



Regulatory Alerts

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Regulatory Alert

Global Environmental and Chemical Regulations, Policies, and Standards



Environmental Protection and Management Act 1999

Region: Singapore

INTENDED AUDIENCE

This Regulatory Alert is intended for IAEG members who handle (including manufacture, import, export, and/or use) certain environmentally hazardous substances.

EXECUTIVE SUMMARY

To protect human health and the environment, it is important that effective controls or management plans for environmental pollution (e.g., air, water, and noise) and hazardous substances are established. In Singapore, the Environmental Protection and Management Act (EPMA) provides a regulatory framework that enforces environmental protection and control of hazardous substances.

This Regulatory Alert provides an overview of the EPMA, including its key amendments, and its implementing regulations: EPM (Hazardous Substances) Regulations, and EPM (Ozone Depleting Substances) Regulations.

BACKGROUND ON REGULATION

The EPMA, which was enacted by the National Environment Agency (NEA) on 1 April 1999, is Singapore's primary legislation for regulating air, water, and noise pollution. The Act sets control measures for various hazardous substances, which provide protection and management of the environment and resource conservation, and related purposes.

The EPMA is divided into 13 Parts and 3 Schedules, which include:

- » **Part 4:** Air Pollution Control
- » **Part 5:** Water Pollution Control
- » **Part 6:** Land Pollution Control
- » **Part 7:** Hazardous Substances Control
- » **Part 9:** Licenses and Industrial Plant Works
- » **Part 10:** Environmental Pollution Control Measures
- » **Second Schedule:** Control of Hazardous Substances

There are also various implementing regulations that supplement the EPMA. The key regulations for aerospace and defense include:

- » **EPM (Hazardous Substances) Regulations** – provides additional obligations for environmentally hazardous chemicals
- » **EPM (Ozone Depleting Substances) Regulations** – provides additional obligations for ozone depleting substances [see IAEG WG9 [Hydrofluorocarbon \(HFC\) Regulatory Alert](#) for further information]

On 1 June 2016, Singapore's Ministry of the Environment and Water Resources (MEWR) published an amendment to the Second Schedule of the EPMA (in force on 1 June 2017), commonly known as the Singapore Restriction of Hazardous Substances (RoHS) Regulation. The amendment aims to reduce levels of hazardous substances in

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electrical and electronic equipment (EEE) by establishing maximum concentration values for certain hazardous substances.

On 31 May 2022, the NEA published an amendment to the Second Schedule of the EPMA and Schedule to the EPM (Hazardous Substances) Regulations (in force on 1 March 2023). The amendment further implements Singapore's obligations under the Stockholm Convention and Rotterdam Convention by adding the following 3 substances (relevant to aerospace and defense):

- » **nonylphenol (NP) and nonylphenol ethoxylates (NPE)** [CAS Nos. 25154-52-3, 84852-15-3, 11066-49-2, 90481-04-2, 9016-45-9, 26027-38-3, 37205-87-1, 68412-54-4, 127087-87-0 and 104-40-5] – used in oil additives, latex paints and solubilizers
- » **dechlorane plus (DP)** (CAS No. 13560-89-9) – used in polymers and as a flame retardant
- » **UV-328** (CAS No. 25973-55-1) – used in plastics and coatings

APPLICABILITY

The EPMA, including the RoHS Regulation (amendment to Second Schedule of EPMA, 2016), applies to hazardous substances listed on Part I of the Second Schedule. The implementing regulations [EPM (Hazardous Substances) Regulations and EPM (Ozone Depleting Substances) Regulations] apply to substances provided in the Schedules. Prohibitions, restrictions, and other obligations for these substances apply to stakeholders such as manufacturers, importers, exporters, and users including distributors (*see 'Regulatory Obligations' section of this Regulatory Alert for further information*).

