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GOVERNMENT GAZETTE

ACTS SUPPLEMENT

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The following Act was passed by Parliament on 13th September 2016 and assented to by the President on 21st October 2016:—

REPUBLIC OF SINGAPORE

No. 25 of 2016.

I assent.

TONY TAN KENG YAM,

President.

21st October 2016.



An Act to amend the Consumer Protection (Fair Trading) Act (Chapter 52A of the 2009 Revised Edition) and to make related amendments to the Standards, Productivity and Innovation Board Act (Chapter 303A of the 2002 Revised Edition), and to make an amendment to the Consumer Protection (Fair Trading) (Amendment) Act 2008 (Act 15 of 2008).

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 Consumer Protection (Fair Trading) (Amendment) Act 2016 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 2

2. Section 2(1) of the Consumer Protection (Fair Trading) Act (called in this Act the principal Act) is amended —

(a) by deleting the definition of “Chairman” and substituting the following definitions:

“ “Board” means the Standards, Productivity and Innovation Board established by section 3 of the Standards, Productivity and Innovation Board Act (Cap. 303A);

“chief executive” means the chief executive of the Board and includes any person acting in that capacity;”; and

(b) by deleting the definition of “Panel”.

Amendment of section 8

3. Section 8(10) of the principal Act is amended by deleting the word “Act” and substituting the word “section”.

Amendment of section 9

4. Section 9 of the principal Act is amended —

(a) by deleting the words “a specified body” in subsection (1) and substituting the words “the Board”;

(b) by deleting paragraph (c) of subsection (1) and substituting the following paragraph:

“(c) if the Court grants relief under paragraph (a) or (b), make in addition one or more of the accompanying orders mentioned in subsection (4).”;

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- (c) by deleting the words “it appears to the Court” in subsection (2)(b) and substituting the words “the Court is satisfied”;
 - (d) by deleting the words “is of the opinion that it is” in subsection (3) and substituting the words “considers it”; and
 - (e) by deleting subsections (4) to (7) and substituting the following subsections:

“(4) The accompanying orders for the purposes of subsection (1)(c) are as follows:

- (a) an order that the supplier must periodically publish, at the supplier’s expense, for a specified period that the supplier continues to be a supplier, the details of the declaration or injunction in the form and manner and at the intervals as will secure prompt and adequate publicity for the declaration or injunction against the supplier;
- (b) an order that the supplier must, before any consumer enters into a contract in relation to a consumer transaction with the supplier during a specified period —
 - (i) notify the consumer in writing about the declaration or injunction against the supplier; and
 - (ii) obtain the consumer’s written acknowledgment of the notice in sub-paragraph (i);
- (c) an order that the supplier must include in every invoice or receipt issued by the supplier to a consumer during a specified period, a statement that the District Court or High Court has granted a declaration or injunction against the supplier;

- (d) an order that the supplier must, within 14 days after any of the following events occurring in a specified period, notify the Board in writing:
- (i) a change in the premises or number of premises at which the supplier carries on business as a supplier;
 - (ii) a change in the Internet address or number of Internet addresses through which consumer transactions with the supplier may be entered into;
 - (iii) the supplier converts from a firm or private company to a limited liability partnership under section 20 or 21 of the Limited Liability Partnerships Act (Cap. 163A), respectively;
 - (iv) the supplier undergoes any arrangement, reconstruction or amalgamation under Part VII of the Companies Act (Cap. 50);
 - (v) the supplier is subject to receivership under Part VIII of the Companies Act;
 - (vi) the supplier is subject to judicial management under Part VIIIA of the Companies Act;
 - (vii) the supplier is subject to winding up under Part X of the Companies Act;
 - (viii) any other event prescribed under this Act;
- (e) where the supplier is an individual, an order that the individual must inform the Board in writing if a notifiable event occurs in a specified period;

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- (f) where the supplier is a partnership that has one or more partners who are individuals, an order that any one or all of those individuals must inform the Board in writing if a notifiable event occurs in a specified period;
 - (g) an order that the supplier must reimburse the Board for the cost of publishing or causing to be published all or any of the following:
 - (i) a notice that the Board has commenced an action under subsection (1) against the supplier;
 - (ii) a notice that an interim injunction has been granted against the supplier under subsection (3), and details of the interim injunction;
 - (iii) a notice that an injunction, declaration, or both, have been granted against the supplier under subsection (1), and details of the injunction and declaration.
- (5) For the purposes of subsection (4)(a) and (g)(ii) and (iii), a reference to the details of a declaration, an injunction or an interim injunction granted against a supplier includes the following:
- (a) particulars of the declaration, injunction or interim injunction (as the case may be);
 - (b) the name of the supplier;
 - (c) whether the supplier is subject to any other subsisting declaration or injunction, or both, pursuant to any other action commenced under this section;