

Annex D - Draft amendments for Consumer Protection (Safety Requirements) Regulations

No. S 000

CONSUMER PROTECTION
(TRADE DESCRIPTIONS AND
SAFETY REQUIREMENTS) ACT
(CHAPTER 53)

CONSUMER PROTECTION (SAFETY REQUIREMENTS) (AMENDMENT)
REGULATIONS 2017

In exercise of the powers conferred by sections 11 and 32 of the Consumer Protection (Trade Descriptions and Safety Requirements) Act, the Minister for Trade and Industry (Industry) makes the following Regulations:

Citation and commencement

1. These Regulations are the Consumer Protection (Safety Requirements) (Amendment) Regulations 2017 and come into operation on 2017.

Amendment of regulation 2

2. Regulation 2(1) of the Consumer Protection (Safety Requirements) Regulations (Rg 1) (called in these Regulations the principal Regulations) is amended —

(a) by deleting the definitions of “CAB”, “CAB (Foreign — MRA)” and “CAB (Local)” and substituting the following definitions:

““alternate testing laboratory” means —

- (a) a testing laboratory or manufacturer’s testing laboratory that is recognised under the International Electrotechnical Commission System of Conformity Assessment Schemes for Electrotechnical Equipment and Components Certification Bodies Scheme (the IECCE CB Scheme);
- (b) a testing laboratory that is recognised by a Foreign Recognition Body; or
- (c) a testing laboratory the test reports of which are agreed to be accepted by one or more CAB (Certification) or CAB (Testing) under an approved testing agreement;

“approved testing agreement” means an agreement, approved by the Safety Authority, under which one or more CAB (Certification) or CAB (Testing) agree with the proprietor of a testing laboratory to accept test reports issued by that testing laboratory;

“CAB” or “conformity assessment body” means a person that performs conformity assessment or any test relating to conformity assessment;

“CAB (Certification)” means a person designated as such under regulation 7 of the Standards, Productivity and Innovation Board (Conformity Assessment) Regulations (Cap. 303A, Rg 2);

“CAB (Certification — MRA)” means a person designated by a country other than Singapore to carry out any certification of any product for the purposes of an MRA to which both Singapore and that country are parties;

“CAB (Testing)” means a person designated as such under regulation 7 of the Standards, Productivity and Innovation Board (Conformity Assessment) Regulations;

“CAB (Testing — MRA)” means a person designated by a country other than Singapore to carry out any testing of any product for the purposes of an MRA to which both Singapore and that country are parties;”;

(b) by deleting the definition of “MRA” and substituting the following definitions:

“Foreign Recognition Body” means an entity in a country other than Singapore that is authorised under any of the following to recognise CABs, testing laboratories, or both on behalf of that country:

(a) the Asia Pacific Laboratory Accreditation Cooperation Mutual Recognition Agreement;

(b) the International Laboratory Accreditation Cooperation Mutual Recognition Agreement;

(c) an MRA to which both Singapore and that country are parties;

“high-risk controlled goods” means any controlled goods that the Safety Authority classifies as such on the Safety Authority’s website;

“low-risk controlled goods” means any controlled goods that the Safety Authority classifies as such on the Safety Authority’s website;

“medium-risk controlled goods” means any controlled goods that the Safety Authority classifies as such on the Safety Authority’s website;

“MRA” means —

(a) a mutual recognition agreement or arrangement between Singapore and any other country; or

(b) a multilateral recognition agreement or arrangement between Singapore and two or more other countries;”;

(c) by deleting the definition of “RTL”; and

(d) by inserting, immediately after the definition of “Safety Authority”, the following definition:

“ “Safety Authority’s website” means the website at <https://www.spring.gov.sg/>;”.

Deletion and substitution of regulation 7

3. Regulation 7 of the principal Regulations is deleted and the following regulation substituted therefor:

“Application for registration of controlled goods

7.—(1) Subject to paragraph (5), an application for registration of any high-risk controlled goods or medium-risk controlled goods must be made by a Registered Supplier in such form as the Safety Authority may require, and must be accompanied by —

- (a) a certificate certifying that the controlled goods conform to the safety requirements specified by the Safety Authority for the controlled goods on the Safety Authority’s website (called in these Regulations a certificate of conformity);
- (b) such other information and documents as the Safety Authority may require to decide the application; and
- (c) a non-refundable fee of the amount specified in the Third Schedule.