General exemptions for hazardous substances (given in Part I of the Second Schedule) are listed on Part II of the Schedule. These include:

- » adhesives other than those containing pentadecafluorooctanoic acid (PFOA; including its salts and related compounds), perfluorohexane sulfonic acid (PFHxS; including its salts and related compounds), polychlorinated naphthalenes, or short-chain chlorinated paraffins
- » electrical valves
- » explosives
- » fillers other than those containing PFOA (including its salts and related compounds), PFHxS (including its salts and related compounds)
- » lubricants other than those containing polychlorinated naphthalenes or short-chain chlorinated paraffins
- » paints other than those containing asbestos, lead compounds, mercury compounds, PFOA (including its salts and related compounds), PFHxS (including its salts and related compounds), polychlorinated naphthalenes, or short-chain chlorinated paraffins
- » pigments other than those containing tributyltin compounds
- » plastics other than those containing polychlorinated naphthalenes or short-chain chlorinated paraffins
- » propellants other than those containing ozone depleting substances
- » rubber
- » varnishes other than those containing PFOA (including its salts and related compounds), PFHxS (including its salts and related compounds)

Specific exclusions for the hazardous substances are provided in Part I of the Second Schedule (see second column of the Second Schedule).

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RELEVANT DATES

- » EPMA enacted: 1 April 1999
- » EPM (Hazardous Substances) Regulations enacted: 1 April 1999
- » EPM (Ozone Depleting Substances) Regulations enacted: 1 January 2001
- » Amendment to Second Schedule of EPMA (RoHS Regulation) published: 1 June 2016
- » Amendment to Second Schedule of EPMA (RoHS Regulation) in force: 1 June 2017
- » **Amendment to Second Schedule of EPMA and Schedule of EPM (Hazardous Substances) Regulations published: 31 May 2022**
- » **Amendment to Second Schedule of EPMA and Schedule of EPM (Hazardous Substances) Regulations in force: 1 March 2023**

REGULATORY OBLIGATIONS

The EPMA and implementing regulations [EPM (Hazardous Substances) Regulations and EPM (Ozone Depleting Substances) Regulations] set various obligations, including:

- » prohibition of the import, manufacture, or sale (including possession or offer for sale) of hazardous substances without a license [*Article 22 of the EPMA*]
- » any person who wishes to transport a hazardous substance in quantities exceeding those specified in the Schedule must apply for transport approval [*Part II of the EPM (Hazardous Substances) Regulations*]
- » any person who has been granted a license to import hazardous substances into Singapore must ensure the container used is designed, constructed, maintained, and labeled in accordance with the appropriate code of practice [*Part III of the EPM (Hazardous Substances) Regulations*]
- » any person intending to use or store hazardous substances must have authorization and be issued with a permit (issued for a specified period and may contain specific conditions for storage and use) [*Part IV of the EPM (Hazardous Substances) Regulations*]
- » prohibition of the sale or supply of hazardous substances to any person who is not authorized to store the substances [*Part IV of the EPM (Hazardous Substances) Regulations*]
- » any company that imports or exports HFCs listed in the Second Schedule must obtain a hazardous substances license from the Pollution Control Department of NEA [*Part I of Second Schedule of EPMA*]
- » no person shall import into Singapore from, or export out of Singapore to, any country which at the time of importation or exportation is not a party to the Montreal Protocol (for Annexes A to E controlled substances) [*Article 3 of EPM (Ozone Depleting Substances) Regulations – see [HFC Regulatory Alert](#) for further information*]
- » manufacturers and importers must submit a declaration of conformity for controlled EEE to the NEA, and a technical file needs to be prepared and kept in accordance with the standard EU BS EN 50581:2012, or an equivalent standard [*Amendment to Second Schedule of EPMA (RoHS Regulation)*]

The aforementioned obligations for hazardous substances also apply for the Amendment to Second Schedule of EPMA and Schedule of EPM (Hazardous Substances) Regulations, which adds 3 hazardous substances (relevant to aerospace and defense).

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RISKS TO AEROSPACE AND DEFENSE

Penalties for non-compliance include fines of up to \$50,000 (Singapore Dollars) and/or imprisonment up to 2 years. A further fine of up to \$2,000 (for every day) may be imposed if the offense continues after conviction.

USEFUL LINKS

[EPMA](#)

[EPM \(Hazardous Substances\) Regulations](#)

[EPM \(Ozone Depleting Substances\) Regulations](#)

[EPMA 1999 \(Amendment of Second Schedule\) Order 2022](#)

[HFC Regulatory Alert](#)

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