

Coastal Protection and Other Amendments Bill

Bill No. 2/2026.

Read the first time on 3 February 2026.

A BILL

i n t i t u l e d

An Act to amend the Public Utilities Act 2001 and the Sewerage and Drainage Act 1999, and make related and consequential amendments to certain Acts, for coastal protection purposes, and to make other amendments to the Public Utilities Act 2001 and the Sewerage and Drainage Act 1999 concerning utilities.

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 Coastal Protection and Other Amendments Act 2026 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

PART 1

COASTAL PROTECTION AMENDMENTS

Division 1 — Amendment of Public Utilities Act 2001

Amendment of section 2

2. In the Public Utilities Act 2001 (called in this Act the PU Act), in section 2 —

(a) replace the definitions of “coastal hazard”, “coastal management” and “coastal zone” with —

““coastal flooding” means flooding of land by seawater, as more particularly described in section 2A of the Sewerage, Drainage and Coastal Protection Act 1999;

“coastal management” means the adaptation of Singapore to current and future impacts of coastal flooding, taking into account the effects of climate change, and includes the carrying out of coastal protection works;

“coastal protection measure” means any structure or geographical or nature-based feature, together with any ancillary structure, plant, equipment, or geographical or nature-based feature, that may function as protection against coastal flooding, as more particularly described in section 2B of the Sewerage, Drainage and Coastal Protection Act 1999;

“coastal protection works” means any of the following activities:

- (a) (whether by construction or otherwise) putting in place, expanding or altering (including by adding, demolishing or removing) any or any part of a coastal protection measure; 5
- (b) constructing or acquiring any electrical installation or substation necessary to support the function of any coastal protection measure, and connecting any part of a coastal protection measure to an electricity source; 10
- (c) maintaining, repairing, inspecting or monitoring any or any part of a coastal protection measure; 15
- (d) any activity to support any of the activities in paragraph (a) (including improving ground conditions and undertaking any study or survey for or to facilitate the designing of any or any part of a coastal protection measure); and 20

(b) delete the definition of “foreshore”.

Amendment of section 6

3. In the PU Act, in section 6(1) —

- (a) in paragraph (eb), after “coastal management”, insert “, whether as agent of the Government or otherwise”;
- (b) in paragraph (ec), delete “relating to the coastal zone so as”;
- (c) in paragraph (ec), replace “safeguard against coastal hazards” with “protect against coastal flooding”;

(*d*) in paragraph (*f*)(iii), replace “and drainage reserves” with “, drainage reserves and structures for flood prevention or alleviation”;

(*e*) in paragraph (*f*), delete sub-paragraph (*v*);

5 (*f*) delete paragraph (*fa*);

(*g*) in paragraph (*g*), replace “coastal protection systems” with “coastal protection measures”; and

(*h*) in paragraph (*ja*), after “Board”, insert “, and in and around coastal protection measures”.

10 **New section 7AA**

4. In the PU Act, after section 7, insert —

“Recovery of financial support

15 **7AA.**—(1) Where any person fails to comply with any condition to which any financial support given by the Board pursuant to paragraph 4A of the Second Schedule is subject, the Board may recover from the recipient of the financial support, the financial support or the amount of the financial support to which the condition relates (as applicable) (called in this section the claim amount) as a debt due to the Board.

20 (2) The Board may at any time give written notice to the recipient to pay the claim amount to the Board, in the manner specified in the notice and within 30 days after the date of service of the notice or any later time that the Board may allow in a particular case (called in this section the payment period).

25 (3) If any part of the claim amount is not paid by the recipient within the payment period, the recipient must pay to the Board, in addition to the claim amount not paid, interest at the prescribed rate on the outstanding claim amount for the period calculated from the end of the payment period to the date the claim amount is paid to the Board in full (called in this section the interest).

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(4) The Board may remit or refund the whole or any part of the claim amount or interest.”.

Amendment of section 7A

5. In the PU Act, in section 7A —

(a) renumber the section as subsection (1) of that section; and

(b) after subsection (1), insert —

“(2) Without affecting subsection (1), the Board may, in carrying out any function or duty or exercising any power relating to any stormwater drainage system within the meaning of the Sewerage, Drainage and Coastal Protection Act 1999, have regard to the effect of the ingress of seawater on the system. 5 10

(3) Without affecting subsection (1), the Board may, in carrying out any function or duty or exercising any power relating to coastal management or any coastal protection measure, have regard to — 15

(a) the effect of stormwater on the functioning or effectiveness of any coastal protection measure;

(b) the prevention or alleviation of flooding by stormwater; 20

(c) any function or duty of any public authority; and

(d) the need to prevent any bodily injury or loss of life, or any loss of, or damage to, any immovable or movable property, or to preserve the functionality of any premises, 25

but is not required to have regard to any diminution in value of any premises, or any increase in costs or expenses to the owner of any premises, in connection with such coastal management or any coastal protection measure.”. 30

Amendment of section 18A

6. In the PU Act, in section 18A —

(a) in subsection (1)(a), replace “coastal management”
wherever it appears with “coastal administration”; and

(b) after subsection (3), insert —

“(4) In this section —

“coastal administration” includes the protection,
conservation, rehabilitation and management
of the coastal zone to mitigate current and
future risks from coastal hazards, taking into
account the effects of climate change;

“coastal hazard” means any of the following:

(a) beach or foreshore erosion;

(b) coastal slope instability;

(c) coastal inundation;

(d) tidal inundation;

(e) erosion and inundation of the coastal
zone caused by tidal waters and the
action of waves, including the
interaction of those waters with
catchment floodwater;

“coastal zone” means any of the following in
Singapore:

(a) littoral beaches, foreshores, tidal
wetlands, estuaries, coastal swamps,
mangrove areas, littoral forests or
minor coastal streams, whether or
not of a saline, freshwater or
brackish nature;

(b) all other areas at risk of being affected
by coastal hazards, taking into
account the effects of climate change;

“foreshore” means the land lying between the high-water mark and low-water mark of the sea as is ordinarily covered and uncovered by the flow and ebb of the tide at spring tides.”.

Amendment of Second Schedule

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7. In the PU Act, in the Second Schedule —

(a) replace paragraph 1 with —

“1. To undertake —

(a) any building works (including the construction, improvement, raising and repair of any street); and

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(b) any other activities,

for purposes of flood prevention or alleviation, whether the flooding is by stormwater, seawater or both.”; and

(b) after paragraph 4, insert —

“4A. To provide financial support to any person in connection with the carrying out of any matter pursuant to this Act or the Sewerage, Drainage and Coastal Protection Act 1999, subject to any condition as the Board thinks fit.”.

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Division 2 — Amendment of Sewerage and Drainage Act 1999

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Amendment of long title

8. In the Sewerage and Drainage Act 1999 (called in this Act the SD Act), in the long title, after “land drainage systems”, insert “and coastal protection measures”.

Amendment of section 1

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9. In the SD Act, in section 1, replace “and Drainage” with “, Drainage and Coastal Protection”.

Amendment of section 2

10. In the SD Act, in section 2(1) —

(a) before the definition of “authorised officer”, insert —

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““absolute protection boundary” means any boundary demarcating any region that must be protected from permanent coastal flooding and transient coastal flooding;”;

5 (b) after the definition of “building”, insert —

““coastal flooding” has the meaning given by section 2A(1);

“coastal management” has the meaning given by section 2 of the Public Utilities Act 2001;

10 “Coastal Protection Interpretation Plan” or “CPIP” means the Coastal Protection Interpretation Plan under section 30C, as amended from time to time;

15 “coastal protection measure” means any structure or geographical or nature-based feature, together with any ancillary structure, plant, equipment, or geographical or nature-based feature, that may function as protection against coastal flooding, as more particularly described in section 2B;

20 “coastal protection safety corridor” means a coastal protection safety corridor prescribed under section 30B(1)(c);

“coastal protection works” has the meaning given by section 2 of the Public Utilities Act 2001;”;

25 (c) after the definition of “competent authority”, insert —

30 ““CPM standards”, in relation to a coastal protection measure or a part of a coastal protection measure, means the standards in any code of practice under section 32 for the coastal protection measure or part, as amended from time to time;

“designated details”, in relation to a coastal protection measure or a part of a coastal protection measure for a prescribed place, means the description, details or delineation of the coastal protection measure or part —

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(a) included in the CPIP for the prescribed place under section 30D(1); or

(b) notified to the owner of the prescribed place under section 30D(3),

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as the case may be;”;

(d) in the definition of “flood protection measure”, in paragraph (a), after “stormwater”, insert “or seawater or both”;

(e) in the definition of “flood protection measure”, in paragraph (b), replace “that has” with “or seawater or both, that has or have”;

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(f) in the definition of “flood protection measure”, in paragraph (c), replace “stormwater into” with “stormwater or seawater or both into”;

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(g) after the definition of “Magistrate’s Court limit”, insert —

““nearshore or offshore structure” means a structure —

(a) any part of which is seawards of any part of a protection boundary or (where there is no protection boundary) any part of an absolute protection boundary; and

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(b) any part of which is fixed into or attached to the seabed or to land,

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but does not include any such structure prescribed in regulations made under section 74;”;

(h) after the definition of “owner”, insert —

““permanent coastal flooding” means coastal flooding of the type described in section 2A(1)(a);”;

5 (i) in the definition of “premises”, after “tenure”, insert “(including in perpetuity)”;

(j) after the definition of “premises”, insert —

““protection boundary” means a boundary that —

10 (a) is seawards of an absolute protection boundary and which, together with the absolute protection boundary, demarcates a transiently floodable area (coastal); or

15 (b) on its own demarcates any region as a transiently floodable area (coastal);”;

(k) after the definition of “sewerage works”, insert —

““specified drain” means a drain that would, but for any dam or tidal or flood gates, open to the sea;

20 “specified reservoir” means a reservoir that would, but for any dam or tidal or flood gates, open to the sea;”;

(l) after the definition of “trade effluent”, insert —

““transient coastal flooding” means coastal flooding of the type described in section 2A(1)(b);

25 “transiently floodable area (coastal)” means an area demarcated by —

(a) a part of an absolute protection boundary and a protection boundary; or

30 (b) only a protection boundary, that may experience transient coastal flooding but not permanent coastal flooding;”;

- (m) in the definition of “works”, replace “and sanitary works” with “, sanitary works and coastal protection works”.

New sections 2A to 2D

11. In the SD Act, after section 2, insert —

“Meaning of “coastal flooding”

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2A.—(1) In this Act, “coastal flooding” means the flooding of land by seawater and may be —

- (a) permanent — as a result of land being lower than the long-term prevailing mean sea level; or
- (b) transient — as a result of events such as high tides, wave action or overtopping, storm surges and seawater backflow through drains (including where the seawater interacts with any other source of water).

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(2) In this Act, where a reference is made to any coastal protection measure for any prescribed place in relation to its function as protection against coastal flooding, the coastal flooding referred to is as described in section 30E(2).

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Meaning of “coastal protection measure”, etc.

2B.—(1) In this Act, a coastal protection measure is any or any combination of the following:

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- (a) any structure (for example, seawalls, revetments, embankments, weirs, dykes, dams, navigational locks, barrages, barriers, sheet piles, promenades, buildings, walls and streets);
- (b) any geographical or nature-based feature (for example, high ground, knolls, beaches and mangroves), whether naturally occurring, naturally occurring with modifications or enhancements made, or manmade,

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that, whether as existing or when put in place, and whether on its own or in connection with any other coastal protection measure,

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may function as protection against coastal flooding as described in section 30E(2).

(2) The structure or geographical or nature-based feature in subsection (1) also includes any or any combination of any ancillary structure, plant or equipment (for example, pumping stations, drains, tanks, control and monitoring equipment, groynes and breakwaters, and electrical installations), or any geographical or nature-based feature, that —

(a) supports the proper functioning of that structure or geographical or nature-based feature as protection against coastal flooding; or

(b) prevents or alleviates flooding landward of that structure or geographical or nature-based feature, whether by seawater or water from any other source,

(collectively called in this section and Part 4A ancillaries).

