

Electric Vehicles Charging Bill

Bill No. 36/2022.

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ELECTRIC VEHICLES CHARGING ACT 2022

(No. of 2022)

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A BILL

intituled

An Act to regulate devices intended for charging electric vehicles and operators of charging stations and providers of charging services for electric vehicles, to expand the network of accessible electric vehicle charging points, and to make consequential and related amendments to certain other Acts.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

PART 1
PRELIMINARY

Short title and commencement

5 **1.** This Act is the Electric Vehicles Charging Act 2022 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

General interpretation

2. In this Act —

“acquire”, in relation to any thing, means —

- 10 (a) to buy (by wholesale or retail) the thing;
 (b) to accept or receive a supply of the thing; or
 (c) to accept or receive a transfer of ownership or possession (by gift, lending or supply) of the thing;

15 “advertisement” means any information or material that gives publicity or any announcement or notice that is —

- (a) any writing;
 (b) any still or moving picture, sign, symbol or other visual image;
 (c) any audible message; or
20 (d) any combination of 2 or more of those things in paragraphs (a), (b) and (c);

“approved person”, in relation to a homologated model, means a person given approval by the LTA under section 7(3) for that homologated model;

25 “arrangement” includes a contract, an agreement, an understanding or other arrangement of any kind, whether written or unwritten;

30 “authorised officer”, for any provision of this Act, means an individual who is appointed under section 89 as an authorised officer for the purposes of that provision;

- “battery”, in relation to an electric vehicle, means a rechargeable energy storage system which can be recharged with electricity externally so as to derive power to propel an electric vehicle equipped with that rechargeable energy storage system; 5
- “battery charge and swap station” or “BCSS” has the meaning given by section 4(4);
- “business” includes any business, whether or not carried on for profit and whether or not its primary function is connected with an EV charging service; 10
- “charge” means the transfer of electricity from a charging point or an EV charger to the battery of an electric vehicle;
- “charging point” means —
- (a) each electrical socket outlet that is part of a fixed EV charger from which electricity may be supplied during charging of a single electric vehicle; 15
 - (b) each vehicle connector that is part of a fixed EV charger and is insertable into an electric vehicle inlet of a single electric vehicle so as to supply electricity during charging of that single electric vehicle; or 20
 - (c) for a fixed EV charger which has both features in paragraphs (a) and (b), each combination of those features from which electricity may be supplied during charging of a single electric vehicle;
- “charging station” means a place in Singapore with an electrical installation — 25
- (a) to which a fixed EV charger is affixed; and
 - (b) which provides one or more charging points,
- and includes a battery charge and swap station;
- “charging station operator” has the meaning given by section 4(1); 30

“electric vehicle” or “EV” means a motor vehicle that is —

(a) propelled wholly or partly by electricity, whether or not designed or adapted to be capable, in at least some circumstances or situations, of safely driving itself; and

(b) equipped with a battery;

“electric vehicle charger” or “EV charger” means any device that is used to supply electricity to the battery of an electric vehicle for the purpose of charging the battery, including any wiring, fitting or apparatus (but not the isolator) connected to the device for that same purpose;

“electric vehicle charging service” or “EV charging service” has the meaning given by section 4(2);

“electrical installation” has the meaning given by section 2(1) of the Electricity Act 2001;

“fixed EV charger” means an EV charger that is, or is designed to be capable of being, affixed to any electrical installation, and includes the following:

(a) a high-powered fixed EV charger;

(b) a pantograph fixed EV charger;

“general public” means the general public in Singapore and includes a section of the general public in Singapore;

“homologated model”, for an EV charger, means a model of EV charger in respect of which the LTA grants a section 7(3) approval;

“licence” means a licence granted under Part 6 to undertake a regulated activity specified in the licence;

“licensee” means a person to whom a licence is granted;

“LTA” means the Land Transport Authority of Singapore established under the Land Transport Authority of Singapore Act 1995;

“LTA’s website” means the Internet website of the address prescribed;

“motor vehicle” means a vehicle that —

(a) is propelled wholly or partly by a motor or by any means other than human or animal power; and 5

(b) is used or intended to be used on any road;

“non-fixed EV charger” means an EV charger that is not a fixed EV charger;

“offence under this Act” includes an offence under any Regulations; 10

“officer”, in relation to an applicant for a licence or a licensee, means —

(a) where the applicant or licensee is a body corporate (including a limited liability partnership) —

(i) an individual for the time being holding the office of chairperson, director, partner, chief executive officer, manager or company secretary (as the case may be) of the body corporate or any position analogous to any of those offices; or 15 20

(ii) for a corporation whose affairs are managed by its members, any of those members as if the member were a director of the corporation;

(b) where the applicant or licensee is a partnership (including a limited partnership), a partner of the partnership; or 25

(c) where the applicant or licensee is an unincorporated association (other than a partnership), an individual for the time being holding the office of president, secretary or member (as the case may be) of a committee of the unincorporated association, or any position analogous to any of those offices,

and includes any person carrying out the duties of any such office referred to in paragraph (a), (b) or (c) if the office is vacant;

“outsourced enforcement officer”, in relation to any provision of this Act or the Regulations, means an individual who —

(a) is appointed under section 11 of the Land Transport Authority of Singapore Act 1995;

(b) is authorised by or under that Act to exercise any powers under any provision of this Act or the Regulations, as the case may be; and

(c) is acting within that authorisation;

“place” means any of the following in Singapore:

(a) a building or structure (whether permanent or temporary);

(b) an open space or open area (whether indoor or outdoor);

(c) a motor vehicle,

and includes any part of a place, such as a room;

“public authority” means a body that is established or constituted by or under a public Act to perform or discharge a public function, but does not include any Town Council;

“publish” means to make available to the general public, in whatever form and by whatever means;

“register of registered-for-charging EV chargers” is the register of that name required to be kept and maintained under section 22;

“registered-for-charging EV charger” means an EV charger that is registered under section 19;

“registered responsible person”, in relation to a registered-for-charging EV charger, means a person issued with the registration mark of that EV charger under section 20 or the last person to whom the registration is transferred under section 27;

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“regulated activity” means either or both of the following:

(a) providing electric vehicle charging services in Singapore;

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(b) engaging in conduct as a charging station operator;

“Regulations” means regulations made under section 94;

“repeat offender”, in relation to any offence under this Act, means a person who —

(a) is convicted, or found guilty, of such an offence (called the current offence); and

15

(b) has been convicted or found guilty of the same offence on at least one other earlier occasion within the period of 5 years immediately before the date on which the person is convicted or found guilty of the current offence;

20

“section 7(3) approval” means an approval given under section 7(3) in respect of a model of EV charger;

“specially authorised EV charger” means an EV charger that is the subject of rules made under Part 4;

25

“unregistered EV charger” means an EV charger that is not a registered-for-charging EV charger;

“vehicle” means any vehicle designed or adapted for use on a road but excludes any of the following within the meanings given by the Active Mobility Act 2017:

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(a) a bicycle;

(b) a mobility scooter;

- (c) a personal mobility device;
- (d) a wheelchair;
- (e) a wheeled toy.

Meaning of “supply”

5 **3.—**(1) In this Act, “supply” includes carrying on any of the following activities, or a combination of those activities, in relation to any thing:

- (a) selling or agreeing to sell the thing;
- (b) bartering or exchanging the thing;
- 10 (c) giving away the thing, whether or not as a prize or reward, or as a free sample or for the purpose of advertising, or in furtherance of, any trade or business;
- (d) selling, bartering, exchanging, hiring out or leasing out any product or object of which the thing forms a part;
- 15 (e) doing any of the above as an agent or a broker, or by an agent or a broker.

(2) For the purposes of this Act, a person takes part in the supply of any thing if the person takes, or participates in, any step, or causes any step to be taken, in the process of that supply.

20 (3) Despite subsection (2), a person is not treated as taking part in the supply of any thing by reason only that the person provided financing for any step taken in the process of the supply of that thing.

(4) In this section, “sale” includes —

- 25 (a) sale under a conditional sale agreement or a hire-purchase agreement as defined by the Hire-Purchase Act 1969; and
- (b) resale.

Meanings of “charging station operator”, “electric vehicle charging service” and associated terms

30 **4.—**(1) A reference in this Act to a charging station operator is a reference to a person who —

- (a) operates in the course of any business, one or more charging stations for use primarily by the general public to charge any electric vehicle for its propulsion;
- (b) operates in the course of any business, one or more charging stations for the exclusive use of all or any of the following persons for any of the following purposes: 5
- (i) an employee of the person for the performance of employment duties —
 - (A) to charge an electric vehicle under that employee’s charge and control; or 10
 - (B) to exchange a depleted (in whole or in part) battery of an electric vehicle under that employee’s charge and control for a recharged battery;
 - (ii) an outworker for the performance of duties under an outwork arrangement with the person — 15
 - (A) to charge an electric vehicle under that outworker’s charge and control; or
 - (B) to exchange a depleted (in whole or in part) battery of an electric vehicle under that outworker’s charge and control for a recharged battery; 20
 - (iii) an individual engaged in any particular occupation under an arrangement with the person in order to carry on his or her occupation — 25
 - (A) to charge an electric vehicle under that individual’s charge and control; or
 - (B) to exchange a depleted (in whole or in part) battery of an electric vehicle under that individual’s charge and control for a recharged battery; or 30
- (c) has charge and control of any charging point in any place in Singapore (whether or not in the course of any business) to

charge any electric vehicle for its propulsion unless excluded by the Minister by order in the *Gazette*.

(2) A reference in this Act to an “electric vehicle charging service” or “EV charging service” is a reference to a service —

5 (a) that is provided using any charging point (except at a BCSS) under which any person may, on-demand or otherwise, and for consideration, hire that charging point to charge an electric vehicle for its propulsion;

10 (b) that is provided using a BCSS under which any person can, on-demand or otherwise, and for consideration, exchange a depleted (in whole or in part) battery of an electric vehicle for a recharged battery for the propulsion of the electric vehicle;

15 (c) that is provided using a non-fixed EV charger under which any person may enter into a lease arrangement to rent the non-fixed EV charger to charge an electric vehicle for its propulsion; or

20 (d) under which any person may, by any other arrangement and for consideration, charge an electric vehicle for its propulsion,

regardless if the service is provided on a single occasion or on one or more occasions within a fixed period of time, but excludes any service of a kind that is prescribed by the Minister by order in the *Gazette* as not an EV charging service.

25 (3) In addition, in this Act, an “electric vehicle charging service” or “EV charging service” extends to any service described in subsection (2) provided —

30 (a) as a free gift, or with the supply of any other goods or services or the provision of any parking place or parking lot as a free gift;

(b) as a prize or reward in any lottery, raffle, draw, game or competition held in Singapore; or

(c) as a free demonstration of an EV charging service or otherwise for the purpose of advertising, or in furtherance of, an EV charging service or any other trade or business.

(4) In this Act —

“battery charge and swap station” or “BCSS” means a place in Singapore installed with a fixed EV charger that is designed or adapted to be capable of exchanging a depleted (in whole or in part) battery of an electric vehicle for a recharged battery for the propulsion of the electric vehicle; 5

“outwork arrangement” means a contract, an agreement, an understanding or other arrangement of any kind (whether written or unwritten) with a contractor — 10

(a) under which an individual (whether or not in the course of business or providing other services) performs work contracted to be performed under that contract, agreement, understanding or other arrangement for the contractor; and 15

(b) that is not a contract of employment;

“outworker” means an individual who performs work under an outwork arrangement; 20

“providing an electric vehicle charging service” means providing an EV charging service in the course of business, whether or not the primary function of the business involves an EV charger.

Purpose of Act

5. The purpose of this Act is to reduce the carbon emissions of road transport in Singapore through the use of electricity sources which serve as a whole or partial substitute for fossil fuels sources in road transport in Singapore, by — 25

(a) promoting the safe use of EV chargers through regulation of the supply of EV chargers; 30

(b) expanding the network of accessible charging points through infrastructure development measures; and

- (c) ensuring the safe undertaking of regulated activities, and the reliability of the network of charging points and provision of EV charging services.

PART 2

SUPPLY OF EV CHARGERS

Division 1 — Approval needed to supply

Only homologated model of EV charger can be supplied

6.—(1) Subject to subsection (2), a person commits an offence if the person supplies in Singapore to another (whether in or outside Singapore) for any purpose an EV charger —

- (a) that is not of a homologated model; and
- (b) that the person knows or ought reasonably to know is not of a homologated model.

(2) Subsection (1) does not apply to the supply of an EV charger in Singapore —

- (a) for the sole purpose of its destruction or export;
- (b) that is a specially authorised EV charger; or
- (c) that is of a former homologated model but covered by grandfathering arrangements because of a prospective revocation under section 9(3)(b) of the section 7(3) approval of that model.

(3) A person who is guilty of an offence under subsection (1) shall be liable on conviction —

- (a) where the person is an individual —
 - (i) to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 24 months or to both; but
 - (ii) where the individual is a repeat offender — to a fine not exceeding \$40,000 or to imprisonment for a term not exceeding 48 months or to both; or

- (b) where the person is not an individual —
 - (i) to a fine not exceeding \$40,000; but
 - (ii) where the person is a repeat offender — to a fine not exceeding \$80,000.

Application for homologation of EV charger model

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7.—(1) An application for approval under subsection (3) in respect of a model of EV charger must be made to the LTA.

(2) An application under subsection (1) must —

- (a) be made to the LTA in the form and manner prescribed or, if not so prescribed, as required by the LTA; 10
- (b) provide or make available an EV charger of the model which is the subject of the application, for inspection or demonstration before the LTA unless the LTA waives this requirement; and
- (c) be accompanied by — 15
 - (i) the prescribed information and documents and any additional information or documents that the LTA may require to decide the application; and
 - (ii) the prescribed fee, if any.

(3) Subject to subsections (4) and (5), the LTA may approve a model of EV charger if it is satisfied that the model of EV charger satisfies the safety and performance standards prescribed to be a homologated model. 20

(4) The LTA may refuse to approve any model of EV charger under subsection (3) if — 25

- (a) the application for the approval contains any false or misleading information; or
- (b) the applicant fails —
 - (i) to provide or make available an EV charger of the model which is the subject of the application, for inspection or demonstration before the LTA where this requirement is not waived; or 30

- (ii) to provide the information and documents required under subsection (2)(c).

(5) The LTA may retain an EV charger that is provided or made available in connection with an application under this section without charge for so long as the LTA requires to decide the application.

Approval labels

8.—(1) Upon granting a person a section 7(3) approval for a model of EV charger (called an approved person), the LTA must —

- (a) issue the approved person with an approval code for the approved person and that homologated model; and
- (b) make available to the approved person, on payment by the approved person of a fee (if prescribed), approval labels to be affixed to each EV charger of that same model which the approved person intends to supply, install, certify or charge with in Singapore.

(2) An approved person for a homologated model must take all reasonably practicable steps to ensure that an approval label made available by the LTA under subsection (1)(b) —

- (a) is affixed to each EV charger of that homologated model that the approved person intends to supply, install or certify before the EV charger is first supplied, installed or certified by the person in Singapore;
- (b) is not affixed to an EV charger which is of a different model from that to which the label relates; and
- (c) is affixed to the relevant EV charger in accordance with the manner prescribed.

(3) An approved person for a homologated model who contravenes subsection (2) shall be guilty of an offence and shall be liable on conviction —

- (a) where the person is an individual —
 - (i) to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 3 months or to both; but

- (ii) where the individual is a repeat offender — to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both; or
- (b) where the person is not an individual —
 - (i) to a fine not exceeding \$2,500; but 5
 - (ii) where the person is a repeat offender — to a fine not exceeding \$5,000.

Revocation of section 7(3) approval

9.—(1) The LTA may revoke the approval given to a person in respect of an EV charger under section 7(3) if the LTA is of the opinion that — 10

- (a) the model of that EV charger has ceased to satisfy the safety and performance standards prescribed to be a homologated model;
- (b) the section 7(3) approval was procured by fraud or misrepresentation; 15
- (c) the LTA becomes aware of a circumstance that would have permitted the LTA to refuse to give the section 7(3) approval, had the LTA been aware of the circumstance immediately before giving that approval; or 20
- (d) revocation is appropriate and necessary so as —
 - (i) to alleviate or minimise a serious and imminent threat or risk to the security of the supply of electricity to consumers in Singapore; or
 - (ii) to avoid any actual or imminent occurrence that may cause the death of, or a serious injury to, any individual or serious damage to any property from the use of any EV charger of that model. 25

(2) Unless not practicable in the circumstances, the LTA must, before revoking any section 7(3) approval under subsection (1), give written notice to the person to whom the approval was given — 30

- (a) stating that the LTA intends to revoke the approval;

- (b) specifying the grounds for the proposed revocation; and
- (c) specifying the time (being at least 7 days after the date of service of notice on the person to whom the approval was given) within which written representations may be made to the LTA with respect to the proposed revocation.

(3) The LTA may, after considering any written representation under subsection (2)(c), decide to revoke, with effect from the effective date in subsection (5), any section 7(3) approval granted with respect to a model of EV charger either —

- (a) absolutely for all EV chargers of that model; or
- (b) prospectively without affecting EV chargers of that model to which approval labels have been affixed before that specified date.

(4) Where the LTA decides to revoke a section 7(3) approval in respect of a model of EV charger, the LTA must serve a notice of its decision on the person to whom the approval was given.

(5) A decision to revoke a section 7(3) approval takes effect from the date on which the notice under subsection (4) is given, or on such other date as may be specified in the notice.

(6) In the case of a prospective revocation under subsection (3)(b) of a model of EV charger without affecting EV chargers of that model to which approval labels have been affixed before a specified date, every EV charger not affected is to be treated, for the purposes of this Act, as subject to a grandfathering arrangement because of that prospective revocation.

Follow-up after revocation of section 7(3) approval

10.—(1) In addition to section 9, where the LTA revokes a section 7(3) approval for a model of EV charger, the LTA must publish —

- (a) a notice of the revocation; and

- (b) in the case of an absolute revocation under section 9(3)(a), a notice that EV chargers of that model must no longer bear an approval label from a time specified in that notice,

in a manner that the LTA thinks will secure adequate publicity for the fact of revocation.

5

(2) Upon publication of a notice under subsection (1) about the revocation of any section 7(3) approval with respect to a model of EV charger —

- (a) a person in possession of any approval label made available under section 8 for that same model must not intentionally affix, or intentionally or negligently allow to be affixed, any such approval label to any EV charger at any time on or after the effective date of revocation in section 9(5); and

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- (b) in the case of an absolute revocation under section 9(3)(a), a person in possession of an EV charger of that same model which, on the date the notice is published, has such an approval label affixed —

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- (i) must not intentionally transfer possession of the EV charger, or intentionally or negligently allow possession of the EV charger to be transferred, with the approval label still affixed unless the transfer is for the purpose of destroying or exporting the EV charger; and

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- (ii) must take all reasonably practicable steps to remove the approval label from the EV charger within the period specified in the notice.

25

(3) A person who, without reasonable excuse, contravenes subsection (2)(a) or (b) shall be guilty of an offence and shall be liable on conviction —

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- (a) where the person is an individual —

- (i) to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 3 months or to both; but

(ii) where the individual is a repeat offender — to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both; or

(b) where the person is not an individual —

(i) to a fine not exceeding \$2,500; but

(ii) where the person is a repeat offender — to a fine not exceeding \$5,000.

Division 2 — Alteration post-section 7(3) approval

No alteration, etc., of EV charger of homologated model

11.—(1) A person must not alter or modify, or allow to be altered or modified an EV charger that —

(a) is of a homologated model; or

(b) is of a former homologated model but covered by grandfathering arrangements because of a prospective revocation under section 9(3)(b),

except with the prior approval of the LTA under section 12 for the alteration or modification.

(2) A person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction —

(a) where the person is an individual —

(i) to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 24 months or to both; but

(ii) where the individual is a repeat offender — to a fine not exceeding \$40,000 or to imprisonment for a term not exceeding 48 months or to both; or

(b) where the person is not an individual —

(i) to a fine not exceeding \$40,000; but

(ii) where the person is a repeat offender — to a fine not exceeding \$80,000.

(3) An EV charger that is altered or modified in contravention of subsection (1) is treated as having ceased to belong to that homologated model or former homologated model, as the case may be.

(4) For the purposes of subsections (1) and (3), it is immaterial whether the altering or modifying of the EV charger is to rectify any damage to it or to return the EV charger to its original operable condition.

(5) However, subsections (1) and (3) do not apply to altering or modifying an EV charger that consists of or results in any minor change in features, functionalities or performance of the EV charger that is prescribed.

Approval of alteration, etc.

12.—(1) An application for approval to alter or modify an EV charger must be made to the LTA —

(a) in the form and manner prescribed or, if not so prescribed, as required by the LTA; and

(b) accompanied by —

(i) the prescribed information and documents and any additional information or documents that the LTA may require to decide the application; and

(ii) the prescribed fee, if any.

(2) The LTA may refuse to give to an applicant any approval under subsection (1) to alter or modify an EV charger if —

(a) the proposed alteration or modification will, in the LTA's opinion, cause the EV charger —

(i) to cease to satisfy the safety and performance standards prescribed to be a homologated model, or the safety and performance standards that were prescribed for a former homologated model if the EV charger concerned is covered by grandfathering arrangements because of a prospective revocation under section 9(3)(b); or

(ii) to become another model of EV charger;

(b) the application for the approval contains any false or misleading information; or

5 (c) the applicant fails to provide the information and documents required under subsection (1)(b).

10 (3) An EV charger of a homologated model does not cease to belong to that homologated model even if the EV charger is altered or modified, so long as the alteration or modification is with the prior approval of the LTA under this section for the alteration or modification.

15 (4) An EV charger covered by grandfathering arrangements because of a prospective revocation under section 9(3)(b) does not cease to be covered by the grandfathering arrangements even if the EV charger is altered or modified, so long as the alteration or modification is with the prior approval of the LTA under this section for the alteration or modification.

Alteration-approved labels

20 **13.**—(1) Upon granting to any person an approval under section 12 to alter or modify an EV charger, the LTA must make available to the person, on payment by the person of a fee (if prescribed), an alteration-approved label —

(a) which signifies the grant of that approval; and

25 (b) which is to be affixed to the EV charger altered or modified which the person intends to supply, install, certify or charge with in Singapore.

(2) The person granted approval under section 12 to alter or modify an EV charger must take all reasonably practicable steps to ensure that an alteration-approved label made available by the LTA under subsection (1) —

30 (a) is affixed only to each altered or modified EV charger that the person intends to supply, install, certify or charge with before the EV charger is first supplied, installed, certified or charged with by the person in Singapore;

(b) is not affixed to an EV charger which is not altered or modified, or is not altered or modified according to the terms of the approval under section 12; and

(c) is affixed to the relevant EV charger in accordance with the manner prescribed. 5

(3) A person who contravenes subsection (2) shall be guilty of an offence and shall be liable on conviction —

(a) where the person is an individual —

(i) to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 3 months or to both; but 10

(ii) where the individual is a repeat offender — to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both; or

(b) where the person is not an individual —

(i) to a fine not exceeding \$2,500; but 15

(ii) where the person is a repeat offender — to a fine not exceeding \$5,000.

Division 3 — Advertising supply of EV chargers

Interpretation of this Division

14. In this Division — 20

“access”, in relation to any advertisement on the Internet, means to read, view, hear or otherwise experience the content of the advertisement, by means of a broadcasting service or an electronic service, and includes —

(a) access that is subject to a precondition, such as the use of a password; 25

(b) access by way of push technology;

(c) access by way of a standing request; and

(d) access for a limited period of time only;

“non-approved EV charger” means an EV charger —

- (a) that belongs to a model that is not a homologated model;
- (b) that is not a specially authorised EV charger; and
- 5 (c) that is not covered by any grandfathering arrangement because of a prospective revocation under section 9(3)(b) of any section 7(3) approval.

