

# **Gas (Appeals to Minister) Regulations 2019**

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GAS ACT  
(CHAPTER 116A)

GAS (APPEALS TO MINISTER)  
REGULATIONS 2019

In exercise of the powers conferred by section 93(7) of the Gas Act, the Minister for Trade and Industry makes the following Regulations:

PART 1

GENERAL

**Citation and commencement**

1. These Regulations are the Gas (Appeals to Minister) Regulations 2019 and come into operation on 3 May 2019.

**Definitions**

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

“appeal” means an appeal under section 93(1) of the Act;

“appealable decision” means any of the following:

(a) any decision of the Authority mentioned in section 93(1) of the Act;

(b) any direction issued by the Authority under the Act;

“Appeals Secretary” means the Appeals Secretary appointed under regulation 3;

“appellant” means any person who brings an appeal;

“legal representative”, in relation to a party to any appeal, means any advocate and solicitor named in the register of practitioners and having in force a practising certificate issued under the Legal Profession Act (Cap. 161), retained by the party to represent the party in the appeal;

“parties”, in relation to an appeal, means the appellant in the appeal and the Authority, and “party” means either one of them;

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

**Appeals Secretary**

3.—(1) The Minister may appoint any public officer to be the Appeals Secretary for the purposes of these Regulations.

(2) The Appeals Secretary must —

- (a) provide administrative and secretarial support to the Minister in relation to every appeal under section 93 of the Act; and
- (b) if the Minister determines that any hearing is necessary for the purpose of determining an appeal, attend at every such hearing.

### **Address for filing and submission in relation to Minister**

4. Any document to be filed with the Minister under these Regulations must be addressed to the “Appeals Secretary” and sent to 100 High Street, #09-01, The Treasury, Singapore 179434.

## **PART 2**

### **MAKING APPEAL AND DOCUMENTS OF APPEAL**

#### *Division 1 — Notice of Appeal*

### **Making appeal: Notice of Appeal**

5.—(1) An appeal to the Minister is made by filing with the Minister, within the time mentioned in paragraph (2) —

- (a) a duly signed original of a Notice of Appeal; and
- (b) 3 copies of the Notice, each certified to be in conformity with the original by the person who signed the original.

(2) Subject to section 5(3) of the Act, the time for the purpose of paragraph (1) is within 14 days after the person aggrieved by the decision or direction mentioned in section 93(1) of the Act is notified of the decision or direction.

(3) Subject to regulation 7(2), upon receipt of the Notice of Appeal, the Appeals Secretary must send a copy of the Notice to the Authority.

### **Contents of Notice of Appeal**

6. A Notice of Appeal must —

- (a) state —

- (i) the name and address of the appellant;
  - (ii) the name, phone number and e-mail address of the appellant's authorised representative for the appeal or the appellant's legal representative; and
  - (iii) an address in Singapore to which documents in connection with the appeal may be sent;
- (b) contain —
  - (i) a concise statement of the circumstances under which the appeal arise, the facts and the issues in the appeal;
  - (ii) a summary of the grounds for appealing against the appealable decision of the Authority, identifying in particular —
    - (A) the statutory provision under which the appealable decision was made;
    - (B) the extent (if any) to which the appellant contends that the appealable decision was based on an error of fact or was wrong in law; and
    - (C) the extent (if any) to which the appellant is appealing against the Authority's exercise of discretion in making the appealable decision;
  - (iii) a succinct presentation of the arguments of fact or law supporting each ground of appeal; and
  - (iv) the relief or directions (if any) sought by the appellant;
- (c) be signed and dated by —
  - (i) the appellant's authorised representative; or
  - (ii) the appellant's legal representative, if the details provided under paragraph (a)(ii) relate to the appellant's legal representative; and
- (d) include —
  - (i) a copy of the appealable decision; and