(3) The Minister may, by order in the *Gazette*, prescribe any ancillaries that would otherwise fall within subsection (2), to be excluded from that subsection.

(4) Any structure or geographical or nature-based feature, together with any ancillaries, continues to be a coastal protection measure even if the same or any part of the same may also function for some other purpose in addition to the respective functions in subsections (1) and (2)(a) and (b); but Part 4A only applies in relation to the functions in subsections (1) and (2)(a) and (b).

(5) To avoid doubt, a coastal protection measure —

(a) may also be a part of some other structure or geographical or nature-based feature; and

(b) includes any component that must be operated or deployed in order for the coastal protection measure to protect against coastal flooding (where applicable).

(6) In this Act, deploying a component of a coastal protection measure includes installing the component in or at any part of the coastal protection measure.

(7) In this Act, a coastal protection measure that is put in place includes a geographical or nature-based feature that is modified or enhanced to satisfy the CPM standards for a coastal protection measure for a prescribed place.

Meaning of “prescribed place”

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2C.—(1) In this Act, “prescribed place” means any of the following:

- (a) any premises, specified reservoir or specified drain, or any part of the sea, at which is prescribed any or any part of an absolute protection boundary; 10
- (b) without affecting paragraph (a), any premises within, or any part of which is within, a transiently floodable area (coastal);
- (c) any sheltered structure any part of which is within a transiently floodable area (coastal); 15
- (d) any nearshore or offshore structure.

(2) Premises, specified reservoirs, specified drains, parts of the sea, or structures, only become prescribed places as follows:

- (a) for any premises, specified reservoir, specified drain or part of the sea under subsection (1)(a) — as from the effective date of the prescription under section 30B of the absolute protection boundary or part (as the case may be) at the premises, specified reservoir, specified drain or part of the sea; 20
- (b) for any premises under subsection (1)(b) — as from the effective date in subsection (3) of the transiently floodable area (coastal); 25
- (c) for any sheltered structure under subsection (1)(c) — as from the effective date in subsection (3) of the transiently floodable area (coastal); 30
- (d) for any nearshore or offshore structure under subsection (1)(d) — as from the effective date of the prescription under section 30B of the absolute

protection boundary or part (as the case may be) that the nearshore or offshore structure is seaward of.

(3) For the purposes of subsection (2)(b) and (c), the effective date of the transiently floodable area (coastal) is, as the case may be —

(a) the effective date of the prescription under section 30B of the part of the absolute protection boundary, and the protection boundary, by which the transiently floodable area (coastal) is demarcated or, if the effective dates of prescription of the 2 are different, the later date; or

(b) the effective date of the prescription under section 30B of the protection boundary by which the transiently floodable area (coastal) is demarcated.

Meaning of “owner” in relation to prescribed place

2D.—(1) The Minister may, by order in the *Gazette*, prescribe one or more of the following persons to be an owner of any prescribed place for the purposes of any provision in Part 4A (other than section 30Q):

(a) a person within the definition of “owner” in section 2(1);

(b) a lessee or tenant of the prescribed place, or of any part of the prescribed place in relation to that part of the prescribed place.

(2) Different persons may be prescribed —

(a) for different provisions in Part 4A; and

(b) for different circumstances under the same provision in Part 4A.

(3) Where such prescription is made for any provision in Part 4A —

(a) only the person prescribed (or if more than one person is prescribed, each person prescribed) is an owner of the prescribed place or part for the purposes of —

- (i) that provision; and
- (ii) any other provision in this Act in its application to that provision; and
- (b) no other person within the definition of “owner” in section 2(1) is an owner of the prescribed place or part for the purposes of that provision.

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(4) Where no such prescription is made for a provision in Part 4A, “owner” for the purposes of that provision has the meaning given by section 2(1).”.

Amendment of section 22B

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12. In the SD Act, in section 22B —

- (a) in the section heading, after “to be”, insert “**put in place and**”;
- (b) in subsection (1), after “the premises”, insert “in accordance with any code of practice under section 32 for flood protection measures”;
- (c) after subsection (3), insert —

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“(3A) The owner of any premises must put in place any flood protection measure in accordance with any code of practice under section 32 for flood protection measures.

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(3B) Without affecting section 43(1A), where the owner mentioned in subsection (3A) has failed to put in place any flood protection measure in accordance with the code of practice, the Board may by written notice require the owner, at the owner’s own cost and expense, to do anything necessary to put in place the flood protection measure within the time specified in the notice.

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(3C) Without affecting subsection (3B), where —

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- (a) the owner mentioned in subsection (3A) has failed to put in place any flood

protection measure in accordance with the code of practice; and

(b) the Board has reason to believe that there is an impending high sea level event and action must be immediately taken at the premises to put in place a flood protection measure as protection against flooding by stormwater, seawater or both, at or through the premises,

an authorised officer may immediately and without notice enter upon the premises and carry out or cause to be carried out any works, acts or things that are necessary to put in place the flood protection measure.”;

(d) in subsection (4), replace “may be recovered from the owner mentioned in subsection (1)” with “or (3C) may be recovered from the owner of the premises concerned”; and

(e) in subsection (5), after “subsection (1)”, insert “or (3A)”.

New Part 4A

13. In the SD Act, after Part 4, insert —

“PART 4A

COASTAL FLOODING

Division 1 — General

Application to Government

30A.—(1) This Part binds the Government and for this purpose, a reference to a person in any provision of this Act in its application to a provision in this Part includes the Government; but nothing in this Act renders the Government liable to prosecution for an offence.

(2) The Minister may, by notification in the *Gazette*, designate —

(a) any public body for which the Minister is the responsible Minister (including the Board); and

(b) any public body for which the Minister is not the responsible Minister, after consultation with the responsible Minister of the public body,

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to act as agent of the Government, or otherwise assist the Government, in relation to any obligation imposed on the Government under this Act to carry out coastal management, and operate or deploy any component of a coastal protection measure.

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(3) The public body must act under its designation in accordance with —

(a) any limitations on its designation; and

(b) any directions from time to time,

that the Minister responsible for the public body may impose.

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(4) The public body, when acting under its designation in accordance with subsection (3), is treated as carrying out a function or exercising a power conferred on the public body under the Act that establishes it.

(5) A designation by the Minister does not affect or prevent the Government from carrying out any obligation imposed on the Government under this Part.

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(6) In this Part, where an obligation is imposed in relation to a coastal protection measure for any part of the sea, the Government must undertake that obligation.

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(7) In this section, “public body” means a body corporate established by a public Act for the purposes of a public function, excluding a Town Council established by section 4 of the Town Councils Act 1988.

Minister to prescribe absolute protection boundaries, protection boundaries, nearshore or offshore structures, coastal protection safety corridors, etc.

30B.—(1) The Minister may, from time to time, by order in the *Gazette*, prescribe —

(a) the location of any or any part of an absolute protection boundary or a protection boundary at any of the following:

(i) any premises at or near —

(A) a specified reservoir;

(B) a specified drain; or

(C) the sea;

(ii) any specified reservoir or specified drain, or any part of the sea;

(b) the part of the sea that is to be treated as seaward of any or any part of an absolute protection boundary; and

(c) the location of any coastal protection safety corridor.

(2) The Minister may provide in an order under subsection (1) for any matter in that subsection to be more particularly described, detailed or delineated by the Board in the Coastal Protection Interpretation Plan.

(3) The Minister must include in an order under subsection (1) a date by which any premises, specified reservoir, specified drain or part of the sea, that becomes a prescribed place under section 2C by virtue of the order, must have a coastal protection measure for the prescribed place.

(4) The Minister may, from time to time, amend an order under subsection (1) for any of the following:

(a) to add or remove, or modify the description of, any premises, specified reservoir, specified drain or part of the sea under subsection (1)(a);

- (b) to modify or change the location of any or any part of an absolute protection boundary, a protection boundary, a coastal protection safety corridor or a part of the sea under subsection (1)(a), (b) or (c);
- (c) to amend any date under subsection (3).

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Coastal Protection Interpretation Plan

30C.—(1) For the purposes of this Part, the Board must prepare, maintain and keep up to date a Coastal Protection Interpretation Plan (CPIP) that describes, details or delineates the following:

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- (a) any or any part of an absolute protection boundary and a protection boundary at a prescribed place, and the part of the sea treated as seaward of any or any part of an absolute protection boundary;
- (b) any or any part of a transiently floodable area (coastal);
- (c) any coastal protection measure or any part of a coastal protection measure for a prescribed place;
- (d) any coastal protection safety corridor;
- (e) any coastal protection reserve, being the area at a prescribed place estimated to be required —
 - (i) for any future expansion of the coastal protection measure for the prescribed place under section 30E(5); and
 - (ii) to access the coastal protection measure for the prescribed place (including after any expansion mentioned in sub-paragraph (i)) to —
 - (A) maintain and repair the coastal protection measure; and
 - (B) inspect and monitor the coastal protection measure.

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(2) Nothing in this section prevents the Board from including in the CPIP any other information, including any description, detail or delineation of any coastal protection measure or part that is proposed to be or is being put in place for a prescribed place.

(3) For the purpose of describing, detailing or delineating in the CPIP any matter in subsection (1), the Board may include in the CPIP any map or three-dimensional image.

(4) The Board may, from time to time, amend any description, detail or delineation in the CPIP of any matter in subsection (1) or (2).

(5) The CPIP need not be published in the *Gazette*, and may be maintained electronically.

(6) The Board must make provision for the inspection of the CPIP over one or more platforms, whether or not hosted by the Board, and the Board may determine what information in the CPIP may be inspected on any such platform.

(7) Regulations made under section 74 may provide —

(a) for the persons who may inspect the CPIP, and the parts of the CPIP that may be so inspected, on any platform;

(b) the assignment of authentication codes and accounts to persons permitted to inspect the CPIP;

(c) the circumstances under which authentication codes and accounts may be cancelled or suspended;

(d) where the CPIP may be inspected and (as appropriate) the time during which the CPIP may be inspected;

(e) that copies of any part of the CPIP may be purchased, how the copies may be purchased and the fee payable for the copies; and

(f) if copies of any part of the CPIP are available in other ways, the details of where or how the copies may be accessed or obtained.

(8) Despite any other Act, any electronic record of any part of the CPIP, or a copy or printout of that electronic record, is, in any proceedings under this Act, admissible as evidence of the facts stated or contained therein if that electronic record, copy or printout is authenticated —

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(a) by a certificate which —

- (i) gives the particulars of any person or device involved in the production or transmission of the electronic record, copy or printout;
- (ii) identifies the nature of the electronic record, copy or printout; and
- (iii) purports to be signed by the Chief Executive of the Board, or an officer of the Board that the Chief Executive designates; or

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(b) in the manner provided in the Evidence Act 1893 for the authentication of computer output.

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Designating coastal protection measures or parts of coastal protection measures in CPIP, etc.

30D.—(1) Subject to subsection (3), for the purposes of section 30C(1)(c), the Board —

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(a) must describe, detail or delineate in the CPIP the coastal protection measure for a prescribed place —

(i) that the Board has accepted under section 30E(3)(a); or

(ii) that has been put in place for the prescribed place and in respect of which the Board has issued a compliance certificate or completion certificate under section 33,

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and the Board must update the designated details of the coastal protection measure in the CPIP whenever a compliance certificate or completion certificate is issued under section 33 for an expansion of the coastal protection measure under section 30E or an alteration

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of the coastal protection measure under section 30H;
and

- (b) may describe, detail or delineate in the CPIP a part of
a coastal protection measure for any prescribed place
in accordance with subsection (4), (6) or (7), and
remove those designated details from the CPIP once
the coastal protection measure for the prescribed
place is itself described, detailed or delineated in the
CPIP under paragraph (a).