Prohibited advertising of non-approved EV charger

10 **15.**—(1) A person must not publish, or cause to be published, or take part in the publication, in Singapore, of any advertisement —

- (a) containing any express or implied inducement, suggestion or request to acquire in Singapore a non-approved EV charger;
- 15 (b) providing a facility for a person who has access to the advertisement on the Internet to acquire in Singapore a non-approved EV charger; or
- (c) relating to a non-approved EV charger in terms which are calculated, expressly or impliedly, to lead to, induce, urge, promote or encourage the acquisition in Singapore of the non-approved EV charger.

(2) In this section, an advertisement that is published electronically is treated as published in Singapore if —

- (a) the advertisement originates in Singapore, even if none of the persons capable of having access to the advertisement is physically present in Singapore; or
- 25 (b) all of the following apply in respect of the advertisement:
 - (i) the advertisement did not originate in Singapore, or the advertisement’s origin cannot be determined;
 - (ii) the advertisement is published or caused to be published by a Singapore-connected person or the Singapore-connected person takes part in that publication;

(iii) the advertisement is accessible by persons physically present in Singapore.

(3) A person who is, in the course of business, selling or offering or exposing for sale, any EV charger in any place, must not display or cause to be displayed any non-approved EV charger in the place — 5

(a) when so selling, or offering or exposing for sale, any EV charger; and

(b) knowing that, or reckless as to whether, it is a non-approved EV charger.

(4) A person who contravenes subsection (1) or (3) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$250 for every day or part of a day during which the offence continues after conviction. 10 15

(5) In this section —

“sale” means sale by wholesale or retail and includes —

(a) sale under a conditional sale agreement or a hire-purchase agreement as defined by the Hire-Purchase Act 1969; and 20

(b) resale;

“Singapore-connected person” means —

(a) a citizen or permanent resident of Singapore;

(b) an individual in Singapore;

(c) a company or other body corporate incorporated in, or having its central management and control in, Singapore; or 25

(d) an unincorporated body established in Singapore,

and includes any person or persons constituting or responsible for the management of a person in paragraph (c) or (d). 30

Defences

16. In any proceedings for an offence under section 15(1), it is a defence for the person charged to prove that —

(a) the person —

5 (i) is a person whose business is to publish or arrange for the publication of advertisements and that the person received the advertisement for publication in the ordinary course of business; and

10 (ii) did not know and had no reason to suspect that the advertisement would contravene the provisions of section 15(1); or

(b) the advertisement is published for the sole purpose of destroying or exporting the non-approved EV charger.

Corrective measures for unlawful advertisement

15 17.—(1) Where an authorised officer, after receiving a complaint or on the authorised officer’s initiative, is satisfied that an advertisement has been published, or caused to be published, in contravention of section 15(1), the authorised officer may, after having regard to the matters mentioned in subsection (4), order the person whom the
20 authorised officer reasonably suspects to have published, or caused to be published, the advertisement to do all or any of the following within the time specified in that order:

(a) to stop any further publication of the advertisement with immediate effect;

25 (b) to take such measures as may be reasonable and necessary in the circumstances to disable access by end-users in Singapore to the advertisement if published on the Internet;

30 (c) to publish a corrective advertisement in such manner and containing such information as may be specified by the LTA.

(2) The person to whom an order under subsection (1) is directed must bear the costs and expenses arising from the taking of any measure that is required of the person under the order.

(3) If a person to whom an order under subsection (1) is directed fails to comply with the order, the person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$250 for every day or part of a day during which the offence continues after conviction.

5

(4) Before ordering a person under subsection (1) with respect to an advertisement on the Internet, an authorised officer must have regard, and give such weight as the authorised officer considers appropriate, to all of the following matters:

10

(a) whether, having regard to the content of the advertisement and the way the EV charger is advertised or promoted, the primary purpose of the advertisement advocates or encourages others, or is used by others, to commit an offence under this Act;

15

(b) whether the advertisement is accessible by end-users in Singapore;

(c) the volume of viewers accessing the advertisement who are or are likely to be end-users in Singapore;

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(d) the technical feasibility of complying with the order.

(5) To avoid doubt, an authorised officer is not confined to consideration of matters specified in subsection (4) and may take into account such other matters and evidence as may be relevant.

PART 3

25

REGISTRATION OF EV CHARGERS AND REGISTERED RESPONSIBLE PERSONS

Division 1 — Offences on charging

Unlawful charging with unregistered EV charger

18.—(1) A person commits an offence if —

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(a) the person charges an electric vehicle using an EV charger;

(b) the EV charger is an unregistered EV charger; and

(c) the person knows that, or is reckless as to whether, the EV charger is an unregistered EV charger.

(2) A person commits an offence if —

(a) the person allows an electric vehicle to be charged using an EV charger;

(b) the EV charger is an unregistered EV charger; and

(c) the person knows that, or is reckless as to whether, the EV charger is an unregistered EV charger.

(3) A person who is guilty of an offence under subsection (1) or (2) shall be liable on conviction —

(a) where the person is an individual —

(i) to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both; but

(ii) where the individual is a repeat offender — to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both; or

(b) where the person is not an individual —

(i) to a fine not exceeding \$10,000; but

(ii) where the person is a repeat offender — to a fine not exceeding \$20,000.

(4) To avoid doubt, it is immaterial whether the person is a licensee.

Division 2 — Registered-for-charging EV chargers

Registration of EV charger

19.—(1) A person who has charge and control of an EV charger must apply to the LTA to register the EV charger before the EV charger is first used, or allowed to be first used, by any person to charge any electric vehicle in Singapore.

(2) An application under subsection (1) to register an EV charger must —

- (a) be made in the form and manner prescribed or, if not so prescribed, as required by the LTA; and
 - (b) be accompanied by —
 - (i) the prescribed information and documents and any additional information or documents that the LTA may require to decide the application; and
 - (ii) the prescribed fee, if any.
- (3) After considering any application under subsection (1) to register an EV charger, the LTA may —
- (a) on payment of the applicable registration fee (if prescribed), register the EV charger as a registered-for-charging EV charger; or
 - (b) refuse to so register the EV charger.
- (4) The LTA may refuse to register an EV charger which is the subject of an application under subsection (1) if —
- (a) the EV charger is not lawfully certified as fit for charging any electric vehicle in Singapore under section 23;
 - (b) the EV charger, being a fixed EV charger, is not lawfully installed in accordance with section 24; or
 - (c) the application contains any false or misleading information.

Registration marks and registered responsible person

20.—(1) On registering an EV charger as a registered-for-charging EV charger, the LTA must —

- (a) assign a registration code to the EV charger;
 - (b) register a person as a registered responsible person for the EV charger; and
 - (c) assign the registered responsible person a registration mark showing that registration code.
- (2) The registered responsible person for a registered-for-charging EV charger must ensure that any registration mark issued by the LTA

under subsection (1)(c) for the registered-for-charging EV charger is affixed on that EV charger in the prescribed manner within 60 days after the registration date or another longer period prescribed in substitution.

5 (3) A registered responsible person for a registered-for-charging EV charger who, without reasonable excuse, contravenes subsection (2) commits an offence.

(4) A person who is guilty of an offence under subsection (3) shall be liable on conviction —

10 (a) where the person is an individual —

(i) to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 3 months or to both; but

15 (ii) where the individual is a repeat offender — to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both; or

(b) where the person is not an individual —

(i) to a fine not exceeding \$2,500; but

(ii) where the person is a repeat offender — to a fine not exceeding \$5,000.

20 **Cancellation of registration**

21.—(1) The LTA may cancel the registration of a registered-for-charging EV charger if —

(a) the LTA is satisfied that the registered-for-charging EV charger —

25 (i) has been or will, within the prescribed period, be destroyed or removed from Singapore;

(ii) has become unfit for use as an EV charger;

(iii) has been forfeited under this Act or any other written law; or

30 (iv) has been lost through theft or criminal breach of trust and the prescribed period after the loss has lapsed;

- (b) the LTA becomes aware of a circumstance that would have required or permitted the LTA to refuse to register the EV charger, had it been aware of the circumstance immediately before registering the EV charger;
- (c) the EV charger is not lawfully certified as fit for charging any electric vehicle in Singapore as required under section 25(1);
- (d) the registered responsible person for the registered-for-charging EV charger applies for the registration of the EV charger to be cancelled; or
- (e) the LTA is satisfied that a condition of registration of the EV charger has been contravened or is being contravened.

(2) Where the registration of a registered-for-charging EV charger is cancelled under subsection (1), the registered responsible person for the EV charger must ensure that any registration mark issued by the LTA under section 20(1)(c) is removed from the EV charger within 30 days after the LTA informs the registered responsible person of the cancellation.

(3) A person who, without reasonable excuse, contravenes subsection (2) commits an offence.

(4) A person who is guilty of an offence under subsection (3) shall be liable on conviction to a fine not exceeding \$1,000.

Register of registered-for-charging EV chargers

22.—(1) Subject to this section, the LTA must establish and maintain a register of registered-for-charging EV chargers in accordance with the Regulations.

(2) The register of registered-for-charging EV chargers must contain —

- (a) the current prescribed information about each registered-for-charging EV charger, and its registered responsible person; and
- (b) such other prescribed information relating to the registered-for-charging EV charger.

(3) However, the register of registered-for-charging EV chargers does not provide evidence of title to any EV charger.

(4) Despite section 41 of the Land Transport Authority of Singapore Act 1995, a person who is or has been a member, an officer, an employee or an agent of the LTA or a member of a committee of the LTA must not disclose any information contained in the register of registered-for-charging EV chargers except —

- (a) when lawfully required to do so by any court;
- (b) where allowed under subsection (5);
- (c) where the information is prescribed information when it is disclosed; or
- (d) where required or allowed by the provisions of any other Act.

(5) The LTA may, upon application made to it in writing by a person and on payment of the prescribed fee (if any), do any one or more of the following things as are required in the application:

- (a) inform the applicant (or the applicant's authorised agent) whether an EV charger is registered as a registered-for-charging EV charger and whether the registration of a registered-for-charging EV charger is cancelled;
- (b) provide an applicant who belongs to a prescribed class of persons (or such an applicant's authorised agent) all or any of the following:
 - (i) information about the identity of the registered responsible person for a registered-for-charging EV charger;
 - (ii) an extract of any entry in the register of registered-for-charging EV chargers relating to a particular registered-for-charging EV charger;
 - (iii) the registration code of a particular registered-for-charging EV charger and other particulars in the register of registered-for-charging EV chargers relating to that particular EV charger;

- (c) certify to an applicant mentioned in paragraph (a) or (b) (or such an applicant's authorised agent), the information in paragraph (a) or (b) applied for as at the date of the certificate.

Division 3 — Certification and installation of EV charger

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Improper certification of EV charger

23.—(1) An individual must not certify an EV charger as fit for charging any electric vehicle in Singapore knowing that, or reckless as to whether, the EV charger is an EV charger —

- (a) that belongs to a model that is not a homologated model; 10
and
(b) that is not covered by any grandfathering arrangement because of a prospective revocation under section 9(3)(b) of any section 7(3) approval.

(2) A person must not cause an individual to certify an EV charger as fit for charging any electric vehicle in Singapore knowing that, or reckless as to whether, the EV charger is an EV charger — 15

- (a) that belongs to a model that is not a homologated model; and
(b) that is not covered by any grandfathering arrangement because of a prospective revocation under section 9(3)(b) of any section 7(3) approval. 20

(3) A person who contravenes subsection (1) or (2) shall be guilty of an offence and shall be liable on conviction —

- (a) where the person is an individual — 25
(i) to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both; but
(ii) where the individual is a repeat offender — to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 24 months or to both; or 30
(b) where the person is not an individual —
(i) to a fine not exceeding \$20,000; but

(ii) where the person is a repeat offender — to a fine not exceeding \$40,000.

(4) An individual must not certify an EV charger as fit for charging any electric vehicle in Singapore unless the individual —

- 5 (a) is a prescribed competent person for that charger; or
 (b) is certifying the EV charger together with a prescribed competent person for that charger.

10 (5) An individual who contravenes subsection (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

(6) An individual must not certify any particular EV charger as fit for charging any electric vehicle in Singapore unless the individual is satisfied that —

- 15 (a) in the case of a fixed EV charger, it is installed —
 (i) following the prescribed procedure and standard; and
 (ii) together with the essential apparatus or essential fittings or both which are prescribed in the Regulations; or
20 (b) in the case of an EV charger that is not a fixed EV charger, it satisfies the safety and performance standards prescribed for a homologated model to which that EV charger belongs.

25 (7) A person who contravenes subsection (6) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Improper installation of fixed EV charger

30 **24.—**(1) A person must not install, or cause to be installed, a fixed EV charger in any place in Singapore knowing that, or reckless as to whether, the EV charger is an EV charger —

- (a) that belongs to a model that is not a homologated model;
and
- (b) that is not covered by any grandfathering arrangement because of a prospective revocation under section 9(3)(b) of any section 7(3) approval. 5

(2) A person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction —

(a) where the person is an individual —

- (i) to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 24 months or to both; but 10
- (ii) where the individual is a repeat offender — to a fine not exceeding \$40,000 or to imprisonment for a term not exceeding 48 months or to both; or

(b) where the person is not an individual —

- (i) to a fine not exceeding \$40,000; but 15
- (ii) where the person is a repeat offender — to a fine not exceeding \$80,000.

(3) An individual must not undertake any work installing a fixed EV charger in Singapore unless the individual —

- (a) is a prescribed person; or 20
- (b) is carrying out the work under the direct supervision of a prescribed person.

(4) An individual who contravenes subsection (3) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both. 25

Division 4 — Registered responsible persons' duties

Periodic inspection of EV charger

25.—(1) The registered responsible person for an EV charger —

- (a) must cause the EV charger to be periodically inspected and certified in accordance with this section by a prescribed 30

competent person to ensure its continued fitness for charging any electric vehicle in Singapore; and

(b) must produce to the LTA upon the LTA's written demand —

5 (i) a certificate by the prescribed competent person prepared under subsection (3)(b)(i); or

(ii) a copy of the report of the inspection by the prescribed competent person prepared under subsection (3)(b)(ii).

10 (2) An inspection required by this section of an EV charger must be carried out at the following frequency:

(a) after the end of a prescribed period (in months) starting the date the first lawful certification was made under section 23 in respect of the EV charger as fit for charging any electric vehicle in Singapore;

15 (b) thereafter, at intervals of not less than a prescribed period (in months) starting the date of the last certificate under this section.

(3) An individual who is a prescribed competent person carrying out an inspection of an EV charger required by this section must —

20 (a) carry out the inspection following the prescribed procedure and standard;

(b) on completing the inspection —

25 (i) certify the EV charger as continuing to be fit for charging any electric vehicle in Singapore; or

(ii) prepare, in such form as the LTA may specify, a report on the results of the inspection mentioned in paragraph (a) and the assessment of the condition of the EV charger inspected; and

30 (c) give a copy of the certificate or report mentioned in paragraph (b) to a registered responsible person for the EV charger without delay, and in any case, to enable the

registered responsible person to comply with subsection (1).

(4) A registered responsible person who, without reasonable excuse, fails to comply with subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both. 5

(5) An individual who is a prescribed competent person who, without reasonable excuse, fails to comply with subsection (3) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both. 10

Keeping of records

26.—(1) The registered responsible person for a registered-for-charging EV charger must keep and retain, for inspection by an authorised officer, every certificate as to the fitness of the EV charger under sections 23 and 25(3)(b)(i), respectively, for a period of at least 2 years starting the date the certificate is made. 15

(2) A registered responsible person who is subject to a requirement under subsection (1) to keep and retain any certificate commits an offence if the registered responsible person — 20

(a) intentionally or negligently contravenes the requirement under subsection (1) to keep and retain; or

(b) intentionally alters, suppresses or destroys any certificate which the registered responsible person is required under subsection (1) to keep and retain. 25

(3) A person who is guilty of an offence under subsection (2) shall be liable on conviction to a fine not exceeding \$10,000.

Duty of registered responsible person who is transferor 30

27.—(1) A registered responsible person for a registered-for-charging EV charger who disposes of, or transfers immediate possession of otherwise than temporarily, (called the

transferor) to another person (called the transferee) the registered-for-charging EV charger must, within a prescribed period after disposing or transferring possession of the EV charger, apply in the manner prescribed to transfer the registration of the registered responsible person for that registered-for-charging EV charger to the transferee.

(2) A registered responsible person for a registered-for-charging EV charger commits an offence if the person —

(a) disposes, or transfers immediate possession otherwise than temporarily, of the registered-for-charging EV charger to another; and

(b) without reasonable excuse, fails to comply with subsection (1) in relation to the registered-for-charging EV charger.

(3) A person who is guilty of an offence under subsection (2) shall be liable on conviction —

(a) where the person is an individual —

(i) to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 3 months or to both; but

(ii) where the individual is a repeat offender — to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both; or

(b) where the person is not an individual —

(i) to a fine not exceeding \$2,500; but

(ii) where the person is a repeat offender — to a fine not exceeding \$5,000.

(4) To avoid doubt, this section does not apply to the passing of possession of a registered-for-charging EV charger —

(a) under any hiring (not being a hiring under a hire-purchase agreement) or under any lending of a registered-for-charging EV charger;

(b) to an agent for the purpose of sale or destruction;

- (c) to a bailee for the purpose of alteration, repair, renovation, garaging, storing or any other similar purpose not involving the use of the registered-for-charging EV charger for the benefit of the bailee;
- (d) in accordance with an order of a court or with any other legal process; or 5
- (e) in other prescribed circumstances.

PART 4

SPECIALLY AUTHORISED EV CHARGERS

Rules for trials and special uses 10

28.—(1) For the purpose of enabling or facilitating the development and operation of innovative and accessible EV chargers and EV charging services which contribute to the mobility and safety of people in Singapore, and of improving the environmental performance of the road transport sector in Singapore, the Minister may make rules under this Part that allow — 15

- (a) any trial of special types of EV chargers; or
- (b) any special use involving charging of electric vehicles using special types of EV chargers,

even though these EV chargers are neither of a homologated model nor a registered-for-charging EV charger. 20

(2) Rules made under this Part may, for a fixed period (not exceeding 5 years) specified in the rules or a specified area in Singapore or both, provide for the application of specified provisions of this Act or its subsidiary legislation affecting — 25

- (a) the specified person authorised to undertake the trial or carry out the special use;
- (b) any other person or class of persons participating in the trial or carrying out the special use; or
- (c) any EV charger used in that trial or special use, 30

with prescribed exceptions, modifications and adaptations.

- (3) In particular, rules made under this Part may —
- (a) prescribe the information and documents required for an application to the LTA for authorisation to carry out a trial or special use mentioned in subsection (1);
 - 5 (b) provide for the grant of an authorisation by the LTA to a person to carry out such a trial or special use;
 - (c) require the specified person to do all or any of the following:
 - 10 (i) to have in place liability insurance before the trial or special use starts, and to ensure that it is in force at all times during the period of the trial or special use;
 - (ii) to deposit with the LTA a security of a type, and of an amount not lower than an amount, prescribed in those rules, to secure compliance with the conditions of authorisation;
 - 15 (iii) to remove, at the specified person's own cost, any fixed EV charger installed in any place in Singapore when the trial or special use ends;
 - (d) prescribe the alternative safety and performance standards for a specified model of EV charger used or to be used in the trial or special use;
 - 20 (e) prescribe the construction, design or use of —
 - (i) technology, equipment or devices in relation to the EV chargers involved in the trial or special use; and
 - 25 (ii) any equipment or other thing that the specified person intends to construct or install in the vicinity of each EV charger;
 - (f) prescribe the maintenance and inspection requirements to be met by the specified person in relation to specified EV chargers involved in the trial or special use;
 - 30 (g) prescribe the measures to be taken by the specified person for the purposes of managing or mitigating the risks of the trial or special use, including submitting a safety proposal

for the LTA's approval and implementing the safety proposal;

- (h) require the specified person to provide an incident report to the LTA in accordance with the prescribed guidelines and within the prescribed period, in the event of a prescribed incident; 5
- (i) require the keeping of records by the specified person, and the giving of information to the LTA or any other person designated by the LTA about the trial or special use carried out; 10
- (j) prescribe the persons or class of persons whom the specified person may engage in carrying out the trial or special use;
- (k) limit the number of specified EV chargers involved in the trial or special use; 15
- (l) prescribe the area or areas of Singapore in which a trial or special use may be carried out;
- (m) prescribe the period during which a trial or special use may be carried out;
- (n) prescribe the premises or types of premises where a trial or special use may or may not be carried out, as the case may be; 20
- (o) provide the grounds under which any authorisation granted under the rules to carry out a trial or special use may be cancelled in whole or in part, or suspended in whole or in part; 25
- (p) provide for a right to appeal to the Minister (whose decision on appeal is final) against any decision made by the LTA under the rules, and the procedure for those appeals; 30
- (q) prescribe the fees in relation to applications or requests to, or the doing of anything by, the LTA under the rules made under this section;

(*r*) provide that any contravention of any provision of the rules made under this section shall be an offence punishable with a fine not exceeding \$10,000; and

(*s*) prescribe any saving and transitional provisions that may be necessary or expedient.

(4) In making any rules under this Part for a trial or special use, the Minister must take reasonable steps to prevent information that —

(*a*) is commercially sensitive in nature; and

(*b*) is the subject of a request to the Minister by a person connected with the trial or special use, or the proposed trial or special use, for the information to be kept confidential,

from being published or otherwise made public.

PART 5

SAFETY OF EV CHARGERS

Division 1 — Offences

Improper use of EV chargers

29.—(1) A person commits an offence if —

(*a*) the person uses an EV charger for a purpose;

(*b*) the purpose is other than a prescribed permissible purpose for that use and type of EV charger; and

(*c*) the person knows that, or is reckless as to whether, the purpose is not a prescribed permissible purpose for that use and type of EV charger.

(2) A person who is guilty of an offence under subsection (1) shall be liable on conviction —

(*a*) where the person is an individual —

(i) to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both; but

(ii) where the individual is a repeat offender — to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both; or

(b) where the person is not an individual —

(i) to a fine not exceeding \$10,000; but

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(ii) where the person is a repeat offender — to a fine not exceeding \$20,000.

(3) To avoid doubt, this section does not derogate from section 18.

Improper charging

30.—(1) A person commits an offence if —

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(a) the person uses, or allows to be used, an EV charger to charge an electric vehicle at any place in Singapore;

(b) the place is prescribed as a banned location for that type of EV charger; and

(c) the person knows that, or is reckless as to whether, the place is a banned location for that type of EV charger.

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(2) A person commits an offence if —

(a) the person uses, or allows to be used, an EV charger to charge an electric vehicle in a certain way or in certain circumstances;

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(b) the way is not, or those circumstances are not, a way or circumstance prescribed as permissible for that type of EV charger; and

(c) the person knows that, or is reckless as to whether, that way or those circumstances is or are not prescribed as permissible for that type of EV charger.

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(3) A person who is guilty of an offence under subsection (1) or (2) shall be liable on conviction —

(a) where the person is an individual —

(i) to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both; but

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(ii) where the individual is a repeat offender — to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both; or

(b) where the person is not an individual —

(i) to a fine not exceeding \$10,000; but

(ii) where the person is a repeat offender — to a fine not exceeding \$20,000.

(4) Subsections (1) and (2) do not apply to a person —

(a) whose business is —

(i) to repair an EV charger; or

(ii) to determine whether an EV charger complies with the safety and performance standards prescribed to be a homologated model; and

(b) who uses the EV charger for the sole purpose of —

(i) determining, in the person's ordinary course of business, whether the EV charger complies with the safety and performance standards prescribed to be a homologated model; or

(ii) repairing the EV charger in the person's ordinary course of business.

(5) To avoid doubt, this section does not derogate from section 18.

Tampering with EV charger, etc.

31.—(1) A person commits an offence if the person wilfully tampers with an EV charger or any thing else related to an EV charger so as to cause or to be likely to cause danger to human life or damage to any property.

