

# **Fire Safety (Amendment) Bill**

## **Table of Contents**

**Bill No: 43/1999**

***Read the first time: 24th November 1999***

**Long Title**

**Enacting Formula**

**1 Short title and commencement**

**2 Amendment of section 2**

**3 Amendment of section 5**

**4 New sections 6A to 6D**

**5 Amendment of section 13**

**6 Amendment of section 23**

**7 Amendment of section 29**

**8 New sections 30A, 30B and 30C**

**9 Amendment of section 61**

**Explanatory Statement**

**Expenditure of Public Money**

## **Fire Safety (Amendment) Bill**

### **Bill No. 43/1999**

*Read the first time on 24th November 1999.*

An Act to amend the Fire Safety Act (Chapter 109A of the 1994 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 Fire Safety (Amendment) Act 1999 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(1) of the Fire Safety Act (referred to in this Act as the principal Act) is amended by deleting the definition of “street” and substituting the following definition:

“ “street” has the same meaning as in the Street Works Act (Cap. 320A).”.

### **Amendment of section 5**

3. Section 5 of the principal Act is amended —

(a) by deleting subsection (6) and substituting the following subsections:

“(6) Without prejudice to section 6C(7), the Commissioner may by order cancel the registration of any registered inspector or suspend him from practice for a period not exceeding 12 months under any of the following circumstances:

- (a) if he is deceased;
- (b) if he has contravened or failed to comply with section 6(1);
- (c) if he is convicted of an offence involving fraud or dishonesty or an offence under this Act or any regulations made thereunder;
- (d) if it appears to the Commissioner that he is no longer in the position to carry out the duties or responsibilities of a registered inspector under this Act or any regulations made thereunder;
- (e) if he has procured his registration by fraud or

misrepresentation.

(6A) The Commissioner may, if he considers that no cause of sufficient gravity for cancellation of registration or suspension from practice exists, by writing censure the registered inspector.

(6B) The Commissioner shall not exercise his powers under subsection (6)(b), (c), (d) or (e) or (6A) unless an opportunity of being heard has been given to the registered inspector against whom the Commissioner intends to exercise his powers.”;

(b) by deleting subsection (7) and substituting the following subsection:

“(7) Where a registered inspector has been suspended from practice under subsection (6), the Commissioner shall, within one month of the expiry of such suspension, restore the name and particulars of that registered inspector to the register of registered inspectors and issue to him a fresh certificate of registration.”; and

(c) by inserting, immediately after subsection (8), the following subsections:

“(8A) Where an appeal is made to the Minister within the period referred to in subsection (8), an order made by the Commissioner under subsection (6) shall, unless the Minister otherwise directs, not take effect unless —

- (a) it is confirmed by the Minister;
- (b) the appeal is for any reason dismissed by the Minister; or
- (c) the appellant withdraws the appeal.

(8B) Before the Minister makes a decision to allow or dismiss an appeal, the Minister may refer the matter to an Appeal Advisory Board appointed under section 28.

(8C) The Minister may, in making his decision, have regard to any report made to him by the Appeal Advisory Board.

(8D) Where an order made by the Commissioner to cancel the registration of a registered inspector or suspend the registered inspector from practice has taken effect, the Commissioner shall —

- (a) remove the name and particulars of the inspector concerned from the register of registered inspectors;
- (b) cancel any certificate of registration issued to the

inspector concerned under subsection (5); and  
(c) notify the inspector concerned accordingly.

(8E) The inspector concerned shall, within 14 days of being notified of the removal of his name and particulars from the register of registered inspectors, surrender to the Commissioner the certificate of registration issued to him.

(8F) Any person who fails to comply with subsection (8E) shall be guilty of an offence.”.

### **New sections 6A to 6D**

4. The principal Act is amended by inserting, immediately after section 6, the following sections:

#### **“Appointment of Inquiry Panel, etc.**

**6A.—**(1) For the purpose of enabling an Inquiry Committee to be constituted in accordance with this section, the Commissioner shall appoint a panel (referred to as the Inquiry Panel) consisting of such numbers of —

- (a) qualified persons who are not members of the Force; and
- (b) members of the Force,

as the Commissioner may determine.

(2) A member of the Inquiry Panel shall be appointed for a term of 2 years and shall be eligible for reappointment.

(3) Where any complaint against a registered inspector relating to his conduct or the discharge of his duties or responsibilities is received by the Commissioner, the Commissioner may constitute an Inquiry Committee consisting of 5 members of the Inquiry Panel, for the purposes of inquiring into the complaint.

(4) An Inquiry Committee shall consist of —

- (a) a Chairman appointed by the Commissioner;
- (b) 2 qualified persons who are not members of the Force; and
- (c) 2 members of the Force.

(5) The Commissioner may, on his own motion, constitute an Inquiry Committee for the purposes of inquiring into the conduct of any registered inspector or the discharge of a registered inspector’s duties or responsibilities if it

appears to the Commissioner that the registered inspector has contravened or failed to comply with any provision of the prescribed code of professional conduct and ethics.

(6) The Chairman of an Inquiry Committee shall preside at every meeting of the Inquiry Committee.

(7) In the absence of the Chairman of an Inquiry Committee, the Commissioner shall appoint an acting Chairman who shall have and exercise all the powers of the Chairman.

(8) The Commissioner may at any time remove any member of an Inquiry Committee or fill any vacancy in its membership.

### **Proceedings of Inquiry Committee**

**6B.**—(1) An Inquiry Committee may meet for the purposes of its inquiry, adjourn and otherwise regulate the conduct of its inquiry as the members may think fit.

(2) The Chairman of an Inquiry Committee may at any time summon a meeting of the Inquiry Committee.

(3) All the members of an Inquiry Committee shall be present to constitute a quorum for a meeting of the Inquiry Committee.

(4) Any decision to be made at any meeting of the Inquiry Committee shall be determined by a majority of votes of the members of the Inquiry Committee and, in the case of an equality of votes, the Chairman of the Inquiry Committee shall have a second or casting vote.

(5) A member of an Inquiry Committee shall, notwithstanding that he has ceased to be a member of the Inquiry Panel on the expiry of his term of office, be deemed to be a member of the Inquiry Panel until such time as the Commissioner has decided that the Inquiry Committee of which he is a member has completed its work.

### **Commencement of inquiry, etc.**

**6C.**—(1) An Inquiry Committee shall, within a reasonable time of its constitution, commence its inquiry and, subject to subsection (2), submit a written report of its findings (referred to in this section as the written report) to the Commissioner not later than 6 months after its constitution.

(2) The Commissioner may grant an extension of time to an Inquiry Committee