(2) Where any structure or geographical or nature-based
feature, together with any ancillaries, for the prescribed place
exceeds the CPM standards for a coastal protection measure for
the prescribed place, the Board may include any part of the
structure or geographical or nature-based feature, and
ancillaries, that exceed the CPM standards in the description,
detail or delineation in the CPIP of the coastal protection
measure for the prescribed place.

(3) Despite subsections (1) and (2), the Board may instead, if it
considers appropriate, describe, detail or delineate a coastal
protection measure or a part of a coastal protection measure for a
prescribed place in a written notice to the owner of the
prescribed place.

(4) Where —

- (a) any part (the relevant part) of a coastal protection
measure for a prescribed place (prescribed place *A*)
must be put in place or expanded at an adjacent
prescribed place (prescribed place *B*) for the purpose
of effecting a connection between the coastal
protection measures for prescribed place *A* and
prescribed place *B*; and

- (b) a compliance certificate or completion certificate is issued under section 33 for the coastal protection measure put in place or expanded for prescribed place *A* that includes the relevant part at prescribed place *B*,

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the Board may —

- (c) if there is no coastal protection measure for prescribed place *B* — describe, detail or delineate in the CPIP the relevant part as a part of a coastal protection measure for prescribed place *B*; or
- (d) if there is a coastal protection measure for prescribed place *B* — include in the CPIP the relevant part in the description, detail or delineation of the coastal protection measure for prescribed place *B*.

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(5) Despite any other written law or any rule of law, where subsection (4) applies, the owner of prescribed place *B* becomes the owner of the relevant part only upon the issue of the compliance certificate or completion certificate mentioned in paragraph (b) of that subsection.

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(6) Despite not being able to issue a compliance certificate or completion certificate for, or for an expansion of, a coastal protection measure for a prescribed place (including because the coastal protection measure has not yet been connected to any coastal protection measure for any adjacent prescribed place), the Board may describe, detail or delineate in the CPIP any part of the coastal protection measure or expansion as it thinks appropriate, as being a part of the coastal protection measure for the firstmentioned prescribed place.

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(7) The Board may describe, detail or delineate in the CPIP any part of a coastal protection measure for a prescribed place where a compliance certificate or completion certificate is issued for that part under section 33.

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*Division 2 — Obligations to have and
connect coastal protection measures*

Prescribed places to have coastal protection measures

5 **30E.**—(1) As from and including the date prescribed in an order under section 30B(3) for a prescribed place, an owner of the prescribed place must ensure that there is at all times a coastal protection measure for the prescribed place that meets the CPM standards for the coastal protection measure.

10 (2) A coastal protection measure for the prescribed place is to protect against coastal flooding as follows:

15 (a) if any or any part of an absolute protection boundary has been prescribed at the prescribed place — protect against permanent coastal flooding and transient coastal flooding of the region within the absolute protection boundary (together with other coastal protection measures for other prescribed places at which other parts of the absolute protection boundary are prescribed, as the case may be);

20 (b) if the prescribed place or any part of the prescribed place is within a transiently floodable area (coastal) — protect against permanent coastal flooding of the transiently floodable area (coastal) (together with other coastal protection measures for other parts of the transiently floodable area (coastal), as the case may be);

25 (c) if the prescribed place is a sheltered structure — protect against permanent coastal flooding and transient coastal flooding of the sheltered structure;

30 (d) if the prescribed place is a nearshore or offshore structure — protect against permanent coastal flooding and transient coastal flooding of the nearshore or offshore structure.

(3) For the purposes of subsection (1), there is a coastal protection measure for a prescribed place if —

- (a) in a case where the coastal protection measure for the prescribed place comprises only of any existing structure or geographical or nature-based feature, together with any ancillaries — the Board has accepted, on the application of a person prescribed in regulations made under section 74, the structure or geographical or nature-based feature, together with any ancillaries, as the coastal protection measure for the prescribed place; and 5
- (b) in any other case — the Board has issued a compliance certificate or completion certificate under section 33 for the coastal protection measure put in place for the prescribed place. 10

(4) Subsection (3) does not apply if the acceptance given, or compliance certificate or completion certificate issued, is for only a part of a coastal protection measure for the prescribed place. 15

(5) Where, after the date in subsection (1) —

- (a) the CPM standards for the coastal protection measure for a prescribed place are revised to have effect from a date specified in the code of practice under section 32 for the CPM standards; and 20
- (b) the coastal protection measure must be expanded in order to meet the CPM standards as revised,

then, despite any previous acceptance given, or compliance certificate or completion certificate issued, for the coastal protection measure, the owner of the prescribed place must ensure that the coastal protection measure is so expanded by the date mentioned in paragraph (a). 25

(6) For the purposes of subsection (5), the coastal protection measure for the prescribed place is treated as expanded to meet the revisions to the code of practice if a compliance certificate or completion certificate has been issued under section 33 for the expansion, but not if the expansion is of only a part of the coastal protection measure. 30
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(7) For the purposes of subsection (5), expanding a coastal protection measure for a prescribed place includes the following:

- (a) (subject to section 30H) demolishing or otherwise removing the whole of the coastal protection measure, and (subject to section 30F) putting in place a new coastal protection measure for the prescribed place;
- (b) (subject to section 30H) demolishing or otherwise removing any part of the coastal protection measure, and (subject to section 30F) putting in place a new part.

(8) Where an owner of a prescribed place contravenes subsection (1) or (5), the Board may serve on the owner a written notice requiring the owner to —

- (a) ensure that there is a coastal protection measure for the prescribed place that meets the CPM standards for the coastal protection measure;
- (b) expand the coastal protection measure to meet the CPM standards as revised for the coastal protection measure; or
- (c) do anything necessary to ensure that the coastal protection measure meets the CPM standards for the coastal protection measure (including as revised),

within the time specified in the notice.

(9) Any person who contravenes subsection (1) or (5) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$200,000 or to imprisonment for a term not exceeding 2 years or to both.

(10) To avoid doubt —

- (a) the obligations of an owner of a prescribed place under this section apply despite any other written law or any rule of law; and
- (b) the mere presence of anything at the prescribed place where the coastal protection measure is to be put in

place or expanded, does not by itself absolve the owner of the prescribed place from the requirements of putting in place or expanding the coastal protection measure under subsection (1) or (5), as the case may be.

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Board's certificate or approval required for coastal protection measure

30F.—(1) A person must not put in place or expand a coastal protection measure, or a part of a coastal protection measure, for a prescribed place (called in this section relevant works), or cause or permit such relevant works, for the purposes of section 30E without first obtaining for the relevant works a clearance certificate or the approval of the Board under section 33.

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(2) Where, in respect of 2 or more prescribed places that are adjacent to one another, each of the applications for a clearance certificate or the approval of the Board relating to any relevant works is pending before the Board, the Board may approve the applications in any order that it thinks fit and may, for this purpose, take into account the relative complexities and time involved in the relevant works for the respective prescribed places.

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(3) The Board may impose as a condition of a clearance certificate or approval under section 33(7) that the certificate or approval is valid for a specified period.

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(4) The Board may, on its own initiative or upon an application made within the time prescribed in regulations made under section 74, extend the period of validity of a clearance certificate or approval relating to any relevant works at any prescribed place; but any extension (if granted) does not extend the date mentioned in section 30E(1) or (5)(a) to have a coastal protection measure or expand a coastal protection measure (as the case may be) for the prescribed place.

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(5) Where the period of validity of a clearance certificate or an approval is about to expire or has expired, an application for a

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new clearance certificate or approval may be made to the Board, whether or not for the same relevant works for the prescribed place for which the firstmentioned clearance certificate or approval was granted.

(6) Where a person contravenes subsection (1) or any condition of a clearance certificate or approval mentioned in that subsection, the Board may do one or both of the following:

(a) serve on an owner of the prescribed place a written notice requiring the owner to demolish or remove the coastal protection measure or the part of the coastal protection measure, or the expansion, resulting from the relevant works, or restore the coastal protection measure or part or expansion to its original condition, within the time specified in the notice;

(b) revoke the clearance certificate or approval given, or suspend the clearance certificate or approval for any period that the Board considers reasonable.

(7) Any person who —

(a) contravenes subsection (1); or

(b) carries out any relevant works —

(i) after the clearance certificate or approval relating to those works has expired (and a new clearance certificate or approval has not been granted under subsection (5)); or

(ii) after the clearance certificate or approval relating to those works has been revoked, or during the period that the clearance certificate or approval is suspended, under subsection (6)(b),

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$20,000.

Obligations of owners of adjacent prescribed places and connections between coastal protection measures

30G.—(1) This section applies where any part of an absolute protection boundary runs continuously through 2 prescribed places adjacent to each other.

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(2) So much of a coastal protection measure or a part of a coastal protection measure for one of the prescribed places, must be connected to a coastal protection measure or a part of a coastal protection measure for the other prescribed place, as specified by the Board in any clearance certificate or approval granted by the Board relating to each coastal protection measure or part, or any of them (called in this section necessary connection) in accordance with any code of practice under section 32 for the connection of coastal protection measures.

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(3) The Board may provide any part of the plans submitted to it for a coastal protection measure or a part of a coastal protection measure for one of the prescribed places (prescribed place *A*) (including for any expansion thereof), to an owner of an adjacent prescribed place as may be necessary to enable the owner of the adjacent prescribed place to ensure that the necessary connection is effected.

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(4) The part of the plans provided by the Board under subsection (3) may be all or any of the following plans:

(a) the plans submitted to the Board for —

(i) the acceptance mentioned in section 30E(3)(a) of the coastal protection measure or part mentioned in subsection (3) for prescribed place *A*; or

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(ii) the clearance certificate or approval relating to the coastal protection measure or part mentioned in that subsection for prescribed place *A*;

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(b) the plans accepted or approved by the Board for the compliance certificate or completion certificate for

the coastal protection measure or part mentioned in that subsection for prescribed place *A*.

(5) Where the Board has granted a clearance certificate or an approval under section 33 relating to a coastal protection measure or a part of a coastal protection measure for one of the prescribed places (prescribed place *A*) but not yet for the other, then, unless regulations made under section 74 provide otherwise —

(a) the owner of the other prescribed place (prescribed place *B*) must ensure that the necessary connection is effected, and must alter (subject to section 30H) the coastal protection measure or part for prescribed place *A*, or put in place a part of a coastal protection measure at prescribed place *A* (subject to section 30E), as may be necessary for this purpose; and

(b) the owner of prescribed place *B* is responsible for the costs and expenses of effecting the necessary connection, including the costs and expenses of any matter mentioned in paragraph (a).

(6) Regulations made under section 74 may provide —

(a) that (despite subsection (5)) the costs and expenses of effecting the necessary connection and any matter mentioned in subsection (5)(a) are to be —

- (i) borne by the owner of prescribed place *B*;
- (ii) borne by the owner of prescribed place *A*; or
- (iii) shared between both owners, and the manner or methodology of apportioning the costs and expenses for such sharing; and

(b) for the recovery by one owner from the other owner of any costs and expenses or portion of costs and expenses due to the firstmentioned owner from the other owner, by virtue of regulations mentioned in paragraph (a).

(7) Where an owner of a prescribed place contravenes subsection (5)(a) or any regulations mentioned in subsection (5), the Board may serve on the owner a written notice requiring the owner to rectify the contravention within the time specified in the notice.

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(8) The Board may impose as a condition of a clearance certificate or approval under section 33(7) that where an owner of a prescribed place puts in place any part of a coastal protection measure at an adjacent prescribed place for the purpose of effecting a necessary connection, the owner of the firstmentioned prescribed place must ensure that —

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- (a) any warranty against defects in respect of the part of the coastal protection measure; and
- (b) any undertaking to make good the defects at the costs and expenses of the person providing the warranty,

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extends to the owner of the adjacent prescribed place.

Coastal protection measure not to be altered without Board's certificate or approval

30H.—(1) Where a coastal protection measure or a part of a coastal protection measure for a prescribed place has been described, detailed or delineated under section 30D, a person must not alter (including by any addition, demolition or removal) or cause or permit any alteration to, the coastal protection measure or part (as the case may be) without first obtaining for the alteration a clearance certificate or the approval of the Board.