(2) A person commits an offence if the person, by rash or negligent act or omission committed or omitted in respect of any EV charger, causes hurt to any person or damage to any property.

(3) A person who is guilty of an offence under subsection (1) shall be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both.

(4) A person who is guilty of an offence under subsection (2) shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 years or to both.

Unauthorised removal, defacement, etc., of labels and marks

32.—(1) An individual commits an offence if he or she, without reasonable excuse, defaces, obliterates or removes any of the following when it is lawfully affixed to an EV charger: 5

(a) any approval label made available by the LTA under section 8(1)(b);

(b) any alteration-approved label made available by the LTA under section 13(1); 10

(c) any registration mark issued by the LTA under section 20(1)(c) for a registered-for-charging EV charger.

(2) An individual who is guilty of an offence under subsection (1) shall be liable on conviction — 15

(a) to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both; but

(b) where the individual is a repeat offender — to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both. 20

(3) A person commits an offence if the person, without reasonable excuse, causes an individual to deface, obliterate or remove any of the following when it is lawfully affixed to an EV charger:

(a) any approval label made available by the LTA under section 8(1)(b); 25

(b) any alteration-approved label made available by the LTA under section 13(1);

(c) any registration mark issued by the LTA under section 20(1)(c) for a registered-for-charging EV charger.

(4) A person who is guilty of an offence under subsection (3) shall be liable on conviction — 30

(a) where the person is an individual —

(i) to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both; but

(ii) where the individual is a repeat offender — to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both; or

(b) where the person is not an individual —

(i) to a fine not exceeding \$10,000; but

(ii) where the person is a repeat offender — to a fine not exceeding \$20,000.

Counterfeiting labels and marks

33.—(1) A person who counterfeits —

(a) any approval label made available by the LTA under section 8(1)(b);

(b) any alteration-approved label made available by the LTA under section 13(1); or

(c) any registration mark issued by the LTA under section 20(1)(c) for a registered-for-charging EV charger,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years or to both.

(2) A person who —

(a) makes a sign identical to or so nearly resembling a label or mark mentioned in subsection (1) as to be calculated to deceive; or

(b) falsifies a genuine label or mark mentioned in subsection (1), whether by alteration, addition, effacement, partial removal or otherwise,

is deemed to counterfeit a label or mark mentioned in subsection (1).

Division 2 — Product defects

Interpretation of this Division

34. In this Division —

“safety-related defect”, in relation to an EV charger, means a feature of the design or construction of the EV charger that is liable to cause serious damage to property or significant risk of personal injury or death to any person, and includes any defect relating to a component of the EV charger that is supplied with the EV charger as original equipment; 5

“supplier” means a person who is engaged in the business of supplying EV chargers. 10

Duty to notify safety-related defect in EV chargers

35.—(1) Where a manufacturer or supplier of an EV charger becomes aware of any safety-related defect in the EV charger or model of that EV charger, it is the duty of the manufacturer or supplier (as the case may be) to give, within the time prescribed, notice about the safety-related defect as described in subsection (2) to — 15

- (a) the LTA;
- (b) every registered responsible person for a registered-for-charging EV charger that is of the same model; and 20
- (c) every person having charge and control of an EV charger that is of the same model, if the EV charger is an unregistered charger. 25

(2) A notice required to be given under subsection (1) with respect to an EV charger must contain —

- (a) a description of the safety-related defect in the EV charger;
- (b) an evaluation of the safety risk arising from that defect;
- (c) the directions on how to rectify the defect or how to arrange for the manufacturer or supplier giving the notice 30

to rectify the safety-related defect in the EV charger (called rectification work); and

(d) a warning —

(i) to stop charging, or to stop allowing charging, of any electric vehicle with the EV charger;

(ii) to not supply or otherwise transfer possession of the EV charger to anyone else;

(iii) to not install or to not allow installing of the EV charger; and

(iv) to not certify or to not allow certifying of the EV charger,

before the rectification work mentioned in paragraph (c) concerning the EV charger has been completed.

(3) A notice required to be given under subsection (1) that is addressed to a person is sufficiently served if it is —

(a) given in the manner prescribed in section 93; or

(b) for a notice that is addressed to a class of persons —

(i) given to each of the persons in the class in accordance with section 93; or

(ii) published both —

(A) in a daily newspaper circulating in Singapore or in any other news media that, in the opinion of the LTA, will be most likely to bring the notice to the attention of the persons who belong to the class; and

(B) on the LTA's website.

(4) A manufacturer or supplier of an EV charger who, without reasonable excuse, fails to comply with the requirements of subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 and, in the case of a continuing offence, to a further fine not exceeding \$500 for every day or part of a day during which the offence continues after conviction.

(5) A manufacturer or supplier of an EV charger who gives a notice under subsection (1) about a safety-related defect in the EV charger must, within the prescribed time, report to the LTA the completion of every rectification work mentioned in the notice under subsection (2)(c). 5

(6) A manufacturer or supplier of an EV charger who, without reasonable excuse, fails to comply with the requirements of subsection (5) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 and, in the case of a continuing offence, to a further fine not exceeding \$500 for every day or part of a day during which the offence continues after conviction. 10

Duty to observe warning in section 35 notice

36.—(1) A person in section 35(1)(b) or (c) to whom a notice under section 35(1) is given about a safety-related defect in an EV charger, or a model of EV charger, commits an offence if the person, without reasonable excuse, fails to comply with the warning contained in that notice. 15

(2) A person who is guilty of an offence under subsection (1) shall be liable on conviction to a fine not exceeding \$2,000 for each EV charger in respect of which the offence is committed, subject to a maximum of \$20,000 and, in the case of a continuing offence, to a further fine not exceeding \$250 for every day or part of a day during which the offence continues after conviction. 20

Safety and security directives

37.—(1) The LTA may, on its own initiative or otherwise, and in accordance with subsections (2), (3), (4) and (5), give such safety and security directives of general application as may be necessary — 25

(a) to avoid any actual or imminent occurrence of death of, or a serious injury to, any individual, or of serious damage to any property, from the use of any EV charger; or 30

(b) to alleviate or minimise a serious and imminent threat or risk to the national security of Singapore.

(2) The LTA may give a safety and security directive made under this section to all or any of the following, individually or as a class:

- (a) a manufacturer or supplier of an EV charger;
- (b) a registered responsible person for a registered-for-charging EV charger;
- 5 (c) a person who has charge and control of an unregistered EV charger;
- (d) a licensee.

(3) In making a safety and security directive under this section, it is not necessary for the LTA to give any person who may be affected by the directive a chance to be heard before the directive is given.

10 (4) A safety and security directive may be in force for a period not exceeding 6 months unless earlier revoked under subsection (5), and may be renewed by the LTA once only for a further period not exceeding 6 months.

15 (5) The LTA may, at any time when any safety and security directive is in force, revoke the safety and security directive by giving notice of that revocation in the same manner as the directive was given.

(6) So far as any safety and security directive is inconsistent with any Regulations, the safety and security directive prevails.

20 **How safety and security directive is given**

38.—(1) A safety and security directive is binding on the person or class of persons to whom it is addressed and given.

25 (2) A safety and security directive that is addressed to a person is sufficiently given if it is served in the manner prescribed in section 93.

(3) A safety and security directive that is addressed to a class of persons is sufficiently given if it is —

- (a) served on each of the persons in the class and in the manner prescribed in section 93; or
- 30 (b) published both —
 - (i) in a daily newspaper circulating in Singapore or in any other news media that, in the opinion of the LTA,

will be most likely to bring the directive to the attention of the persons who belong to the class; and

(ii) on the LTA's official website.

(4) Once such a safety and security directive is made and given under this section, the LTA must also publish the making of the directive in a manner that the LTA thinks will secure adequate publicity for the fact of making and giving of the safety and security directive.

(5) However, failure to publish a safety and security directive under subsection (4) does not invalidate the directive.

(6) A safety and security directive that is given —

(a) in accordance with subsection (2) takes effect when it is served;

(b) in accordance with subsection (3)(a) takes effect when it is served on all the persons in the class in question; and

(c) in accordance with subsection (3)(b) takes effect at the beginning of the day after the date on which subsection (3)(b) has been complied with.

General duty to comply with safety and security directives

39.—(1) A safety and security directive may require the person it binds (according to the circumstances of the case) to do, or to refrain from doing, for a specified period, things specified in the directive or things that are of a description specified in the directive, including —

(a) stop the supply of the EV charger;

(b) stop charging any electric vehicle using the EV charger;

(c) prevent charging of any electric vehicle using the EV charger by any other person;

(d) remove the fixed EV charger from an electrical installation it is affixed to;

(e) stop providing EV charging services using the EV charger;
or

(f) stop undertaking any other regulated activity using the EV charger.

(2) A person to whom a safety and security directive is given and who is required by the directive to do, or to refrain from doing, for a specified period, things specified in the directive or things that are of a description specified in the directive, commits an offence if the person intentionally or negligently fails to comply with the directive.

(3) A person who is guilty of an offence under subsection (2) shall be liable on conviction —

(a) where the person is an individual —

(i) to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 24 months or to both; but

(ii) where the individual is a repeat offender — to a fine not exceeding \$40,000 or to imprisonment for a term not exceeding 48 months or to both; or

(b) where the person is not an individual —

(i) to a fine not exceeding \$40,000; but

(ii) where the person is a repeat offender — to a fine not exceeding \$80,000.

PART 6

LICENSING

Division 1 — General

Interpretation of this Part

40. In this Part —

“customer” means the driver of an electric vehicle to whom EV charging services are provided, and includes a prospective customer;

“modification” or “modify”, in relation to the conditions of a licence, includes deleting or varying and substituting a condition, and adding a condition;

“partial suspension” or “partially suspend”, in relation to a licence for a regulated activity, means suspension under section 53 of the licence in respect of some but not all of the types of EV chargers authorised by the licence for use when undertaking the regulated activity;

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“premises” means a building or structure (whether permanent or temporary) or part of such a building or structure, and includes any immediately adjoining space or land necessary for access to, or the enjoyment of occupants of, the building or structure.

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Unauthorised regulated activity

41.—(1) A person commits an offence if the person undertakes any regulated activity using a type of EV charger (except for a specially authorised EV charger) when the person —

(a) is not authorised to do so by a licence; and

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(b) is not exempt from this section under section 92.

(2) The offence under subsection (1) is a strict liability offence.

(3) A person who is guilty of an offence under subsection (1) shall be liable on conviction —

(a) where the person is an individual — to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$250 for every day or part of a day during which the offence continues after conviction; or

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(b) where the person is not an individual — to a fine not exceeding \$30,000 and, in the case of a continuing offence, to a further fine not exceeding \$500 for every day or part of a day during which the offence continues after conviction.

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*Division 2 — Licences***Application for or to renew licence**

42.—(1) An application for or to renew a licence must be made to the LTA in accordance with this section.

5 (2) An application for or to renew a licence must —

(a) be made in the form and manner prescribed or, if not so prescribed, as required by the LTA;

(b) be accompanied by a prescribed application fee, if any;

(c) contain —

10 (i) an address in Singapore at which notices and other documents under this Act for the applicant may be served; or

15 (ii) the name and address of one or more persons in Singapore authorised by the applicant to accept on the applicant's behalf service of notices and other documents under this Act;

(d) state the type or types of EV chargers to be used in the regulated activity to be covered in the licence; and

20 (e) be accompanied by the prescribed information and documents and any other additional information or documents that the LTA requires to decide the application.

25 (3) In addition, an application to renew a licence must be made no later than a prescribed period before the date of expiry of the licence, unless otherwise allowed by the LTA in any particular case which must then be treated as a late renewal application.

(4) The LTA may refuse to consider an application for or to renew a licence —

(a) that is incomplete or not made in accordance with this section; or

30 (b) where an inspection mentioned in subsection (5) in relation to the application is refused.

(5) Upon receiving an application for or to renew a licence, the LTA may carry out, or arrange to be carried out by any authorised officer, such investigations and inquiries in relation to the application as the LTA considers necessary for a proper consideration of the application, which may include an inspection of one or more of the following: 5

- (a) the place or premises on or at which the applicant intends to do any of the following:
 - (i) to provide the EV charging service in the application;
 - (ii) to undertake any other regulated activity in the application; 10
 - (iii) to install any fixed EV charger or carry out any activity in connection with the provision of that EV charging service or undertaking that regulated activity; 15
- (b) any part of an EV charger which the applicant intends to use in undertaking the regulated activity in the application;
- (c) any equipment or other thing which the applicant intends to construct or install in the vicinity of the EV charger in paragraph (b) for or in connection with undertaking the regulated activity in the application. 20

Grant of licence

43.—(1) After considering any application under section 42 for or to renew a licence, the LTA may —

- (a) on payment of — 25
 - (i) the applicable licence fee (if prescribed), grant the applicant a licence authorising the applicant to undertake a regulated activity using one or more types of EV chargers specified in the licence; or
 - (ii) a renewal fee (if prescribed) and, in the case of a late renewal application a late renewal fee (if prescribed), renew the licence; or 30
- (b) refuse to grant or renew the licence, as the case may be.

(2) In deciding whether an applicant should be granted a licence, or whether the applicant's licence should be renewed, and the conditions to impose or modify, the LTA must have regard, and give such weight as the LTA considers appropriate, to all of the following matters:

- 5 (a) whether the applicant is operating or is intending to operate more than one charging station in Singapore;
- (b) the design and safety of the following:
- (i) the EV chargers to be used by the applicant in undertaking the regulated activity in Singapore;
- 10 (ii) any equipment or other thing which the applicant intends to construct or install in the vicinity of each EV charger in sub-paragraph (i) for or in connection with undertaking the regulated activity in the application;
- 15 (c) whether the applicant does or does not have (or is likely or unlikely to have) the financial capacity and ability to provide the EV charging service in the application according to this Act and the applicable standards of performance;
- 20 (d) whether the applicant is a corporation, partnership, limited liability partnership or an unincorporated association;
- (e) whether the applicant and where necessary, whether every officer of the applicant is a suitable person to be involved in the management and operation of providing the EV charging service in the application;
- 25 (f) whether the applicant has nominated or will nominate at least one individual who satisfies the prescribed qualifications as a representative if a licence is granted;
- (g) whether the applicant had provided, or caused or permitted to be provided, any information in connection with the application, which was false or misleading in a material particular;
- 30 (h) whether it is otherwise contrary to the public interest for the licence to be granted to the applicant.

(3) For the purpose of determining whether or not a person or an individual referred to in subsection (2)(e) is a suitable person to be involved in the management and operation of providing an EV charging service, the LTA must have regard, and give such weight as the LTA considers appropriate, to all of the following matters: 5

(a) any evidence of the exercise of any power under section 53 or 54 —

(i) in relation to the person or individual for committing an offence under this Act, or for contravening any direction given under this Act, whether or not that person or individual was a part of the applicant at the point in time that the power was exercised; or 10

(ii) in relation to a licensee holding, or a former licensee which held, a licence of which the individual is or was an officer when the power was exercised; 15

(b) any prior conviction of that person or individual for committing any of the following offences:

(i) any offence under this Act;

(ii) any offence under any other written law, involving undertaking a regulated activity in Singapore; 20

(iii) any other offence involving fraud or dishonesty, whether or not the conviction was in a Singapore court;

(c) any previous occasion where the person or individual accepted any composition sum offered under any written law for an offence mentioned in paragraph (b). 25

(4) To avoid doubt, the LTA is not confined to consideration of the matters specified in subsection (2) or (3) and may take into account any other matters and evidence that may be relevant.

(5) Without affecting subsection (1), the LTA may grant a renewal of a licence with or without modifying the conditions of the licence, but section 46(2), (3) and (4) does not apply to or in relation to granting a renewal of a licence with modifications to the conditions of the licence. 30

Periodic fee for licence and licence validity

44.—(1) Subject to subsection (2), every licence granted under this Part is valid for the period specified in the licence and is in force unless the licence is earlier suspended or revoked under section 53.

5 (2) Where a licence granted under this Part is partially suspended under section 53, that licence is valid for the period specified in the licence in relation to undertaking a regulated activity using the types of EV chargers authorised by the licence that have not been suspended.

10 (3) For every period prescribed (which must not exceed the validity of a licence), the licensee granted that licence must pay to the LTA, not later than the date prescribed, a periodic fee prescribed for that licence.

15 (4) If a licensee fails to pay the periodic fee in accordance with subsection (3), the LTA may, by written notice, require the licensee to make good the default.

(5) Every licence must be in the form the LTA determines.

Conditions of licence

20 **45.**—(1) In granting a licence to any person, the LTA may impose any conditions that the LTA considers requisite or expedient having regard to the purposes of this Act.

(2) In particular, in granting a licence, the LTA may impose conditions —

25 (a) requiring the licensee to undertake the regulated activity in the licence using only the type or types of EV chargers that the LTA has specified in the licence;

(b) requiring the licensee to tag any EV charger that is being used by the licensee in connection with the regulated activity;

30 (c) requiring the licensee to operate only EV chargers that can be activated to allow a variation in the rate at which electricity is transferred from a charging station to the

battery of an electric vehicle and being able to, on request, activate this capability;

- (d) requiring the licensee to operate EV chargers with interoperable open communication standards;
- (e) requiring the licensee to ensure that the EV chargers have signals or indicators that are able to show that the battery connected to the EV charger in question is being charged; 5
- (f) requiring the licensee to be insured and maintain insurance for a prescribed minimum amount for the validity period of the licence, under one or more approved policies with an insurer within the meaning of the Insurance Act 1966 against third-party liabilities for death, personal injury or damage to property which a customer or other person may sustain or incur in the course of undertaking the regulated activity authorised by the licence; 10
15
- (g) prohibiting the collection and further collection of deposits from users of EV chargers used in the provision of the EV charging service covered by the licence;
- (h) requiring the licensee to provide the EV charging service to customers using one or more specific modes of payment, including the following; 20
 - (i) payment by credit card;
 - (ii) payment by way of Singapore Quick Response Code;
- (i) requiring the licensee to provide for payment methods that do not require a user to register for an account with the licensee; 25
- (j) requiring the licensee to correct EV charging service downtime issues within a specified period of time and to provide incident reports to the LTA; 30
- (k) requiring the licensee to provide to the LTA, upon the LTA's request, such financial information about the regulated activity undertaken during such period as may be specified by the LTA;

(*l*) requiring the licensee to comply with specified standards or requirements relating to cybersecurity (as defined in section 2(1) of the Cybersecurity Act 2018);

(*m*) requiring the licensee —

5 (i) to appoint, and ensure that at all times there is appointed, one or more persons in Singapore authorised by the licensee to accept on the licensee’s behalf service of notices and other documents under this Act; and

10 (ii) to provide the name, address and contact details of the person or persons appointed as required by sub-paragraph (i); and

(*n*) specifying the areas in Singapore within which the licensee must not operate a battery charge and swap station if that is authorised by the licence.

15 (3) In this section, “approved policies” means policies of insurance each of which is not subject to any conditions, exclusions or exceptions prohibited by the Regulations.

Modifying conditions of licence

20 **46.**—(1) Subject to this section, it is lawful for the LTA to modify the conditions of a licence without compensating the licensee concerned.

(2) Before modifying any condition of a licence, the LTA must give notice to the licensee holding that licence —

25 (*a*) stating that the LTA proposes to make the modification in the manner as specified in the notice; and

(*b*) specifying the time (being at least 7 days from the date of service of notice on the licensee) within which the licensee may make written representations to the LTA with respect to the proposed modification.

30 (3) Upon receiving any written representation referred to in subsection (2), the LTA must consider that representation and may —

(*a*) reject the representation;

(b) amend the proposed modification of any condition of a licence in the manner that the LTA thinks fit having regard to the representation; or

(c) withdraw the proposed modification.

(4) Where —

(a) the LTA rejects any written representation under subsection (3)(a);

(b) the LTA amends any proposed modification to any condition of a licence under subsection (3)(b); or

(c) no written representation is received by the LTA within the time specified in subsection (2), or any written representation made under that subsection is subsequently withdrawn,

the LTA must issue a written direction to the licensee in question requiring the licensee, within the time specified by the LTA, to give effect to the modification as specified in the notice under subsection (2) or as amended by the LTA, as the case may be.

Modifying types of EV chargers on licensee's application

47.—(1) A licensee may apply to the LTA to modify the types of EV chargers that the licensee is authorised under its licence to use in undertaking a regulated activity.

(2) To avoid doubt, applying to modify the types of EV chargers means applying to do one or more of the following:

(a) add one or more types of EV chargers;

(b) remove one or more types of EV chargers.

(3) An application under subsection (1) must —

(a) be in the form and manner the LTA determines;

(b) be accompanied by an application fee, if prescribed; and

(c) be accompanied by the prescribed information and any other additional information that the LTA requires to decide on the application.

(4) However, an application under subsection (1) must be made no later than 9 months (or such longer or shorter period as may be prescribed in substitution) before the date of expiry of the licence concerned.

5 (5) The LTA may refuse to consider an application under subsection (1) where the application is incomplete or not made in accordance with this section.

(6) After considering any application under subsection (1), the LTA may do either of the following:

10 (a) on payment of a prescribed fee to modify the types of EV chargers under the licence and, where the application involves the addition of one or more additional types of EV chargers, another prescribed fee, grant the licensee the modification applied for and modify any other relevant conditions of the licence as a consequence;

15 (b) refuse to allow the licensee to modify the EV chargers that the licensee is authorised to use in undertaking a regulated activity under its licence.

(7) Section 43(2), (3), (4) and (5) applies, with the necessary modifications, to every application under subsection (1) as if the application were an application for or to renew a licence.

20 (8) A person commits an offence if the person, being an applicant under subsection (1) —

25 (a) provides, or causes or permits to be provided, any information or document in connection with the application which is false or misleading in a material particular; and

(b) knows or ought reasonably to know that, or is reckless as to whether, it is false or misleading in a material particular.

30 (9) A person who is guilty of an offence under subsection (8) shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Restriction on surrender of licence

48. Every licence is not capable of being surrendered without the written consent of the LTA, and any surrender or purported surrender of a licence is void if it is without such consent.

Division 3 — Business operation requirements

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Record-keeping and giving information

49.—(1) A licensee authorised to undertake a regulated activity must —

(a) keep and retain, for such period as may be prescribed, records or data about the regulated activity that is prescribed, being relevant to monitoring or evaluating the regulated activity for the purposes of this Part (including that relating to charger location, charger availability, charger utilisation and energy consumption rate); and

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(b) give to the LTA (or its agent) within the period and in the manner prescribed, those records or data or both.

(2) A licensee who is subject to a requirement under subsection (1) commits an offence if the licensee —

(a) intentionally or negligently contravenes the requirement under subsection (1) to keep, retain or give;

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(b) intentionally alters, suppresses or destroys any records or data which the person is required under subsection (1) to keep, retain or give; or

(c) who, in keeping, retaining or giving the records or data required under subsection (1), makes any statement which the person knows to be false in a material particular, or recklessly makes such a statement.

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(3) A person who is guilty of an offence under subsection (2) shall be liable on conviction to a fine not exceeding \$10,000.

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(4) To avoid doubt, it is lawful for any licensee to give to the LTA any information mentioned in subsection (1) without the LTA compensating the licensee concerned.

Publication of information on publicly accessible online platform

50.—(1) The LTA may publish on a publicly accessible online platform administered by or under the control of the Government or any public authority, any data about respective licensees' charger location, charger availability, retail price of charging service and charger utilisation that —

(a) can be obtained from a publicly available source, including any digital application software owned or operated by a licensee; or

(b) can be derived from information obtained from a publicly available source, including any digital application software owned or operated by a licensee.

(2) It is lawful for the LTA to publish any information under subsection (1) without the LTA compensating the licensee concerned.

(3) Where the LTA provides a service to the public by which information is supplied to the public under this section, no member, officer or employee of the LTA involved in the supply of such information shall be liable for any loss or damage suffered by any member of the public by reason of any error or omission of any nature appearing therein or however caused if made in good faith, with reasonable care and in the ordinary course of the discharge of the duties of such member, officer or employee.