(2) Subject to paragraph (6), an application for registration of any low-risk controlled goods must be made by a Registered Supplier in such form as the Safety Authority may require and must be accompanied by —

- (a) a declaration by the Registered Supplier that the controlled goods conform to the safety requirements specified by the Safety Authority for the controlled goods (called in these Regulations a supplier’s declaration);
- (b) such other information and documents as the Safety Authority may require to decide the application; and
- (c) a non-refundable fee of the amount specified in the Third Schedule.

(3) For the purpose of paragraph (1)(a), the certificate of conformity must be issued by —

- (a) a CAB (Certification) that certified the controlled goods based on a test report issued in respect of those controlled goods by a CAB (Testing), a CAB (Testing — MRA), or an alternate testing laboratory; or
- (b) a CAB (Certification — MRA).

(4) For the purpose of paragraph (2)(a), the Registered Supplier must make the supplier’s declaration on the basis of a test report issued in respect of the controlled goods by a CAB (Testing), a CAB (Testing — MRA), or an alternate testing laboratory.

(5) The Safety Authority may accept an application under paragraph (1) that is not accompanied by a certificate of conformity if —

- (a) either or both of the following occurs:
 - (i) no CAB (Testing) is able to test the controlled goods without unreasonable delay, and the Safety Authority is satisfied that it would be unreasonable to require the Registered Supplier to have the controlled goods tested by a CAB (Testing — MRA) or an alternate testing laboratory;
 - (ii) no CAB (Certification) is able to certify the controlled goods without unreasonable delay, and the Safety Authority is satisfied that it would be unreasonable to require the Registered Supplier to have the controlled goods certified by a CAB (Certification — MRA); and

- (b) the Safety Authority performs such conformity assessment or test on the controlled goods as may be necessary to ensure that the controlled goods conform to the safety requirements specified by the Safety Authority.
- (6) The Safety Authority may accept an application under paragraph (2) that is not accompanied by a supplier's declaration if —
- (a) no CAB (Testing) is able to test the controlled goods without unreasonable delay;
 - (b) the Safety Authority is satisfied that it would be unreasonable to require the Registered Supplier to have the controlled goods tested by a CAB (Testing — MRA) or an alternate testing laboratory; and
 - (c) the Safety Authority performs such test on the controlled goods as may be necessary to ensure that the controlled goods conform to the safety requirements specified by the Safety Authority.
- (7) Any expenses incurred by the Safety Authority in performing any conformity assessment or test mentioned in paragraph (5) or (6) must be borne by the Registered Supplier.
- (8) The Safety Authority must notify the Registered Supplier in writing of the registration of the controlled goods for which the Registered Supplier has made an application under paragraph (1) or (2).
- (9) The Safety Authority may impose such conditions as it thinks fit on the registration of any controlled goods.
- (10) A Registered Supplier who —
- (a) procures or attempts to procure the registration of any high-risk controlled goods or medium-risk controlled goods —
 - (i) by making or causing to be made a certificate of conformity that is false; or
 - (ii) by producing to the Safety Authority a certificate of conformity that the Registered Supplier knows or has reason to believe is false;
 - (b) procures or attempts to procure the registration of any low-risk controlled goods —
 - (i) by making or producing or causing to be made or produced a supplier's declaration that is false; or
 - (ii) where the Registered Supplier knows or has reason to believe that a test report mentioned in paragraph (4) has not been issued in respect of those controlled goods;
 - (c) fraudulently or dishonestly uses as genuine, for any purpose that is connected with the supply of controlled goods, a certificate of conformity or test report that the Registered Supplier knows or has reason to believe is false;
 - (d) procures or attempts to procure the registration of any controlled goods by providing any information or document to the Safety Authority that the Registered Supplier knows or has reason to believe is false,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 12 months or to both.”.