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(2) An alteration to a coastal protection measure or a part of a coastal protection measure for a prescribed place (prescribed place *A*) under subsection (1) may be —

- (a) initiated by an owner of prescribed place *A* or an owner of any prescribed place adjacent to prescribed place *A*; or

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(b) required by the Board by written notice served on any owner in paragraph (a), and the Board may serve such notice despite —

(i) any acceptance given, or compliance certificate or completion certificate issued, by the Board for the purposes of section 30E for the coastal protection measure or part; and

(ii) the coastal protection measure or part satisfying the CPM standards for the coastal protection measure or part.

(3) The Board may require an alteration to a coastal protection measure or a part of a coastal protection measure for a prescribed place under subsection (2)(b) for the purpose of connecting the coastal protection measure or part to another coastal protection measure or a part of another coastal protection measure for any adjacent prescribed place, or for such other purpose as may be prescribed in regulations made under section 74.

(4) In considering an application for a clearance certificate or the approval of the Board under subsection (1), the Board may take into consideration —

(a) the effect of the alteration on the current ability of the coastal protection measure or part to protect against coastal flooding; and

(b) the effect of the alteration on any expansion of the coastal protection measure or part which may be required in the future pursuant to section 30E.

(5) Where a person contravenes subsection (1) or any condition of a clearance certificate or approval mentioned in that subsection, the Board may do one or both of the following:

(a) serve on any person specified in subsection (7) a written notice requiring the person to demolish or remove the coastal protection measure or the part of the coastal protection measure, or restore the coastal protection measure or part to its original condition, within the time specified in the notice;

- (b) revoke the clearance certificate or approval given, or suspend the clearance certificate or approval for any period that the Board considers reasonable.

(6) Where any alteration required by the Board under subsection (2)(b) is not carried out, the Board may serve on any person specified in subsection (7) a written notice requiring the person to carry out the alteration within the time specified in the notice.

(7) The notice mentioned in subsection (5)(a) or (6) may be served on all or any of the following persons:

- (a) any person who does or causes or permits to be done any alteration mentioned in subsection (1);
- (b) the owner of the prescribed place;
- (c) any person having power to alter the coastal protection measure or part mentioned in subsection (1).

(8) Where any alteration to a coastal protection measure or a part of a coastal protection measure for a prescribed place is initiated under subsection (2)(a), any person who —

- (a) contravenes subsection (1) in relation to the alteration; or
- (b) carries out any alteration after the clearance certificate or approval relating to the alteration has been revoked, or during the period that the clearance certificate or approval is suspended, under subsection (5)(b),

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$200,000 or to imprisonment for a term not exceeding 2 years or to both.

(9) Where any alteration to a coastal protection measure or a part of a coastal protection measure for a prescribed place is required by the Board by written notice under subsection (2)(b), any person who —

(a) fails to comply with the notice within the time specified in the notice;

(b) contravenes subsection (1) in relation to any alteration required by the notice; or

(c) carries out any alteration after the clearance certificate or approval relating to those works has been revoked or during the period that the clearance certificate or approval is suspended under subsection (5)(b),

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$20,000.

*Division 3 — Maintenance and operation of
coastal protection measures, and flood response plans*

**Maintenance, inspection and monitoring of coastal
protection measure or part**

30I.—(1) Subject to subsection (2), where a coastal protection measure or a part of a coastal protection measure for a prescribed place has been described, detailed or delineated under section 30D, an owner of the prescribed place must maintain and, as necessary, repair the coastal protection measure or part so that it meets at all times —

(a) the designated details of the coastal protection measure or part; and

(b) the CPM standards for the coastal protection measure or part.

(2) Subsection (1) does not apply to so much of the coastal protection measure or part being altered under section 30H.

(3) Regulations made under section 74 may provide for the times, circumstances or frequency at which, and the manner in which, an owner of a prescribed place must inspect and monitor the coastal protection measure or part for the prescribed place mentioned in subsection (1).

(4) Where an owner of a prescribed place contravenes subsection (1), the Board may serve on the owner a written notice requiring the owner to —

- (a) submit to the Board an assessment on the rectification or repair works necessitated by the matter prescribed, and any other information that may be prescribed, in accordance with regulations made under section 74; and 5
- (b) maintain and, as necessary, repair the coastal protection measure or part within the time specified in the notice. 10

(5) Any person who contravenes subsection (1) or any regulations mentioned in subsection (3) shall be guilty of an offence and shall be liable —

- (a) on the first conviction, to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding one year or to both; and 15
- (b) on a second or subsequent conviction, to a fine not exceeding \$200,000 or to imprisonment for a term not exceeding 2 years or to both. 20

Notification of Board of certain matters relating to coastal protection measure or part

30J.—(1) Without affecting section 30I, where a coastal protection measure or a part of a coastal protection measure for a prescribed place has been described, detailed or delineated under section 30D, an owner of the prescribed place must notify the Board, in accordance with any regulations made under section 74, of any matter prescribed in those regulations relating to the coastal protection measure or part. 25

(2) For the purposes of subsection (1), the matters which may be prescribed include — 30

- (a) any physical damage or deterioration to the coastal protection measure or part; and

- (b) any component of the coastal protection measure not being operable or deployable.

(3) The owner of the prescribed place must also submit to the Board an assessment on the rectification or repair works necessitated by the matter prescribed, and any other information that may be prescribed, in accordance with regulations made under section 74.

(4) Any person who contravenes subsection (1) or (3) shall be guilty of an offence.

Operation or deployment of component of coastal protection measure

30K.—(1) This section applies in relation to any coastal protection measure for a prescribed place that includes any component that must be operated or deployed in order for the coastal protection measure to protect against coastal flooding.

(2) Regulations made under section 74 may provide for —

(a) the requirements in accordance with which the component must be operated or deployed, as the case may be; and

(b) the times at which or the circumstances in which the component must be operated or deployed (including when an owner of the prescribed place is instructed by the Board to do so or is notified by the Board of an impending high sea level event).

(3) Any person who fails to comply with any regulations mentioned in subsection (2) shall be guilty of an offence and shall be liable —

(a) on the first conviction, to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding one year or to both; and

(b) on a second or subsequent conviction, to a fine not exceeding \$200,000 or to imprisonment for a term not exceeding 2 years or to both.

(4) Without affecting any regulations mentioned in subsection (2), an owner of the prescribed place must —

(a) organise and conduct drills for the operation or deployment of any component of the coastal protection measure —

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(i) at such frequency as may be provided for in regulations made under section 74; and

(ii) on such occasion as may be directed by the Board or an authorised officer; and

(b) must, upon the request of an authorised officer, permit any authorised officer to attend at the prescribed place to observe any drill.

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(5) Any person who contravenes subsection (4) shall be guilty of an offence.

(6) Without affecting section 30O, any person who obstructs the operation or deployment of a component of a coastal protection measure while the component is being operated or deployed, or otherwise prevents the component from being operated or deployed, shall be guilty of an offence and shall be liable —

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(a) on the first conviction, to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding one year or to both; and

(b) on a second or subsequent conviction, to a fine not exceeding \$200,000 or to imprisonment for a term not exceeding 2 years or to both.

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Imminent or immediate coastal flooding response

30L.—(1) This section applies in relation to any prescribed place within, or any part of which is within, a transiently floodable area (coastal).

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(2) An owner of the prescribed place must ensure that a flood response plan —

(a) is prepared for the prescribed place by the date prescribed in regulations made under section 74 (which may be before the date prescribed under section 30B(3) in relation to the transiently floodable area (coastal)); and

(b) is updated from time to time in accordance with any regulations made under section 74.

(3) Regulations mentioned in subsection (2)(a) may provide for different dates for different owners or for different circumstances, including where a person becomes an owner of the prescribed place in place of a previous owner of the prescribed place.

(4) The flood response plan must provide for the actions to be taken —

(a) to ensure the safety of persons at the prescribed place in the event of transient coastal flooding there (including the evacuation of the persons, whether before or during the transient coastal flooding); and

(b) for the recovery of the prescribed place after the transient coastal flooding has receded,

and must conform to any requirements specified in any code of practice under section 32 for the flood response plan (which may differ for different prescribed places).

(5) An owner of the prescribed place must —

(a) provide the flood response plan to occupants of the prescribed place (including every update made to it); and

(b) ensure that any information concerning the flood response plan that is prescribed is made available to any visitor to the prescribed place, in any manner that is provided, in regulations made under section 74.

(6) Regulations made under section 74 may provide for the times at which, or the circumstances in which, the flood response plan must be executed (including upon an owner of the

prescribed place being instructed by the Board to do so or being notified by the Board of an impending high sea level event) and the persons responsible for executing any part of the flood response plan.

(7) Without affecting subsection (6), an owner of the prescribed place must — 5

(a) organise and conduct drills of its flood response plan —

(i) at such frequency as may be provided for in regulations made under section 74; and 10

(ii) on such occasion as may be directed by the Board or an authorised officer; and

(b) at the request of an authorised officer, permit any authorised officer to attend at the prescribed place to observe any drill. 15

(8) Any person who contravenes subsection (2) (read with subsection (4)), (5) or (7), or any regulations mentioned in subsection (3) or (6), shall be guilty of an offence.

Keeping of records

30M.—(1) An owner of a prescribed place must, in accordance with any requirement prescribed in regulations made under section 74, keep and maintain complete and accurate records containing the information and documents prescribed for a coastal protection measure or a part of a coastal protection measure for the prescribed place, in relation to any of the following: 20 25

(a) the designated details of the coastal protection measure or part;

(b) the putting in place, expansion or alteration of the coastal protection measure or part, and its connection to any other coastal protection measure or part; 30

(c) the maintenance, repair, inspection and monitoring of the coastal protection measure or part;

- (d) the notification of prescribed matters, and assessments, under sections 30I and 30J;
- (e) the manner of operating or deploying any component of the coastal protection measure, and the drills conducted for such operation or deployment, where applicable;
- (f) the occasions on which any component of the coastal protection measure is operated or deployed, and the drills conducted for the operation or deployment of the components under section 30K(4), where applicable;
- (g) the flood response plan (including any updates to the flood response plan), and the drills conducted for the flood response plan under section 30L(7), where applicable.

(2) The owner of the prescribed place must —

- (a) retain the records mentioned in subsection (1) for at least the period prescribed in regulations made under section 74;
- (b) during the prescribed period mentioned in paragraph (a), make those records available for inspection by any authorised officer when so requested by the authorised officer; and
- (c) submit to the Board those records when required by the Board by the time specified by the Board (including on a periodic basis),

and the regulations may provide for different prescribed periods for different records, different types of information or documents, or different matters to which the information or documents relate.

(3) Regulations made under section 74 may require, in a case where a person (*A*) has ceased to be an owner of a prescribed place (prescribed place *A*), the transfer of *A*'s records to which subsection (1) applies —

- (a) by *A* to any other person (*B*) (whether or not *B* is an owner of prescribed place *A*); and
- (b) by *B* to any other person (including any person who becomes an owner of prescribed place *A* after *A* ceases to be such).

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(4) Any person who contravenes subsection (1) or (2), or any regulations mentioned in subsection (3), shall be guilty of an offence.

*Division 4 — Works in vicinity of
coastal protection measures, etc.*

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Works, etc., prohibited in coastal protection safety corridor

30N.—(1) Regulations made under section 74 may regulate the works and activities in a coastal protection safety corridor as follows:

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- (a) prohibiting any works or activities from being carried out in any part of a coastal protection safety corridor specified in the regulations;
- (b) prohibiting any works or activities from being carried out in any part of a coastal protection safety corridor specified in the regulations without obtaining, in respect of those works or activities, a clearance certificate or the approval of the Board under section 33;
- (c) prohibiting any works or activities from being carried out in any part of the coastal protection safety corridor specified in the regulations without implementing the mitigating measures specified in the regulations.

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(2) A prohibition against any works or activities in regulations mentioned in subsection (1) applies despite any other written law under which the works or activities may be permitted or required.

