification body must state, in the relevant record in the register, that it knows or has reason to believe that the regulated fire safety product was manufactured by a person or in a location not mentioned in the application for the certificate.

(7) An accredited certification body that, without reasonable excuse, contravenes paragraph (1), (2), (3), (4), (5) or (6) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both.

(8) In this regulation, “retention period”, in relation to a record required by paragraph (1), means the period —

- (a) starting the date of issue of the certificate in relation to which the record is kept; and
- (b) ending on (and including) the date that is 10 years after —
 - (i) the termination, withdrawal or expiry of the certificate; or
 - (ii) where one or more renewed certificates are issued in relation to that certificate, the termination, withdrawal or expiry of the last renewed certificate issued.

Post-certification tests

5.—(1) An accredited certification body conducting a post-certification test of a regulated fire safety product commits an offence if the accredited certification body does not take all reasonable measures to ensure that the sample of the regulated fire safety product presented to the accredited certification body for the post-certification test is the same sample that is sent to an accredited laboratory for that testing.

(2) An accredited certification body that is guilty of an offence under paragraph (1) shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both.

Representations of compliance

6.—(1) This regulation applies only in relation to a regulated fire safety product that is to be or is installed as part of any fire safety works.

(2) An accredited certification body must not —

- (a) issue a representation of compliance for a regulated fire safety product in

respect of which there is no valid certificate;

- (b) issue a representation of compliance for a regulated fire safety product if the holder of a certificate for that product did not submit or cause to be submitted to the accredited certification body documentary evidence of the location (including the address) that the holder declares the regulated fire safety product is or will be installed; or
- (c) issue a representation of compliance for a regulated fire safety product to an individual who is not —
 - (i) the holder of a certificate issued by the accredited certification body for the regulated fire safety product;
 - (ii) the local representative of the holder of a certificate who is not a Singapore person; or
 - (iii) an individual authorised by the holder in sub-paragraph (i).

(3) An accredited certification body must maintain a register in which is recorded the following information about each representation of compliance for a regulated fire safety product that the accredited certification body issues on or after 14 September 2020:

- (a) the serial number or reference number on the representation of compliance;
- (b) any other reference number used by the accredited certification body to identify the representation of compliance, which may include the reference number of a request form;
- (c) the number of the certificate relating to that regulated fire safety product;
- (d) the brand and model of the regulated fire safety product;
- (e) the date the representation of compliance is issued;
- (f) the name and designation (if applicable) of the individual to whom the representation of compliance is issued;
- (g) the location where the regulated fire safety product is installed.

(4) An accredited certification body must keep and retain each record contained in the register mentioned in paragraph (3) for the retention period.

(5) An accredited certification body that, without reasonable excuse, contravenes paragraph (2), (3) or (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both.