Standards of performance for licensees

51.—(1) The LTA may —

(a) issue one or more standards of performance applicable to licensees generally or specially;

(b) approve as a standard of performance applicable to licensees, any document prepared by a person other than

the LTA if the LTA considers the document as suitable for this purpose; or

- (c) amend or revoke any standard of performance issued under paragraph (a) or approved under paragraph (b),

with respect to all or any of the matters in subsection (2) or (3), as the case may be. 5

(2) The matters for the purposes of subsection (1) include any of the following:

- (a) performance standards relating to undertaking a regulated activity and the quality of aspects of the provision of an EV charging service; 10
- (b) measures to deal with safety and safety incidents and accidents involving EV chargers made available by the licensee in undertaking a regulated activity, and reporting to the LTA those safety incidents and accidents; 15
- (c) other performance standards relating to undertaking a regulated activity.

(3) A standard of performance may, in particular, specify the duties and obligations of any licensee in relation to its business operation insofar as it relates to the provision of EV charging services in Singapore. 20

(4) If any provision in any standard of performance is inconsistent with any provision of this Act or the Regulations, that provision, to the extent of the inconsistency —

- (a) is to have effect subject to this Act and the Regulations; or 25
- (b) having regard to this Act and the Regulations, is not to have effect.

(5) Where a standard of performance is issued, approved, amended or revoked by the LTA under subsection (1), the LTA must —

- (a) give notice of the issue, approval, amendment or revocation (as the case may be) of the standard of performance to every licensee to whom the standard of performance applies; 30

(b) specify in the notice mentioned in paragraph (a) the date of issue, approval, amendment or revocation, as the case may be; and

5 (c) ensure that, so long as the standard of performance remains in force, copies of that standard of performance, and of all amendments to that standard of performance, are available for inspection (without charge) by the licensees to whom the standard of performance applies.

10 (6) No standard of performance, no amendment to an approved standard of performance, and no revocation of any approved standard of performance, has any force or effect as an approved standard of performance until the notice relating thereto is given in accordance with subsection (5).

15 (7) A standard of performance issued or approved under this section does not have legislative effect.

(8) Subject to subsection (9), every licensee must comply with the standards of performance applicable to the licensee.

20 (9) The LTA may, for such time as the LTA may specify, waive the application of any standard of performance or part of a standard of performance, issued or approved under this section to any particular licensee.

Directions affecting licensees

52.—(1) The LTA may give a direction to a licensee for or in respect of —

25 (a) the safety of customers and any other person in connection with undertaking a regulated activity authorised by the licensee's licence; or

(b) any matter affecting the interests of the public in connection with the regulated activity undertaken by the licensee.

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(2) A direction given under subsection (1) —

(a) may require the licensee concerned (according to the circumstances of the case) to do, or to refrain from doing,

for a specified period, things specified in the direction or things that are of a description specified in the direction, including refusing to provide EV charging services in respect of any particular customer;

- (b) takes effect at such time, being the earliest practicable time, as is determined by or under that direction; and 5
- (c) may be revoked at any time by the LTA.

(3) A direction under this section continues in force until the earlier of the following occurs:

- (a) the expiry date (if any) stated in the direction is reached; 10
- (b) the LTA revokes the direction.

(4) Before exercising any powers under subsection (1), the LTA must, unless the LTA in respect of any particular direction considers that it is not practicable or desirable, give written notice to the licensee concerned — 15

- (a) stating that the LTA intends to give a direction to the licensee under this section and the nature of the direction; and
- (b) specifying the time (being at least 7 days after the date of service of notice on the licensee) within which written representations may be made to the LTA with respect to the proposed direction. 20

(5) However, subsection (4) does not apply where the LTA, in respect of any particular direction, considers that it is not practicable or desirable to comply with that subsection. 25

(6) The LTA may, after considering any written representation made pursuant to subsection (4)(b), decide to give or not to give the direction as the LTA considers appropriate.

(7) The LTA must serve on the licensee concerned a notice of its decision under subsection (6). 30

(8) Where the LTA gives written notice to the licensee under subsection (4) and the licensee fails to make written representations to the LTA on or by the date mentioned in subsection (4)(b), the LTA

must, on a date that is not more than 28 days after the date on which written representations were to have been made by under subsection (4)(b), give to the licensee the direction mentioned in subsection (4)(a).

5 (9) Every licensee must comply with every direction given under this section to the licensee as soon as it takes effect.

(10) No civil or criminal liability is incurred by the licensee, or an officer, employee or agent of the licensee, for doing or omitting to do any act, if the act is done or omitted to be done with reasonable care and in good faith and for the purpose of complying with or giving effect to a direction given under this section.

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Division 4 — Regulatory action in respect of licensees

Suspension or revocation, etc., of licence

53.—(1) Subject to section 55, if the LTA is satisfied that —

15 (a) a licensee is contravening or not complying with, or has contravened or failed to comply with —

(i) any of the conditions of the licensee’s licence;

(ii) any provision of this Act or the Regulations applicable to the licensee, contravention of or non-compliance with which is not an offence under this Act;

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(iii) any provision of a standard of performance applicable to the licensee; or

(iv) any direction or order given to the licensee under subsection (2)(c) or (e) or section 52;

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(b) the licensee —

(i) has gone, or is likely to go, into compulsory or voluntary liquidation other than for the purpose of amalgamation or reconstruction; or

(ii) is, or is likely to be, placed under judicial management of a judicial manager under any written law relating to the insolvency of companies;

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- (c) the licensee has made any assignment to, or composition with, its creditors or if a corporation, is unable to pay its debts;
 - (d) the licensee is not undertaking an adequate and satisfactory regulated activity; 5
 - (e) the licensee or an officer of the licensee is convicted of any offence under this Act or the Regulations committed during the term of the licence, as the case may be;
 - (f) the licence had been obtained by the licensee by fraud or misrepresentation; 10
 - (g) the licence fee, periodic fee, renewal fee or late renewal fee required by section 43(1) or 44(1) (as the case may be) has not been paid by the licensee in full on or by the date on which payment was due; or
 - (h) the public interest of Singapore requires, 15
- the LTA may revoke (without compensation) the licensee's licence.
- (2) However, the LTA may, in lieu of revoking a licensee's licence, do (without compensation) any one or more of the following:
- (a) censure the licensee in writing;
 - (b) modify any condition of the licensee's licence; 20
 - (c) direct the licensee —
 - (i) to do, or to refrain from doing, such things as are specified in a direction to rectify any contravention or non-compliance mentioned in subsection (1)(a); or 25
 - (ii) to remove, within a period specified in the direction, from all public places EV chargers that are tagged by the licensee in undertaking a regulated activity or any equipment or other thing constructed or installed in the vicinity of the EV charger for or in connection with the regulated activity undertaken when the licence is not in force; 30

- (d) suspend or partially suspend the licence for not more than 12 months;
- (e) direct the licensee to pay, within a period specified in a direction, a financial penalty of any amount that the LTA thinks fit, but not exceeding \$100,000 for each instance of the contravention or non-compliance which is the subject of the regulatory action;
- (f) direct the furnishing by the licensee of any performance bond, guarantee or other form of security, or an additional performance bond, guarantee or other form of security, for all or any of the following:
 - (i) to secure compliance by the licensee with any condition attached to the licence or any standard of performance applicable to the licensee;
 - (ii) to meet any financial penalty arising out of any regulatory action started or likely to start against the licensee, or both.

(3) Where any financial penalty is imposed on a licensee for contravening or not complying with —

(a) any condition attached to the licence; or

(b) any standard of performance applicable to the licensee, any performance bond, guarantee or other form of security furnished by the licensee to secure compliance by the licensee with any condition attached to that licence or any standard of performance applicable to the licensee must not be forfeited by the LTA for that contravention or non-compliance except to the extent to pay the financial penalty.

(4) In taking any regulatory action under this section in relation to the conviction of a licensee or any person for a criminal offence, the LTA may accept the licensee's or person's conviction as final.

(5) For the purposes of subsection (1)(c), a corporation is unable to pay its debts if it is a corporation which is deemed to be so unable under section 125(2) of the Insolvency, Restructuring and Dissolution Act 2018.

Regulatory action can continue despite licence expiry, etc.

54.—(1) Subject to section 55, if regulatory action under section 53 has started against a licensee, and the LTA does not take any regulatory action before the date of expiry of the licensee’s licence for reasons other than the LTA discontinuing the regulatory action, then despite the licence expiry, the regulatory action may continue and the LTA may exercise any powers under subsection (2) in relation to the former licensee if satisfied of any ground mentioned in section 53(1). 5

(2) The LTA may, if satisfied of any ground mentioned in section 53(1), do (without compensation) any one or more of the following: 10

(a) censure the former licensee in writing;

(b) direct the former licensee —

(i) to do, or to refrain from doing, such things as are specified in a direction to rectify any contravention or non-compliance mentioned in section 53(1)(a) by the former licensee when the licence was in force; or 15

(ii) to remove, within a period specified in the direction, from all public places EV chargers that are tagged by the former licensee in undertaking a regulated activity or any equipment or other thing constructed or installed in the vicinity of the EV charger for or in connection with the regulated activity undertaken; 20

(c) direct the former licensee to pay, within a period specified in a direction, a financial penalty of any amount that the LTA thinks fit, but not exceeding \$100,000 for each instance of the contravention or non-compliance which is the subject of the regulatory action. 25

(3) Where any financial penalty is imposed on a former licensee for contravening or not complying with — 30

(a) any condition attached to the licence that has expired; or

(b) any standard of performance that was applicable to the former licensee,

any performance bond, guarantee or other form of security furnished by the former licensee to secure compliance by the former licensee with any condition attached to that licence or any standard of performance applicable to the former licensee may be forfeited by the LTA for that contravention or non-compliance to the extent to pay the financial penalty.

(4) Section 53(4) and (5) applies to regulatory action under this section as it applies to any regulatory action under that section.

Proceedings for regulatory action

55.—(1) Before exercising any powers under section 53(1) or (2) or 54(2), the LTA must give written notice to the licensee or former licensee concerned —

(a) stating that the LTA intends to take regulatory action against the licensee or former licensee;

(b) specifying the type of action in section 53(1) or (2) or 54(2) that the LTA proposes to take, and each instance of contravention or non-compliance that is the subject of the action; and

(c) specifying the time (being at least 14 days from the date of service of notice on the licensee, or former licensee, as the case may be) within which written representations may be made to the LTA with respect to the proposed action.

(2) The LTA may, after considering any written representation under subsection (1)(c), decide to take any regulatory action in section 53(1) or (2) or 54(2) that the LTA considers appropriate.

(3) Where the LTA has made any decision under subsection (2) against any licensee, the LTA must serve on the licensee, or former licensee, concerned a notice of its decision.

(4) Subject to section 68, a decision to revoke a licence under section 53(1), or to impose a regulatory action in section 53(2) or 54(2), which is specified in the notice given under subsection (3),

takes effect from the date on which that notice is given, or on any other date that may be specified in the notice.

(5) Any suspension (whether partial or otherwise) or revocation of any licence under section 53 with respect to a licensee does not affect — 5

(a) the enforcement by any person of any right or claim against the licensee or the former licensee, as the case may be; or

(b) the enforcement by the licensee or the former licensee (as the case may be) of any right or claim against any person.

(6) All financial penalties imposed under section 53(2) or 54(2) must be paid into the Consolidated Fund. 10

PART 7

STEP-IN ARRANGEMENTS

Application of this Part

56. This Part applies only in relation to a licensee that is authorised to provide EV charging services and is prescribed by the Minister, by order in the *Gazette*, as a designated licensee. 15

Step-in order

57.—(1) The Minister may make an order under this section (called a step-in order) if the licence of a designated licensee is suspended in its entirety, revoked or surrendered, and on receipt of the written advice from the LTA of its opinion that it is necessary to take over some or all of the operations of the designated licensee to ensure that the designated licensee's customers receive an adequate provision of EV charging services. 20
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(2) Before a step-in order is made under this section, the Minister must give the designated licensee concerned a reasonable opportunity to make submissions in respect of the proposed step-in order.

(3) A step-in order —

(a) authorises a step-in operator chosen by the LTA to take over, the operations of the designated licensee concerned, or a specified part of those operations;

5 (b) may appoint, or order the designated licensee concerned to appoint, a person to advise the designated licensee in the proper conduct of its business;

(c) may specify that —

10 (i) the step-in operator has such functions and powers in relation to the operations of the designated licensee concerned as are specified in the order;

(ii) the designated licensee concerned is to stop providing EV charging services to specified customers on and from a specified date; and

15 (iii) the step-in operator must have access to, and take control of, the EV chargers or premises or other assets and other property, including the charger management software, any software used to manage the supply of electricity to the EV chargers, intellectual property, licences and employees, used or required by the designated licensee for the purposes of carrying on the operations specified in the order; and

(d) may contain ancillary directions that may —

25 (i) direct how the costs of providing the EV charging service, and revenue generated from the provision of that service, are to be dealt with;

30 (ii) fix the remuneration and expenses to be paid by a designated licensee to any person appointed by the Minister under paragraph (b) to advise the designated licensee in the proper conduct of its business;

(iii) specify the period for which the step-in order under subsection (1) applies, such period being not more

than 12 months starting on the date that the step-in order is made; and

(iv) specify any other conditions that may apply.

(4) Any decision of the Minister under subsection (1) is final.

(5) A step-in order operates to the exclusion of rights that are inconsistent with the step-in order. 5

(6) The designated licensee concerned —

(a) must facilitate the handover of the operations to the step-in operator as specified in the order;

(b) must not obstruct the step-in operator's access to property or the exercise by the step-in operator of the step-in operator's responsibilities under this section; and 10

(c) must comply with reasonable directions given by the step-in operator in the exercise of the step-in operator's responsibilities under this section. 15

(7) The designated licensee which fails to comply with subsection (6) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 and, in the case of a continuing offence, to a further fine not exceeding \$100 for every day or part of a day during which the offence continues after conviction. 20

Restrictions on voluntary winding up, etc.

58.—(1) Despite the provisions of any other written law, where a company is a designated licensee —

(a) the company must not be wound up voluntarily without the consent of the LTA; 25

(b) no judicial manager may be appointed under Part 7 of the Insolvency, Restructuring and Dissolution Act 2018 in relation to the company;

(c) no step is to be taken by any person to enforce any security over the company's property except where that person has served 14 days' notice of the person's intention to take that step on the LTA; and 30

(d) no application under section 210 of the Companies Act 1967 or section 71 of the Insolvency, Restructuring and Dissolution Act 2018 may be made by any person in relation to the company, unless that person has served
 5 14 days' written notice of that person's intention to make the application on the LTA.

(2) The LTA must be a party to —

(a) any proceedings under the Insolvency, Restructuring and Dissolution Act 2018 relating to the winding up of the
 10 affairs of a company that is a designated licensee; or

(b) any proceedings relating to the making of an order under section 210 of the Companies Act 1967 or section 71 of the Insolvency, Restructuring and Dissolution Act 2018 in relation to a company that is a designated licensee.

15 **Rules and saving for step-in arrangements**

59.—(1) The Minister may, by rules made under this section, give effect to this Part, including making provision for applying, omitting or modifying the provisions of Part 7 of the Insolvency, Restructuring and Dissolution Act 2018 where a step-in order is made.

(2) Nothing effected or to be effected by this Part or done under this
 20 Part —

(a) is to be regarded as placing any person in breach of contract or confidence or as otherwise making any person guilty of a civil wrong;

(b) is to be regarded as placing any person in breach of, or as constituting a default under, any Act or other law or obligation or any provision in any agreement, arrangement or understanding including, but not limited to, any
 25 provision or obligation prohibiting, restricting or regulating the assignment, transfer, sale or disposal of
 30 any property or the disclosure of any information;

(c) is to be regarded as fulfilling any condition that allows a person to exercise a power, right or remedy in respect of or to terminate any agreement or obligation;

- (d) is to be regarded as giving rise to any remedy for a party to a contract or an instrument or as causing or permitting the termination of any contract or instrument because of a change in the beneficial or legal ownership of any relevant property; 5
- (e) is to be regarded as causing any contract or instrument to be void or otherwise unenforceable, or as frustrating any contract; or
- (f) releases any surety or other obligor wholly or in part from any obligation. 10

PART 8

MINIMUM ELECTRICAL LOAD AND CHARGING POINTS IN BUILDINGS

Division 1 — Introduction

Interpretation of this Part

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60. In this Part —

“approved electrical load”, in relation to a development, means the maximum electrical load rating of the development as approved by a market support services licensee under the Electricity Act 2001; 20

“building” includes part of a building;

“building works” means —

(a) the erection or extension of a building; or

(b) the alteration, addition or repair of a building,

but excludes building works for a temporary building or the occupation of any temporary building; 25

“developer”, for any building works to which this Part applies, means the person for whom or on whose behalf those building works are carried out;

“development” means any land or premises on which any development (within the meaning of section 3 of the Planning Act 1998) is or is to be carried out, and in respect of which —

(a) a permission is granted by a competent authority under Part 3 of the Planning Act 1998 on or after the date of commencement of this Part; or

(b) an authorisation by notification under section 21(6) of the Planning Act 1998 is made on or after the date of commencement of this Part;

“electrical work” has the meaning given by section 2(1) of the Electricity Act 2001;

“gross floor area” means the floor area that is used in the computation of the land betterment charge in relation to any development under the Land Betterment Charge Act 2021;

“market support services licensee” has the meaning given by section 2(1) of the Electricity Act 2001;

“motor car” means a motor vehicle with 4 wheels which is constructed to carry a load or passengers and the weight of which unladen —

(a) does not exceed 3,000 kilograms in the case of a vehicle which is —

(i) constructed solely for the carriage of passengers and their effects; and

(ii) adapted to carry not more than 7 passengers exclusive of the driver; and

(b) in any other case, does not exceed 2,500 kilograms;

“parking lot” means an area within a parking place which is marked out for parking of a single motor car or motorcycle in that area;

“parking place” has the meaning given by section 2 of the Parking Places Act 1974;

“public authority” extends to include a Town Council.

Application of this Part

61.—(1) Subject to sections 62 and 63, this Part applies only to the following types of works (each called the “defined works”) carried out in any development:

- (a) any building works that results in the erection or re-erection of a building; 5
- (b) any other building works for any building comprised in the development, the grant of permission of which by the competent authority or authorisation by notification under section 21(6) of the Planning Act 1998 would increase the approved gross floor area of the development by at least 50% or any lower percentage prescribed in substitution under subsection (2); 10
- (c) any electrical work —
 - (i) where the approved electrical load of the development before the electrical work is carried out is more than 280kVA or any lower electrical load prescribed in substitution under subsection (2) — that requires an approval by the market services support licensee concerned to increase the approved electrical load of the development; or 15
 - (ii) where the approved electrical load of the development before the electrical work is carried out is 280kVA or less, or any lower electrical load prescribed in substitution under subsection (2) — that requires an approval by the market services support licensee concerned to increase the approved electrical load of the development to more than 280kVA or such lower electrical load as so prescribed; 25
- (d) any other building works or electrical work prescribed by an order in the *Gazette* under subsection (2). 30

(2) The Minister may, for the purpose of encouraging the use of electric vehicles in Singapore through an expanded network of

accessible charging points, make an order in the *Gazette* for the following purposes:

(a) prescribe any additional building works or electrical work as “defined works”;

5 (b) prescribe a lower threshold percentage of increase in the approved gross floor area of a development for the purposes of subsection (1)(b);

10 (c) prescribe a lower threshold level of approved electrical load of a development for the purposes of subsection (1)(c).

(3) In this section, “competent authority” means any competent authority appointed under section 5 of the Planning Act 1998 to be responsible for the operation of Part 3 of that Act, and includes any individual authorised under section 5(2) of that Act to perform any of those functions conferred on the competent authority.

Disapplication of this Part

62.—(1) This Part does not apply to —

(a) any defined works carried out by or on behalf of the Government on State land;

20 (b) any defined works carried out by or on behalf of any public authority on land owned by that public authority; or

25 (c) any defined works carried out in connection with any development specified in Part 4 of the Schedule to the Parking Places (Provision of Parking Places and Parking Lots) Rules 2018.

(2) Sections 64(1)(b) and 65(1)(b) do not apply in relation to any defined works carried out in any development that would result in fewer than 8 parking lots within the parking place of the development after the completion of the defined works.

30 (3) The Minister may make an order in the *Gazette* to lower the number of parking lots mentioned in subsection (2).

Power to exempt

63.—(1) The Minister may, if satisfied in any particular case that the application of this Part is incompatible with the purposes of this Act or would cause substantial hardship to any person, exempt any person in relation to any particular defined works carried out in a development for or on behalf of that person from all or any of the provisions of this Part, subject to any condition that the Minister may impose. 5

(2) An exemption under subsection (1) need not be published in the *Gazette*. 10

Division 2 — Requirements for building works

Minimum electrical load and charging points in parking place for building works

64.—(1) Subject to subsection (10), the developer of any building works must, no later than the relevant date for those building works, install or cause to be installed — 15

(a) all electrical infrastructure necessary to supply a minimum electrical load for the purpose of charging electric vehicles in the parking places of the development; and

(b) in the parking places of the development, a minimum number of charging points determined in accordance with a formula to be prescribed by the Minister by order in the *Gazette*. 20

(2) The minimum electrical load mentioned in subsection (1)(a) is determined in accordance with a formula to be prescribed by the Minister by order in the *Gazette*. 25

(3) The developer of those building works must, before the relevant date mentioned in subsection (1), submit to the LTA for approval under this subsection —

(a) the developer's proposals and plans for complying with the requirements imposed under that subsection; and 30

(b) any prescribed information and document and any additional information or documents that the LTA may require in any particular case.

5 (4) The LTA must disapprove the proposals and plans if the LTA is not satisfied that the proposals and plans submitted under subsection (3) comply with the requirements under subsection (1).

10 (5) For the purpose of demonstrating that the works covered by the proposals and plans approved under subsection (3) have been completed, the developer of those building works must, before the relevant date for those works, give to the LTA —

(a) all information and documents that are prescribed; and

(b) any other information or document required by the LTA in any particular case.

15 (6) The LTA may, after considering all information and documents submitted under subsection (5) in relation to any particular building works and conducting all necessary checks (including any inspection carried out by an authorised officer of the development where the building works are carried out) to ensure that subsection (1) has been complied with, issue a certificate to the developer of the building works certifying that subsection (1) has been complied with.

20 (7) The LTA may issue a remedial notice to the developer of the building works mentioned in subsection (1) requiring the developer —

25 (a) to take any step specified in the remedial notice as the LTA thinks fit to rectify any non-compliance with subsection (1); and

(b) to do so within the period specified in the remedial notice, or any extension of that period as the LTA may allow in any particular case.

30 (8) A developer who contravenes or fails to comply with a remedial notice shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$30,000 and, in the case of a continuing offence, to a further fine of \$500 for every day or part of a day during which the offence continues after conviction.

(9) The offence under subsection (8) is a strict liability offence.

(10) This section does not apply if the electrical infrastructure and charging points required under subsection (1)(a) and (b) are comprised within the development for which any building works are to be carried out. 5

(11) In this section —

“electrical infrastructure” includes —

- (a) the electrical switch room of the development, and the main electrical distribution board in the electrical switch room; and 10
- (b) the electrical substation of the development, and the electrical switchboards, switchgears, transformers and any other electrical and cabling equipment in the electrical substation;

“relevant date”, in relation to any building works, means a date prescribed by the Minister by order in the *Gazette* in relation to those building works. 15

Division 3 — Requirements for electrical work

Minimum electrical load and charging points in parking place for electrical work 20

65.—(1) Subject to subsection (12), the owner of any development in respect of which electrical work is carried out must, within the period specified in subsection (4), install or cause to be installed —

- (a) all electrical infrastructure necessary to supply a minimum electrical load for the purpose of charging electric vehicles in the parking place of the development; and 25
- (b) in the parking places of the development, a minimum number of charging points determined in accordance with a formula to be prescribed by the Minister by order in the *Gazette*. 30

(2) The minimum electrical load mentioned in subsection (1)(a) is determined in accordance with a formula to be prescribed by the Minister by order in the *Gazette*.