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(3) The requirement for a clearance certificate or the approval of the Board pursuant to any regulations mentioned in subsection (1)(b) for any works or activities is in addition to any requirement for a clearance certificate or the approval of the Board for those works or activities pursuant to any other section in this Part.

(4) Where a person contravenes any regulations mentioned in subsection (1) or any condition of a clearance certificate or approval obtained pursuant to the regulations, the Board may serve on any person specified in subsection (5) a written notice to do any one or more of the following:

(a) immediately cease the carrying out of those works or activities, either indefinitely or for any period that the Board may specify;

(b) within the time specified in the notice, do anything that the Board thinks necessary to protect any coastal protection measure or any part of a coastal protection measure that has been or is being put in place at the coastal protection safety corridor, and which may have been or may be affected by those works or activities;

(c) within the time specified in the notice, demolish and remove any object, building or structure erected at any premises as a result of those works or activities, or restore the part of the coastal protection safety corridor to its condition prior to the commencement of those works or activities.

(5) The notice mentioned in subsection (4) may be served on all or any of the following persons:

(a) the person who carried out or caused or permitted to be carried out the works or activities;

(b) the owner or occupier of the premises where the works or activities were or are being carried out;

(c) the owner or occupier of the premises mentioned in subsection (4)(c);

(d) any person having power to demolish or remove the object, building or structure mentioned in subsection (4)(c).

(6) Any person who contravenes any regulations mentioned in subsection (1) shall be guilty of an offence and shall be liable — 5

(a) on the first conviction, to a fine not exceeding \$50,000; and

(b) on a second or subsequent conviction, to a fine not exceeding \$100,000.

Damage caused to coastal protection measure, etc. 10

30O.—(1) A person must not cause any damage to or do anything to affect the functionality of a coastal protection measure or a part of a coastal protection measure for a prescribed place described, detailed or delineated under section 30D.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable — 15

(a) on the first conviction, to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding one year or to both; and

(b) on a second or subsequent conviction, to a fine not exceeding \$200,000 or to imprisonment for a term not exceeding 2 years or to both. 20

(3) Where a person contravenes subsection (1), the Board may serve on any person mentioned in subsection (4) a written notice to do any one or more of the following: 25

(a) immediately cease the carrying out of anything causing the damage to or affecting the functionality of the coastal protection measure or part, either indefinitely or for any period that the Board may specify; 30

(b) restore the coastal protection measure or part to its original condition within the time specified in the notice.

(4) The notice mentioned in subsection (3) may be served on all or any of the following persons:

- (a) the person who caused the damage to or affected the functionality of the coastal protection measure or part;
- (b) the owner of the prescribed place.

Division 5 — Miscellaneous

Entry by owner of prescribed place onto adjacent prescribed place

30P.—(1) This section applies where an owner (*A*) of a prescribed place (prescribed place *A*) seeks —

- (a) consent to enter an adjacent prescribed place (prescribed place *B*) from the owner (*B*) of prescribed place *B* in order to carry out any works or do any act (including any survey or inspection) for the purpose of —
 - (i) putting in place, expanding or altering a coastal protection measure or a part of a coastal protection measure for prescribed place *A*;
 - (ii) effecting a necessary connection (as described in section 30G(2)), including putting in place a part of a coastal protection measure at prescribed place *B* as may be necessary for this purpose;
 - (iii) maintaining or repairing a coastal protection measure or a part of a coastal protection measure; or
 - (iv) inspecting or monitoring a coastal protection measure or a part of a coastal protection measure; and

- (b) if necessary, any assistance from *B* for *A* to carry out any works or do any act under paragraph (a),

but is unable to secure *B*'s consent for the entry and (as applicable) *B*'s assistance.

(2) *A* may apply to the Board for a written notice to be given to *B* requiring *B* to permit the entry and (as applicable) provide the assistance. 5

(3) Upon receipt of *A*'s application, the Board may —

(a) if the Board is satisfied that —

(i) the entry and (as applicable) assistance requested by *A* is necessary for *A* to do the works or acts in question; and 10

(ii) it is appropriate for *A* to enter prescribed place *B* and (as applicable) obtain *B*'s assistance,

give to *B* the written notice which *A* applied for; or 15

(b) give a written notice to *B* requiring *B* to —

(i) carry out the works or do any act mentioned in subsection (1)(a) at prescribed place *B*, in place of *A*; or

(ii) (subject to section 30F) put in place a part of a coastal protection measure for prescribed place *A* and (despite section 30G(5)) effect the necessary connection between the coastal protection measures or parts (as the case may be) for prescribed place *A* and prescribed place *B*. 20 25

(4) Where subsection (3)(b) applies, the Board may also by written notice require *A* to permit such entry to prescribed place *A* as is necessary and appropriate for *B* to carry out its obligations under that provision, and render such assistance as *B* may require for that purpose. 30

(5) Any person who contravenes a written notice of the Board mentioned in subsection (3) or (4) shall be guilty of an offence

and shall be liable on conviction to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 3 months or to both.

(6) Where entry is effected onto any prescribed place pursuant to a written notice of the Board under subsection (3) or (4) that is issued in good faith and with reasonable care, the Board is not liable for —

(a) any damage to the prescribed place or to a coastal protection measure or a part of a coastal protection measure for the prescribed place; or

(b) any loss caused to *B* or *A*, as the case may be,

as a result of the entry or anything done by any person so entering the prescribed place.

(7) Where *B* or *A* does not permit entry or provide any assistance as specified in a written notice under subsection (3)(a) or (4) (as the case may be), the Board may enter the prescribed place in question under section 44 and carry out the works or acts specified in the notice.

(8) Regulations made under section 74 may provide —

(a) that any of the costs and expenses of *A* and *B* incurred in complying with a written notice under subsection (3) or (4) are to be —

(i) borne by *A*;

(ii) borne by *B*; or

(iii) shared between *A* and *B*, and the manner or methodology of apportioning the costs and expenses for such sharing,

and for the recovery by one owner from the other owner of any costs and expenses or portion of costs and expenses due to the firstmentioned owner from the other owner, by virtue of regulations mentioned in this paragraph; and

- (b) for the recovery by the Board of its costs and expenses of carrying out the works or acts under subsection (7) from the persons specified in those regulations.

Owner of prescribed place may require premises to be acquired

5

30Q.—(1) This section applies to a person who is an owner of any premises immediately before the date on which any part of an absolute protection boundary is prescribed at those premises, by which the premises become a prescribed place on that date (called in this section original owner).

10

(2) The original owner may, by written notice given to the Board within one year after the relevant date in subsection (1), and if the original owner remains an owner of the premises at the time of the notice, request the Government to acquire under the Land Acquisition Act 1966 so much of the prescribed place as the Board thinks necessary —

15

- (a) for a coastal protection measure for the prescribed place and any future expansion of the coastal protection measure; and

- (b) to access the coastal protection measure for the prescribed place (including after any expansion mentioned in paragraph (a)) to —

20

- (i) maintain and repair the coastal protection measure; and

- (ii) inspect and monitor the coastal protection measure.

25

(3) If there is more than one owner of the prescribed place at the time of the notice under subsection (2), the notice under this section must be given by the original owner and all the other owners (even if they are not original owners).

30

(4) Any notice under this section is irrevocable once given to the Board.

(5) The original owner is not entitled to give the notice unless the original owner has, in accordance with any requirements and

procedures set out in regulations made under section 74, consulted with the Board on the implications of the notice.

(6) Upon the Board receiving a notice under subsection (2), the President is to proceed under the Land Acquisition Act 1966 to acquire so much of the prescribed place as is mentioned in subsection (2) as if it is needed for a public purpose.

(7) The President is not to proceed under this section to acquire so much of the prescribed place as is mentioned in subsection (2) if the notice mentioned in that subsection is not given to the Board within the time specified in that subsection.

(8) Where so much of the prescribed place as is mentioned in subsection (2) has been acquired under the Land Acquisition Act 1966 pursuant to this section and the Board puts in place any coastal protection measure there, the Board may recover from the owner or owners who gave to the Board the written notice mentioned in that subsection, all or any part of the costs and expenses of the Board incurred for the coastal protection works undertaken by the Board to put the coastal protection measure in place.

(9) In this section, “owner”, in relation to any premises, means the person issued or granted before the date mentioned in subsection (1) any of the following in respect of the premises by or on behalf of the Crown or the East India Company, or under the State Lands Act 1920 or any written law repealed by that Act:

- (a) any grant in fee simple;
- (b) any grant of an estate in perpetuity;
- (c) any State lease for a tenure of 10 years or more.”.

Amendment of section 32

14. In the SD Act, in section 32 —

- (a) in subsection (1)(a), after “flood protection measures,”, insert “coastal protection measures,”;

(b) in subsection (1)(a), replace “or flood protection measure” with “, flood protection measure or coastal protection measure”; and

(c) after subsection (1), insert —

“(1A) For the purposes of any specification or code of practice concerning any matter relating to any coastal protection measure, the Board may make different provisions for different levels of rise in mean sea level over time and at different geographical locations, determined based on information, data and projections provided by any public authority or international body on prevailing weather conditions and on climate change, whether locally or globally.”.

Amendment of section 33

15. In the SD Act, in section 33 —

(a) in subsection (1), replace “or 26” with “, 26, 30F, 30H or 30N”;

(b) in subsection (7), after paragraph (a), insert —

“(aa) a condition for the submission to the Board (at the time specified in the condition) of a statement setting out the method by which the works will be carried out under the clearance certificate, which is acceptable to the Board;

(ab) a condition for the works to be carried out in accordance with the method statement accepted by the Board;”;

(c) after subsection (10), insert —

“(11) Where —

(a) the Board has granted its approval under subsection (5) for any works pursuant to section 30F or 30H; and

(b) the works have been carried out,
the owner of the prescribed place must obtain a
completion certificate from the Board for the works.

(12) For the purpose of subsection (11), the Board
may require the owner of the prescribed place to
submit to it any information and documents that the
Board may specify.

(13) Where an application is made to the Board for a
compliance certificate under subsection (8) or a
completion certificate under subsection (11), the
Board must process the application and (if it
decides to do so) issue the relevant certificate
without undue delay.”.

Amendment of section 41

16. In the SD Act, in section 41 —

(a) in subsection (1), replace “or 30” with “, 30, 30E(8),
30F(6), 30G(7), 30H(5), 30I(4), 30N(4) or 30O(3)”;

(b) in subsection (1), replace paragraph (b) with —

“(b) any authorised officer may, under
section 44 —

(i) in connection with a notice under
section 4(6) or (7), 6, 10, 11, 12, 14,
15, 20, 22A, 22B(2) or (3B), 23, 24,
25 or 30, enter the premises and
execute the works specified in the
notice; and

(ii) in connection with a notice under
section 30E(8), 30F(6), 30G(7),
30H(5), 30I(4), 30N(4) or 30O(3),
enter one or more of the following:

(A) the prescribed place to which
the notice relates;

(B) any adjacent prescribed place;

(C) any premises owned by the owner who was served the notice that are adjacent to, or are part of a row of premises (all of which are so owned) leading to, the firstmentioned prescribed place, 5

and do anything necessary to protect (including on a temporary basis) against coastal flooding at or through the firstmentioned prescribed place.”; and 10

(c) replace subsection (2) with —

“(2) The Board may, as it thinks just, recover the costs and expenses reasonably and necessarily incurred in carrying out the works executed or things done under subsection (1)(b) as follows: 15

(a) recover the costs and expenses from the person in default;

(b) if more than one person was served the notice or could have been served the notice — 20

(i) recover the costs and expenses from any of those persons; or

(ii) apportion the costs and expenses among all or any of those persons and recover the sums apportioned from those persons, 25

and, if any person is the owner of the premises, section 50 applies in respect of those costs and expenses.”. 30

Amendment of section 42

17. In the SD Act, in section 42 —

(a) in subsection (1), replace “33(7B) or 41(1)” with “30P, 33(7B) or 41 (but not any notice under section 30E(8) or 30G(7))”;

(b) in subsection (1)(b)(i), after “section 26(5)(b),”, insert “30P(5),”;

(c) in subsection (1)(b), replace sub-paragraph (ii) with —

“(ii) the notice is suspended and need not be complied with, and where there is non-compliance with the notice, no proceedings may be taken under the notice.”;

(d) in subsection (3), replace paragraph (a) with —

“(a) non-compliance with the notice —

(i) in relation to a notice under section 22B(2) or (3B), 30F(6), 30H(5), 30I(4), 30N(4), 30O(3) or 30P(3) or (4) — will likely result in loss of life or injury, or damage to premises other than the premises in relation to which the notice was issued; and

(ii) in relation to any other notice — will be injurious or dangerous to the public health; and”;

(e) in subsection (3)(b), replace “execution of” with “compliance with”.