Amendment of regulation 11

4. Regulation 11(1) of the principal Regulations is amended —

(a) by deleting the word “or” at the end of sub-paragraph (a), and by inserting immediately thereafter the following sub-paragraph:

“(aa) the Registered Supplier has not registered any controlled goods for 12 months after the date of the Registered Supplier’s registration (including any period before [the commencement date of these Amendment Regulations]), and the Safety Authority has given the Registered Supplier notice in writing that its registration will be withdrawn; or”; and

(b) by inserting, immediately after the words “registered controlled goods” in sub-paragraph (b), the words “, and the Safety Authority has given the Registered Supplier notice in writing that its registration will be withdrawn”.

Amendment of regulation 17

5. Regulation 17 of the principal Regulations is amended —

(a) by deleting paragraph (2) and substituting the following paragraph:

“(2) Where a modification to the registered controlled goods does not result in a change in model number but affects the safety of the controlled goods, the Registered Supplier must —

(a) in the case of high-risk controlled goods or medium-risk controlled goods —

(i) send the controlled goods to a CAB (Testing), a CAB (Testing — MRA) or an alternate testing laboratory to be tested, and to a CAB (Certification) or a CAB (Certification — MRA) to be certified, for conformity to the safety requirements specified by the Safety Authority for the controlled goods; and

(ii) update the Registered Supplier’s technical file on the controlled goods with details of the change; and

(b) in the case of low-risk controlled goods —

(i) send the controlled goods to a CAB (Testing), a CAB (Testing — MRA) or an alternate testing laboratory to be tested for conformity to the safety requirements specified by the Safety Authority for the controlled goods; and

(ii) update the Registered Supplier’s technical file on the controlled goods with details of the change.”;

(b) by deleting the words “safety requirements” in paragraph (3) and substituting the words “safety”;

(c) by deleting paragraph (4) and substituting the following paragraphs:

“(4) Where a modification to the registered controlled goods results in a change in model number and affects the safety of the controlled goods, the controlled goods are treated as controlled goods not registered with the Safety Authority, and the Registered Supplier must —

- (a) in the case of high-risk controlled goods or medium-risk controlled goods, obtain a new certificate of conformity for those controlled goods and apply for registration of those controlled goods in accordance with regulation 7(1); and
- (b) in the case of low-risk controlled goods, make a new supplier’s declaration on the basis of another test report under regulation 7(4) for those controlled goods, and apply for registration of those controlled goods in accordance with regulation 7(2).

(4A) Paragraphs (4)(a) and (b) are subject to regulations 7(5), (6) and (7).”; and

- (d) by deleting the words “for those new controlled goods” in paragraph (5) and substituting the words “if the controlled goods are high-risk controlled goods or medium-risk controlled goods, or make a new supplier’s declaration if the controlled goods are low-risk controlled goods.”.

Amendment of regulation 18

6. Regulation 18(1) of the principal Regulations is amended by deleting the words “regulation 7(7)” in sub-paragraph (b) and substituting the words “regulation 7(10)”.

Amendment of regulation 21

7. Regulation 21(7) of the principal Regulations is amended by inserting, immediately after the words “regulation 17(2)(a)” in sub-paragraph (a), the words “or (b) (as the case may be)”.

Deletion and substitution of First Schedule

8. The First Schedule to the principal Regulations is deleted and the following Schedule substituted therefor:

“FIRST SCHEDULE

Regulations 2 and 4(1)

CONTROLLED GOODS

| <i>Type, class or description of controlled goods</i> | <i>Effective date</i> |
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| 1. Audio and video products, which are electronic devices for home entertainment designed to be fed from the supply mains and intended for reception, generation, recording or reproduction, respectively of audio, video and associated signals, with rated voltage of not more than 250 Vac. | |
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2. Fans, limited to ceiling, table, standing and wall fans, which are electrical appliances for circulating the air in its vicinity and intended for household use, with rated voltage of not more than 250 Vac.
3. Gas cooking appliances, limited to built-in, table, free standing and portable gas cookers, which are cooking appliances intended for household use that use gas or liquefied petroleum gas obtained from a non-refillable gas canister up to 1.4 litres as fuel.
4. 3-pin mains plugs, limited to 13-amp rectangular types and 15-amp round types, which are portable devices that have rectangular or cylindrical projecting pins designed to engage with the contacts of a corresponding socket-outlet. 3-pin mains plugs also incorporate means for the electrical connection and the mechanical retention of a suitable flexible cord.
5. 3-pin portable socket-outlets, including portable cable reels, which are electrical accessories intended for household use that have at least a set of 13-amp shuttered socket-outlets with flexible cords, and which can be easily moved from one place to another while connected to rated voltage supply of not more than 250 Vac.
6. Mains socket-outlets, which are electrical devices that have a 13-amp or 15-amp switched shuttered socket-outlets in a single or multiple arrangements, to engage with the pins of a corresponding plug designed for flush mounting in a suitable box or for surface or panel mounting.
7. Water heaters, limited to instantaneous and storage types, which are electrical appliances intended for household use to heat water below boiling temperature, with rated voltage of not more than 250 Vac.
8. Stationary cooking appliances, limited to cooking ranges, hobs and ovens, which are electrical stationary appliances intended for household use for cooking, with rated voltage of not more than 250 Vac for single-phase and 480 Vac for three-phase.

9. Hair care appliances, limited to hair dryers, hair curlers, hair straighteners and hair stylers, which are electrical hand-held appliances intended for household use to dry or care for human hair, with rated voltage of not more than 250 Vac.
10. Liquid heating appliances, limited to kettles, airpots and hot water dispensers, which are electrical appliances intended for household use to heat liquids for consumption that have a rated capacity not exceeding 10 litres and with rated voltage of not more than 250 Vac.
11. Toasters, grills, roasters, hot plates, deep fryers and similar appliances, which are electrical appliances intended for household use that use heated medium such as air and cooking oil for food preparation, with rated voltage of not more than 250 Vac.
12. Lamp control gear, which is an electrical device intended for household electrical installation that limits the current of the lamp or supplies constant current or constant voltage to power LED lighting.
13. Air cooler, which is an electrical appliance intended for household use to agitate the air and equipped to use water as a cooling medium, with rated voltage of not more than 250 Vac.
14. AC adaptors, which are external electrical power supplies intended for household use to power or charge electrical household appliances or devices, with rated voltage of not more than 250 Vac.
15. Coffee makers, slow cookers, steam boats and similar appliances, which are electrical appliances intended for household use to heat liquids for the purpose of food or beverage preparation, with rated voltage of not more than 250 Vac.
16. Decorative lighting chain, which is an electrical lighting chain intended for household use and fitted with a series or parallel or combination of series or parallel connected light emitting devices, with rated voltage not exceeding 250 Vac.

17. Home computer system (inclusive of monitor, printer, speaker and other mains operated accessories), which is a microcomputer and its associated accessories, intended for household use, with rated voltage of not more than 250 Vac.
18. Iron, which is an electrical hand-held appliance intended for household use, with a heated soleplate for smoothing or pressing fabric, including those with a separate water reservoir or boiler having a capacity not exceeding 5 litres, with rated voltage of not more than 250 Vac.
19. Microwave oven, which is an electrical appliance intended for household use that uses high-frequency electromagnetic waves for heating food or beverages, with rated voltage of not more than 250 Vac.
20. Kitchen machines, including mixers, blenders and mincers, which are electrical appliances intended for household use to prepare food or beverages, with rated voltage of not more than 250 Vac.
21. Refrigerator, which is an electrical appliance intended for household use that operates on the vapour compression principle for food storage and preservation, with rated voltage of not more than 250 Vac.
22. Rice cooker, which is an electrical appliance intended for household use to cook rice, with rated voltage of not more than 250 Vac.
23. Room air-conditioner, which is an electrical appliance intended for household use and designed as a self-contained unit for mounting on a window or through a wall to provide conditioned air to an enclosed area, with rated voltage of not more than 250 Vac.
24. Table or standing lamp, which is an electrical portable general purpose luminary intended for household use with supply voltage of not more than 250 Vac.
25. Vacuum cleaner, which is an electrical portable appliance intended for household use to remove dirt or dust, with supply voltage of not more than 250 Vac.

