

RESOURCE SUSTAINABILITY ACT

July 2021

The Resource Sustainability Act (“**RSA**”) was passed by parliament on 4 September 2019. The RSA partially came into force on 1 January 2020 and the remaining sections of the RSA will come into force in stages. The RSA is intended to further Singapore’s strategy to increase its sustainability, resource efficiency and climate resilience as a nation.

The RSA’s focus is on regulating the following three priority waste streams in Singapore:

- food waste;
- packaging waste; and
- electrical and electronic waste

Food Waste

1. The RSA requires building managers (including owners, occupiers or management corporations) to take primary responsibility in the food waste segregation and treatment in their buildings.
2. New developers of large commercial and industrial premises will be required to allocate and set-aside spaces for on-site food waste treatment systems in design plans from 1 July 2021 onwards. Such developments include those where large amounts of food waste are expected to be generated, such as hotels, shopping malls, large food caterers and large food manufacturers. This is consistent with the requirement (from 2024 onwards) for building managers of all new buildings to provide one or more facilities within such building premises to enable occupiers to dispose food waste separately from other types of waste, and for such food waste to be treated in the building. Any failure to comply will result in a fine and/or imprisonment.
3. However, building managers of existing commercial and industrial premises that generate large amounts of food waste will be given the option of treating food waste on-site or off-site (from 2024 onwards). This provides the flexibility for existing buildings to not incorporate food treatment facilities within current premises. Instead, they can choose to engage a licensed waste collector to send the food waste for treatment at a licensed waste disposal facility. A failure to do will result in a fine and/or imprisonment.
4. Occupiers will have to dispose food waste in the segregation facilities provided and not dispose food waste together with other types of waste (from 2024 onwards). A failure to comply will result in a fine.

Packaging Waste

5. The RSA also introduces mandatory reporting in order to reduce use of packaging and to raise companies’ awareness of the benefits of reducing packaging waste.

Reporting of specified packaging imported or used

6. Producers of specified packaging which fulfil the prescribed threshold criteria have to submit to the National Environment Agency (the “**Agency**”) a report relating to specified packaging that is imported or used the previous year. A failure to comply will result in a fine and on subsequent conviction, a fine and/or imprisonment.

Submission of 3R (reduce, reuse, recycle) plan

7. Producers who fulfil the prescribed threshold criteria (as elaborated above) are also required to submit a 3R plan to the Agency on how to reduce, re-use or recycle packaging in Singapore. The producer also has to include information on implementation of any part the plan. A failure to comply will result in a fine and on subsequent conviction, a fine and/or imprisonment term. Companies are required to submit a 3R plan which includes details of key initiatives, key performance indicators and targets.

Electronic Waste

8. Further, the RSA extended the responsibilities of e-waste management system to key stakeholders through an Extended Producer Responsibility approach. The measures set out below have been introduced.

Registration of producers

9. Producers of a regulated product must apply to the Agency to be registered. Any supplying of regulated products when unregistered may constitute an unauthorised supply of regulated products and render the producer liable for a fine and/or imprisonment term. These registered producers will have the obligation to join a licensed scheme and not supply regulated consumer products exceeding the prescribed threshold for each year in the relevant period immediately preceding the compliance year.

Collection and disposal of unwanted regulated non-consumer products

10. The producer of a regulated non-consumer product (whether or not registered) will have the obligation to collect the said product from any premises by a person who wishes to dispose of it within a reasonable time. It should be noted that such services have to be provided for free, and no consideration should be provided for the cost of labour or transport. Further, the producer has to dispose of it with a licensed waste collector or licensed e-waste recycler. A failure to comply with any of the above will result in a fine.

Retailers of regulated consumer products

11. If a retailer sold a regulated consumer product to a consumer and delivers or causes it to be delivered to the consumer's premises, the retailer will also have the obligation to collect from that consumer, his/her unwanted product that is of the same type or class as the product sold and dispose it. The retailer is not allowed to charge a fee for cost and transport for such collection and disposal services. A failure to comply with any of the above will result in a fine.
12. It is also mandatory for large retailers to offer in-store collection of certain e-waste which are regulated consumer products. Large retailers refer to those who own or occupy premises supplying regulated products with a floor area of more than 300 sqm. Such retailers will not have the option to reject the product presented for disposal if the product is of the same class or type as those supplied at their premises. A failure to comply will result in a fine.



QUAHE WOO & PALMER LLC

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CLIENT UPDATE

If you have any queries on how these developments may affect your business or would like to obtain advice, please do not hesitate to get in touch with us.



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