5 (3) For the purpose of demonstrating that the electrical infrastructure and charging points mentioned in subsection (1) have been installed, the owner of the development must, within the period specified in subsection (4), give to the LTA —

(a) all information and documents that are prescribed; and

10 (b) any other information or document required by the LTA in any particular case.

(4) For the purposes of subsections (1) and (3), the specified period is 12 months, or such longer period as the LTA may approve in writing in any particular case, after the following date (whichever is applicable):

15 (a) the date on which the switchgear which controls the supply of electricity to the development is turned on by or on behalf of the owner of the development in accordance with the Electricity Act 2001;

20 (b) the effective date on which the approved electrical load of the development is increased, as specified in a notice of approval issued by the market support services licensee concerned.

25 (5) A person who, without reasonable excuse, fails to comply with subsection (3) read with subsection (4) shall be guilty of an offence and shall be liable on conviction —

(a) to a fine not exceeding \$10,000; and

(b) in the case of a continuing offence, to a further fine not exceeding \$250 for every day or part of a day during which the offence continues after conviction.

30 (6) A person who —

(a) intentionally alters, suppresses or destroys any prescribed information or document mentioned in subsection (3); or

- (b) intentionally provides to the LTA any information that is false or misleading in a material particular,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

5

(7) It is not a reasonable excuse for a person to fail to comply with subsection (3) read with subsection (4) on the ground that the disclosure of any prescribed information or document might tend to incriminate the person.

(8) The LTA may, after considering all information and documents submitted under subsection (3) and conducting all necessary checks (including any inspection carried out by an authorised officer of the development where the electrical work is carried out) to ensure that subsection (1) has been complied with, issue a certificate to the owner of the development certifying that subsection (1) has been complied with.

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15

(9) The LTA may issue a remedial notice to the owner of the development mentioned in subsection (1) requiring the owner —

- (a) to take any step specified in the remedial notice as the LTA thinks fit to rectify any non-compliance with subsection (1); or

20

- (b) to do so within the period specified in the remedial notice, or any extension of that period as the LTA may allow in any particular case.

(10) A person who contravenes or fails to comply with a remedial notice shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$30,000 and, in the case of a continuing offence, to a further fine of \$500 for every day or part of a day during which the offence continues after conviction.

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(11) The offence under subsection (10) is a strict liability offence.

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(12) This section does not apply if —

- (a) the requirements in Division 2 apply in relation to any development where building works are to be carried out together with the electrical work; or

(b) the electrical infrastructure and charging points required under subsection (1)(a) and (b) are comprised within the development for which any electrical work is to be carried out.

5 (13) In this section —

“common property”, “limited common property”, “lot” and “subdivided building” have the meanings given by section 2(1) of the Building Maintenance and Strata Management Act 2004;

10 “electrical infrastructure” has the meaning given by section 64(11);

“owner”, in relation to a development, means —

15 (a) in relation to any premises which are not subdivided — any person who is the registered proprietor of the fee simple, estate in perpetuity or leasehold estate of those premises in the land-register under the Land Titles Act 1993;

20 (b) in relation to any common property or any limited common property of any premises comprised in a strata title plan under the Land Titles (Strata) Act 1967 — the management corporation or subsidiary management corporation (as the case may be) having control of the common property or limited common property;

25 (c) in relation to any subdivided building other than a subdivided building mentioned in paragraph (b), means —

30 (i) in relation to any subdivided building with common property or limited common property —

(A) every person who is a registered proprietor in the land-register under the Land Titles Act 1993 of the fee simple,

estate in perpetuity or leasehold estate of a lot in that building; or

(B) in a case where a person is entrusted to receive any rent or charge for the maintenance and management of the common property or limited common property — that person; or

(ii) in relation to a lot in any subdivided building with no common property — any person who is the registered proprietor in the land-register under the Land Titles Act 1993 of the fee simple, estate in perpetuity or leasehold estate of that lot; and

(d) in relation to any other development where paragraphs (a), (b) and (c) do not apply — the person for the time being receiving any rent or charge of the development, whether on the person's own account or as agent or trustee or as receiver, or who would receive the same if the development were let to a tenant, and includes every person whose name is entered in the Valuation List prepared under section 10 of the Property Tax Act 1960 as owner of that development.

Request for information from market support services licensee

66.—(1) The LTA may, by written notice, require any market support services licensee to provide the following, within a reasonable period and in the form and manner specified in the notice:

- (a) any information and document relating to the approved electrical load of any development;
- (b) any information and document relating to the location and type of the development;
- (c) any information and document relating to the identity and contact details of the person who is granted the approved electrical load of the development;

(d) any other information or document which the LTA considers necessary for the purpose of ensuring compliance with this Division.

5 (2) A person who, without reasonable excuse, fails to comply with the request under subsection (1) shall be guilty of an offence and shall be liable on conviction —

(a) to a fine not exceeding \$10,000; and

10 (b) in the case of a continuing offence, to a further fine not exceeding \$250 for every day or part of a day during which the offence continues after conviction.

(3) A person who —

(a) intentionally alters, suppresses or destroys any information or document required by the request; or

15 (b) intentionally provides to the LTA any information or document that is false or misleading in a material particular,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

20 (4) It is not a reasonable excuse for a person to fail to comply with the request under subsection (1) on the ground that the disclosure of any information or document required to be provided to the LTA might tend to incriminate the person.

PART 9

25 APPEALS

Interpretation of this Part

67. In this Part —

“appealable decision” means any of the following decisions of the LTA:

30 (a) a decision under section 9(1) revoking a section 7(3) approval;

- (b) a decision under section 43(1)(b) refusing the grant or renewal of a licence;
- (c) a decision under section 45 imposing a condition in a licence;
- (d) a modification under section 46 of a condition in a licence; 5
- (e) a refusal to modify the types of EV chargers that the licensee is authorised under its licence to use in undertaking a regulated activity under section 47;
- (f) a refusal under section 48 to consent to a surrender of a licence; 10
- (g) a direction under section 52(1) to a licensee;
- (h) a decision under section 53(1) to revoke a licence;
- (i) a decision under section 53 or 54(2) to take regulatory action against a licensee or a former licensee; 15

“appellant” means the following in relation to an appealable decision:

- (a) a person to whom a section 7(3) approval is granted, where the appealable decision is within paragraph (a) of the definition of “appealable decision”; 20
- (b) an applicant for the grant or renewal of a licence, where the appealable decision is within paragraph (b) of the definition of “appealable decision”;
- (c) a licensee or former licensee, where the appealable decision is within paragraph (h) or (i) of the definition of “appealable decision”; 25
- (d) a licensee where the appealable decision is any other paragraph of the definition of “appealable decision”.

Appeal to Minister

68.—(1) An appellant who is aggrieved by an appealable decision may appeal to the Minister against the decision in accordance with this section.

5 (2) An appeal under this section must be in writing and specify the grounds on which it is made, and be made within 28 days after the date the decision appealed against is given to the appellant, or such longer period as the Minister may allow in any particular case for special reasons.

10 (3) The Minister may reject an appeal of an appellant who fails to comply with subsection (2).

(4) An appeal against an appealable decision does not affect the operation of the decision appealed against or prevent the taking of action to implement the decision, and unless otherwise directed by the Minister under this subsection, the decision appealed against must be complied with until the determination of the appeal.

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Decision on appeal

69.—(1) After considering an appeal under section 68, the Minister may —

- 20 (a) reject the appeal and confirm the appealable decision; or
(b) allow the appeal and reverse the appealable decision.

(2) In relation to the Minister determining an appeal made under section 68, sections 7 and 9 and Part 6 apply as if the reference in those sections and that Part to the LTA were a reference to the Minister.

25

(3) Every appellant must be notified of the Minister's decision under subsection (1).

(4) The decision of the Minister, or an office-holder designated under section 70, on an appeal is final.

Designate may hear appeal in place of Minister

70.—(1) The Minister may designate any of the following office-holders in his or her Ministry to hear and determine, in the Minister’s place, any appeal made under section 68:

- (a) the Second Minister, if any;
- (b) any Minister of State or Senior Minister of State;
- (c) any Parliamentary Secretary or Senior Parliamentary Secretary.

(2) A reference to the Minister in section 68 or 69 includes a reference to a person designated under subsection (1).

PART 10

EVIDENCE AND ENFORCEMENT

Division 1 — Evidence

Labels and marking of EV chargers

71.—(1) In any proceedings for an offence under section 6, 11, 18, 23, 24, 29, 30, 32 or 33, if an EV charger is supplied, installed or certified in Singapore, or is used to charge an electric vehicle in Singapore, with —

- (a) any approval label made available by the LTA under section 8(1)(b); or
- (b) any alteration-approved label made available by the LTA under section 13(1),

affixed to it in accordance with the Regulations, the label is sufficient evidence of the fact that the EV charger is of a homologated model unless the contrary is established.

(2) In any proceedings for an offence under section 6, 11, 18, 23, 24, 29, 30, 32 or 33, if an EV charger is used to charge an electric vehicle in Singapore, with a registration mark issued by the LTA under section 20(1)(c) for a registered-for-charging EV charger affixed to it in accordance with the Regulations, the label is sufficient

evidence of the fact that the EV charger is a registered-for-charging EV charger unless the contrary is established.

Extract of register of registered-for-charging EV chargers

5 **72.** A certificate signed or purporting to be signed by an authorised officer and stating that —

(a) an EV charger described or specified in the certificate was or was not registered as a registered-for-charging EV charger at a specified time; or

10 (b) any other particulars or information was recorded in the register of registered-for-charging EV chargers at a specified time,

is admissible in any legal proceedings and is prima facie evidence of the facts stated in the certificate.

Division 2 — Powers

15 **Purpose for which powers are exercisable**

73.—(1) An authorised officer may exercise the powers set out in this Part for all or any of the following purposes:

(a) to detect and investigate offences under this Act, whether committed by a licensee or any other person;

20 (b) to determine whether there are grounds for taking any regulatory action under Division 4 of Part 6;

(c) to determine whether information given to the LTA or an authorised officer under any provision of this Act is correct.

25 (2) To avoid doubt, nothing in this Part limits section 39 of the Land Transport Authority of Singapore Act 1995 with respect to an offence under this Act.

30 (3) Nothing in this Part affects a police officer's powers or duties under any provision of the Criminal Procedure Code 2010 or any other written law.

Powers of entry, etc., at premises

74.—(1) An authorised officer may without warrant, enter, at all reasonable times, and remain at —

(a) any premises where a licensee or former licensee has an office or keeps records that relate to any regulated activity undertaken by the licensee or former licensee; 5

(b) any premises where the officer believes on reasonable grounds are used for the carrying on of a business or a trade (but not a residence) of —

(i) supplying or altering any EV charger; 10

(ii) providing an EV charging service; or

(iii) operating a charging station; and

(c) any premises where the officer believes on reasonable grounds that —

(i) an offence under section 18, 23, 24, 29 or 30 is being or has been committed; or 15

(ii) an activity mentioned in section 39(1) is being or has been carried on in contravention of a safety and security directive given under section 37,

provided that where the premises is a residence, entry is made only if the occupier of the premises has consented to the entry or after giving 6 hours' prior notice of that entry. 20

(2) Upon entering any premises under subsection (1), an authorised officer may do all or any of the following:

(a) examine any thing or observe any activity conducted in or on the premises; 25

(b) inspect the premises and any document or article or other thing in or on the premises;

(c) make a still or moving image or recording of the premises and any document or article or other thing in or on the premises; 30

(d) inspect any document or article found in or on the premises and take extracts from, or make copies of, any such document or article;

5 (e) seize any document or article found in or on the premises if, in the opinion of the authorised officer —

(i) the inspection or copying of or extraction from the document or article cannot reasonably be performed without taking possession;

10 (ii) the document or article may be interfered with or destroyed unless possession is taken; or

(iii) the document or article may be required as evidence in any criminal proceedings or regulatory action instituted or commenced under this Act;

(f) operate electronic equipment in or on the premises;

15 (g) seize and take it to a holding yard, any EV charger found on the premises that is or the officer reasonably believes to be —

(i) neither of a homologated model nor a specially authorised EV charger; or

20 (ii) the subject matter or used in the commission of an offence under this Act,

or require the owner or person in charge of the EV charger to take the EV charger to and surrender it at a specified holding yard;

25 (h) take into or onto the premises any equipment and materials as the authorised officer requires for the purpose of exercising powers in this section in relation to those premises.

30 (3) For the purposes of subsection (2), if any information in a document or article required by an authorised officer is kept in electronic form —

(a) the power of an authorised officer to inspect the document or article includes the power —

- (i) to access any computer or other equipment (including a mobile telephone) in which the information is stored; and
 - (ii) to require any person having charge of, or otherwise concerned with the operation of, the computer or equipment to provide assistance in gaining such access; and
- (b) the power of an authorised officer to seize such document includes the power —
 - (i) to make copies of the document in legible or electronic form; and
 - (ii) to transfer the information from the document to a disk, tape or other storage device.
- (4) If an authorised officer under subsection (3)(b) is unable to make copies of the document or transfer the information from the document, the authorised officer (whether or not the same inspecting officer) may —
 - (a) seize the computer or other equipment (including a mobile telephone) in which the document or information is stored, as evidence in proceedings for an offence under any provision of this Act; and
 - (b) require any person having charge of, or otherwise concerned with the operation of, the computer or equipment to disclose any password or access code for gaining access to the document or information held in the computer or equipment.
- (5) The power under subsection (2)(f) to operate electronic equipment in or on any premises includes the power —
 - (a) to use a disk, tape or other storage device that is in or on the premises and can be used with the equipment or in association with the equipment;
 - (b) to operate electronic equipment in or on the premises to put the relevant data in documentary form and remove the documents so produced from the premises; and

(c) to operate electronic equipment in or on the premises to transfer the relevant data to a disk, tape or other storage device that —

(i) is brought to the premises for the exercise of the power; or

(ii) is in or on the premises and the use of which for that purpose has been agreed in writing by the occupier of the premises,

and to remove the disk, tape or other storage device from those premises.

(6) An authorised officer may break open doors, windows or partitions and do such other acts as may be necessary to enter and remain at any premises, except that an authorised officer may exercise a power under this subsection only —

(a) after declaring his or her office and after producing his or her identification card on demand being made; and

(b) in circumstances where the authorised officer —

(i) suspects on reasonable grounds that an offence under section 18, 23, 24, 29 or 30 or Part 5 has been or is being committed in relation to those premises; and

(ii) is unable to enter, or is refused entry to, the premises.

(7) An authorised officer entering any premises for a purpose in subsection (1) may be accompanied by a number of outsourced enforcement officers as is reasonably necessary for that purpose.

Powers in relation to motor vehicles

75.—(1) An authorised officer may without warrant, do all or any of the following in relation to any motor vehicle which an authorised officer has reasonable grounds to believe that is charging or was recently charged with an EV charger:

(a) to stop and detain the motor vehicle for as long as is reasonably necessary for the exercise of any other power under this section;

- (b) inspect the motor vehicle and any equipment in or on the motor vehicle;
- (c) make a still or moving image or recording of the motor vehicle and any document or article or other thing in or on the motor vehicle; 5
- (d) inspect any document or article found on the motor vehicle and take extracts from, or make copies of, any such document or article;
- (e) seize any document or article found on the motor vehicle if, in the opinion of the authorised officer — 10
 - (i) the inspection or copying of or extraction from the document or article cannot reasonably be performed without taking possession;
 - (ii) the document or article may be interfered with or destroyed unless possession is taken; or 15
 - (iii) the document or article may be required as evidence in any criminal proceedings or regulatory action instituted or commenced under this Act;
- (f) operate any electronic equipment in or on the motor vehicle; 20
- (g) seize and take it to a holding yard, any EV charger found in or on the motor vehicle that is or the officer reasonably believes to be —
 - (i) neither of a homologated model nor a specially authorised EV charger; or 25
 - (ii) the subject matter or used in the commission of an offence under this Act,or require the owner or person in charge of the EV charger to take the EV charger to and surrender it at a specified holding yard; 30
- (h) take into or onto the premises any equipment and materials that the authorised officer requires for the purpose of

exercising powers in this section in relation to the motor vehicle.

(2) Section 74(3), (4) and (5) applies to the power of an authorised officer under this section with the necessary modifications.

5 (3) An authorised officer may be accompanied by a number of outsourced enforcement officers as is reasonably necessary for a purpose in subsection (1)(b), (c) or (d).

Power to obtain information

10 **76.**—(1) The powers in this section may be exercised only in relation to any of the following:

(a) any licensee;

(b) any employee or former employee of a licensee.

15 (2) An authorised officer may by written notice require any person mentioned in subsection (1) to provide, within a reasonable period specified in the notice, and in the form and manner that may be specified in the notice, all information and all documents or material which —

20 (a) relate to any matter which the LTA or authorised officer considers necessary for any of the purposes of section 73(1); and

(b) are —

(i) within the knowledge of that person; or

(ii) in the custody or under the control of the person.

25 (3) The power to require a person mentioned in subsection (1) to provide any information or any document or material under that subsection includes the power —

(a) to require that person to produce or grant access to the information or document or material;

30 (b) to require that person to provide an explanation of the information or document or material;

(c) if the information or document or material is not produced, to require the person to state, to the best of the knowledge and belief of that person, where it is; and

(d) if the information or material is recorded otherwise than in legible form, to require the information or material to be made available to an authorised officer concerned in legible form.

(4) An authorised officer is entitled without payment to keep for the purposes of section 73(1) any information or document or material, or any copy or extract thereof, provided to him or her under subsection (2).

Power of examination

77.—(1) An authorised officer may, for the purposes of section 73(1), do all or any of the following:

(a) require any individual whom the authorised officer reasonably believes to have committed an offence under this Act to provide evidence of that individual's identity;

(b) require, by written notice, any person, whom the authorised officer reasonably believes has —

(i) any information or material; or

(ii) any document in the person's custody or control, that is relevant to the investigation, to provide that information or material or the document, within such time and in such manner as may be specified in the written notice;

(c) require, by written notice, any person within the limits of Singapore, who appears to be acquainted with the facts or circumstances of the matter, to attend before the authorised officer;

(d) examine orally any individual who appears to be acquainted with the facts or circumstances of the matter —

(i) whether before or after that individual or anyone else is charged with an offence in connection with the matter; or

(ii) whether or not that person is to be called as a witness in any inquiry, trial or other proceeding in connection with the matter.

(2) A statement made by an individual examined under subsection (1)(d) must —

(a) be reduced to writing;

(b) be read over to the individual;

(c) if the individual does not understand English, be interpreted in a language that the individual understands; and

(d) after correction (if necessary), be signed by the individual.

(3) An outsourced enforcement officer may, for the purpose of section 73(1), require any individual whom the officer reasonably believes to have committed an offence under this Act to provide evidence of that individual's identity.

Power to remove, etc., EV chargers

78.—(1) In addition to any powers in this Division, where an authorised officer has reason to believe that an EV charger is —

(a) neither of a homologated model nor a specially authorised EV charger; or

(b) the subject of or used in the commission of an offence under this Act,

the authorised officer may by written order require any of the following to be done:

(c) the supply of the EV charger must stop until the order is withdrawn;

(d) the provision of EV charging services or undertaking of any other regulated activity using that EV charger must stop until the order is withdrawn;

- (e) the EV charger must be removed from any electrical installation it is affixed to;
 - (f) the EV charger must be altered so as to put an end to the contravention giving rise to the commission of the offence.
- (2) An order made under subsection (1) must specify all or any of the following: 5
- (a) the manner in which the removal or alteration work specified in the order is to be carried out;
 - (b) the time within which the removal or alteration work specified must start; 10
 - (c) the time within which the removal or alteration work specified must be completed;
 - (d) that the removal or alteration work specified must be carried out with due diligence to the satisfaction of the LTA, and at the cost of the person on whom the order is given under subsection (3). 15
- (3) An order made under subsection (1) must be given —
- (a) to the owner of the EV charger; and
 - (b) where the EV charger is being supplied or used to provide EV charging services or to undertake any other regulated activity — to the person supplying the EV charger or providing the EV charging services or undertaking the regulated activity, as the case may be. 20
- (4) If an order made under subsection (1) is not complied with, the LTA may — 25
- (a) remove to a holding yard or alter, or cause to be so removed or altered, any EV charger in subsection (1) or take any other steps that appear to the LTA to be necessary to secure compliance with the order; and
 - (b) recover all expenses reasonably incurred by the LTA in the exercise of powers under this subsection from the person in default. 30

(5) Without affecting the right of the LTA to exercise powers under subsection (4), if any person to whom an order is made under subsection (1), without reasonable excuse, refuses or neglects to comply with the order, that person shall be guilty of an offence and shall be liable on conviction —

(a) to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both; and

(b) in respect of a continuing failure to comply, to an additional fine not exceeding \$500 for every day or part of a day the failure to comply continues up to a total maximum of \$10,000.

(6) In any proceedings for an offence under subsection (5), it is a defence for the person charged to prove, on a balance of probabilities, that the person has no legal right to remove or alter the EV charger in question.

(7) For the purpose of exercising a power under subsection (4), an authorised officer may, with such assistance as he or she considers necessary, use reasonable force, including cutting or breaking open any lock, seal, fastener or other device on or connected to the EV charger in question.

Division 3 — Offences

Obstructing authorised officer, etc.

79.—(1) If an authorised officer or outsourced enforcement officer is authorised under this Act to enter any premises, a person who —

(a) wilfully prevents the authorised officer or outsourced enforcement officer from entering or re-entering those premises or any part of those premises; or

(b) wilfully obstructs or delays the authorised officer or outsourced enforcement officer from entering or re-entering those premises or any part of those premises,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

(2) A person who intentionally refuses to give access to, or intentionally obstructs, hinders or delays an authorised officer or outsourced enforcement officer in the discharge of his or her duties under any provision of this Act shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both. 5

Other offences

80.—(1) A person who, without reasonable excuse, fails to do anything required of the person —

(a) by an authorised officer under section 74(2) or 75(1); 10

(b) by a notice under section 76(2) or 77(1); or

(c) by an outsourced enforcement officer under section 77(3),

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both. 15

(2) A person —

(a) who intentionally alters, suppresses or destroys any information or any document or material which the person has been required by an authorised officer under section 76(2) or 77 to provide; or 20

(b) who, in providing any information or any document or material required by an authorised officer under section 76(2) or 77 makes any statement which the person knows or ought reasonably to know that, or is reckless as to whether, it is false or misleading in a material particular, 25

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

(3) In any proceedings for an offence under subsection (1), it is a defence for the accused to prove, on a balance of probabilities, that — 30

(a) the person does not possess the information or document required; and

(b) the person has taken all reasonable steps available to the person to obtain the information or document required and has been unable to obtain it.

5 (4) To avoid doubt, for the purposes of subsection (1), it is a reasonable excuse for a person to refuse or fail to provide any information, produce any document or answer any question if doing so might tend to incriminate that person.

(5) A person commits an offence if the person, being an applicant for the grant of an approval under Part 2 or a licence under Part 6 —

10 (a) provides, or causes or permits to be provided, any information or document in connection with the application, which is false or misleading in a material particular; and

15 (b) knows or ought reasonably to know that, or is reckless as to whether, the information or document is false or misleading in a material particular.

(6) A person who is guilty of an offence under subsection (5) shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

20 *Division 4 — Supplementary powers*

Composition of offences

81.—(1) The LTA or an authorised officer may compound any offence under this Act that is prescribed as a compoundable offence —

25 (a) by collecting from a person reasonably suspected of having committed the offence a sum not exceeding the lower of the following:

(i) one half of the amount of the maximum fine that is prescribed for the offence;

30 (ii) \$5,000; and

(b) by requiring the person reasonably suspected of having committed the offence to do, or to refrain from doing, such

things as are specified in an offer of composition (called conditions of composition) by the Chief Executive of the LTA, or any employee of the LTA with the concurrence (general or specific) of the Public Prosecutor.

