

# **Sand and Granite Quarries Bill**

## **Table of Contents**

**Bill No: 37/1970**

***Read the first time: 2nd September 1970***

**Long Title**

**Enacting Formula**

**1 Short title and commencement**

**2 Interpretation**

**3 Appointment of Licensing Officer**

**4 Prohibition on quarrying without a licence**

**5 Licences to be discretionary**

**6 Security for due performance of obligations of licensees**

**7 Power to execute works**

**8 Conditions under which licences may be granted**

**9 Interference with the bank of any river, stream or watercourse**

**10 Effluent water to be freed from mud**

**11 Disposal of waste matter**

**12 Excavation by direct action of water**

**13 Safety measures**

**14 Fencing of sand and granite quarries**

**15 Power to enter upon premises for the purposes of this Act**

**16 Penalty for obstructing officer in his duty**

**17 Default in compliance with notice, etc.**

**18 Penalty for offences not otherwise provided for**

**19 Attempts and abetments**

**20 Liability of licensee for act of servant**

**21 Saving of prosecutions under other laws**

**22 Costs and expenses to be determined by Magistrate's Court**

**23 Exemption**

**24 Regulations**

**25 Repeal**

**Explanatory Statement**

**Expenditure of Public Money**

**Sand and Granite Quarries Bill**

**Bill No. 37/1970**

*Read the first time on 2nd September 1970.*

An Act to provide for the licensing and control of sand and granite quarries and for matters incidental thereto, and to repeal the Sand Quarries Ordinance, 1961 (No. 33 of 1961).

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 Sand and Granite Quarries Act, 1970, and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

### **Interpretation**

2. In this Act —

“granite quarry” means any land from which granite blocks, gravel, stones and overburden are extracted by blasting, sorting, breaking, loading and transporting whether the processes are executed by manual labour or mechanical means;

“licence” means a licence issued under section 5 of this Act;

“licensee” means any person to whom a licence to use or manage any land for the purposes of a sand or granite quarry has been issued under section 5 of this Act;

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

“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 Act.

### **Prohibition on quarrying without a licence**

4.—(1) No person shall, on or after the date of the coming into operation of this Act, use or manage any land for the purposes of a sand or granite 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 or granite quarry without a licence shall be guilty of an offence under this Act and shall be liable on conviction to a fine not exceeding five thousand dollars and, in the case of a

continuing offence, to a fine not exceeding one hundred dollars for every day or part thereof during which the offence is continued after conviction.

(3) In any prosecution for an offence under this section —

- (a) 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;
- (b) the existence in or on any land of any mechanical equipment or other like thing used for the purpose of extracting granite blocks, gravel, stones and overburden by blasting, sorting, breaking, loading and transporting shall be *prima facie* evidence that the person owning or having the control of such mechanical equipment or other like thing has been using or managing such land for the purposes of a granite quarry.

### **Licences to be discretionary**

5.—(1) The Licensing Officer may at his discretion grant, renew or refuse any licence in pursuance of this Act or any regulations made thereunder.

(2) Licences in pursuance of this Act or any regulations made thereunder 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.

(3) 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.

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

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

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

(7) No licence for carrying on any granite quarry shall be granted unless the applicant for such licence desposits with the Licensing Officer a certified site plan from the Chief

Surveyor indicating the location of the granite quarry.

(8) 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 thereon 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 or granite quarry, require such security as he thinks 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 Act 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 this licence or by this Act 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 Act; or
- (b) in the manner provided in section 22 of this Act.

### **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 or granite 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.