

# **Environmental Public Health (Amendment) Bill**

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**Bill No: 1/1974**

***Read the first time: 4th March 1974***

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### **Environmental Public Health (Amendment) Bill**

**Bill No. 1/1974**

*Read the first time on 4th March 1974.*

An Act to amend the Environmental Public Health Act (Chapter 155 of the 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 Environmental Public Health (Amendment) Act, 1974 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 Environmental Public Health Act (hereinafter in this Act referred

to as “the principal Act”) is hereby amended —

- (a) by deleting the definition of “the Authority” appearing therein;
- (b) by deleting the definition of “public health auxiliary” appearing therein and substituting therefor the following: —

“ “public health auxiliary” means a public health inspector, an assistant public health inspector, or a public health overseer, in the service of the Government;” and

- (c) by inserting immediately after the definition of “Public Health Engineer” appearing therein the following new definition: —

“ “public officer” includes any officer of any statutory board or body who is authorised in writing in that behalf by the Commissioner to carry out all or any of the powers conferred on a public officer by any of the provisions of this Act;”.

### **Repeal of section 3**

- 3. Section 3 of the principal Act is hereby repealed.

### **Amendment of section 4**

- 4. Section 4 of the principal Act is hereby amended —

- (a) by deleting the words “and the Authority” appearing at the end of subsection (2) thereof; and
- (b) by deleting subsection (4) thereof.

### **Amendment of section 28**

- 5. Section 28 of the principal Act is hereby amended —

- (a) by deleting subsection (12) thereof; and
- (b) by renumbering subsection (13) thereof as subsection (12).

### **Amendment of section 29**

- 6. Section 29 of the principal Act is hereby amended by deleting subsection (10) thereof.

### **Amendment of section 34**

- 7. Section 34 of the principal Act is hereby amended by deleting subsection (14)

thereof.

### **Amendment of section 42**

8. Section 42 of the principal Act is hereby amended —

- (a) by inserting immediately after the word “street” appearing in the ninth line of subsection (1) thereof the expression “, public place”; and
- (b) by deleting the definition of “premises” appearing in subsection (3) thereof and substituting therefor the following: —

“ “premises” means any street, place of public resort or public place;

“public place” means any public park or garden, any river bank or seashore, or any private land or open space or place to which the public has access;”.

### **Repeal of section 45**

9. Section 45 of the principal Act is hereby repealed.

### **Amendment of section 47**

10. Subsection (3) of section 47 of the principal Act is hereby amended by deleting the expression “, with the approval of the Authority,” appearing in the second and third lines thereof.

### **New section 47A**

11. The principal Act is hereby amended by inserting immediately after section 47 thereof the following new section: —

#### **“Stalls in food establishments to be licensed**

**47A.**—(1) No person, other than the licensee of a food establishment, shall set up or use any stall, table, showboard, vehicle or receptacle or any other means designed or adapted for the purpose of selling or exposing for sale in the food establishment any food, drink or other goods unless he has obtained a licence therefor from the Commissioner.

(2) The Commissioner may issue a licence subject to such conditions as he thinks fit.

(3) Any person who contravenes the provisions of subsection (1) of this section shall be guilty of an offence under this Act and may be arrested without warrant by any police officer or public health auxiliary, or by any public officer authorised in

writing in that behalf by the Commissioner, and taken before a Magistrate's Court and shall be liable on conviction to a fine not exceeding five hundred dollars, and in the case of a second or subsequent conviction to a fine not exceeding two thousand dollars.

(4) The Commissioner may by notification in the *Gazette* exempt any class or classes of food establishments from the provisions of this section.

(5) Notwithstanding the provisions of this Act or any other written law, any police officer, public health auxiliary or public officer, who having effected an arrest in accordance with the provisions of subsection (3) of this section is satisfied as to the identity, name and place of residence of the person arrested, may, in his discretion, instead of taking such person before a Magistrate's Court or to a police station serve upon such person a notice in such form as may be prescribed under section 147 of this Act requiring such person to attend at the Court described at the hour and on the date specified in the notice.

(6) For the purpose of satisfying himself as to the identity of the person arrested, such police officer, public health auxiliary or public officer may require the person arrested to furnish such evidence of identity as he may deem necessary.

(7) A duplicate copy of the notice referred to in subsection (5) of this section shall be prepared by the police officer, public health auxiliary or public officer, as the case may be, and produced by him to a Magistrate's Court, if so required by the Court.

(8) On an accused person appearing before a Court in pursuance of such a notice, the Court shall take cognizance of the offence alleged and shall proceed as though he were produced before it in pursuance of subsection (3) of this section.

(9) If a person upon whom such a notice has been served as aforesaid fails to appear before a Magistrate's Court in accordance therewith, the Court shall thereupon issue a warrant for the arrest of that person.

(10) Upon a person arrested in pursuance of a warrant issued under subsection (9) of this section being produced before it, a Magistrate's Court shall proceed as though he were produced before it in pursuance of subsection (3) of this section and shall at the conclusion of the proceedings call upon him to show cause why he should not be punished for failing to attend in compliance with the notice served upon him and if cause is not shown may order him to pay such penalty not exceeding two thousand dollars as the Court thinks fit or may commit him to prison for a term not exceeding two months.

(11) The Magistrate's Court may, on convicting any person under subsection