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GOVERNMENT GAZETTE

ACTS SUPPLEMENT

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The following Act was passed by Parliament on 3 April 2017 and assented to by the President on 2 May 2017:—

REPUBLIC OF SINGAPORE

No. 24 of 2017.

I assent.

TONY TAN KENG YAM,

President.

2 May 2017.



An Act to amend the Energy Conservation Act (Chapter 92C of the 2014 Revised Edition), and to make related amendments to certain other Acts.

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 Energy Conservation (Amendment) Act 2017 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Deletion and substitution of heading of Division 1 of Part III

2. Part III of the Energy Conservation Act (called in this Act the principal Act) is amended by deleting the heading of Division 1 and substituting the following Division heading and Subdivision heading:

“Division 1 — Measures for goods

Subdivision (1) — Interpretation”.

Amendment of section 10

3. Section 10 of the principal Act is amended —

(a) by deleting the words “registrable goods” in the definition of “effective date” and substituting the words “regulated goods”;

(b) by deleting the definition of “goods” and substituting the following definition:

“ “goods” means any device, appliance, equipment, article or thing that requires electricity or fuel for its use or operation, and —

(a) includes 2 or more such devices, appliances, equipment, articles or things that are interconnected, and interdependent or interacting, so as to form a system carrying out one or more functions; but

(b) does not include any motor vehicle;”;

(c) by deleting the words “registrable goods” wherever they appear in the definition of “label” and substituting in each case the words “regulated goods”; and

(d) by deleting the definitions of “registered goods”, “registered supplier” and “registrable goods” and substituting the following definitions:

““registered goods” means any regulated goods registered under section 13(2) as such;

“registered supplier” means any importer or manufacturer registered under section 13(2) as such;

“regulated goods” means any goods prescribed under section 11 to be such;”.

Repeal and re-enactment of sections 11, 12 and 13 and new section 12A

4. Sections 11, 12 and 13 of the principal Act are repealed and the following Subdivision headings and sections substituted therefor:

“Subdivision (2) — Restrictions on supplies of regulated goods through registration, energy labelling, minimum performance standards, etc.

Regulated goods

11. The Minister may, after consulting the Agency, by order in the *Gazette*, prescribe any class, description or type of goods to be regulated goods for the purposes of this Part from the date specified in the order.

Restriction on supply of regulated goods

12.—(1) Subject to this section, a person must not make a prohibited supply of regulated goods in Singapore.

(2) Any person that contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000.

(3) For the purposes of subsection (1), a prohibited supply of regulated goods is a supply of regulated goods where —

- (a) the goods do not comply, on or after the effective date for those goods, with any one or more of the requirements mentioned in subsection (4) which is prescribed as being applicable to those regulated goods and not waived under section 31B(1); and
- (b) the supply is made by the person to another person —
 - (i) in the course or furtherance of the firstmentioned person's trade or business; or
 - (ii) in furtherance of the second-mentioned person's trade or business.

(4) The following are the requirements for the purpose of subsection (3):

- (a) the goods must be registered;
- (b) the goods must conform to either or both of the following:
 - (i) the minimum energy efficiency standard prescribed for the goods;
 - (ii) any other requirement prescribed for the goods affecting or relating to the energy efficiency standard;
- (c) the goods must be labelled with the information prescribed for the goods, in the manner prescribed or allowed by the Director-General in any particular case;
- (d) the goods must be accompanied by the information prescribed for the goods relating to energy efficiency, in the manner prescribed or allowed by the Director-General in any particular case;
- (e) information prescribed for the goods relating to energy efficiency must be disseminated in the

manner prescribed or allowed by the Director-General in any particular case.

(5) Without affecting section 77, subsection (1) does not apply to a supply of regulated goods in any of the following circumstances:

- (a) the goods are supplied as part of any premises by the developer of the premises, if —
 - (i) the developer did not import or manufacture the goods; and
 - (ii) the goods comply with the requirements under subsection (4) applicable to the goods at the time the agreement for the supply of the goods to the developer was entered into;
- (b) the goods are supplied by a participant in the supply chain for the supply of the goods by the developer mentioned in paragraph (a), if the goods comply with the requirements under subsection (4) applicable to the goods at the time the agreement for the supply of the goods was entered into.

(6) Without affecting subsection (5) or section 77, subsection (1) does not apply to a supply of regulated goods prescribed for the purposes of this subsection if —

- (a) the supply is by a participant in the supply chain for the supply of such regulated goods to a person (other than a person acting in the capacity of a developer) who is intending to construct or is constructing, or is causing to be constructed, any premises;
- (b) the goods are to be used in the premises;
- (c) the premises are to be occupied by the person;
- (d) the person did not import or manufacture the goods; and
- (e) the goods comply with the requirements under subsection (4) applicable to the goods at the time