

Sand Quarries Ordinance

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Bill No: 154/1961

Read the first time: 20th November 1961

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Sand Quarries Ordinance

Bill No. 154/1961

Read the first time on 20th November 1961.

An Ordinance to provide for the licensing and control of sand quarries and for matters incidental thereto.

Be it enacted by the Yang di-Pertuan Negara with the advice and consent of the Legislative Assembly of Singapore, as follows: —

Short title and commencement

1. This Ordinance may be cited as the Sand Quarries Ordinance, 1961, and shall come into operation on such date as the Yang di-Pertuan Negara may by notification in the *Gazette* appoint.

Interpretation

2. In this Ordinance —

“licence” means a licence issued under section 4 of this Ordinance;

“licensee” means any person to whom a licence to use or manage any land for the purposes of a sand quarry has been issued under section 4 of this Ordinance;

“Licensing Officer” means the officer appointed by the Minister under section 3 of this Ordinance;

“sand quarry” means any land on which persons are employed in manual labour in any process for or incidental to the getting, dressing or preparation for the sale or otherwise of sand, gravel or earth.

Appointment of Licensing Officer

3. The Minister may, by notification in the *Gazette*, appoint a public officer to be the Licensing Officer for the purposes of this Ordinance.

Licensing of sand quarries

4.—(1) No person shall on or after the date of the coming into operation of this Ordinance use or manage any land for the purposes of a sand quarry without a licence from the Licensing Officer authorising him so to do.

(2) Any person who uses or manages any land for the purposes of a sand quarry without a licence shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand dollars and, in the case of a continuing offence, to a fine not exceeding fifty dollars for every day or part of a day during which the offence is continued after conviction.

(3) In any prosecution for an offence under this section, the existence in or on any land of any apparatus or accessories for the getting, dressing or preparation for the sale or otherwise of sand shall be *prima facie* evidence that the person owning or having the control of such apparatus or accessories has been using or managing such land for the purposes of a sand quarry.

Licences to be discretionary

5.—(1) The grant or renewal of any licence in pursuance of this Ordinance or any regulations made thereunder shall be in the discretion of the Licensing Officer and may be granted, renewed or refused without any reason for such grant, renewal or refusal being assigned therefor and may be granted or renewed subject to such restrictions and conditions as the Licensing Officer may think fit and shall be subject to suspension or revocation at any time without compensation and without notice by the Licensing Officer upon breach of any restriction or condition subject to which it was issued.

(2) The Licensing Officer may require any applicant for a licence to furnish such information as the Licensing Officer may reasonably require for a full and proper consideration of the application and in the event of a refusal to furnish such information shall refuse to grant or renew such licence.

(3) Save as otherwise expressly provided in the licence, any licence granted or renewed in pursuance of this Ordinance or any regulations made thereunder may be for such period not exceeding twelve months as the Licensing Officer thinks fit.

(4) There shall be charged for the grant or renewal of any licence such fee as may from time to time be prescribed by the Minister.

(5) No such licence shall be transferable without the consent of the Licensing Officer.

(6) Any person aggrieved by the refusal by the Licensing Officer to grant or renew any licence or by the suspension or revocation by the Licensing Officer of any licence may within one month of such refusal, suspension or revocation appeal to the Minister whose decision shall be final.

Security for due performance of obligations of licensees

6. The Licensing Officer may, as a condition of the grant of a licence in respect of any sand quarry, require such security as he shall think fit to be deposited with the Licensing Officer for the due performance by the licensee of all or any obligations imposed upon such licensee by such licence or by this Ordinance or any regulations made thereunder.

Power to execute works

7.—(1) If a licensee fails to execute any work or works which he is required by his licence or by this Ordinance or any regulations made thereunder to execute for the purpose of preventing any nuisance or danger to life or property, the Licensing Officer may, by notice in writing, require him to execute such work or works within such time as may be specified in the notice.

(2) If such licensee fails to comply with the requirements of such notice, the Licensing Officer may at any time after the expiration of the time specified in the notice

and without instituting any proceedings against such licensee, cause such work or works to be executed and the expenses incurred thereby shall be paid by such licensee and may be recovered by the Licensing Officer —

- (a) by deducting the amount due from any sum deposited by such licensee as security under the provisions of section 6 of this Ordinance; or
- (b) in the manner provided in section 22 of this Ordinance.

Conditions under which licences may be granted

8. No licence shall be granted unless the Licensing Officer is satisfied that the use of the premises as a sand quarry will be unlikely —

- (a) to cause any nuisance or damage to occupants of adjoining or neighbouring land or buildings; or
- (b) to cause depreciation in the value or amenity of adjoining or neighbouring land or buildings; or
- (c) to be dangerous to health, life or property.

Interference with the bank of any river, stream or water-course

9.—(1) Any licensee who in the course of sand quarrying operations interferes in any way with the bank of any river, stream or water-course may be required by the Licensing Officer, by notice in writing, to restore the same to the same condition in which it was prior to such interference or to remake the same in such manner and within such time as may be specified in the notice.

(2) Any licensee who fails to comply with the requirements of such notice shall be guilty of an offence under this Ordinance and shall be liable on conviction to a fine not exceeding one thousand dollars and, in the case of a continuing offence, to a fine not exceeding fifty dollars for every day or part of a day during which the offence is continued after conviction.

(3) The Licensing Officer may, at any time after the expiration of the time specified in such notice and without instituting any proceedings against such licensee, cause the works specified in the notice to be executed and the expenses thereby incurred shall be paid by the licensee in default and may be recovered by the Licensing Officer —

- (a) by deducting the amount due from any sum deposited by such licensee as a security under the provisions of section 6 of this Ordinance; or
- (b) in the manner provided in section 22 of this Ordinance.

Effluent water to be freed from mud