Amendment of section 43

18. In the SD Act, in section 43 —

(a) after subsection (1), insert —

“(1A) Without affecting subsection (1), and despite anything in section 44, where at any time the Board has reason to believe that there is an impending high sea level event and action must be immediately taken to protect against coastal flooding at or through any prescribed place, the Board may immediately and without notice enter one or more of the following:

(a) the prescribed place;

(b) any premises owned by an owner of the prescribed place that are adjacent to, or are part of a row of premises (all of which are so owned) leading to, the prescribed place,

and carry out any work or do any act for that purpose, including any of the following:

(c) putting a coastal protection measure in place for the prescribed place (even if one is already in place for the prescribed place);

(d) expanding a coastal protection measure (even if the expansion is not required under any code of practice under section 32);

(e) maintaining or repairing a coastal protection measure, or sealing, blocking or otherwise covering up any breach in a coastal protection measure to protect against coastal flooding;

(f) operating or deploying any component of a coastal protection measure.

(1B) Where the Board enters any premises under subsection (1A), an authorised officer may effect the entry, with any assistance that he or she considers necessary, by breaking open any door, window, lock, fastener, floor, wall, ceiling, compartment, box, container or any other thing.”; and

(b) after subsection (2), insert —

“(3) Where the Board carries out any work or does any act under subsection (1A) or (2), the Board may do so with any assistants and workmen that are necessary for the purpose.

(4) Without affecting section 50, the Board may, as it thinks just, recover the costs and expenses reasonably and necessarily incurred in carrying out any work or doing any act under subsection (1A) as follows:

(a) recover the costs and expenses from the owner of the prescribed place;

(b) if there is more than one owner —

(i) recover the costs and expenses from any of the owners; or

(ii) apportion such costs and expenses among all or any of the owners and recover the sums apportioned from the respective owners.”.

Amendment of section 47

19. In the SD Act, in section 47 —

(a) replace subsection (2) with —

“(2) Until after the determination or abandonment of the appeal, the notice, order, direction, authorisation or declaration is suspended and need not be complied with, and where there is non-compliance with the notice, no proceedings may be taken under the notice, order, direction, authorisation or declaration.”;

(b) in subsection (4)(c), delete “or” at the end;

(c) in subsection (4)(d), after “21,”, insert “22B,”; and

- (d) in subsection (4)(d), after “30,”, insert “30D, 30E, 30F, 30G, 30H, 30I, 30N, 30O, 30P.”.

Replacement of section 47AA

- 20.** In the SD Act, replace section 47AA with —

“Application of this Part

5

47AA. Sections 47A, 47B, 47C, 47E and 47F do not apply if the temporary possession of premises taken under section 44 is necessitated on account of the failure of an owner or occupier to comply with a notice mentioned in section 26, 30P, 33 or 41.”.

Amendment of section 71

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- 21.** In the SD Act, in section 71, after subsection (4), insert —

“(5) The Government, a designated authority or any officer acting under the direction of a designated authority is not liable for any specified loss arising from any of the following done by the Government, designated authority or officer acting in good faith and with reasonable care:

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(a) operating or deploying any component of a coastal protection measure for a prescribed place owned by the Government or that is any part of the sea;

(b) not operating or deploying (including not operating or deploying in time) any such component.

20

(6) The Board is not liable for any specified loss arising from any of the following done by any person (other than the Government, a designated authority or an officer mentioned in subsection (5)):

25

(a) operating or deploying any component of a coastal protection measure for a prescribed place;

(b) not operating or deploying (including not operating or deploying in time) such component,

whether or not the operation or deployment was pursuant to section 30K.

30

(7) Where a component of a coastal protection measure is operated or deployed —

(a) pursuant to an instruction by the Board or a notice by the Board of an impending high sea level event; or

5 (b) for the purposes of a drill directed under section 30K(4)(a)(ii),

subsection (6) does not apply unless the instruction, notice or direction was given in good faith and with reasonable care.

10 (8) Despite subsection (1) and without affecting section 47D, where an owner of a prescribed place has failed to carry out its obligation under this Act to —

(a) put in place, expand or alter the coastal protection measure for the prescribed place;

15 (b) effect a connection between the coastal protection measure for the prescribed place and another coastal protection measure for an adjacent prescribed place; or

20 (c) maintain, repair, or operate or deploy any component of, the coastal protection measure for the prescribed place,

the Board or any authorised officer is not liable for any specified loss arising from any of the following done by the Board or the officer acting in good faith and with reasonable care:

25 (d) doing anything to enable the coastal protection measure for the prescribed place to function as protection against coastal flooding or otherwise prevent coastal flooding at or through the prescribed place;

30 (e) not doing anything in paragraph (d) (including not doing any such thing in time).

(9) In this section —

“designated authority” means a public body specified in the notification under section 30A(2);

“specified loss” means any of the following:

- (a) any bodily injury or death;
- (b) any loss of, or damage to, any immovable or movable property;
- (c) any economic loss, including a loss of profits.”. 5

Amendment of section 73A

22. In the SD Act, in section 73A(1) —

(a) replace paragraph (c) with —

“(c) the particular person has undertaken safeguards to mitigate either or both of the following (as may be appropriate): 10

(i) risks to health and safety;

(ii) risks of flooding (but not any flooding which the Board assesses is permissible);” 15

(b) in paragraph (e), replace the full-stop at the end with a semi-colon; and

(c) after paragraph (e), insert —

“(f) it would not be against the public interest to grant the exemption to the particular person.”. 20

Amendment of section 74

23. In the SD Act, in section 74(1) —

(a) replace “in particular,” with “without limiting the foregoing, the regulations”; 25

(b) delete paragraph (aa); and

(c) after paragraph (ea), insert —

“(eb) provide for the establishment, registration and regulation of flood protection managers for any prescribed place or 30

coastal protection measure, and for any matter ancillary thereto, including —

- (i) the qualifications and standards a person must satisfy, and the training and assessments a person must undergo, before being appointed, or to continue being appointed, as a flood protection manager;
 - (ii) the number of flood protection managers that must be appointed for any prescribed place or coastal protection measure; and
 - (iii) the functions and duties of flood protection managers, and the powers necessary for the discharge of those functions and duties;
- (ec) establish any electronic information dissemination system or platform on which the Board may —
- (i) provide information on impending high sea level events and flood risks; and
 - (ii) give instructions or provide requirements to be complied with or otherwise acted upon,
- and for any matter ancillary thereto, including —
- (iii) the persons who must subscribe to or otherwise make use of the system or platform;
 - (iv) the conditions of access to, and use of, the system or platform;

- (v) the security and authentication requirements for access to, and use of, the system or platform; and
- (vi) where any information, instruction or requirement is disseminated through the system or platform, the time when the information, instruction or requirement is treated as having been received by any person mentioned in sub-paragraph (iii);
- (ed) require the display at any prescribed place of any notice with the prescribed information concerning the coastal protection measure for the prescribed place;”.

*Division 3 — Related and consequential amendments
to various Acts*

Amendment of Government Proceedings Act 1956

24. In the Government Proceedings Act 1956, in section 7 —

- (a) in subsection (2)(c), after “abandonment of”, insert “sewerage,”;
- (b) in subsection (2)(c), delete “and” at the end;
- (c) in subsection (2)(d), replace the full-stop at the end with “; and”;
- (d) in subsection (2), after paragraph (d), insert —
 - “(e) the performance of coastal management.”;
 - and
- (e) in subsection (3), after “maintenance”, insert “(including in the performance of coastal management)”.

Amendment of Significant Infrastructure Government Loan Act 2021

5 **25.** In the Significant Infrastructure Government Loan Act 2021, in section 2, in the definition of “nationally significant infrastructure”, in paragraph (b), replace sub-paragraph (iv) (including the *Example*) with —

“ (iv) coastal management (within the meaning given by section 2 of the Public Utilities Act 2001);”.

Amendments to various Acts

10 **26.** In the following Acts, in the following provisions, replace “Sewerage and Drainage Act 1999” with “Sewerage, Drainage and Coastal Protection Act 1999”:

- (a) in the Central Provident Fund Act 1953, in the Third Schedule, in item 39;
- 15 (b) in the Environmental Protection and Management Act 1999, in section 2, in the definitions of “sewage” and “sewerage system”;
- (c) in the Environmental Public Health Act 1987, in section 62(4);
- 20 (d) in the Insolvency, Restructuring and Dissolution Act 2018, in the Second Schedule, in item 6;
- (e) in the Land Titles Act 1993, in section 173;
- (f) in the PU Act —
 - 25 (i) section 2, definitions of “drain-line”, “extract”, “ “sanitary appliances” and “sanitary facilities” ”, “sewage” and “sewerage system”;
 - (ii) section 6(4);
 - (iii) section 7A(a) and (b);
 - (iv) section 18A(1)(b) and (c)(ii);
 - 30 (v) section 40J(1)(c);
 - (vi) section 40K(1)(b); and

- (vii) section 40Q(1)(b) and (e) and (7);
- (g) in the State Lands Protection Act 2022 —
 - (i) section 3(4)(b); and
 - (ii) section 32(1)(c).

Amendment of SD Act

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27. In the SD Act, in section 2, replace the section heading with “**General interpretation**”.

PART 2

OTHER AMENDMENTS

Amendment of PU Act

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28. In the PU Act —

- (a) in section 20(7), delete “(read with subsection (8))”;
- (b) in section 20(7A), replace “prescribe” with “make provision for”;
- (c) in section 20(7A)(b), delete “and” at the end;
- (d) in section 20(7A)(c), replace the full-stop at the end with “; and”;
- (e) in section 20(7A), after paragraph (c), insert —
 - “(d) the person (including the Government) who must pay the waterborne tax.”;
- (f) in section 20, delete subsection (8);
- (g) in section 20(9)(b) and (ba)(i) and (ii), after “volume”, insert “, or a reasonable estimate of the volume,”;
- (h) in section 20(9)(c), replace “any estimate of the volume” with “the volume, or a reasonable estimate of the volume,”;
- (i) in section 20(9A), after “volume” wherever it appears, insert “or estimated volume”;
- (j) in section 20(10), replace “prescribe” with “provide for”;

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25

(*k*) in section 20(10)(*a*) and (*b*), after “volumes”, insert “or estimated volumes”;

(*l*) in section 20(10)(*d*), replace “estimates of different volumes” with “different volumes or estimated volumes”;

5 (*m*) in section 20A(2), replace “prescribe” with “make provision for”;

(*n*) in section 20A(2)(*d*), after “person”, insert “(including the Government)”;

10 (*o*) in section 20A(3), after “volume” wherever it appears, insert “or estimated volume”;

(*p*) in section 20A(4), replace “prescribe” with “provide for”;

(*q*) in section 20A(4)(*a*), after “volumes”, insert “or estimated volumes”;

15 (*r*) in section 72(2)(*n*)(*iia*), before “the requirements”, insert “(in consultation with the Maritime and Port Authority of Singapore established by the Maritime and Port Authority of Singapore Act 1996)”; and

(*s*) in section 72(2), after paragraph (*na*), insert —

20 “(*nb*) the recovery by the Board (as a debt due to it) of any costs and expenses incurred by the Board to rectify or otherwise mitigate the effects of any failure by a person to carry out any obligation imposed on the person under this Act;

25 (*nc*) the prescribing of any rate of interest for any provision of this Act by way of a formula or other method, and for this purpose the regulations may incorporate by reference any formula or method of
30 another body or organisation, as may be amended from time to time;”.

