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GOVERNMENT GAZETTE

ACTS SUPPLEMENT

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The following Act was passed by Parliament on 2 November 2021 and assented to by the President on 17 November 2021:—

REPUBLIC OF SINGAPORE

No. 37 of 2021.

I assent.



HALIMAH YACOB,
President.
17 November 2021.

An Act to amend the Energy Market Authority of Singapore Act, the Electricity Act and the Gas Act, and to make related amendments to the District Cooling Act.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act is the Energy (Resilience Measures and Miscellaneous Amendments) Act 2021 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of Energy Market Authority of Singapore Act

2. The Energy Market Authority of Singapore Act is amended —

(a) by repealing section 12 and substituting the following section:

“Power to borrow

12.—(1) The Authority cannot raise loans for the performance of its functions under this Act or any other Act administered by the Authority except in accordance with this section.

(2) Subject to subsection (3), the Authority may raise loans by —

- (a) mortgage, overdraft or other means, with or without security;
- (b) charge, whether legal or equitable, on any property vested in the Authority or on any other revenue receivable by the Authority under this Act or any other written law; or
- (c) the creation and issue of debentures or bonds, or such other instrument as the Minister may approve.

(3) The Authority may raise loans under subsection (2) —

- (a) from the Government; or
- (b) with the approval of the Minister, from another source, whether in or outside Singapore.

(4) For the purposes of this section, the power to raise loans includes the power to enter into any financial agreement or arrangement under which credit facilities are granted to the Authority for the purchase of goods or services.”; and

- (b) by inserting, immediately after paragraph 1 of the Second Schedule, the following paragraph:

“1A. To construct, acquire (whether by purchase, lease or otherwise), develop, manage (including by leasing out for use) or operate any movable or immovable property as the Authority considers necessary for the discharge of its functions and duties.”.

Amendment of Electricity Act

3. The Electricity Act is amended —

- (a) by deleting the words “is, in accordance with this Act, eligible to purchase” in the definition of “contestable consumer” in section 2 and substituting the words “, in accordance with this Act, purchases”;

- (b) by inserting, immediately after the definition of “generation licensee” in section 2, the following definition:

““greenhouse gas” has the meaning given by section 2(1) of the Carbon Pricing Act 2018;”;

- (c) by deleting the definition of “market participant” in section 2 and substituting the following definition:

““market participant” means a person —

- (a) authorised by an electricity licence;
and

- (b) registered in accordance with the
market rules,

to trade in any wholesale electricity market,
and includes —

- (c) a transmission licensee;

- (d) the Authority (if the Authority engages in the generation, import or export of electricity);
 - (e) any entity wholly-owned by the Authority that engages in the generation of electricity but is exempt under section 8 from the requirement of a generation licence; and
 - (f) any department of the Government which generates electricity before 1 April 2001;”;
- (d) by deleting the word “and” at the end of paragraph (d) of the definition of “market support services” in section 2;
- (e) by inserting, immediately after paragraph (e) of the definition of “market support services” in section 2, the following paragraph:
 - “(f) the inspection of electrical installations to assess their safety;”;
- (f) by renumbering section 2 as subsection (1) of that section, and by inserting immediately thereafter the following subsection:
 - “(2) For the purposes of this Act, where a transmission licensee uses any generating unit (including any energy storage system) for, or for purposes connected with, its transmission of electricity, then, despite any production of electricity from the generating unit for, or for purposes connected with, its transmission of electricity, the transmission licensee is not regarded as generating electricity to the extent of that use.”;
- (g) by inserting, immediately after paragraph (c) of section 3(3), the following paragraph:

“(ca) to implement (whether through regulation or otherwise) policies, strategies, measures, standards or any other requirements on any matter for or connected with the reduction in emission of any greenhouse gas in the generation, transmission, import, export or supply of electricity;”;

(h) by inserting, immediately after paragraph (e) of section 3(3), the following paragraph:

“(ea) in connection with any purpose under paragraph (a), to construct, acquire (whether by purchase, lease or otherwise), develop, manage (including by leasing out for use) or operate —

- (i) any generating unit (including any energy storage system);
- (ii) any generating station or any part of a generating station; or
- (iii) any of the following (whether in or outside Singapore) for or in connection with the import of electricity to, or the export of electricity from, Singapore:
 - (A) any electrical installation or any part of an electrical installation;
 - (B) any electric line or any part of an electric line;
 - (C) any generating unit (including any energy storage system);
 - (D) any generating station or any part of a generating station;”;

(i) by inserting, immediately after subsection (1) of section 6, the following subsection: