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The following Act was passed by Parliament on 13 September 2021 and assented to by the President on 28 September 2021:—

REPUBLIC OF SINGAPORE

No. 24 of 2021.

I assent.

HALIMAH YACOB,
President.
28 September 2021.



An Act to amend the Environmental Protection and Management Act and to make a related amendment to the Environmental Public Health 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 Environmental Protection and Management (Amendment) Act 2021 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

New section 28A

2. The Environmental Protection and Management Act (called in this Act the principal Act) is amended by inserting, immediately after section 28, the following section:

“Surveillance system

28A.—(1) Where it appears to the Director-General that —

- (a) any works of any description mentioned in section 28(1) are being carried out on any construction site (called in this section the subject premises); and
- (b) the owner or occupier of the subject premises (called in this section the responsible person) has contravened or is contravening any regulations relating to the days and times when the works may be carried out on the subject premises,

the Director-General may, by written notice, require the responsible person to install, operate and maintain, at the responsible person’s own expense, an electronic video surveillance system (called in this section a surveillance system) for the purpose of monitoring whether and when the works are being carried out on the subject premises.

(2) For the purpose of subsection (1), the written notice may specify —

- (a) the description or type of surveillance system required, and any criteria for the surveillance system, including —
 - (i) the resolution of the images, and the number of frames per second, capable of being recorded using the surveillance system;

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- (ii) the ability of the surveillance system to record images under various lighting conditions; and
 - (iii) the quality of any sound capable of being recorded using the surveillance system;
 - (b) the location or locations in or on the subject premises, or in or on any premises that are adjacent to the subject premises (called in this section adjacent premises), at which the closed-circuit television cameras or other electronic visual monitoring devices of the surveillance system (whether with or without accompanying audio features) (called in this section monitoring devices) must be installed, the number of such monitoring devices at any such location and the part of the subject premises to be recorded by any such monitoring device;
 - (c) the time by which the surveillance system must be installed; and
 - (d) the period of any day (whether the whole or any part or parts of the day) during which the surveillance system or any part of the surveillance system must be operational.
- (3) For the purpose of subsection (2), the written notice may specify different descriptions or types of surveillance systems, and different criteria for the surveillance systems, for different parts of the subject premises or any adjacent premises.
- (4) The responsible person must —
- (a) keep each recording made using any surveillance system installed under this section, for such period and in accordance with such requirements as may be specified in the written notice; and
 - (b) provide the Director-General or any authorised officer with full and free access to any recording mentioned in paragraph (a), or with a copy of any such recording.

(5) Without affecting subsection (7), if a responsible person fails to comply with a written notice given to the responsible person under subsection (1) in respect of the subject premises —

- (a) the Director-General or any authorised officer may install, operate and maintain any surveillance system in or on the subject premises, in accordance with the requirements for the surveillance system set out in the written notice;
- (b) the responsible person must provide the Director-General or authorised officer with any reasonable assistance requested by the Director-General or authorised officer in the exercise of the powers conferred under paragraph (a), including granting the Director-General or authorised officer or a contractor appointed by the Director-General or authorised officer access to such cables and wiring as may be necessary or to the surveillance system so installed; and
- (c) any costs and expenses incurred by the Director-General or authorised officer in exercise of the powers conferred under paragraph (a) are recoverable from the responsible person as a debt due to the Agency.

(6) A responsible person must take all reasonable steps to ensure that no person —

- (a) in relation to any monitoring device installed under this section, for any part of any period for which the whole or the part of the surveillance system that the monitoring device is a part of, is required to be operational under this section —
 - (i) obscures or in any way obstructs any part of the field of view of the monitoring device; or

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- (ii) prevents the monitoring device from receiving or recording any sound that the monitoring device is intended to receive or record; or
 - (b) tampers with or does anything to compromise or adversely affect any image, sound or video recorded by, or the proper functioning of, any part of any surveillance system installed under this section.
- (7) A responsible person that, without reasonable excuse —
- (a) fails to comply with a written notice given to the responsible person under subsection (1); or
 - (b) contravenes subsection (4), (5)(b) or (6),

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$40,000 and, in the case of a continuing offence, to a further fine not exceeding \$1,000 for every day or part of a day during which the offence continues after conviction.

(8) For the purpose of subsection (7)(a), it is a reasonable excuse for a responsible person not to comply with a written notice given to the responsible person under subsection (1) if, and to the extent that —

- (a) the written notice requires the responsible person to install, operate or maintain any one or more monitoring devices at any location or locations in or on any adjacent premises;
- (b) the responsible person is not the owner or occupier of the adjacent premises; and
- (c) the responsible person has taken reasonable steps, but is unable, to obtain the consent of the owner or occupier of the adjacent premises for the responsible person to install, operate or maintain the monitoring devices (as the case may be) in the manner required by the written notice.

(9) Section 41 does not apply to a written notice under this section.”.