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TRANSBOUNDARY HAZE POLLUTION ACT 2014

TRANSBOUNDARY HAZE POLLUTION REGULATIONS 2026

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In exercise of the powers conferred by section 24 of the Transboundary Haze Pollution Act 2014, the National Environment Agency, with the approval of the Minister for Sustainability and the Environment, makes the following Regulations:

Citation and commencement

1. These Regulations are the Transboundary Haze Pollution Regulations 2026 and come into operation on 19 November 2026.

PART 1

GENERAL

Definitions

2.—(1) In these Regulations —

"coordinator", in relation to an evaluation under Part 2A, means any person appointed by the Director-General to coordinate, assist or be in any way involved in the evaluation;

"Part 2A entity" means an entity to which a direction is given by the Director-General under section 8A(1).

(2) A reference in these Regulations to any Part or provision is to that Part or provision of the Act.

"Regulated entity": section 2(1)

3. Each of the following is a prescribed entity for the purposes of the definition of "regulated entity" in section 2(1):

(*a*) any bank licensed under the Banking Act 1970;

(*b*) any merchant bank licensed under the Banking Act 1970;

(*c*) any finance company licensed under the Finance Companies Act 1967;

(*d*) any person that is approved as a financial institution under section 4 of the Financial Services and Markets Act 2022;

(*e*) a person granted a licence under the Payment Services Act 2019;

(*f*) any insurer licensed or regulated under the Insurance Act 1966;

(*g*) any insurance intermediary registered or regulated under the Insurance Act 1966;

(*h*) any financial adviser licensed under the Financial Advisers Act 2001;

(*i*) any approved holding company, approved exchange, recognised market operator, licensed trade repository, licensed foreign trade repository, approved clearing

house, recognised clearing house, authorised benchmark administrator, authorised benchmark submitter, designated benchmark submitter or holder of a capital markets services licence under the Securities and Futures Act 2001;

(*j*) any trustee for a collective investment scheme authorised under section 286 of the Securities and Futures Act 2001, that is approved under that Act;

(*k*) any trustee-manager of a business trust that is registered under the Business Trusts Act 2004;

(*l*) any licensed trust company under the Trust Companies Act 2005;

(*m*) any designated financial holding company under the Financial Holding Companies Act 2013;

(*n*) any person licensed under the Banking Act 1970 to carry on the business of issuing credit cards or charge cards in Singapore;

(*o*) any operator of a designated payment system regulated under the Payment Services Act 2019;

(*p*) any person licensed under the Financial Services and Markets Act 2022 to carry on the business of providing any type of digital token service;

(*q*) any credit bureau licensed under the Credit Bureau Act 2016.

PART 2

ASSESSORS

Division 1 — Panel of assessors

Establishment of panel of assessors

4. The Director-General may appoint a panel of assessors (called in these Regulations the panel) for the purposes of Part 2A, comprising such number of persons as the Director-General may determine.

Term, revocation and suspension of member of panel, etc.

5.—(1) The Director-General may —

(*a*) appoint a person as a member of the panel for a period specified by the Director-General;

(*b*) renew the appointment of a person as a member of the panel for a period specified by the Director-General; or

(*c*) at any time suspend (for such period as the Director-General may determine) or revoke the appointment of a member of the panel, either on the application of the member or on the Director-General's own motion.

(2) A person who is to be appointed as a member of the panel or whose appointment as a member of the panel is to be renewed must, before the appointment or renewal, declare to the Director-General the nature and extent of any conflict of interests or potential conflict of interests with the person's duties or interests as a member of the panel, including those arising from —

(*a*) the person's holding of any office;

(*b*) the person's interest in any contract or business arrangement; or

(*c*) the person's possession or ownership of any property.

(3) Where the Director-General has proposed to give a direction under section 8A(1) for an entity to appoint a member of the panel (called *X*) as an assessor, *X* must, before the Director-General gives the direction, declare to the Director-General the nature and extent of any conflict of interests or potential conflict of interests with the terms of his or her appointment, including those arising from —

(*a*) *X*'s interest in any contract or business arrangement with the entity; or

(*b*) *X*'s connection or association with the entity.

(4) *X* must, after being appointed an assessor, during the term of *X*'s appointment, declare to the Director-General the nature and extent of any conflict of interests or potential conflict of interests mentioned in paragraph (3) as soon as practicable after becoming aware of the same.