(2) On payment of the sum of money and on full compliance with the conditions of composition, no further proceedings are to be taken against that person in respect of the offence. 5

(3) All sums collected under this section must be paid into the Consolidated Fund.

Holding yards and follow-up after removal thereto 10

82.—(1) After an EV charger is moved or removed to a holding yard under section 74(2), 75(1) or 78(4) by an authorised officer, the authorised officer must as soon as practicable give notice of the move or removal to —

(a) the owner of the EV charger; and 15

(b) where the EV charger was being supplied or used to provide EV charging services or to undertake any other regulated activity — on the person supplying the EV charger or providing the EV charging services or undertaking that other regulated activity, as the case may be. 20

(2) An EV charger that is surrendered at a holding yard under section 74(2) or 75(1) or seized and taken or removed to a holding yard under section 74(2), 75(1) or 78(4), must be detained there until it is released by order of the LTA or disposed of in accordance with section 84. 25

(3) A person who wilfully removes or causes to be removed an EV charger detained at a holding yard under subsection (2) from the holding yard without the order of the LTA shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 3 months or to both. 30

Forfeiture of seized EV chargers

83.—(1) Subject to this section, all EV chargers liable to seizure under the provisions of this Act are liable to forfeiture by a court.

(2) An order for the forfeiture of an EV charger seized under this Act may instead be made by the LTA if it is satisfied that —

(a) the EV charger is neither of a homologated model nor is a specially authorised EV charger; or

(b) the EV charger was the subject matter, or was used in the commission, of an offence under section 18, 23, 24, 29, 30 or 39 or Part 5 and a person is convicted of, or has accepted a composition sum offered with respect to, the offence committed or allegedly committed.

Disposal of forfeited EV chargers

84. Where any EV charger is forfeited by the LTA under section 83, an authorised officer may, after giving one month's notice in the *Gazette* of his or her intention to do so, destroy or otherwise dispose of the EV charger.

Offences by corporations

85.—(1) Where, in a proceeding for an offence under this Act, it is necessary to prove the state of mind of a corporation in relation to a particular conduct, evidence that —

(a) an officer, employee or agent of the corporation engaged in that conduct within the scope of his or her actual or apparent authority; and

(b) the officer, employee or agent had that state of mind, is evidence that the corporation had that state of mind.

(2) Where a corporation commits an offence under this Act, a person —

(a) who is —

(i) an officer of the corporation; or

- (ii) an individual involved in the management of the corporation and in a position to influence the conduct of the corporation in relation to the commission of the offence; and

(b) who —

- (i) consented or connived, or conspired with others, to effect the commission of the offence;
- (ii) is in any other way, whether by act or omission, knowingly concerned in, or is party to, the commission of the offence by the corporation; or
- (iii) knew or ought reasonably to have known that the offence by the corporation (or an offence of the same type) would be or is being committed, and failed to take all reasonable steps to prevent or stop the commission of that offence,

shall be guilty of that same offence as is the corporation, and shall be liable on conviction to be punished accordingly.

(3) A person mentioned in subsection (2) may rely on a defence that would be available to the corporation if it were charged with the offence with which the person is charged and, in doing so, the person bears the same burden of proof that the corporation would bear.

(4) To avoid doubt, this section does not affect the application of —

- (a) Chapters 5 and 5A of the Penal Code 1871; or
- (b) the Evidence Act 1873 or any other law or practice regarding the admissibility of evidence.

(5) To avoid doubt, subsection (2) also does not affect the liability of the corporation for an offence under this Act, and applies whether or not the corporation is convicted of the offence.

(6) In this section —

- “corporation” includes a limited liability partnership;
- “officer”, in relation to a corporation, means any director, partner, chief executive, manager, secretary or other similar officer of the corporation, and includes —

- (a) any person purporting to act in any such capacity; and
- (b) for a corporation whose affairs are managed by its members, any of those members as if the member were a director of the corporation;

5 “reasonable steps”, in relation to the commission of an offence, includes, but is not limited to, such action (if any) of the following kinds as is reasonable in all the circumstances:

(a) action towards —

- 10 (i) assessing the corporation’s compliance with the provision creating the offence; and
- (ii) ensuring that the corporation arranged regular professional assessments of its compliance with the provision;

15 (b) action towards ensuring that the corporation’s employees, agents and contractors are provided with information, training, instruction and supervision appropriate to them to enable them to comply with the provision creating the offence so far as the provision is relevant to them;

20 (c) action towards ensuring that —

- (i) the equipment and other resources; and
- (ii) the structures, work systems and other processes,

25 relevant to compliance with the provision creating the offence are appropriate in all the circumstances;

(d) action towards creating and maintaining a corporate culture that does not direct, encourage, tolerate or lead to non-compliance with the provision creating the offence;

30 “state of mind” of a person includes —

- (a) the knowledge, intention, opinion, belief or purpose of the person; and

- (b) the person's reasons for the intention, opinion, belief or purpose.

(7) The Minister may make rules to provide for the application of any provision of this section, with such modifications as the Minister considers appropriate, to any corporation formed or recognised under the law of a territory outside Singapore.

5

Offences by unincorporated associations or partnerships

86.—(1) Where, in a proceeding for an offence under this Act, it is necessary to prove the state of mind of an unincorporated association or a partnership in relation to a particular conduct, evidence that —

10

- (a) an employee or agent of the unincorporated association or partnership engaged in that conduct within the scope of his or her actual or apparent authority; and
- (b) the employee or agent had that state of mind,

is evidence that the unincorporated association or partnership had that state of mind.

15

(2) Where an unincorporated association or a partnership commits an offence under this Act, a person —

- (a) who is —

- (i) an officer of the unincorporated association or a member of its governing body;
- (ii) a partner in the partnership; or
- (iii) an individual involved in the management of the unincorporated association or partnership and in a position to influence the conduct of the unincorporated association or partnership (as the case may be) in relation to the commission of the offence; and

20

25

- (b) who —

- (i) consented or connived, or conspired with others, to effect the commission of the offence;

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(ii) is in any other way, whether by act or omission, knowingly concerned in, or is party to, the commission of the offence by the unincorporated association or partnership; or

5 (iii) knew or ought reasonably to have known that the offence by the unincorporated association or partnership (or an offence of the same type) would be or is being committed, and failed to take all reasonable steps to prevent or stop the commission of
10 that offence,

shall be guilty of the same offence as is the unincorporated association or partnership (as the case may be), and shall be liable on conviction to be punished accordingly.

15 (3) A person mentioned in subsection (2) may rely on a defence that would be available to the unincorporated association or partnership if it were charged with the offence with which the person is charged and, in doing so, the person bears the same burden of proof that the unincorporated association or partnership would bear.

(4) To avoid doubt, this section does not affect the application of —

20 (a) Chapters 5 and 5A of the Penal Code 1871; or

(b) the Evidence Act 1873 or any other law or practice regarding the admissibility of evidence.

25 (5) To avoid doubt, subsection (2) also does not affect the liability of an unincorporated association or a partnership for an offence under this Act, and applies whether or not the unincorporated association or partnership is convicted of the offence.

(6) In this section —

30 “officer”, in relation to an unincorporated association (other than a partnership), means the president, the secretary, or any member of the committee of the unincorporated association, and includes —

(a) any person holding a position analogous to that of president, secretary or member of a committee of the unincorporated association; and

(b) any person purporting to act in any such capacity;
 “partner” includes a person purporting to act as a partner;
 “reasonable steps” has the meaning given by section 85;
 “state of mind” of a person includes —

- (a) the knowledge, intention, opinion, belief or purpose of the person; and 5
- (b) the person’s reasons for the intention, opinion, belief or purpose.

(7) The Minister may make rules to provide for the application of any provision of this section, with such modifications as the Minister considers appropriate, to any unincorporated association or partnership formed or recognised under the law of a territory outside Singapore. 10

Jurisdiction of courts

87. Despite the Criminal Procedure Code 2010, a District Court or a Magistrate’s Court has jurisdiction to try, and has power to impose the full punishment for, any offence under this Act. 15

PART 11

ADMINISTRATION

Administration of Act by LTA 20

88.—(1) It is the function of the LTA to administer this Act.

(2) Despite anything in the Interpretation Act 1965, the Land Transport Authority of Singapore Act 1995 or any other law, the powers conferred or duties imposed upon the LTA by any provision of this Act are non-delegable to the following: 25

- (a) a wholly-owned subsidiary company of the LTA;
- (b) a person engaged as a contractor by the LTA.

(3) No liability shall lie against an authorised officer, an outsourced enforcement officer, or a member, officer or employee of the LTA or any other person acting under the direction of the LTA for anything 30

done or intended to be done in good faith and with reasonable care in the execution or purported execution of this Act.

Authorised officers

5 **89.**—(1) The LTA may, in relation to any provision of this Act, appoint —

- (a) any of its employees;
- (b) any individual performing duties in the LTA under a secondment arrangement making available temporarily to the LTA the services of the individual;
- 10 (c) any public officer; or
- (d) any employee of another public authority,

to be an authorised officer for the purposes of that provision, either generally or in a particular case.

15 (2) The LTA may delegate the exercise of all or any of the powers conferred or duties imposed upon the LTA by any provision of this Act, to any authorised officer, subject to any conditions or limitations that the LTA may specify; and any reference in that provision of this Act or its subsidiary legislation to the LTA includes a reference to such an authorised officer.

20 (3) However, nothing in subsection (2) authorises delegating —

- (a) the power of delegation conferred by that subsection; or
- (b) any power of the LTA to make subsidiary legislation under this Act.

Recovery of fees and penalties

25 **90.**—(1) The LTA may impose interest at the prescribed rate on any outstanding amount of —

- (a) any fee payable under section 43 for the grant or renewal of a licence;
- (b) any periodic fee payable under section 44; or
- 30 (c) any financial penalty directed under section 53(2) or 54(2) to be paid.

(2) The following may be recovered by the LTA in any court of competent jurisdiction as if they were simple contract debts:

- (a) any fee payable under section 43 for the grant or renewal of a licence;
- (b) any periodic fee payable under section 44; 5
- (c) any financial penalty directed under section 53(2) or 54(2) to be paid;
- (d) any interest mentioned in subsection (1).

PART 12

MISCELLANEOUS 10

Application of Act

91.—(1) This Act extends to any conduct outside Singapore, or partly inside or partly outside Singapore that results in —

- (a) the supply of EV chargers in Singapore; or
- (b) the provision of EV charging services, or the undertaking of any other regulated activity, in Singapore. 15

(2) This Act does not apply to an advertisement relating to an EV charger unless the advertisement is published in Singapore.

(3) This Act binds the Government, but nothing in this Act renders the Government liable to prosecution for an offence under this Act. 20

(4) To avoid doubt, no person is immune from prosecution for any offence under this Act by reason only that the person is engaged to provide services to the Government or is acting in any other similar capacity for, or on behalf of, the Government.

General power to exempt 25

92. The Minister may, by order in the *Gazette*, exempt any person or class of persons from all or any of the provisions of this Act, either generally or in a particular case and subject to such conditions as the Minister may impose.

Service of documents

93.—(1) A document that is permitted or required by this Act to be served on a person may be served as described in this section.

5 (2) A document permitted or required by this Act to be served on an individual may be served —

(a) by giving it to the individual personally;

10 (b) by sending it by post to the address specified by the individual for the service of documents or, if no address is so specified, the individual's residential address or business address;

(c) by leaving it at the individual's residential address with an adult apparently resident there, or at the individual's business address with an adult apparently employed there;

15 (d) by affixing a copy of the document in a conspicuous place at the individual's residential address or business address;

(e) by sending it by fax to the fax number last known to the person giving or serving the document as the fax number for the service of documents on the individual; or

20 (f) by sending it by email to the individual's last email address.

(3) A document permitted or required by this Act to be served on a partnership (other than a limited liability partnership) may be served —

25 (a) by giving it to any partner, secretary or other similar officer of the partnership;

(b) by leaving it at, or by sending it by post to, the partnership's business address;

(c) by sending it by fax to the fax number used at the partnership's business address; or

30 (d) by sending it by email to the partnership's last email address.

(4) A document permitted or required by this Act to be served on a body corporate (including a limited liability partnership) or an unincorporated association may be served —

- (a) by giving it to the secretary or other similar officer of the body corporate or unincorporated association, or the limited liability partnership's manager; 5
- (b) by leaving it at, or by sending it by post to, the registered office or principal office in Singapore of the body corporate or unincorporated association;
- (c) by sending it by fax to the fax number used at the registered office or principal office in Singapore of the body corporate or unincorporated association; or 10
- (d) by sending it by email to the last email address of the body corporate or unincorporated association.

(5) In addition, a document permitted or required by this Act to be served on an individual, a partnership, a body corporate or an unincorporated association may be served — 15

- (a) by giving an electronic notice to the individual, partnership, body corporate or unincorporated association (called in this section an addressee) by the addressee's chosen means of notification, stating that the document is available and how the addressee may use the addressee's chosen means of access to access the document's contents; or 20
- (b) by any other method authorised by the Regulations for the service of documents of that kind if the addressee consents (expressly or impliedly) to service of a document of that kind in that way. 25

(6) Service of a document takes effect —

- (a) if the document is sent by fax and a notification of successful transmission is received, on the day of transmission; 30

(b) if the document is sent by email, at the time that the email becomes capable of being retrieved by the person to whom it is sent; or

(c) if the document is sent by post, 2 days after the day the document was posted (even if it is returned undelivered).

(7) However, service of any document under this Act on a person by email or by an electronic notice at the person's chosen means of notification, may be effected only with the person's prior consent (express or implied) to service in that way.

(8) This section does not apply to documents to be served in proceedings in court.

(9) In this section —

“business address” means —

(a) in the case of an individual, the individual's usual or last known place of business in Singapore; or

(b) in the case of a partnership (other than a limited liability partnership), the partnership's principal or last known place of business in Singapore;

“chosen means of access”, for an addressee on whom is or is to be served a document permitted or required by this Act, means an electronic means the addressee agrees with the person giving or serving the document as the means by which the addressee may access that document's contents;

“chosen means of notification”, for an addressee on whom is or is to be served a document permitted or required by this Act, means an electronic means that the addressee nominates to the person giving or serving the document as the means by which the addressee may be notified that such a document has been served on the addressee;

“document” includes a notice or an order permitted or required by this Act to be served;

“last email address” means the last email address given by the addressee concerned to the person giving or serving the

document as the email address for the service of documents under this Act;

“residential address” means an individual’s usual or last known place of residence in Singapore.

Regulations

5

94.—(1) The LTA may, with the approval of the Minister, make Regulations necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) In particular, the LTA may, with the approval of the Minister, make Regulations in respect of any of the following:

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(a) the form and manner in which, and the time within which, an application for the grant of any approval or licence may be made under this Act;

(b) the carrying out of inquiries of applicants for any approval or licence under this Act;

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(c) the duties of licensees and registered responsible persons for EV chargers;

(d) the individuals, by name, qualifications, occupation or employment, who are prescribed persons for certifying EV chargers as fit for charging any electric vehicle in Singapore;

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(e) the duties of an individual who is a prescribed competent person for certifying under section 23 an EV charger as fit for charging any electric vehicle in Singapore, or a prescribed person for installing fixed EV chargers under section 24;

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(f) the labelling or marking of EV chargers, including those used by a licensee to undertake a regulated activity;

(g) classes of licences;

(h) the carrying out of any installation or certification of an EV charger;

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(i) regulating the individuals who undertake work (including supervision) in connection with any installation or certification of an EV charger;

5 (j) the fees to be paid in respect of applications for the grant of any approval or licence and otherwise in connection with the administration of this Act, and for the waiver, reduction or refund of fees charged;

10 (k) the records that must be kept by licensees and by registered responsible persons for EV chargers and the provision of returns and other information in connection with a regulated activity, which may include audio and visual records.

(3) Regulations made under this section may apply —

15 (a) in respect of the conduct of all forms of regulated activities or particular categories of regulated activities;

(b) in respect of all licensees or particular types of licensees; or

(c) in respect of all EV chargers or particular types of EV chargers.

(4) Regulations made under this section may —

20 (a) create offences for a contravention of any provision of the Regulations, the penalty for which on conviction may be a fine not exceeding \$5,000 or imprisonment for a term not exceeding 6 months or both; and

25 (b) provide for such saving, transitional and other consequential, incidental and supplemental provisions as are necessary or expedient for the purposes of this Act.

Incorporation by reference, etc.

30 **95.—**(1) Any subsidiary legislation made under this Act may make provision for or in relation to a matter by applying, adopting or incorporating by reference, with or without modification, any matter contained in any code, standard, rule, requirement, specification or other document, as in force at a particular time or from time to time, which relates to any matter with which the Regulation deals, even if

the code, standard, rule, requirement, specification or other document does not yet exist when the Regulation is made.

(2) Material referred to in subsection (1) may be applied, adopted or incorporated by reference in any subsidiary legislation made under this Act —

5

(a) in whole or in part; or

(b) with modifications, additions or variations specified in the subsidiary legislation made under this Act.

(3) A copy of any material applied, adopted or incorporated by reference in any subsidiary legislation made under this Act, including any amendment to, or replacement of, the material, must be —

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(a) certified as a correct copy of the material by the LTA; and

(b) retained by the LTA.

(4) Any material applied, adopted or incorporated in any subsidiary legislation made under this Act by reference under subsection (1) is to be treated for all purposes as forming part of the subsidiary legislation made under this Act; and, unless otherwise provided in the subsidiary legislation, every amendment to any material incorporated by reference under subsection (1) that is made by the person or organisation originating the material is, subject to subsections (5) and (6), to be treated as being a part of that subsidiary legislation made under this Act.

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20

(5) Where any material referred to in subsection (1) is applied, adopted or incorporated by reference in any subsidiary legislation made under this Act, the LTA must give notice in the *Gazette* stating —

25

(a) that the material is incorporated in the subsidiary legislation and the date on which the relevant provision in the Regulation was made;

(b) that the material is available for inspection during working hours, without charge;

30

(c) the place where the material can be inspected;

(d) that copies of the material can be purchased;

(e) the place where copies of the material can be purchased;
and

(f) if copies of the material are available in other ways, the
5 details of where or how the material can be accessed or
obtained.

(6) The LTA must cause a copy of every code, standard,
requirement, rule or specification incorporated by reference under
subsection (1) to be made available for inspection by members of the
10 public without charge at the office of the LTA during normal office
hours.

(7) In this section, “modification” includes omissions, additions
and substitutions.

Presentation to Parliament

15 **96.** All orders, rules and regulations made under this Act must be
presented to Parliament as soon as possible after publication in the
Gazette.

PART 13

AMENDMENTS TO OTHER ACTS AND FINAL PROVISIONS

20 **Amendment of Building Maintenance and Strata Management Act 2004**

97. The Building Maintenance and Strata Management Act 2004 is
amended —

25 (a) by inserting, immediately before the definition of
“immediate family member” in section 2(1), the
following definition:

““fixed EV charger” has the meaning given by
section 2 of the Electric Vehicles Charging
Act 2022;”;

30 (b) by deleting the words “subsection (3)” in section 29(1) and
substituting the words “subsections (1A), (1B) and (3)”;

(c) by inserting, immediately after subsection (1) of section 29, the following subsections:

“(1A) To avoid doubt, it is the duty of a management corporation to properly maintain and keep in a state of good and serviceable repair (including, where reasonably necessary, renew or replace) any fixed EV charger that is owned by the management corporation and installed in the common property.

5

(1B) Subsection (1)(d) does not apply to or in relation to any matter falling within section 34A(1).

10

(1C) The installation of any fixed EV charger in the common property does not in itself make the fixed EV charger part of the common property.”;

(d) by inserting, immediately after subsection (3) of section 32, the following subsection:

15

“(3A) Despite subsection (3)(d), any by-law for the purpose of controlling and managing the use or enjoyment of any parking lot within the common property that has fixed EV chargers installed may be made, amended, added to or repealed by a management corporation pursuant to an ordinary resolution.”;

20

(e) by inserting, immediately after subsection (2) of section 34, the following subsection:

25

“(2A) Subsections (1) and (2) do not apply to or in relation to any matter falling within section 34A(1).”; and

(f) by inserting, immediately after section 34, the following section:

30

“Ordinary resolution for installation, etc., of fixed EV chargers in common property

34A.—(1) A management corporation may, subject to subsection (2) and the approval from the relevant

authority, and pursuant to an ordinary resolution, execute on behalf of its subsidiary proprietors —

(a) a lease of or rent, or licence of, any part of the common property to any person for the installation of a fixed EV charger, for a period that does not exceed 10 years and cannot be extended by exercise of any option of renewal to exceed an aggregate of 10 years; or

(b) an agreement for the uninstallation of a fixed EV charger that is installed in any part of the common property under a lease, rent or licence mentioned in paragraph (a).

(2) For the purpose of subsection (1), the management fund or sinking fund must not be used for the installation or uninstallation of any fixed EV charger in the common property.”.

Amendment of Electricity Act 2001

98. Section 2(1) of the Electricity Act 2001 is amended —

(a) by deleting the word “or” at the end of paragraph (b) of the definition of “electrical installation”; and

(b) by inserting the word “or” at the end of paragraph (c) of the definition of “electrical installation”, and by inserting immediately thereafter the following paragraph:

“(d) an electric vehicle charger within the meaning of the Electric Vehicles Charging Act 2022;”.

Amendment of Land Transport Authority of Singapore Act 1995

99. The Land Transport Authority of Singapore Act 1995 is amended —

(a) by inserting, immediately after paragraph (fa) of section 6(1), the following paragraph:

“(fb) to regulate the supply of electric vehicle chargers, the provision of electric vehicle charging services and the operation of charging stations under the Electric Vehicles Charging Act 2022;”;

5

(b) by deleting the word “and” at the end of section 6(1)(r)(vii);

(c) by inserting the word “and” at the end of sub-paragraph (viii) of section 6(1)(r), and by inserting immediately thereafter the following sub-paragraph:

10

“(ix) all composition sums and financial penalties under the Electric Vehicles Charging Act 2022;”;

(d) by deleting the full-stop at the end of sub-paragraph (c) of paragraph 16 of the Second Schedule and substituting a semi-colon, and by inserting immediately thereafter the following sub-paragraph:

15

“(d) a licence under the Electric Vehicles Charging Act 2022.”;

(e) by inserting, immediately after paragraph 21 of the Second Schedule, the following paragraph:

20

“22. All fees and charges prescribed under the Electric Vehicles Charging Act 2022.”; and

(f) by inserting, immediately after item 7 of Part 2 of the Fifth Schedule, the following item:

25

“8. All provisions of the Electric Vehicles Charging Act 2022 and any subsidiary legislation made under that Act for the purposes of that Act.”.

Saving and transitional provisions

100.—(1) The Schedule has effect.

30

(2) For a period of 2 years after the date of commencement of this section, the Minister may, by order in the *Gazette*, amend the Schedule by prescribing such additional provisions of a saving or

transitional nature consequent on the enactment of this section as the Minister may consider necessary or expedient.

(3) Nothing in this section or the Schedule affects section 16 of the Interpretation Act 1965.

5

THE SCHEDULE

Section 100

SAVING AND TRANSITIONAL PROVISIONS

1. Despite any provision of this Act, every person who, immediately before the date of commencement of section 6, carries on business of supplying EV chargers may continue to undertake that activity —

- (a) for 6 months after that date; or
- (b) for 6 months after that date and, if within that period the person applies under section 7 for approval for the models of EV chargers to be supplied, for a further period ending on the happening of the earlier of the following:
 - (i) the date on which the LTA approves those models of EV chargers under section 7(3);
 - (ii) the date that the application is finally refused or is withdrawn.