Amendment of SD Act

29. In the SD Act —

- (a) in section 11(1)(a), after “close up”, insert “, or cause or permit to be constructed, altered, discontinued or closed up,”; 5
- (b) in section 11(1)(b), after “carry out”, insert “, or cause or permit to be carried out,”;
- (c) in section 14(1)(b) and (1A)(b) (as replaced and inserted by section 10(a) of the Sewerage and Drainage (Amendment) Act 2024), after “cause”, insert “or permit”; 10
- (d) in section 23(1), after “close up”, insert “, or cause or permit to be constructed, altered, discontinued or closed up,”;
- (e) in section 26(1) and (1A), after “cause”, insert “or permit”;
- (f) in section 74(1)(e), after “constructed”, insert “, or the stormwater drainage system and any proposed stormwater drainage system that has been or is being constructed”; 15
- (g) in section 74(1), replace paragraph (ea) with —
 - “(ea) provide for the issue of an order by the Board to stop any works or other activity (including discharging or causing the discharge of any used water, sewage, waste matter or effluent) — 20
 - (i) that has caused damage, or is likely to cause damage, to any or any part of — 25
 - (A) the public sewerage system or a proposed public sewerage system that has been or is being constructed; or 30
 - (B) the stormwater drainage system or a proposed stormwater

drainage system that has been
or is being constructed; or

(ii) which may disrupt any process of
treating the used water, sewage,
waste matter or effluent or any
process of water reclamation;” and

(h) in section 74(1), after paragraph (f), insert —

“(fa) in prescribing any rate of interest for any
provision of this Act, prescribe the rate by
way of a formula or other method, and for
this purpose the regulations may
incorporate by reference any formula or
method of another body or organisation, as
may be amended from time to time;”.

EXPLANATORY STATEMENT

This Bill principally amends the Sewerage and Drainage Act 1999 (SD Act) to provide for a regulatory regime for coastal protection under which there must be, and must be maintained, coastal protection measures at various places to protect Singapore against rising sea levels and the effects of climate change. The Bill also amends the Public Utilities Act 2001 (PU Act) in support of the regulatory regime, and makes related and consequential amendments to other Acts. Finally, the Bill makes various miscellaneous amendments to the PU Act and the SD Act to enhance the administration of those Acts.

PART 1

COASTAL PROTECTION AMENDMENTS

Amendment of long and short titles to SD Act

Clauses 8 and 9 amend the long and the short titles to the SD Act, respectively, as the regulatory regime is to be provided for in the SD Act.

Definitions

Various new definitions are used in the regulatory regime.

Clause 2 amends section 2 (Interpretation) of the PU Act to delete the definitions of “coastal hazard”, “coastal management”, “coastal zone” and “foreshore”, and to insert new definitions of “coastal flooding”, “coastal management”, “coastal protection measure” and “coastal protection works”.

Clause 10 amends subsection (1) of section 2 (Interpretation) of the SD Act —

- (a) to insert new definitions of “absolute protection boundary”, “coastal flooding”, “coastal management”, “Coastal Protection Interpretation Plan” or “CPIP”, “coastal protection measure”, “coastal protection safety corridor”, “coastal protection works”, “CPM standards”, “designated details”, “nearshore or offshore structure”, “permanent coastal flooding”, “protection boundary”, “specified drain”, “specified reservoir”, “transient coastal flooding” and “transiently floodable area (coastal)” (see clause 10(a), (b), (c), (g), (h), (j), (k) and (l));
- (b) to amend the definition of “flood protection measure” to take into account flooding by seawater (see clause 10(d), (e) and (f));
- (c) to amend the definition of “premises” to clarify that premises include premises owned by the Government of Singapore (see clause 10(i)); and
- (d) to amend the definition of “works” to include coastal protection works (see clause 10(m)).

Clause 11 inserts new sections 2A to 2D in the SD Act.

The new section 2A explains the difference between the 2 types of coastal flooding, namely, permanent coastal flooding and transient coastal flooding.

- (a) Permanent coastal flooding is the flooding of land by the seawater up to the prevailing mean sea level, which is the average of recorded sea levels over a period of time. This means that there is permanent coastal flooding of land by seawater so long as the land is flooded at mean sea level, even though it may not be so flooded at times when the sea level is below the mean sea level.
- (b) Transient coastal flooding is the flooding of land by seawater as a result of tidal or wave actions, storm surges, etc., in particular, above the mean sea level, or a combination of such seawater and any other sources of water. This means that if the land is only protected against permanent coastal flooding, the land will still be flooded by seawater, or a combination of seawater and other sources of water, when the sea level rises above the mean sea level. The land will only be protected

against coastal flooding if it is protected against transient coastal flooding as well.

The new section 2B explains in greater detail what is a coastal protection measure (CPM). CPMs are the means by which Singapore is to be protected against coastal flooding. A CPM may be manmade “hard” structures, or geographical/nature-based features, or a combination of both. For geographical/nature-based features, these may be naturally existing, naturally existing with modifications or enhancements, or manmade (for example, where mangroves or seagrass meadows are planted where none existed before, or manmade structures placed on the seabed to create a habitat for coral reef formation). A CPM may be a static structure or feature (for example, a seawall or high ground), and may include components that must be operated or deployed in order for the CPM to function as protection against coastal flooding (for example, a tidal gate or slot-in barrier). A CPM may be free-standing, or integrated with some other structure. For example, the sea-facing wall of a building could function as protection against coastal flooding. But only the sea-facing wall and so much of the building that is required to support the wall for that function, will constitute the CPM.

The new section 2C defines what is a prescribed place, namely, any of the following:

- (a) any premises, specified reservoir or specified drain, or any part of the sea, at which is prescribed any or any part of an absolute protection boundary;
- (b) without affecting paragraph (a), any premises within, or any part of which is within, a transiently floodable area (coastal);
- (c) any sheltered structure any part of which is within a transiently floodable area (coastal);
- (d) any nearshore or offshore structure.

The new section 2C further provides for when these become prescribed places.

The new section 2D empowers the Minister for Sustainability and the Environment (the Minister) to make orders to provide for who an owner of a prescribed place is, for the purposes of the new Part 4A of the SD Act inserted by clause 13. The person must be a person who is within the definition of “owner” in section 2(1) of the SD Act, or a lessee or tenant of any or any part of the prescribed place, and there can be more than one owner in relation to a prescribed place. This will, for instance, allow for the appropriate person to be prescribed as an “owner” in cases where there is more than one owner under the definition of “owner” in section 2(1) of the SD Act but an obligation under the new Part 4A of the SD Act should be imposed on only one of them. This will also allow for the obligations under the new section 30L of the new Part 4A of the SD Act concerning coastal

flood responses, to be imposed on lessees and tenants (even if they do not come within the definition of “owner” in section 2(1) of the SD Act) of premises in transiently floodable areas (coastal) if it is more appropriate for them to take some responsibility for the premises they have leased.

Functions and powers

Clause 3 amends subsection (1) of section 6 (Functions and duties of Board) of the PU Act to enhance the functions of the Public Utilities Board (the Board) for coastal protection purposes, and to take into account the new definitions inserted by clause 2. In particular, clause 3(a) clarifies that the Board’s function of coastal management (which included putting in place CPMs) may be carried out for itself or as agent of the Government.

Clause 4 inserts a new section 7AA to provide the Board with a right of recovery of any amount of any financial support given pursuant to the new paragraph 4A of the Second Schedule to the PU Act inserted by clause 7(b), in the event a condition of the financial support relating to that amount is not complied with.

Clause 5 amends section 7A (Considerations by Board in carrying out functions and duties and exercising powers) of the PU Act to enable the Board to take into account coastal protection matters when carrying out its functions or duties or exercising its powers concerning stormwater drainage, and *vice versa*, as well as various other considerations when carrying out its functions or duties or exercising its powers concerning coastal protection matters.

Clause 7(a) replaces paragraph 1 of the Second Schedule (Powers of Board) to the PU Act to clarify that the Board’s powers for coastal management include constructing, improving, raising and repairing streets, and to extend the provision to flooding by stormwater, seawater or both.

Clause 7(b) inserts a new paragraph 4A in the Second Schedule to the PU Act to make express mention of the Board’s power to give financial support (which would include for coastal protection matters), subject to any condition as the Board thinks fit.

Coastal and Flood Protection Fund (CFPF)

The CFPF is a statutory fund, the statutory provisions for which are currently sited in the PU Act as sections 18 (Coastal and Flood Protection Fund) and 18A (Purposes of Coastal and Flood Protection Fund).

Clause 6 amends section 18A of the PU Act to replace “coastal management” with “coastal administration”, and to give “coastal administration” the current meaning for “coastal management” in section 2 of the PU Act. This is because clause 2 broadens the current definition for “coastal management” but the

purposes of the CFPF are not being enlarged. The definitions of “coastal hazard”, “coastal zone” and “foreshore”, which are being removed from section 2 of the PU Act by clause 2 are inserted in section 18A instead, as they are only used in section 18A.

Regulatory regime: coastal

Clause 13 inserts a new Part 4A in the SD Act, comprising new sections 30A to 30Q, to provide for matters concerning the regulatory regime for coastal protection.

The new section 30A provides for the regulatory regime to apply to the Government. Where the regulatory regime imposes obligations to put in place a CPM at any part of the sea, the Government must undertake the obligation. Public bodies may be designated by the Minister to assist the Government in carrying out its obligations under the new Part 4A.

Singapore will be divided into various Adaptation Planning Areas (APAs), and the regulatory regime will be applied APA by APA over time. For this purpose, under the new section 30B, the Minister will first by order prescribe parts of the absolute protection boundaries and protection boundaries, etc., for a certain APA, then later the parts of the absolute protection boundaries and protection boundaries, etc., for another APA, and so on. The order may be amended from time to time. A matter that may be prescribed in the order may also be prescribed as being more particularly described, detailed or delineated by the Board in the Coastal Protection Interpretation Plan (CPIP).

The new section 30C provides for the CPIP, which will be prepared, maintained and kept up to date by the Board. The CPIP may take the form of a map maintained electronically and made available over one or more platforms. The new section 30C provides for the matters to be included in the CPIP.

The new section 30D provides more details concerning the describing, detailing or delineating of CPMs or parts of CPMs for prescribed places, in the CPIP.

The new sections 30E to 30M provide for the obligations of an owner of a prescribed place in relation to CPMs.

(a) New section 30E

The owner must ensure that there is a CPM for the prescribed place by the date specified in an order under the new section 30B(3) for the prescribed place. There is a CPM for the prescribed place if a CPM has been accepted by the Board as a CPM for the prescribed place or the Board has issued a compliance certificate or completion certificate for the CPM.

The owner must further ensure that the CPM meets the standards specified by the Board in a code of practice for the CPM (CPM standards). The Board may amend the CPM standards from time to time and the owner must ensure that the CPM meets that latest applicable CPM standards, expanding the CPM if necessary.

(b) New section 30F

If, at the prescribed place —

- (i) there is nothing there that meets the standards in a code of practice for a CPM for the prescribed place such that a CPM must be put in place for the prescribed place; or
- (ii) the CPM for the prescribed place must be expanded to meet the latest applicable CPM standards,

the owner must first obtain a clearance certificate or the approval of the Board before putting the CPM in place or expanding it, as the case may be. Where the Board is considering concurrent applications for clearance certificates or approvals in relation to 2 or more adjacent prescribed places, the Board has the discretion to determine which application to approve first. This impacts which owner has the obligation to connect the CPM for its prescribed place to the CPM for an adjacent prescribed place (see the new section 30G).