Division 2 — Resolution of disputes and matters concerning directions under Part 2A

Application to Director-General

6.—(1) A Part 2A entity, an assessor appointed by a Part 2A entity to conduct an evaluation, or a coordinator appointed for any such evaluation (each called in this Division an interested party) may apply to the Director-General for any dispute between it, him or her and another interested party arising from the carrying out of a direction under section 8A(1) to be decided by the Director-General.

(2) An application must be made in writing in the form determined by the Director-General, and must be accompanied by any document and information supporting the application as the Director-General may require.

Process for application to Director-General

7.—(1) An applicant under regulation 6(1) (called *X*) must, at the time of making the application, provide a copy of the application and all accompanying documents and information to the other interested party (called *Y*).

(2) *Y* may, within 7 working days after receiving a copy of the application or such additional time as may be permitted by the Director-General, submit a written response in the form determined by the Director-General accompanied by any supporting document or information as the Director-General may require.

(3) *Y* must, at the time of submitting the written response, provide a copy of the written response and all accompanying documents and information to *X*.

Decision of Director-General

8.—(1) On an application mentioned in regulation 6(1), the Director-General may, after considering the application and the accompanying documents and information —

(*a*) dismiss the application if the Director-General is satisfied that —

(i) the matter has already been dealt with in an earlier application and there has been no material change in the circumstances; or

(ii) the application is otherwise frivolous, vexatious or not made in good faith; or

(*b*) in any other case, make a determination on the matter under dispute.

(2) The Director-General must, as soon as reasonably practicable, give to *X* and *Y* notice of the Director-General's decision under paragraph (1).

Application to Director-General does not affect direction

9.—(1) Unless otherwise directed by the Director-General, an application to the Director-General under regulation 6(1) does not affect the operation of, suspend any duty of a Part 2A entity to comply with, or prevent the taking of action to enforce —

(*a*) the direction under section 8A(1) (including any term, condition or requirement specified in it under section 8A(4));

(*b*) any term, condition or requirement added or varied under section 8A(5);

(*c*) the requirement to allow the assessor to enter and inspect the Part 2A entity's land under section 8C(6)(*a*); or

(*d*) any direction or requirement given or imposed by the assessor under section 8C(6).

(2) Paragraph (1) does not apply to the part of the direction that is the subject of the application, except to the extent that it may still be

carried out despite the dispute, as determined by the Director-General.

Appeal to Minister

10.—(1) Any person who is aggrieved by a decision of the Director-General under regulation 8(1) may appeal to the Minister against the decision.

(2) An appeal must be made in writing in the form determined by the Director-General within 7 working days after the date of the decision of the Director-General, and must —

(*a*) state the grounds of the appeal; and

(*b*) be accompanied by such documents and information supporting each ground of appeal as the Minister may require.

Process for appeal to Minister

11.—(1) An appellant under regulation 10(1) (called *X*) must, at the time of making the appeal, provide a copy of the appeal and all accompanying documents and information to the other party to the dispute (called *Y*).

(2) *Y* may, within 7 working days after receiving a copy of the appeal or such additional time as may be permitted by the Minister, submit to the Minister a written response in the form determined by the Director-General accompanied by any supporting document or information as may be required by the Minister.

(3) *Y* must, at the time of submitting the written response, provide a copy of the written response and all accompanying documents and information to *X*.

Decision of Minister

12.—(1) The Minister may, after considering an appeal against a decision of the Director-General and the accompanying documents and information —

(*a*) reject the appeal and confirm the decision;

(*b*) allow the appeal and substitute the decision with another decision, or vary the decision; or

(*c*) remit the matter to the Director-General for reconsideration.

(2) The Minister's decision on an appeal under paragraph (1)(*a*) or (*b*) is final.

Appeal does not affect Director-General's decision

13. Unless the Minister directs otherwise, an appeal against a decision of the Director-General does not affect the operation of, affect the duty to comply with, or prevent the taking of action to enforce, the decision while the appeal is pending.