2. Despite any provision of this Act, every person who, immediately before the date of commencement of section 18, has charge and control of an EV charger may continue to charge an electric vehicle using the EV charger —

- (a) for 6 months after that date even if it is an unregistered EV charger; or
- (b) for 6 months after that date and, if within that period the person applies under section 19 to register that EV charger for charging an electric vehicle, for a further period ending on the happening of the earlier of the following:
 - (i) the date on which the LTA registers the EV charger under section 19;
 - (ii) the date that the application is finally refused or is withdrawn.

3. Despite any provision of this Act, every person who, immediately before the date of commencement of section 41, carries on business providing an electric vehicle charging service or undertakes any other regulated activity may continue to provide the service or undertake that activity —

- (a) for 12 months after that date; or

THE SCHEDULE — *continued*

- (b) for 12 months after that date and, if within that period the person applies under section 42 for a licence under Part 6, for a further period ending on the happening of the earlier of the following:
- (i) the date on which the LTA grants under section 43 a licence to the person to provide the electric vehicle charging service or undertake the regulated activity, as the case may be;
 - (ii) the date that the application is finally refused or is withdrawn.

5

EXPLANATORY STATEMENT

This Bill seeks to reduce the carbon emissions of road transport in Singapore through the use of electricity sources as a substitute for fossil fuels sources in road transport in Singapore. The Bill seeks to do so by regulating the devices that are intended for charging electric vehicles in Singapore and the operators of charging stations and providers of charging services for electric vehicles, as well as expanding the network of accessible electric vehicle charging points through infrastructure development measures.

The Bill also makes related amendments to the Building Maintenance and Strata Management Act 2004 to facilitate the installation of fixed EV chargers in the common property of strata-titled developments, by lowering the threshold of a resolution required to be passed at a general meeting of the management corporation of a strata-titled development for the purposes of undertaking such installation.

The Bill also makes consequential amendments to the Electricity Act 2001 and the Land Transport Authority of Singapore Act 1995.

Part 1 introduces the fundamental concepts used in the Bill and sets out the purpose of the Bill.

Part 2 provides for the regulation of the supply in Singapore of any homologated model of EV chargers and for the approval regime for the homologation of any model of EV chargers. It also provides for the regulation of advertising activities relating to the supply in Singapore of EV chargers.

Part 3 provides for the registration of EV chargers and the concept of registered responsible persons for EV chargers.

Part 4 empowers the Minister to make rules to allow the trial of special types of EV chargers, or any special use involving charging of electric vehicles using

special types of chargers which are neither of a homologated model nor a registered-for-charging EV charger.

Part 5 creates offences to mitigate the risks of safety issues arising from the use and charging of EV chargers, and the supply of EV chargers.

Part 6 provides for the licensing of persons who undertake regulated activities, which is defined by clause 2 to mean providing electric vehicle charging services in Singapore or engaging in conduct as a charging station operator.

Part 7 provides for step-in arrangements in the event a licence is suspended, revoked or surrendered, to ensure continuity of EV charging services provided under the licence.

Part 8 contains provisions for the installation of the electrical infrastructure to support the supply of a minimum electrical load and the installation of charging points in any development where certain building works or electrical work are carried out.

Part 9 provides for appeals to be made to the Minister against certain decisions of the Land Transport Authority of Singapore (the LTA) under the Bill.

Part 10 contains provisions relating to evidence and enforcement powers necessary for the due administration of the Bill.

Part 11 deals with the administration of the Bill and the appointment of authorised officers in order to administer the Bill.

Part 12 is a general Part and includes the power to make Regulations.

Part 13 makes amendments to other Acts, and provides for saving and transitional arrangements made necessary by the Bill.

PART 1

PRELIMINARY

Part 1 introduces the fundamental concepts used in the Bill and sets out the purpose of the Bill.

Clause 1 sets out the short title and provides for the bringing into force of the Bill.

Clause 2 is a general definition provision. It contains definitions of terms which are used in several Parts of the Bill.

Several concepts defined in clause 2 that are important for Parts 2 and 4 (Supply of EV Chargers and Specially Authorised EV Chargers) are “section 7(3) approval”, “homologated model” and “approved person”.

A “section 7(3) approval” refers to an approval granted by the LTA under clause 7(3) for any model of EV charger to be a homologated model of EV

charger. “Homologated model”, for an EV charger, means a model of EV charger in respect of which the LTA grants a section 7(3) approval. “Approved person”, in relation to a homologated model, means a person who is granted a section 7(3) approval by the LTA for that homologated model.

Clause 2 also defines several other concepts that are important for Part 5 (Safety of EV Chargers). An example is “charge” which is defined to mean the transfer of electricity from a charging point or an EV charger to the battery of an electric vehicle.

Another example is “charging point” which is defined to mean —

- (a) each electrical socket outlet that is part of a fixed EV charger from which electricity may be supplied during charging of a single electric vehicle;
- (b) each vehicle connector that is part of a fixed EV charger and is insertable into an electric vehicle inlet of a single electric vehicle so as to supply electricity during charging of that single electric vehicle; or
- (c) for a fixed EV charger which has both such features, each combination of those features from which electricity may be supplied during charging of a single electric vehicle.

In addition, “charging station” means a place in Singapore with an electrical installation to which a fixed EV charger is affixed and includes a battery charge and swap station.

Clause 3 sets out the meaning of “supply” and its associated term, “sale”. The definition encompasses any form of sale (including resale), barter or exchange, etc., of any thing. The term “supply” also covers giving away, whether or not as a prize or reward, or as a free sample or for the purpose of advertising, or in furtherance of, any trade or business. The mere giving of an EV charger as a present would therefore constitute a supply of the EV charger.

Clause 3 also provides that a person takes part in the supply of any thing if the person takes, or participates in, any step, or causes any step to be taken, in the process of that supply. However, a person who does nothing more than to provide financing for any step in that process is not treated as taking part in the supply.

Clause 4 defines the important concepts of “charging station operator”, “electric vehicle charging service” (or “EV charging service”) and associated terms. The terms “charging station operator” and “electric vehicle charging service” are the subject matters of the regulatory purview of the LTA under the Bill and defined as coming within the expression “regulated activity”.

Clause 5 sets out the purpose of the Bill, which is to reduce the carbon emissions of road transport in Singapore through the use of electricity sources

which serve as a whole or partial substitute for fossil fuels sources in road transport in Singapore.

The purpose is to be achieved by promoting the safe use of EV chargers through regulation of the supply of EV chargers, expanding the network of accessible EV charging points through infrastructure development measures, and ensuring the safe undertaking of regulated activities, and the reliability of the network of EV charging points and provision of EV charging services.

PART 2

SUPPLY OF EV CHARGERS

Part 2 provides for the regulation of the supply in Singapore of any homologated model of EV chargers and for the approval regime for the homologation of any model of EV chargers. It also provides for the regulation of advertising activities relating to the supply in Singapore of EV chargers.

Clause 6 creates an offence for a person to supply in Singapore to another person (whether in or outside Singapore) an EV charger that is not of a homologated model, and which the firstmentioned person knows or ought reasonably to know is not of a homologated model.

However, the supply of such an EV charger is not an offence if it is supplied under certain circumstances. An example is if the supply is solely for the purpose of destruction or export of the EV charger. Another example is if the EV charger is a specially authorised EV charger under Part 4.

Clause 7 provides for the application by a person for approval by the LTA of a model of EV charger as a homologated model. The LTA may grant an approval (called a section 7(3) approval) only if it is satisfied that the model of EV charger satisfies the safety and performance standards prescribed by Regulations to be a homologated model.

Clause 8 provides for the issuance by the LTA, upon the grant of a section 7(3) approval to a person, of an approval code for the approved person and homologated model. The LTA must also make available to the approved person approval labels to be affixed to each EV charger of the same model which the approved person intends to supply, install, certify or charge with in Singapore. A fee may be prescribed for the issuance of the approval labels.

Clause 8 also creates an offence where an approved person fails to take reasonably practicable steps to ensure that an approval label is affixed to every EV charger of that homologated model that the approved person intends to supply, install or certify before the EV charger is first supplied, installed or certified by the person in Singapore. It is also an offence if the approved person fails to take reasonable steps to ensure that an approval label is not affixed to an EV charger which is of a different model from that to which the label relates.

Clause 9 provides that the LTA may revoke a section 7(3) approval after observing the due process prescribed in the clause (unless such observance is not practicable in the circumstances). The revocation may either be absolute for all EV chargers of the model concerned, or prospective without affecting EV chargers of the model concerned to which approval labels had been affixed before the effective date of revocation, which is called a grandfathering arrangement.

Clause 10 deals with the matters after the LTA revokes a section 7(3) approval in respect of any model of EV charger. The LTA must publish a notice of the revocation and, in the case of an absolute revocation, a notice that EV chargers of that model must no longer be affixed with an approval label.

Clause 10 also makes it an offence for a person in possession of an approval label to intentionally affix, or intentionally or negligently allow to be affixed, any approval label to an EV charger of a model in respect of which the section 7(3) approval has been revoked.

In addition, in the case of an absolute revocation of any model of EV charger, a person in possession of an EV charger of that model must not intentionally transfer possession of the EV charger, or intentionally or negligently allow the possession of the EV charger to be transferred, with the approval label still affixed. The only exception is transferring possession for the destruction or export of the EV charger. The person must also take reasonably practicable steps to remove the approval label from the EV charger. Any contravention of these requirements without reasonable excuse is an offence.

Clause 11 makes it an offence for a person to alter or modify, or allow to be altered or modified, an EV charger that is of a homologated model or a former homologated model but covered by grandfathering arrangements because of a prospective revocation under clause 9(3)(b), unless the person has the LTA's prior approval. If an EV charger is altered or modified without approval, the EV charger is treated as having ceased to belong to that homologated model or former homologated model.

However, the immediately preceding paragraph does not apply if the alteration or modification consists of or results in any minor change in features, functionalities or performance of the EV charger that is prescribed.

Clause 12 provides for the application for approval by the LTA for the alteration or modification of an EV charger.

Clause 13 requires the LTA, upon the grant of an approval to a person under clause 12, to make available to the person an alteration-approved label to be affixed to the altered or modified EV charger which the person intends to supply, install, certify or charge with in Singapore. A fee may be prescribed for the issuance of the alteration-approved label.

Clause 13 also creates an offence where the person fails to take reasonably practicable steps to ensure that the alteration-approved label is affixed only to each altered or modified EV charger that the person intends to supply, install or certify before the EV charger is first supplied, installed or certified by the person in Singapore. It is also an offence if the person fails to take reasonably practicable steps to ensure that the alteration-approved label is not affixed to an EV charger which is not altered or modified or which is not altered or modified according to the terms of approval under clause 12.

Clause 14 contains definitions of terms used in Division 3 of Part 2 on advertising the supply of non-approved EV chargers i.e., EV chargers that are neither of a homologated model, specially authorised EV chargers, nor of a formerly homologated model.

Clause 15 makes it an offence for a person to publish, or cause to be published, or take part in the publication, in Singapore, of any advertisement —

- (a) that contains any express or implied inducement, suggestion or request to acquire in Singapore a non-approved EV charger;
- (b) that provides a facility for a person who has access to the advertisement on the Internet to acquire in Singapore a non-approved EV charger; or
- (c) that relates to a non-approved EV charger in terms which are calculated, expressly or impliedly, to lead to, induce, urge, promote or encourage the acquisition in Singapore of the non-approved EV charger.

Clause 15 also elaborates on when an advertisement that is published electronically is treated as published in Singapore.

Clause 16 provides the defences to a charge for an offence under clause 15(1).

The first defence applies where the person is a person whose business is to publish or arrange for the publication of advertisements and had received the advertisement for publication in the ordinary course of business, and the person did not know and had no reason to suspect that the advertisement would contravene clause 15(1).

The second defence is that the advertisement is published for the sole purpose of destroying or exporting the non-approved EV charger.

Clause 17 empowers an authorised officer to order any person who has published, or caused to be published, any contravening advertisement —

- (a) to stop any further publication of the advertisement with immediate effect;

- (b) to take such measures as may be reasonable and necessary in the circumstances to disable access by end-users in Singapore to the advertisement if published on the Internet; and
- (c) to publish a corrective advertisement in such manner and containing such information as may be specified by the LTA.

It is an offence to fail to comply with an authorised officer's order under the clause.

PART 3

REGISTRATION OF EV CHARGERS AND REGISTERED RESPONSIBLE PERSONS

Part 3 provides for the registration of EV chargers and the concept of registered responsible persons for EV chargers.

Clause 18 makes it an offence for a person to charge an electric vehicle using an unregistered EV charger or to allow an electric vehicle to be charged using an unregistered EV charger. The mental element of the offence is satisfied if the person knows that, or is reckless as to whether, the EV charger is unregistered.

Clause 19 provides for the registration of an EV charger by a person who has charge and control of the EV charger before it is first used, or allowed to be first used, by any person to charge any electric vehicle in Singapore.

The LTA may refuse to register the EV charger if it is not lawfully certified as fit for charging any electric vehicle in Singapore under clause 23, or if the EV charger (being a fixed EV charger) is not lawfully installed in accordance with clause 24. The LTA may also refuse registration if the application for registration contains any false or misleading information.

Clause 20 requires the LTA to, upon registering an EV charger as a registered-for-charging EV charger, assign a registration code to the EV charger. The LTA must also register a person as the registered responsible person for the EV charger and assign the registered responsible person a registration mark showing that registration code.

The registered responsible person must ensure that the registration mark is affixed to the EV charger within 60 days after the registration date. This period may be extended by the LTA. A person who contravenes this requirement without reasonable excuse commits an offence.

Clause 21 sets out the circumstances under which the LTA may cancel the registration of a registered-for-charging EV charger. If the registration of a registered-for-charging EV charger is cancelled under the clause, the registered responsible person for the EV charger must ensure that any registration mark issued by the LTA is removed from the EV charger within 30 days after the LTA

informs the registered responsible person of the cancellation. A person who contravenes this requirement without reasonable excuse commits an offence.

Clause 22 provides for the establishment and maintenance of a register of registered-for-charging EV chargers by the LTA. The register must contain the current prescribed information about each registered-for-charging EV charger, and its registered responsible person, and other prescribed information relating to the registered-for-charging EV charger.

Clause 22 also contains a provision to uphold the confidentiality of any information contained in the register of registered-for-charging EV chargers, and the circumstances in which disclosure of such information is allowed.

Clause 23 deals with unlawful certification of EV chargers. It makes it an offence for a person to certify, or cause to be certified, an EV charger as fit for charging any electric vehicle in Singapore if the person knows that, or is reckless as to whether, the EV charger —

- (a) is of a model that is not a homologated model and is not covered by a grandfathering arrangement; and
- (b) is not covered by any grandfathering arrangement because of a prospective revocation under clause 9(3)(b) of any section 7(3) approval.

Clause 23 also makes it an offence for an individual to certify a fixed EV charger as fit for charging any electric vehicle in Singapore unless the individual is a prescribed competent person for that charger or is certifying the EV charger together with a prescribed competent person for that charger.

In addition, clause 23 makes it an offence for an individual to certify any particular EV charger as fit for charging any electric vehicle in Singapore unless the individual is satisfied that —

- (a) in the case of a fixed EV charger, it is installed following the prescribed procedure and standard, and together with the prescribed essential apparatus or prescribed essential fittings; and
- (b) in the case of an EV charger that is not a fixed EV charger, it satisfies the safety and performance standards prescribed for a homologated model to which that EV charger belongs.

Clause 24 deals with unlawful installation of fixed EV chargers. It makes it an offence for a person to install, or caused to be installed, a fixed EV charger in any place in Singapore knowing that, or reckless as to whether, the fixed EV charger —

- (a) is of a model that is not a homologated model and is not covered by a grandfathering arrangement; and

- (b) is not covered by any grandfathering arrangement because of a prospective revocation under clause 9(3)(b) of any section 7(3) approval.

Clause 24 also makes it an offence for a person to undertake any work installing a fixed EV charger in Singapore unless the work is carried out by a prescribed person or under the direct supervision of a prescribed person.

Clause 25 imposes an obligation on the registered responsible person for an EV charger to cause the EV charger to be inspected by a prescribed competent person in accordance with the prescribed frequency and standard, and to produce to the LTA upon the LTA's written demand a certificate as to the fitness of the EV charger or a report of such inspection made by the prescribed competent person. The registered responsible person of an EV charger commits an offence if the registered responsible person fails to comply with this obligation, without reasonable excuse.

Clause 26 imposes an obligation on the registered responsible person for a registered-for-charging EV charger to keep and retain, for inspection by an authorised officer, every certificate as to the fitness of the EV charger. The records must be kept for a period of at least 2 years starting the date the certificate is made. The registered responsible person commits an offence if the registered responsible person —

- (a) intentionally or negligently contravenes the requirement to keep and retain the certificate for inspection; or
- (b) intentionally alters, suppresses or destroys any certificate which the registered responsible person is required to keep and retain.

Clause 27 imposes an obligation on a registered responsible person for a registered-for-charging EV charger who disposes of, or transfers immediate possession of the EV charger to another person, to apply to transfer the registration of the registered responsible person for that EV charger to the transferee within a prescribed period. The transferor commits an offence if he or she fails to comply with this obligation without reasonable excuse.

PART 4

SPECIALLY AUTHORISED EV CHARGERS

Part 4 empowers the Minister to make rules to allow the trial of special types of EV chargers, or any special use involving charging of electric vehicles using special types of chargers, which are neither of a homologated model nor a registered-for-charging EV charger.

The purpose of this Part is to enable or facilitate the development and operation of innovative and accessible EV chargers and EV charging services which

contribute to the mobility and safety of people in Singapore, and of improving the environmental performance of the road transport sector in Singapore.

Clause 28 is the enabling provision for the Minister to make rules for the purposes mentioned in the immediately preceding paragraph. Any rules made under Part 4 may provide that specified provisions of the Bill or subsidiary legislation apply to matters relating to the trial or special use, with prescribed exceptions, modifications and adaptations. Such exceptions, modifications and adaptations may be limited in duration or geographical area in Singapore.

PART 5

SAFETY OF EV CHARGERS

Part 5 creates offences to mitigate the risks of safety issues arising from the use and charging of EV chargers, and the supply of EV chargers.

Clause 29 makes it an offence for a person who uses an EV charger for a purpose other than a prescribed permissible purpose for that use and type of EV charger. The mental element of the offence is satisfied if the person knows that, or is reckless as to whether, that purpose is not a prescribed permissible purpose for that use and type of EV charger.

Clause 30 makes it an offence for a person to use, or allow to be used, an EV charger to charge an electric vehicle at a place in Singapore that is prescribed as a banned location for that type of EV charger.

Clause 30 also makes it an offence for a person to knowingly or recklessly use, or allow to be used, an EV charger to charge an electric vehicle in a certain way or in certain circumstances that are not a way or circumstance prescribed as permissible for that type of EV charger.

Clauses 29 and 30 are not to be read as authorising charging using unregistered EV chargers.

Clause 31 creates the following offences:

- (a) any wilful tampering with an EV charger or with any thing else related to an EV charger (like an emergency stop button) by a person that causes or is likely to cause danger to human life or damage to any property;
- (b) any rash or negligent act or omission committed or omitted in respect of any EV charger which causes hurt to any person or damage to any property.

Clause 32 makes it an offence for an individual, without reasonable excuse, to deface, obliterate or remove, any approval label made available by the LTA under clause 8(1)(b), any alteration-approved label made available by the LTA under

clause 13(1) or any registration mark issued by the LTA under clause 20(1)(c), when such a label or mark is lawfully affixed to an EV charger.

Clause 33 makes it an offence for a person to counterfeit any approval label made available by the LTA under clause 8(1)(b), alteration-approved label made available by the LTA under clause 13(1) or registration mark issued by the LTA under clause 20(1)(c) for any registered-for-charging EV charger.

Clause 34 defines 2 key terms used in Division 2 of Part 5. “Supplier” is defined to mean a person who is engaged in the business of supplying EV chargers. “Safety-related defect”, in relation to an EV charger, is defined to mean a feature of the design or construction of the EV charger that is liable to cause serious damage to property or significant risk of personal injury or death to any person, and includes any defect relating to a component of the EV charger that is supplied with the EV charger as original equipment.

Clause 35 requires a manufacturer or a supplier of an EV charger, upon becoming aware of any safety-related defect in the EV charger, to give notice about the safety-related defect to the following:

- (a) the LTA;
- (b) every registered responsible person for a registered-for-charging EV charger that is of the same model;
- (c) every person who has charge and control of an EV charger that is of the same model, if the EV charger is not registered-for-charging.

The notice must contain the information specified in clause 35(2) and will only be considered sufficiently served if it is given in accordance with clause 35(3).

Clause 35 also creates an offence in the event a manufacturer or supplier of an EV charger fails to comply with the requirements under clause 35(1) without reasonable excuse.

Clause 36 makes it an offence for a person mentioned in clause 35(1)(b) or (c) and who is given a notice under clause 35(1) about a safety-related defect in the EV charger, or a model of EV charger, to fail to comply with the warning contained in that notice without reasonable excuse.

Clause 37 empowers the LTA to give safety and security directives of a general application as may be necessary to avoid any actual or imminent occurrence of death of, or a serious injury to, any individual, or of serious damage to any property, from the use of any EV charger, or to alleviate or minimise a serious and imminent threat or risk to the national security of Singapore.

Clause 37 provides that a safety and security directive may be made on the LTA’s own initiative or otherwise. A safety and security directive may be in force for a period not exceeding 6 months, which may be extended for a further period

not exceeding 6 months. The LTA may revoke any safety and security directive that is in force by giving the requisite notice in accordance with the clause.

Clause 37 also provides that insofar as any safety and security directive is inconsistent with any Regulations, the former prevails.

Clause 38 sets out how a safety and security directive is given, depending on whether it is addressed to a single person or a class of persons. Once a safety and security directive is made and given, the LTA must publish the making of the directive. However, a failure to publish does not invalidate the directive.

Clause 39 provides that a safety and security directive may require the person it binds (according to the circumstances of the case) to do, or to refrain from doing, for a specified period, things specified in the directive or things that are of a description specified in the directive. These include stopping the supply of the EV charger, stopping the charging of any electric vehicle using the EV charger, preventing the charging of any electric vehicle using the EV charger by any other person, removing the fixed EV charger from an electrical installation it is affixed to, stopping the provision of EV charging services or stopping the undertaking of any other regulated activity using the EV charger. Non-compliance with a safety and security directive (whether intentionally or negligently) is an offence.

PART 6

LICENSING

Part 6 provides for the licensing of persons who undertake regulated activities, which is defined by clause 2 to mean providing electric vehicle charging services in Singapore or engaging in conduct as a charging station operator.

Clause 40 is a definition provision. It contains definitions of terms used in Part 6. In particular, the clause defines the key expression “partial suspension” or “partially suspend”. When a licence is partially suspended, such suspension is in respect of only some but not all of the types of EV chargers authorised by the licence for use when undertaking the regulated activity.

Clause 41 creates an offence where a person undertakes any regulated activity in Singapore using a type of EV charger (except for a specially authorised EV charger) when the person is not authorised to do so by a licence, and is not exempt from this clause under clause 92 in relation to that service. This is a strict liability offence.

The punishment for a convicted offender who is an individual is a fine not exceeding \$10,000 or imprisonment for a term not exceeding 6 months or both and, in the case of a continuing offence, a further fine not exceeding \$250 for every day or part of a day during which the offence continues after conviction.

Where the convicted offender is not an individual, the penalty is a fine not exceeding \$30,000 and, in the case of a continuing offence, a further fine not exceeding \$500 for every day or part of a day during which the offence continues after conviction.

Clause 42 provides for applications for or to renew a licence. These must be made to the LTA. The LTA may refuse to consider an application for or to renew a licence that is incomplete or not made in accordance with the clause, or where an inspection in relation to the application is refused.

Clause 43 deals with the matters that the LTA considers when granting or renewing licences. The LTA may, upon payment of a licence fee (if prescribed) or a renewal fee (if prescribed), grant or renew the licence (or refuse to do so).

