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The following Act was passed by Parliament on 9th April 2012 and assented to by the President on 15th May 2012:—

REPUBLIC OF SINGAPORE

No. 9 of 2012.

I assent.

(LS)

TONY TAN KENG YAM,
President.
15th May 2012.

An Act to amend the Public Utilities Act (Chapter 261 of the 2002 Revised Edition).

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 may be cited as the Public Utilities (Amendment) Act 2012 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2 of the Public Utilities Act (referred to in this Act as the principal Act) is amended —

(a) by deleting the definition of “authorised officer” and substituting the following definition:

“ “authorised officer” means an officer or employee of the Board, or an officer of any other statutory authority, authorised by the Board under section 10(6);” and

(b) by deleting the full-stop at the end of the definition of “water service worker licence” and substituting a semi-colon, and by inserting immediately thereafter the following definition:

“ “waterway” means a navigable river, conduit or drain.”.

Amendment of section 6

3. Section 6(1) of the principal Act is amended —

(a) by inserting, immediately after paragraph (d), the following paragraph:

“(da) collect and treat used water;”;

(b) by deleting paragraph (f) and substituting the following paragraph:

“(f) act as an agent of the Government in the construction, management and maintenance of all or any part of any of the following which belongs to the Government:

(i) public sewerage systems;

(ii) public sewers;

(iii) storm water drainage systems, drains and drainage reserves;

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- (iv) any boat transfer facility or barrage in or connecting to any reservoir;”;
 - (c) by deleting the words “and improvement” in paragraph (g) and substituting the words “, improvement, operation and use”; and
 - (d) by deleting the word “and” at the end of paragraph (j), and by inserting immediately thereafter the following paragraph:
 - “(ja) regulate and manage activities in and around reservoirs, catchment areas and waterways maintained by the Board; and”.

Amendment of section 10

4. Section 10 of the principal Act is amended —

- (a) by inserting, immediately after subsection (5), the following subsection:
 - “(6) The Board may, from time to time, appoint and authorise in writing —
 - (a) any officer or employee of the Board, or any officer of any other statutory authority, to be an authorised officer for the purposes of this Act; and
 - (b) any authorised officer or other person to perform any particular function or duty or to exercise any particular power under this Act, subject to such conditions or limitations as the Board may specify.”;
- (b) by inserting, immediately after the word “employees” in the section heading, the word “, etc.”.

Amendment of section 20

5. Section 20 of the principal Act is amended —

- (a) by inserting, immediately after subsection (1), the following subsections:
 - “(1A) Subject to section 14, for the purpose of determining the price to be charged for the supply of water by it, the Board may take into consideration all costs incurred in enabling it to

so supply the water, including (but not limited to) the following:

- (a) the collection of water from any source, whether water from any natural source, used water (including sewage, waste matter and effluent) or otherwise;
- (b) the purchase of water from any source;
- (c) the storage of water;
- (d) the treatment of water to the standards necessary for the use for which the water is required;
- (e) the supply of water to any premises;
- (f) the maintenance of any system employed in the collection, storage, treatment or supply of water;
- (g) ensuring the quality, safety and security of the water supply.

(1B) In determining the price to be charged for the supply of water by the Board, subsection (1A) shall not permit the Board to take into consideration —

- (a) the costs in connection with any activity referred to in that subsection if an amount of tax is payable in relation to that same activity under subsection (4) (whether by the same person paying the price or otherwise); or
- (b) any costs borne by the Government or by the Board on behalf of the Government.

(1C) For the purposes of subsection (1), the Board may prescribe different prices for persons differently situated, including different prices for different volumes of water supplied.”;

- (b) by inserting, immediately after subsection (3), the following subsections:

“(4) There shall be paid to the Board a waterborne tax for the discharge of the Board’s functions in relation to used water (including sewage, waste matter and effluent) and sewerage, and the waterborne tax shall be of such amount and payable at

such times as the Minister may, by order published in the *Gazette*, prescribe.

(5) For the purposes of subsection (4), the Minister may prescribe different amounts of the waterborne tax for persons differently situated.

(6) The waterborne tax shall be payable by —

- (a) an occupier of premises (including the Government);
or
- (b) where the premises are vacant, the owner of the premises (including the Government).

(7) In determining the amount of the waterborne tax payable by any person, the Minister may base the calculation of the tax on all or any of the following:

- (a) the number of sanitary appliances which are installed in the premises;
- (b) the amount of water supplied to the premises;
- (c) any estimate of the amount of used water (including sewage, waste matter and effluent) disposed of.

(8) The waterborne tax collected under this section shall be paid into the funds of the Board.

(9) Without prejudice to section 25, any waterborne tax payable under this section may be recovered by the Board as a civil debt due to the Board.

(10) The Board may, with the approval of the Minister, grant any person or class of persons such amount of rebate on the waterborne tax as the Board may determine.”; and

- (c) by inserting, immediately after the word “apparatus” in the section heading, the words “, etc., payable to Board”.

Amendment of section 21

6. Section 21 of the principal Act is amended —

- (a) by deleting the words “for human consumption” in subsections (1) and (2);