Division 3 — Powers and duties of assessors

Additional powers of assessors

14. In addition to the powers specified in section 8C(6), an assessor conducting an evaluation under Part 2A may, for the purposes of conducting the evaluation —

(*a*) at all reasonable hours in the daytime, enter the place of business, registered office or principal office of the entity undergoing the evaluation to inspect or to be given access to any document or information found therein, and to make copies or take extracts of any such document;

(*b*) direct the entity to allow any person engaged by the assessor under section 8C(2) to enter at all reasonable hours in the daytime the place of business, registered office or principal office of the entity for the purpose mentioned in paragraph (*a*);

(*c*) require the entity, or any individual who is or was an officer or employee of the entity, to provide an explanation of any document or information mentioned in paragraph (*a*) or (*b*);

(*d*) if the document or information is not provided or access is not given thereto, require that entity or individual to state,

to the best of that entity's or individual's knowledge or belief, where or in whose custody or control it is; and

(*e*) if the information is recorded otherwise than in legible form, require the information to be made available to the assessor in legible form.

Duty of assessor concerning documents or information disclosed to Director-General or authorised officer

15.—(1) Without affecting section 8C(4), an assessor conducting an evaluation under Part 2A must not intentionally alter, suppress or destroy any document or information which the assessor is required to disclose to the Director-General or an authorised officer.

(2) An assessor conducting an evaluation under Part 2A must not knowingly or recklessly provide to the Director-General or an authorised officer —

(*a*) any information that is false or misleading in a material particular; or

(*b*) any information that omits any matter or thing without which the information is misleading in a material particular.

(3) An assessor who contravenes paragraph (1) or (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $10,000.

Division 4 — Rules concerning evaluation report and documents and information obtained during evaluation

Confidentiality of document or information obtained during evaluation

16.—(1) Subject to section 8C(4) and (8) and paragraphs (2) and (3) —

(*a*) an assessor conducting an evaluation under Part 2A;

(*b*) a coordinator appointed for any such evaluation; or

(*c*) any other person engaged by an assessor for the purposes of any such evaluation,

(each called *X*) must not intentionally or negligently disclose any document or information obtained by *X* for the purposes of conducting the evaluation.

(2) *X* may disclose any such document or information to any other *X* to the extent necessary to enable the other *X* to carry out his or her duties in relation to the evaluation.

(3) *X* may also disclose any such document or information in any of the following circumstances:

(*a*) for the purposes of an investigation of a suspected offence under the Act, or a prosecution under the Act;

(*b*) where the disclosure is required by an order of court for any proceedings under the Act;

(*c*) on request by the Director-General, to the Director-General or an authorised officer specified by the Director-General.

(4) The Director-General or an authorised officer may disclose any document or information disclosed by *X* under paragraph (3)(*c*) in any of the following circumstances:

(*a*) for the purposes of an investigation of a suspected offence under the Act, or a prosecution under the Act;

(*b*) where the disclosure is required by an order of court for any proceedings under the Act;

(*c*) for the purposes of a publication by the Minister or Agency under section 14B;

(*d*) in the exercise of any power or the performance of any function or duty of the Director-General or authorised officer under the Act;

(*e*) to another assessor for the purposes of an evaluation under Part 2A, to the extent necessary to enable that assessor to carry out his or her duties in relation to the evaluation.

(5) The Director-General or an authorised officer may use any document or information disclosed by *X* under paragraph (3)(*c*) for the exercise of any power or the performance of any function or duty of the Director-General or authorised officer under the Act.

(6) A person who contravenes paragraph (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $10,000.

(7) Any person to whom any document or information is disclosed under paragraph (2) or (4)(*e*), who uses, or discloses to any other person, any such document or information other than for the purpose for which it was first disclosed to the firstmentioned person, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $10,000.

Confidentiality of evaluation report

17.—(1) Subject to section 8C(4) and (8) and paragraph (2) —

(*a*) an assessor conducting an evaluation under Part 2A;

(*b*) a coordinator appointed for any such evaluation; or

(*c*) any other person engaged by an assessor for the purposes of any such evaluation,

(each called *X*) must not intentionally or negligently disclose an evaluation report arising from the evaluation or any part thereof, including any draft of such report.

(2) *X* may disclose the evaluation report or any part thereof in any of the following circumstances:

(*a*) for the purposes of an investigation of a suspected offence under the Act, or a prosecution under the Act;

(*b*) where the disclosure is required by an order of court for any proceedings under the Act;

(*c*) for the purposes of a publication by the Minister or Agency under section 14B;

(*d*) on request by the Director-General, to an authorised officer specified by the Director-General;

(*e*) where the disclosure is required by any general or written law.

