



REPUBLIC OF SINGAPORE
GOVERNMENT GAZETTE
ACTS SUPPLEMENT
Published by Authority

NO. 10]

FRIDAY, FEBRUARY 28

[2025

First published in the *Government Gazette*, Electronic Edition, on 24 February 2025 at 5 pm.

The following Act was passed by Parliament on 11 November 2024 and assented to by the President on 28 November 2024:—

REPUBLIC OF SINGAPORE

No. 39 of 2024.

I assent.

THARMAN SHANMUGARATNAM,

President.

28 November 2024.



An Act to amend the Energy Conservation Act 2012.

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

Short title and commencement

1. This Act is the Energy Conservation (Amendment) Act 2024 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 21

2. In the Energy Conservation Act 2012 (called in this Act the principal Act), in section 21 —

(a) after the definition of “registered corporation”, insert —

““registered relevant person” means any registrable relevant person registered under section 23A as such;”;

(b) in the definition of “registrable corporation”, replace the full-stop at the end with a semi-colon; and

(c) after the definition of “registrable corporation”, insert —

““registrable relevant person” means a relevant person within the meaning given by section 26B(1) who has operational control over any business activity or premises or a part of any business activity or premises, in which any prescribed energy-consuming system or a part of a prescribed energy-consuming system is situated.”.

Amendment of Subdivision (2) heading to Division 2 of Part 3

3. In the principal Act, in Part 3, in Division 2, in Subdivision (2), in the Subdivision heading, after “corporations”, insert “and relevant persons”.

New section 23A

4. In the principal Act, after section 23, insert —

“Registration of registrable relevant person

23A.—(1) A registrable relevant person must apply to the Director-General for registration —

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- (a) if the person is a registrable relevant person as at the date of commencement of section 4 of the Energy Conservation (Amendment) Act 2024 (called in this section the appointed date) — within the prescribed period after the appointed date; and
 - (b) if the person becomes a registrable relevant person after the appointed date — within the prescribed period after the date on which the person became a registrable relevant person.
- (2) The Director-General must register a person if the Director-General is satisfied that —
- (a) the person is a registrable relevant person; and
 - (b) the application for registration is in order.
- (3) The registration of a registered relevant person remains valid until the registration is cancelled under section 25.
- (4) A registrable relevant person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000.”.

Amendment of section 24

5. In the principal Act, in section 24 —
- (a) in the section heading, after “**registered corporations**”, insert “**and registered relevant persons**”;
 - (b) in subsection (1), after “registered corporations”, insert “and registered relevant persons”;
 - (c) in subsection (2), after “any registered corporation” wherever it appears, insert “or registered relevant person”; and
 - (d) in subsection (2)(a) and (b), after “the registered corporation”, insert “or registered relevant person”.

Amendment of section 25

6. In the principal Act, in section 25 —

- (a) in the section heading, after “**Corporation**”, insert “**and relevant person**”;
- (b) after subsection (1), insert —
 - “(1A) A registered relevant person may apply to the Director-General to cancel the registered relevant person’s registration —
 - (a) if the registered relevant person no longer qualifies as a relevant person;
 - (b) if a prescribed energy-consuming system or a part of a prescribed energy-consuming system in the business activity or premises under the operational control of the registered relevant person is or is to be decommissioned; or
 - (c) in the event of such other occurrence or in such other circumstances as may be prescribed.”;
- (c) in subsection (2), after “registered corporation”, insert “or registered relevant person”;
- (d) in subsection (2), after “subsection (1)”, insert “or (1A) (as the case may be)”;
- (e) in subsection (3), after “any corporation”, insert “or relevant person”; and
- (f) in subsection (3), after “the corporation”, insert “or relevant person (as the case may be)”.

Amendment of section 26

7. In the principal Act, in section 26 —

- (a) in the section heading, after “**corporation**”, insert “**or relevant person**”;

- (b) in subsection (1), after “registrable corporation”, insert “or any relevant person qualifies as a registrable relevant person”;
- (c) in subsection (1)(a), after “require the corporation”, insert “or relevant person (as the case may be)”; and
- (d) in subsection (1)(a)(ii) and (b), after “the corporation”, insert “or relevant person”.

