

ENVIRONMENTAL POLLUTION CONTROL ACT

(CHAPTER 94A)

(Original Enactment: Act 9 of 1999)

[1st April 1999]

PART II

ADMINISTRATION

Appointment of Director and Deputy and Assistant Directors

3.—(1) The Minister may appoint a Director of Environmental Pollution Control and such number of Deputy and Assistant Directors of Environmental Pollution Control and public officers as he may consider necessary for the proper carrying out of the provisions of this Act.

(2) The Director shall have the superintendence of all matters relating to this Act and the regulations subject to the general or special directions of the Minister.

(3) The functions, duties and powers which are imposed or conferred upon the Director under this Act and the regulations may be performed or exercised by any Deputy or Assistant Director of Environmental Pollution Control and by any public officer who is duly authorised in writing by the Director to act on his behalf subject to the direction and control of the Director.

Delegation of Director's functions, duties and powers

4.—(1) The Director may, with the approval of the Minister, authorise —

- (a) any employee or agent of a statutory corporation;
- (b) any member of a Town Council;
- (c) any member of any committee of a Town Council; or
- (d) any employee or agent of a Town Council,

generally or specially authorised by name or office to perform or exercise all or any of the functions, duties or powers which are imposed or conferred by this Act or the regulations upon the Director subject to the direction and control of the Director.

(2) Any person who is generally or specially authorised under subsection (1) to perform or exercise all or any of the functions, duties or powers which are imposed or conferred by this Act or the regulations upon the Director shall be deemed to be —

- (a) a public officer for the purposes of this Act; and
- (b) a public servant within the meaning of the Penal Code (Cap. 224).

Protection from personal liability

5.—(1) No liability shall lie against the Government or any authorised officer by reason of the fact that any works are carried out in accordance with the provisions of this Act or the regulations or that such works or plans of the works are subject to inspection, approval or certification by the Director or an authorised officer.

(2) Nothing in this Act or the regulations shall make it obligatory for the Director or any authorised officer to inspect any building or works or the site of any proposed works to ascertain whether the provisions of this Act or the regulations are complied with or whether any plans, certificates, reports, notices or other documents submitted to him are accurate.

(3) No matter or thing done by the Director or by any authorised officer shall, if it were done in good faith for the purpose of carrying out the provisions of this Act or the regulations, subject him or such person personally to any action, liability, claim or demand whatsoever.

(4) Where the Director or any authorised officer provides any information to any person in respect of any building or works by electronic or other means, neither the Government, the Director nor any authorised officer shall be liable for any loss or damage suffered by any person by reason of any error or omission of whatever nature or howsoever caused, including any defect or breakdown in the equipment used for providing the information, if such error or omission is made in good faith and in the ordinary course of duties of the Director or authorised officer.