(3) The Director-General or an authorised officer may disclose the evaluation report or any part thereof in any of the following circumstances:

(*a*) for the purposes of an investigation of a suspected offence under the Act, or a prosecution under the Act;

(*b*) where the disclosure is required by an order of court for any proceedings under the Act;

(*c*) for the purposes of a publication by the Minister or Agency under section 14B;

(*d*) in the exercise of any power or the performance of any function or duty of the Director-General or authorised officer under the Act;

(*e*) where the disclosure is required by any general or written law.

(4) The Director-General or an authorised officer may use the evaluation report or any part thereof for the exercise of any power or the performance of any function or duty of the Director-General or authorised officer under the Act.

(5) A person who contravenes paragraph (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $10,000.

(6) Any person to whom the evaluation report or any part thereof is disclosed under paragraph (2)(*e*) or (3)(*e*), who uses, or discloses to any other person, the evaluation report or any part thereof other than for the purpose for which it was first disclosed to the firstmentioned person, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding $10,000.

Treatment of documents, information and evaluation report after evaluation or termination of assessor's appointment, etc.

18.—(1) An assessor conducting an evaluation under Part 2A, a coordinator appointed for any such evaluation, or any other person engaged by an assessor for the purposes of any such evaluation (each called *X*) must, within the time specified in paragraph (2) —

(*a*) delete or destroy all of the following in *X*'s possession or control:

(i) the evaluation report arising from the evaluation (including any draft of the report);

(ii) all documents or information obtained by *X* for the purposes of conducting the evaluation; and

(*b*) provide a written confirmation to the Director-General that *X* has complied with sub-paragraph (*a*), supported by a statutory declaration.

(2) The time specified for the purposes of paragraph (1) is 7 working days after the submission by the assessor of the evaluation report under section 8C(8), or such additional time as may be specified by the Director-General to *X* in any particular case.

(3) An assessor appointed to conduct an evaluation under Part 2A, a coordinator appointed for any such evaluation, or any other person engaged by an assessor for the purposes of any such evaluation (each called *Y*) must, within 7 working days after *Y*'s appointment or engagement (as the case may be) is terminated —

(*a*) deliver or provide to the Director-General all documents or information obtained by *Y* for the purposes of conducting the evaluation;

(*b*) delete or destroy all such documents or information in *Y*'s possession or control; and

(*c*) provide a written confirmation to the Director-General that *Y* has complied with sub-paragraphs (*a*) and (*b*), supported by a statutory declaration.

(4) A person who, without reasonable excuse, fails to comply with paragraph (1) or (3) 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 $1,000 for every day or part of a day during which the offence continues after conviction.

Division 5 — Publication

Prescribed matter for publication: section 14B(1)(*g*)

19. A summary of findings contained in or prepared using any evaluation report arising from an evaluation conducted under Part 2A is a prescribed matter for the purposes of section 14B(1)(*g*).

PART 3

PERSONS ON NOTICE

Prescribed businesses: section 8H(1)(*a*)

20. For the purposes of section 8H(1)(*a*), each of the following is a prescribed business:

(*a*) the business of carrying out farming operations;

(*b*) the business of carrying out forestry operations;

(*c*) the business of processing, manufacturing, importing, exporting, trading or distributing any of the following products:

(i) any product derived from farming operations;

(ii) any product derived from forestry operations.

Prescribed form and manner of representations: section 8H(2)(*b*)

21. Any representation made under section 8H(2)(*b*) must be —

(*a*) in writing and addressed to the Minister; and

(*b*) accompanied by any supporting document or information.

PART 4

MISCELLANEOUS

Prescribed form for statutory declaration

22. For the purposes of sections 8C(6)(*d*), 9(2A) and 10(10A), a statutory declaration must be in the form set out in the First Schedule to the Oaths and Declarations Act 2000.

Prescribed website for purposes of section 15(1A)(*b*)(ii)

23. For the purposes of section 15(1A)(*b*)(ii), the prescribed website is https://www.haze.gov.sg.

Made on 18 November 2026.

CHALY MAH
Chairperson,
National Environment Agency,
Singapore.

[NEA/LD/174; AG/LEGIS/SL/333B/2025/1]

(To be presented to Parliament under section 24(3) of the Transboundary Haze Pollution Act 2014).