Amendment of section 26A

8. In the principal Act, in section 26A —

- (a) in subsection (4), replace the definition of “new venture” with —

““new venture”, in relation to any person, means —

- (a) any new business activity or any premises of the person; or
- (b) any expansion of any existing business activity or any premises of the person,

where —

- (c) the new business activity or premises or expansion of the existing business activity or premises will be a prescribed business activity or premises; and
- (d) either of the following applies:
 - (i) as at 1 January 2018, the person has not applied to the competent authority for planning permission under the Planning Act 1998 for the new business activity or premises or expansion of the existing business activity or premises;

- (ii) as at 1 December 2025, the new business activity or premises or expansion of the existing business activity or premises is not one that is authorised by the Minister charged with the responsibility for national development under section 21(6) of the Planning Act 1998;” and

(b) after subsection (4), insert —

“(5) To avoid doubt, nothing in this section applies to any new business activity or premises or any expansion of any existing business activity or premises that is authorised by the Minister charged with the responsibility for national development under section 21(6) of the Planning Act 1998 before 1 December 2025.”.

Replacement of section 26B

9. In the principal Act, replace section 26B with —

“Minimum energy efficiency standards for prescribed energy-consuming systems

26B.—(1) The Minister may prescribe any person (whether or not a registered corporation) to be a relevant person.

(2) A relevant person that is a registered relevant person must, in relation to each prescribed energy-consuming system in any business activity or premises, or any part of any business activity or premises, under the operational control of the registered relevant person —

(a) in the prescribed manner —

- (i) assess, at such times as may be prescribed, the energy efficiency of the prescribed energy-consuming system using the prescribed measuring instruments; and

(ii) monitor the energy efficiency of the prescribed energy-consuming system for the prescribed periods; and

(b) submit the following to the Director-General:

(i) a report of each assessment under paragraph (a)(i);

(ii) a report of the results of the monitoring under paragraph (a)(ii) for each prescribed period.

(3) If the energy efficiency of the prescribed energy-consuming system does not meet the prescribed minimum energy efficiency standards, the Director-General may in writing direct the registered relevant person concerned to, within the time period specified in the direction (or any longer time that the Director-General may allow in any particular case) —

(a) carry out any maintenance work or take any other measures in relation to the system to ensure that it meets the prescribed minimum energy efficiency standards, and carry out again an assessment described in subsection (2)(a)(i); and

(b) submit a report of the assessment to the Director-General,

and the registered relevant person must comply with the direction.

(4) Any person who, without reasonable excuse, contravenes subsection (2) or (3) shall be guilty of an offence.”.

Amendment of section 30

10. In the principal Act, in section 30(1), replace paragraph (a) with —

“(a) assist the registered corporation generally to comply with the provisions of this Act;”.

Amendment of section 31B

11. In the principal Act, in section 31B(2), replace “section 26A,” with “section 23A, 26A,”.

Saving and transitional provisions

12.—(1) Where, before the date of commencement of section 9 (called in this section the appointed date), installation and retrofitting works are completed on a prescribed energy-consuming system in any business activity or premises, or any part of any business activity or premises, under the operational control of a person to whom section 26B of the principal Act as in force immediately before the appointed date applies, section 26B of the principal Act as in force before the appointed date continues to apply to the person as if it had not been replaced by this Act.

(2) Where, before the appointed date, the Director-General has, immediately before the appointed date, issued a direction to a relevant person under subsection (3) of section 26B of the principal Act as in force immediately before the appointed date, section 26B of the principal Act as in force before the appointed date continues to apply to the person as if it had not been replaced by this Act.

(3) For a period of 2 years after the date of commencement of any provision of this Act, the Minister may, by regulations, prescribe any additional provisions of a saving or transitional nature consequent on the enactment of that provision that the Minister may consider necessary or expedient.