26. Washing machine, which is an electrical appliance intended for household use to wash clothes and textiles, with rated voltage of not more than 250 Vac.
27. Components of the LPG system:
- (a) Hose, namely a hose intended for household use in liquefied petroleum gas vapour phase and liquefied petroleum gas or air appliances not exceeding 5 KPa (50 mbar) operating pressure.
 - (b) Regulator, which is a non-adjustable device intended for household use that maintains the outlet pressure constant at a nominal value up to and including 50 mbar, independent, within specified limits, of inlet pressure or flow rate.
 - (c) Valve, which is a device that is made from brass, bronze or aluminium forging, intended for household use with liquefied petroleum gas cylinders, to control the direction and volume of flow of the liquefied petroleum gas.
28. Gas canister, which is a non-refillable metallic container up to 1.4 litres capacity filled with liquefied petroleum gas intended for household use with a portable gas cooker.
29. Fuse (13-amp or less) for use in a 13-amp plug, which is a device that, by the fusion of one or more of its specially designed and proportioned components, opens the circuit in which it is inserted and breaks the current when this exceeds a given value for a sufficient time.
30. Multi-way adaptor, which is intended for household use, has more than one set of socket contacts, and which may or may not be of the same type or rating as the plug pin portion.
31. Domestic electric wall switch, which is an electrical manually operated general purpose switch for alternating current only, with a rated voltage not exceeding 440 V and a rated current not exceeding 63 A, intended for household fixed-electrical installations.

32. Residual current circuit breaker (RCCB), which is an electrical device intended for household fixed-electrical installation with sensitivity of 30 mA intended to protect persons against indirect contact, the exposed conductive parts of the installation being connected to an appropriate earth electrode.
33. Isolating transformer for downlight fitting, which is an isolating transformer intended for household electrical installation with input and output windings that are electrically separated to limit hazards due to accidental simultaneous contact with earth and live parts or metal parts that may become live in the event of an insulation failure.

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Amendment of Third Schedule

9. The Third Schedule to the principal Regulations is amended —

- (a) by deleting the Schedule reference and substituting the following Schedule reference: “Regulations 7(1) and (2) and 10(2)”; and
- (b) by deleting the words “regulation 7(5)” in paragraph 1(3) and substituting the words “regulation 7(8)”.

Previously registered goods remain registered goods despite change to description

10. To avoid doubt, controlled goods that were registered controlled goods immediately before 2017 are registered controlled goods for the purposes of the principal Regulations for the remaining period of their registration despite any amendment to their description in the First Schedule to the principal Regulations in force immediately before that date.

Savings and transitional provisions

11.—(1) This regulation applies where an importer or manufacturer in Singapore supplies or advertises for supply in Singapore in the course of any trade or business on or after [the commencement date of these Amendment Regulations] any controlled goods that were not controlled goods before that date.

(2) For the purposes of regulations 4(1)(a) and 5 of the principal Regulations as they apply to such supply or advertisement, the importer or manufacturer is (if not already a Registered Supplier) treated as a Registered Supplier, and as having registered those goods as registered controlled goods.

(3) Regulation 4(1)(b) of the principal Regulations does not apply to the importer or manufacturer when supplying or advertising for supply any controlled goods that are not controlled goods before [the commencement date of these Amendment Regulations]

(4) Paragraphs (2) and (3) do not apply after the earlier of the following:

- (a) [insert date being the last day of the one-year grace period];
- (b) the applicable date in paragraph (5).

- (5) In paragraph (4)(b), the applicable date is the earlier of the following:
- (a) if the importer or manufacturer (not being a Registered Supplier) applies under regulation 6 of the principal Regulations to be registered as a Registered Supplier and applies under regulation 7 of the principal Regulations as amended by these Regulations to register those goods as registered controlled goods —
 - (i) the date both applications are granted; or
 - (ii) the date either application is refused or withdrawn;
 - (b) if the importer or manufacturer (being a Registered Supplier) applies under regulation 7 of the principal Regulations as amended by these Regulations to register those goods as registered controlled goods, the date the application is granted, refused or withdrawn.