The Board may impose a period of validity on any clearance certificate or approval it grants pursuant to the new section 30F. The Board may extend the period of validity, but this does not affect the owner's obligations to put in place or expand the CPM by the date in the new section 30E(1) or (5)(a), as the case may be.

(c) New section 30G

Where adjacent prescribed places have any part of an absolute protection boundary running through them, the CPMs for the prescribed places must be sufficiently connected so as to form a continuous line of defence against coastal flooding. Different CPMs for different prescribed places may be completed at different times (even within the same APA), and the new section 30G provides for which owner has the obligation of connecting the CPM for its prescribed place to the CPM for an adjacent prescribed place.

(d) New section 30H

Where a CPM or a part of a CPM for a prescribed place has been described, detailed or delineated under the new section 30D (collectively designated CPM), the designated CPM or any part of the designated CPM must not be altered (including by any addition, demolition or removal) without a clearance certificate or the approval of the Board first being obtained. This applies even if the alteration is required by the Board.

(e) New section 30I

The owner must maintain a designated CPM for the prescribed place in accordance with —

- (i) the designated details of the designated CPM; and
- (ii) the CPM standards for the designated CPM,

but not any part of the designated CPM that is being altered pursuant to the new section 30H.

The owner must also inspect and monitor a designated CPM in accordance with regulations prescribed for the inspection and monitoring. Regulations made under section 74 may provide for the times, circumstances or frequency at which inspections and monitoring must be carried out, and the manner of the inspections and monitoring (which would include the persons by whom the inspections and monitoring must be carried out).

(f) New section 30J

The owner must notify the Board of any matter prescribed in regulations made under section 74 in relation to a designated CPM for the prescribed place. Prescribed matters may include any physical damage or deterioration to the designated CPM, and components of the designated CPM which cannot be operated or deployed.

(g) New section 30K

Where a CPM has any component that must be operated or deployed in order for the CPM to protect against coastal flooding, the component must be operated or deployed in accordance with regulations made under section 74. The owner must also organise and conduct drills for the operation or deployment of the components, in accordance with regulations made under section 74.

(h) New section 30L

Where the prescribed place is within or any part of it is within a transiently floodable area (coastal), the owner must ensure that there is a flood response plan, which must be executed in accordance with regulations made under section 74, to ensure the safety of persons at the prescribed place in the event of transient coastal flooding there, and the recovery of the prescribed place after the transient coastal flooding has receded. Regulations may be made to provide for the date by which the owner must have prepared its flood response plan. The owner must also organise and conduct drills for the flood response plan.

(i) New section 30M

The owner must keep and maintain records of various matters relating to the CPM for the prescribed place. The records must be provided to the Board when required by the Board, and the Board can require the records to be provided on a periodic basis. Regulations may be made to provide for the transfer of records where an owner of a prescribed place ceases to be such.

The new section 30N enables regulations to be made to regulate the works and activities that may be carried out in a coastal protection safety corridor. This is to ensure, among other things, that the functionality of any CPM is not compromised. Different works and activities may in the regulations be prohibited or permitted (subject to different conditions under which the works and activities may be carried out) according to the distance of the proposed works and activities from the CPM.

The new section 30O prohibits any person from causing damage to a CPM.

The new section 30P empowers the Board to require an owner (*B*) of a prescribed place (prescribed place *B*) to allow the owner (*A*) of an adjacent prescribed place (prescribed place *A*) to enter prescribed place *B* to do certain works and acts in relation to the CPM for prescribed place *A*, and for *B* to assist *A* in the carrying out of those works and acts. *A* should first seek to obtain *B*'s consent to the entry on prescribed place *B*, and for *B*'s assistance, and approach the Board only if *A* is unsuccessful. The Board will make the requirement if it is necessary for *A* to enter prescribed place *B* and obtain *B*'s assistance, and it is appropriate for the Board to make the requirement. Alternatively, the Board may require *B* to carry out the works in question, and for *A* to give *B* access to prescribed place *A* as may be necessary for *B* to carry out the works.

The new section 30Q allows the owner of a prescribed place to require so much of the prescribed place to be acquired under the Land Acquisition Act 1966 as is

necessary for a CPM for the prescribed place, future expansions of the CPM, and access to the CPM for the purposes of maintenance, repair, inspection and monitoring. The owner must first consult with the Board on the implications of the acquisition.

Clause 14 amends subsection (1) of section 32 (Codes of practice and specifications) of the SD Act to make reference to coastal protection. As many of the matters relating to coastal protection are technical in nature, the requirements will be set out in codes of practice. The codes of practice are expressly referred to in some of the sections in the new Part 4A inserted by clause 13, and they may also be incorporated by reference in regulations in accordance with section 32A (Incorporation by reference) of the SD Act, as necessary. As the CPM standards are determined by the rise in mean sea level, clause 14(c) inserts a new subsection (1A) in section 32 to provide for the determination of the mean sea level rise and to make different determinations for different geographical locations in Singapore.

Clause 15 amends section 33 (Certificates or approval required for works) of the SD Act to empower the Board to impose conditions on clearance certificates and approvals concerning the submission of and compliance with method statements for the works that are the subject of the clearance certificate or approval. Section 33 of the SD Act already provides for the Board to require a compliance certificate to be obtained from it for works that are the subject of a clearance certificate. Clause 15(c) imposes a similar requirement in requiring a completion certificate to be obtained from the Board for works that are the subject of an approval.

Regulatory regime: inland

Clause 12 amends section 22B (Flood protection measures to be kept in proper order at cost of owners) of the SD Act.

Together with the amendments by clause 10(d), (e) and (f), these amendments take into consideration the possibility of seawater flooding inland, for example, by the ingress of seawater through pipes and drains, and of premises along the banks of water channels. The flooding could be by seawater alone, or as a result of the seawater mixing with stormwater. The flood protection measures which may be required include valves in pipes, and minimum platform levels for premises.

Administration and enforcement

Clause 16 amends section 41 (Default in compliance with notice) of the SD Act to include, in particular, references to notices under the new sections 30E(8), 30F(6), 30G(7), 30H(5), 30I(4), 30N(4) and 30O(3). In addition to contraventions of various provisions in these new sections being offences, where a person has been served under those new sections with a written notice to make good the

contravention in question, and does not exercise due diligence in complying with the written notice, the person is guilty of an offence.

For written notices relating to the new sections 30E, 30F, 30G, 30H, 30I, 30N and 30O, an authorised officer is empowered to enter the prescribed place to which the written notice relates and certain other premises under section 44 (Power of entry) of the SD Act and do anything necessary to protect against coastal flooding at or through the firstmentioned prescribed place (and not simply works specified in the written notice).

Clause 18 amends section 43 (Board may act in cases of emergency) of the SD Act to enable the Board to enter any prescribed place and certain other premises without complying with section 44 of the SD Act where there is an impending high sea level event, in order to protect against coastal flooding at or through the prescribed place. There need not be a contravention of any obligation under the new Part 4A of the SD Act inserted by clause 13 in order for the Board to exercise its power of entry under section 43 of the SD Act as amended by clause 18. The power of entry for coastal protection purposes includes forced entry. The Board may recover its costs and expenses of carrying out works or acts for coastal protection purposes from the owners of the premises pursuant to section 43 of the SD Act as amended by clause 18.

Clause 22 amends section 73A (Administrative exemption) of the SD Act to take into account situations where flooding is permissible (for example, at sheltered structures that can withstand transient flooding in transiently floodable areas (coastal)).

Clause 23 amends section 74 (Regulations) of the SD Act to enable regulations to be made for various matters relating to the new Part 4A of the SD Act inserted by clause 13, namely, the appointment of flood protection managers, subscription to electronic flood information systems and the display of notices at coastal protection measures.

Appeals

Clause 17 amends subsection (1) of section 42 (Appeal against notice) of the SD Act to enable appeals to be brought to the Minister against written notices under the new sections 22B(3B), 30F(6), 30H(5), 30I(4), 30N(4), 30O(3) and 30P(3) and (4). Clause 17 also amends section 42(1)(b) and (3) of the SD Act to clarify the instances in which the written notice appealed against need not be complied with pending the appeal, and when the Board may carry out any work under the notice.

Clause 19 amends section 47 (Appeal to Minister against notices, orders, directions, etc.) of the SD Act to remove references to written notices under the new Part 4A of the SD Act inserted by clause 13 that are not appealable to the

Minister or which are appealable to the Minister under section 42 of the SD Act as amended by clause 17.

Under the amendments by clauses 17 and 19, there is no right of appeal against notices under the new sections 30E(8) and 30G(7) inserted by clause 13.

Immunities

Clause 20 replaces section 47AA (Application of this Part) in Part 7A of the SD Act to enable section 47D (Bar to other proceedings) of the SD Act to apply to failures to comply with written notices issued under the new sections 30E(8), 30F(6), 30G(7), 30H(5), 30I(4), 30N(4), 30O(3) and 30P (as well as the other written notices currently mentioned in sections 26, 33 and 41).

Clause 21 amends section 71 (Protection from liability) of the SD Act to provide immunity to the Government, designated authorities, the Board and certain officers for various things done or not done (including not done in time) to protect against coastal flooding.

Related and consequential amendments to various Acts

Clause 24 amends section 7 (Savings of acts done in exercise of public duties) of the Government Proceedings Act 1956 to include sewerage and the performance of coastal management in that section.

Clause 25 amends the definition of “nationally significant infrastructure” in section 2 (Interpretation) of the Significant Infrastructure Government Loan Act 2021 to take into account the new definition of “coastal management” inserted in section 2 of the PU Act by clause 2(a).

Clause 26 amends various Acts to take into account the amendment to the short title to the SD Act to read as “Sewerage, Drainage and Coastal Protection Act 1999” by clause 9.

Clause 27 makes a technical amendment to the section heading of section 2 of the SD Act in light of the new sections 2A to 2D inserted by clause 11.

PART 2

OTHER AMENDMENTS

Clause 28(a) to (l) amends section 20 (Tariffs for supply of water and apparatus, etc., payable to Board) of the PU Act, and clause 28(m) to (q) amends section 20A (Water conservation tax for supply of water) of the PU Act, to better align the provisions for the waterborne tax and the water conservation tax, and to better facilitate collection of the same.

Clause 28(*r*) amends subsection (2)(*n*)(*iii**a*) of section 72 (Regulations) of the PU Act to provide for the Board to consult the Maritime and Port Authority of Singapore in the regulation of dangerous cargoes in relation to activities in and around reservoirs and waterways maintained by the Board, as the functions of the Board and the Maritime and Port Authority of Singapore overlap in this regard.

Clause 28(*s*) inserts a new paragraph (*nb*) in subsection (2) of section 72 of the PU Act to enable regulations to be made to provide for the Board to recover its costs and expenses in rectifying or mitigating any failure by any person to comply with any obligation of the person under the PU Act, and a new paragraph (*nc*) to provide for the prescribing of interest rates for provisions in the PU Act that provide for a prescribed interest.

Clause 29(*a*) to (*e*) amends various provisions in the SD Act to align with the provisions in the new Part 4A of the SD Act inserted by clause 13.

Clause 29(*f*) amends subsection (1)(*e*) of section 74 of the SD Act to extend the provision to existing and proposed stormwater drainage systems.

Clause 29(*g*) replaces paragraph (*ea*) in subsection (1) of section 74 of the SD Act to enable regulations to be made for stop-work orders to prevent —

- (*a*) damage to any public sewerage system or stormwater drainage system or any proposed public sewerage system or stormwater drainage system that has been or is being constructed; or
- (*b*) disruption to any process of treating used water, sewage, waste matter or effluent or to any process of water reclamation.

Clause 29(*h*) inserts a new paragraph (*fa*) in subsection (1) of section 74 of the SD Act to provide for the prescribing of interest rates for provisions in the SD Act that provide for a prescribed interest.

EXPENDITURE OF PUBLIC MONEY

This Bill will involve the Government in extra financial expenditure, the exact amount of which cannot at present be ascertained.