The LTA will consider matters such as whether the applicant is operating or is intending to operate more than one charging station in Singapore, and the design and safety of the EV chargers to be used by the applicant in undertaking the regulated activity in Singapore and any equipment or other thing which the applicant intends to construct or install in the vicinity of the EV charger for or in connection with undertaking the regulated activity. The LTA will also consider the suitability of the applicant and where necessary, its officers.

The LTA may grant a renewal of a licence with or without modifying the conditions of the licence. But when it does so, the process for modifying the conditions of the licence in clause 46 does not apply.

Clause 44 deals with the periodic fee payable for a licence which is in addition to the licence fee or renewal fee payable at the grant or renewal. Every licence granted or renewed is valid for such period as may be specified in the licence, unless following regulatory action under clause 53, the licence is earlier suspended or revoked. Where the licence is partially suspended under clause 53, the licence is valid for the period specified in the licence in relation to the regulated activity undertaken using the types of EV chargers authorised by the licence that have not been suspended.

Clause 45 empowers the LTA, in granting a licence to any person, to impose such conditions as the LTA considers requisite or expedient having regard to the purpose of the Bill.

The conditions may include requiring the licensee to undertake the regulated activity in the licence using only the type or types of EV chargers that the LTA has specified in the licence or requiring the licensee to tag any EV charger that is being used by the licensee in connection with the regulated activity.

Clause 46 empowers the LTA to delete or vary and substitute a condition, or add a condition of a licence after observing the process prescribed in the clause.

Clause 47 enables a licensee to apply to the LTA to add or remove one or more types of EV chargers from the types of EV chargers that the licensee is authorised to use in undertaking a regulated activity.

Clause 48 places restrictions on the surrender of a licence. Every licence is not capable of being surrendered without the written consent of the LTA. Any surrender or purported surrender of a licence is void if it is without the LTA's consent.

Clause 49 imposes duties on licensees to keep and retain records or data about the regulated activity (including charger location, charger availability, charger utilisation and energy consumption rates) and to give to the LTA or its agent such records or data within the period and in the manner prescribed.

Clause 50 provides that the LTA may publish on a publicly accessible online platform administered by or under the control of the Government or any public authority any data about charger location, charger availability, retail price of charging service and charger utilisation, where such data can be obtained from a publicly available source or derived from information obtained from a publicly available source.

Clause 50 also provides that where the LTA provides a service to the public by which information is supplied to the public under this clause, no member, officer or employee of the LTA involved in the supply of such information shall be liable for any loss or damage suffered by any member of the public by reason of any error or omission of any nature if made in good faith, with reasonable care and in the ordinary course of the discharge of that person's duties.

Clause 51 empowers the LTA to issue one or more standards of performance applicable to licensees generally or specially. The LTA is also empowered to approve as a standard of performance applicable to licensees any document prepared by a person other than the LTA if the LTA considers the document as suitable for this purpose. The LTA is also empowered to amend or revoke any such standard of performance issued or approved.

Standards of performance are not subsidiary legislation, but non-compliance can give rise to regulatory action being taken under clause 53 or 54. Standards of performance can relate to various matters like performance standards relating to undertaking a regulated activity and the quality of aspects of the provision of EV charging services in Singapore, and measures to deal with safety and safety incidents and accidents involving EV chargers made available by the licensee in undertaking a regulated activity.

Clause 52 empowers the LTA to give directions to licensees for or in respect of the safety of customers and any other person in connection with the undertaking of any regulated activity authorised by the licensee's licence, or any matter affecting the interests of the public in connection with the regulated activity undertaken by the licensee. A direction may require the licensee concerned (according to the

circumstances of the case) to do, or to refrain from doing, for a specified period, things specified in the direction or things that are of a description specified in the direction, including refusing to provide EV charging services in respect of any particular customer.

Ordinarily, a direction may be given under clause 52 after observing due process. The exception is where the LTA, in respect of any particular direction, considers that it is not practicable or desirable to comply with such due process requirements.

A direction continues in force until the expiry date (if any) or until the LTA earlier revokes the direction. The direction can be revoked at any time. Non-compliance with a direction can give rise to regulatory action under clause 53.

Clause 53 sets out the various regulatory actions that the LTA can take against a licensee if the LTA is satisfied that the licensee is contravening or not complying with, or has contravened or failed to comply with any of the conditions of its licence, or any provision of the Bill or the Regulations applicable to the licensee (contravention of or non-compliance with which is not an offence under the Bill), any provision of a standard of performance applicable to the licensee, or any direction or order given to the licensee under sub-clause (2)(c) or (e) of this clause or clause 52.

The LTA may, after observing the prescribed process in clause 55, revoke a licence without any compensation. In lieu of revoking the licence, the LTA can impose one or more of the following:

- (a) censure the licensee in writing;
- (b) delete or vary and substitute a condition, or add a condition to the licensee's licence;
- (c) direct the licensee to do, or to refrain from doing, such things as are specified in a direction, or to remove from all public places EV chargers that are tagged by the licensee in undertaking a regulated activity or any equipment or other thing constructed or installed in the vicinity of the EV charger for or in connection with the regulated activity undertaken when the licence is not in force;
- (d) suspend or partially suspend the licence for not more than 12 months;
- (e) direct the licensee to pay a financial penalty;
- (f) direct the furnishing by the licensee of any performance bond, guarantee or other form of security, or an additional performance bond, guarantee or other form of security.

Clause 54 sets out the regulatory actions that the LTA can take against a former licensee on similar ground as in clause 53, where regulatory action under clause 53 started but has not been completed before the licence lapsed.

Clause 55 sets out the processes which must be observed before any regulatory action can be taken.

PART 7

STEP-IN ARRANGEMENTS

Part 7 provides for step-in arrangements in the event a licence is suspended, revoked or surrendered, to ensure continuity of EV charging services provided under the licence.

Clause 56 provides that Part 7 applies only in relation to a licensee that is authorised to provide EV charging services and is prescribed by the Minister, by order in the *Gazette*, as a designated licensee.

Clause 57 spells out when a step-in order may be made. Only the Minister can make a step-in order. The Minister's decision is final and cannot be appealed against. A step-in order operates to the exclusion of rights that are inconsistent with the step-in order. The Minister can make a step-in order with respect to a designated licensee if the licence of a designated licensee is suspended in its entirety, revoked or surrendered, and on receipt of the written advice from the LTA of its opinion that it is necessary to take over some or all of the operations of the designated licensee to ensure that the designated licensee's customers receive an adequate provision of those EV charging services.

Before a step-in order is made under clause 57, the Minister must give the designated licensee concerned a reasonable opportunity to make submissions in respect of the proposed step-in order.

A step-in order can cover a wide range of matters to ensure continuity of services, namely —

- (a) authorise a step-in operator chosen by the LTA to take over, the operations of the designated licensee concerned, or a specified part of those operations;
- (b) appoint, or order the designated licensee concerned to appoint, a person to advise the designated licensee in the proper conduct of its business;
- (c) specify that the step-in operator has such functions and powers in relation to the operations of the designated licensee concerned as are specified in the order, that the designated licensee concerned is to stop providing EV charging services to specified customers on and from a specified date, and that the step-in operator must have access to, and

take control of, the EV chargers or premises or other assets and other property used or required by the designated licensee for the purposes of carrying on the operations specified in the order;

(d) contain ancillary directions.

Clause 58 places restrictions on the taking of insolvency-related proceedings against a company that is a designated licensee. Such a company cannot be wound up voluntarily without the consent of the LTA, and a judicial management order under the Insolvency, Restructuring and Dissolution Act 2018 cannot be made in relation to the company. A person who wants to enforce any security over the company's property cannot take any step in that direction except where that person has served on the LTA 14 days' notice of the person's intention to take that step. In addition, no application under section 210 of the Companies Act 1967 or section 71 of the Insolvency, Restructuring and Dissolution Act 2018 may be made by any person in relation to the company, unless that person has served 14 days' written notice of that person's intention to make the application on the LTA.

Clause 59 empowers the Minister to make rules to support step-in arrangements, and these rules may make provision for applying, omitting or modifying provisions of Part 7 of the Insolvency, Restructuring and Dissolution Act 2018 where a step-in order is made.

PART 8

MINIMUM ELECTRICAL LOAD AND CHARGING POINTS IN BUILDINGS

Part 8 contains provisions for the installation of the electrical infrastructure to support the supply of a minimum electrical load (called passive provision) and the installation of charging points (called active provision) in any development where certain building works or electrical work (called defined works) are carried out.

Clause 60 is a definition provision. It contains definitions of the terms used in Part 8.

Clause 61 sets out the following defined works in a development that will trigger the application of the provisions in Part 8:

- (a) any building works that result in the erection or re-erection of a building;
- (b) any other building works (i.e., the alteration, addition or repair of a building) that will increase the approved gross floor area of the development by at least 50%. Such building works would have been the subject of —

- (i) a permission granted by the relevant authority under the Planning Act 1998; or
 - (ii) an authorisation made by the Minister for National Development under section 21(6) of that Act;
- (c) any electrical work —
- (i) in a case where the approved electrical load of the development before the electrical work is carried out is more than 280kVA — that requires an approval by a market services support licensee to increase the approved electrical load of the development; or
 - (ii) in any other case — that requires an approval by a market services support licensee to increase the approved electrical load of the development to more than 280kVA.

The Minister may prescribe a lower threshold in respect of the percentage of increase in the approved gross floor area of a development, or the approved electrical load of a development, that will trigger the application of the provisions in Part 8. In addition, the Minister may prescribe any other building works or electrical work as “defined works”. However, these powers must be exercised for the purpose of encouraging the use of electric vehicles in Singapore through an expanded network of accessible charging points.

Clause 62 sets out the following circumstances where Part 8 does not apply even where defined works are carried out:

- (a) where the defined works are carried out for the Government on State land, or for any public authority on land owned by that public authority;
- (b) where the defined works are carried out in connection with the developments specified in Part 4 of the Schedule to the Parking Places (Provision of Parking Places and Parking Lots) Rules 2018. Developers are not required to lodge their proposals and plans for the provision of parking places and parking lots under those Rules for such developments.

In any development where there will be less than 8 parking lots after the completion of the defined works, the requirement for the active provision under clause 64 or 65 (whichever is applicable) does not apply. This threshold number of parking lots may be lowered by the Minister. However, the development is still subject to the requirement for the passive provision.

Clause 63 allows the Minister to administratively exempt any person from the application of any provision of this Part in relation to any particular defined works in any particular case, if the Minister is satisfied of certain conditions i.e., the

application of Part 8 would be incompatible with the purpose of the Bill, or would cause substantial hardship to that person. The Minister may impose conditions for any such exemption.

Clause 64 sets out the requirements for the developer of any building works to install the active provision and passive provision in the development. The Minister is to prescribe the formulae for determining the minimum electrical load in respect of the passive provision and the minimum number of charging points in respect of the active provision, respectively. Both the active provision and passive provision requirements must be complied with by no later than a prescribed date in relation to those building works (called the relevant date).

The developer must submit to the LTA for approval, the developer's proposals and plans to comply with the active provision and passive provision requirements before the relevant date.

In addition, to demonstrate that these requirements are complied with, the developer must provide all necessary information and documents to the LTA before the relevant date. If the LTA is satisfied that these requirements are complied with, the LTA may issue a certificate to the developer certifying to this effect. The developer may rely on this certificate to apply for a certificate of statutory completion in respect of the building works under the Building Control Act 1989.

On the other hand, if the active provision or passive provision requirement is not complied with, the LTA may issue a remedial notice requiring the developer to take steps to rectify the non-compliance. To avoid doubt, the remedial notice may be issued at any time after the relevant date in relation to the building works, and is not dependent on whether the LTA has received the information and documents mentioned in the preceding paragraph.

Clause 64 also creates a strict liability offence for any failure by a person to comply with a remedial notice issued by the LTA under the clause.

Clause 65 imposes the passive provision and active provision requirements on the owner of any development where electrical work is carried out. The clause contains a definition of "owner", to make clear who is responsible for ensuring compliance with the passive provision and active provision requirements in any development.

The owner of the development is similarly required to provide information and documents to the LTA to demonstrate compliance with the requirements. Unlike clause 64, clause 65 creates an offence for any failure by the owner of the development to provide the information and documents, or to provide false information and documents. In the case of building works, the developer has to submit the information and documents to demonstrate compliance if it wishes to apply for a certificate of statutory completion. This incentive to ensure compliance is absent in the case of electrical work.

Clause 65 also empowers the LTA to issue a remedial notice to the owner of the development to rectify any non-compliance with the active provision and passive provision requirements. It is a strict liability offence for a person who fails to comply with a remedial notice under the clause.

Clause 66 allows the LTA to request certain information and documents from a market support services licensee to enable the LTA to ensure compliance with the requirements under clause 65. A person who, without reasonable excuse, fails to comply with the LTA's request or who intentionally provides any materially false or misleading information or document to the LTA, etc., commits an offence.

PART 9

APPEALS

Part 9 provides for appeals to be made to the Minister against certain decisions of the LTA under the Bill.

Clause 67 sets out definitions connected with appeals against decisions of the LTA under the Bill. Only certain decisions are defined as appealable and certain persons can be appellants.

Clause 68 prescribes an avenue of appeal to the Minister against an appealable decision. The appellant has to comply with procedural and administrative requirements for the appeal, such as applying within 28 days and submitting an appeal in writing which includes the grounds of appeal.

Clause 68 also provides that an appeal against an appealable decision does not affect the operation of the decision appealed against or prevent the taking of action to implement the decision. Despite an appeal, the appellant must comply with the appealable decision appealed against until the Minister's decision on the appeal. However, the Minister has power to suspend the appealable decision until the determination of the appeal.

Clause 69 provides for the Minister's decision on appeal to be final. The Minister may confirm or reverse the appealable decision.

Clause 70 empowers the Minister to designate office-holders in his or her Ministry to hear and determine, in the Minister's place, any appeal made under clause 68.

PART 10

EVIDENCE AND ENFORCEMENT

Part 10 contains provisions relating to evidence and enforcement powers necessary for the due administration of the Bill.

Clause 71 provides that in any proceedings for an offence under clause 6, 11, 18, 23, 24, 29, 30, 32 or 33, if an EV charger is supplied, installed or certified in Singapore, or is used to charge an electric vehicle in Singapore, with any approval label or any alteration-approved label made available by the LTA affixed to it, the label is sufficient evidence of the fact that the EV charger is of a homologated model unless the contrary is established. In any proceedings for an offence under those same clauses, if an EV charger is used to charge an electric vehicle in Singapore, with a registration mark issued by the LTA for a registered-for-charging EV charger affixed to it, the label is sufficient evidence of the fact that the EV charger is a registered-for-charging EV charger unless the contrary is established.

Clause 72 provides that a certificate signed or purporting to be signed by an authorised officer and stating that an EV charger described or specified in the certificate was or was not registered as a registered-for-charging EV charger at a specified time is admissible in any legal proceedings and is *prima facie* evidence of the facts stated in the certificate.

Clause 73 provides that an authorised officer may exercise the powers set out in this Part for all or any of the following purposes:

- (a) to detect and investigate offences under the Bill, whether committed by a licensee or any other person;
- (b) to determine whether there are grounds for taking any regulatory action under Division 4 of Part 6;
- (c) to determine whether information given to the LTA or an authorised officer under any provision of the Bill is correct.

Clause 73 also makes clear that the provisions in Part 10 do not limit any power of enforcement conferred on an officer or an employee of the LTA under section 39 of the Land Transport Authority of Singapore Act 1995 with respect to an offence under this Bill. The clause also makes it clear that the powers of a police officer under the Criminal Procedure Code 2010 are not affected by this Part.

Clause 74 deals with the powers of entry into premises, inspection and seizure. This will enable the on-the-spot inspection of the premises occupied by a licensee or former licensee as an office or which the authorised officer believes on reasonable grounds are used for the carrying on of a business or a trade (but not used as a residence) of supplying, etc., any EV charger or of undertaking a regulated activity. An authorised officer may also enter and remain at any premises where the authorised officer believes on reasonable grounds that an offence under clause 18, 23, 24, 29 or 30 is being or has been committed, or an activity mentioned in clause 39(1) is being or has been carried on in contravention of a safety and security directive given under clause 37.

Upon entering the premises, an authorised officer may seize an EV charger that he or she reasonably believes is not of a homologated model or a specially authorised EV charger, or that is used in the commission of an offence (called an offending EV charger), and take it to a holding yard, or require the owner or person in charge of the EV charger to take the EV charger to and surrender it at a specified holding yard.

Clause 75 deals with similar powers in relation to motor vehicles.

Clauses 76 and 77 confer powers on an authorised officer to obtain information and documents and examine individuals for the proper administration and enforcement of the Bill.

Clause 78 confers power on an authorised officer to make certain orders in relation to an EV charger which the authorised officer reasonably believes is an offending EV charger. For example, the authorised officer may order the supply of the offending EV charger to be stopped or for it to be removed from any electrical installation it is affixed to. Clause 78 also makes it an offence for a person who refuses or neglects, without reasonable excuse, to comply with any order of an authorised officer made under that clause.

Clause 79 sets out the offences involving obstruction of an authorised officer or outsourced enforcement officer in the discharge of his or her duties under the Bill. For example, wilfully preventing the authorised officer or outsourced enforcement officer from entering or re-entering any premises or any part of those premises where authorised under the Bill, or wilfully obstructing or delaying the authorised officer or outsourced enforcement officer from entering or re-entering those premises or any part of those premises.

Clause 80 sets out offences connected with disobeying requirements made by an authorised officer, etc., under this Part or of giving false information, etc.

Clause 81 empowers the LTA or an authorised officer to compound any offence under the Bill that is prescribed as a compoundable offence.

Clause 82 sets out the offence for a person who wilfully removes or causes to be removed an EV charger that is surrendered at, or moved or removed to, a holding yard by an authorised officer in exercise of his or her powers under clause 74(2), 75(1) or 78(4).

Clause 83 provides that all EV chargers liable to seizure under the provisions of the Bill are liable to forfeiture by a court, and sets out the process for forfeiture.

However, the LTA may forfeit an EV charger without a court order if it is satisfied that the EV charger is not of a homologated model and is not a specially authorised EV charger, or that the EV charger was the subject matter, or was used in the commission, of a specified offence under the Bill, and a person is convicted of, or has accepted a composition sum offered with respect to, the offence committed or allegedly committed.

Clause 84 provides for the disposal of any EV charger that is forfeited under clause 83.

Clauses 85 and 86 are standard provisions providing for the liability of officers, employees or agents of offenders who are corporations or unincorporated associations or partnerships.

Clause 87 confers on a District Court and a Magistrate's Court jurisdiction to try any offence under the Bill and to punish accordingly despite any limits set out under the Criminal Procedure Code 2010.

PART 11

ADMINISTRATION

Part 11 is a general Part dealing with the administration of the Bill and the appointment of authorised officers in order to administer the Bill.

Clause 88 makes the administration of the Bill a function of the LTA. The powers of the LTA under the Land Transport Authority of Singapore Act 1995 are thus available to it in administering the Bill, such as formation of committees and delegation of powers. However, clause 88(2) sets limits by providing that the powers conferred, or duties imposed upon the LTA by any provision of the Bill are non-delegable to a wholly-owned subsidiary company of the LTA or to a person engaged as a contractor by the LTA.

Clause 88 also absolves any liability of an authorised officer, an outsourced enforcement officer, or a member, officer or employee of the LTA or any other person acting under the direction of the LTA for anything done or intended to be done in good faith and with reasonable care in the execution or purported execution of the Bill.

Clause 89 provides for the appointment of authorised officers from among individuals performing duties in the LTA as well as public officers and employees of other public authorities. The LTA may delegate the exercise of all or any of the powers conferred or duties imposed upon it by any provision of the Bill (except the power of delegation or making subsidiary legislation) to any authorised officer.

Clause 90 empowers the LTA to impose late payment interest on any fee payable under clause 43 for the grant of a licence, any periodic fee payable under clause 44 and any financial penalty directed under clause 53(2) or 54(2) to be paid.

PART 12

MISCELLANEOUS

Part 12 is a general Part and includes the power to make Regulations.

Clause 91 provides that the Bill extends to any conduct outside Singapore, or partly inside or partly outside Singapore that results in the supply of EV chargers in Singapore or the provision of EV charging services or undertaking of regulated activities in Singapore. The clause also makes clear that the Bill does not apply to an advertisement relating to an EV charger unless the advertisement is published in Singapore.

Clause 92 confers legislative power in the Minister, by order in the *Gazette*, to exempt any person or class of persons from all or any of the provisions of the Bill, either generally or in a particular case and subject to such conditions as the Minister may impose.

Clause 93 deals with the service of documents permitted or required by the Bill to be served on a person. Clause 93 does not deal with service of court documents like summonses, as these are regulated by the Rules of Court or other written laws.

Clause 94 confers on the LTA, with the approval of the Minister, power to make Regulations to give effect to the Bill.

Clause 95 allows for any subsidiary legislation made under the Bill to incorporate by reference, codes, standards, rules, requirements, specifications and other documents made or issued by other persons. Reference may be to any of these external documents as in force at a particular time or on a dynamic basis from time to time.

Clause 96 requires all orders, rules and regulations made under the Bill to be presented to Parliament as soon as possible after their publication in the *Gazette*.

PART 13

AMENDMENTS TO OTHER ACTS AND FINAL PROVISIONS

Part 13 makes amendments to the Building Maintenance and Strata Management Act 2004, the Electricity Act 2001 and the Land Transport Authority of Singapore Act 1995, and contains saving and transitional provisions made necessary by the Bill.

Clause 97 amends the Building Maintenance and Strata Management Act 2004 to mandate that it is sufficient for an ordinary resolution to be passed for the management corporation to execute, on behalf of its subsidiary proprietors —

- (a) a lease of or rent, or licence of, any part of the common property to any person for the installation of a fixed EV charger, for a period that does not exceed 10 years, and which cannot be extended to an aggregate period of more than 10 years; or
- (b) an agreement for the uninstallation of any fixed EV charger that is installed pursuant to paragraph (a).

However, this lower threshold applies only if no management fund or sinking fund is used for the installation or uninstallation of any fixed EV charger in the common property. In any other case, the usual provisions under section 34 of the Building Maintenance and Strata Management Act 2004 continue to apply.

Clause 97 also makes other related amendments to the Building Maintenance and Strata Management Act 2004 for the following purposes:

- (a) to make clear that it is the duty of a management corporation of a strata title plan to maintain any fixed EV charger that it owns and is installed in the common property;
- (b) to make clear that whether a fixed EV charger that is installed in the common property forms part of the common property is to be determined by general law;
- (c) to provide that any by-law for the purpose of controlling and managing the use or enjoyment of any parking lot within the common property that has fixed EV chargers installed may be made, amended, added to or repealed by a management corporation pursuant to an ordinary resolution, instead of a special resolution.

Clause 98 amends the Electricity Act 2001 to exclude an electric vehicle charger from the definition of electrical installation. This is so that an electric vehicle charger falls under the regulatory purview of the LTA instead of the Energy Market Authority of Singapore.

Clause 99 amends the Land Transport Authority of Singapore Act 1995 to include as a function of the LTA, the regulation of the supply of electric vehicle chargers, the provision of electric vehicle charging services and operation of charging stations under the Bill.

Section 6(1) and the Second Schedule to the Land Transport Authority of Singapore Act 1995 are also amended so that all composition sums and financial penalties payable under the Bill are paid into the Consolidated Fund and not the LTA's Land Transport Revenue Account. The fees and charges under the Bill and all forfeited performance bonds, guarantees or other security are however payable into the LTA's Land Transport Revenue Account.

The Fifth Schedule to the Land Transport Authority of Singapore Act 1995 is amended so that proceedings in respect of any offence under the Bill or any subsidiary legislation made under the Bill may, with the authorisation of the Public Prosecutor, be conducted by an LTA officer who is authorised to conduct such proceedings by the LTA.

Clause 100 and the Schedule contain saving and transitional provisions.

EXPENDITURE OF PUBLIC MONEY

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