

ASIA-PACIFIC CENTRE FOR ENVIRONMENTAL LAW (APCEL) AND CONTINUING LEGAL EDUCATION (CLE)

SEMINAR SERIES 2013/2014:

The Transboundary Haze Pollution Bill 2014 – A multi-layered legal commentary

14 MARCH 2014, FRIDAY, 4.00PM TO 5.30PM
LEE SHERIDAN CONFERENCE ROOM, EU TONG SEN BUILDING
FACULTY OF LAW, NUS, BUKIT TIMAH CAMPUS

SYNOPSIS

The Singapore government's proposal to enact the Transboundary Haze Pollution Bill 2014 raises a number of interesting issues spanning the fields of international law, criminal law, tort law and civil procedure – underscoring the inherently interdisciplinary nature of environmental law in general. This innovative Bill purports to impose both criminal and civil liability upon commercial entities responsible for the land-clearance fires which occur outside of Singapore's territorial boundaries but cause air pollution within Singapore's territorial boundaries. Criminal sanctions under the Bill attract a maximum fine of \$450,000, while no monetary limits are placed on the damages recoverable via civil claims. What implications will this Bill have on regional agricultural conglomerates, Singapore residents who suffer physical and economic harm during the haze "season", and health insurance providers who have to cover additional claims for respiratory illnesses? In this seminar, speakers will analyse some of the key features of the proposed legislation from the perspective of their respective fields of expertise, including the following issues:

(Tort Law): How different is the civil liability regime contemplated under the Bill from the current civil actions that can be taken against those responsible for air pollution that originates from within Singapore? Do different principles relating to causation of harm and liability for pure economic loss apply?

(Criminal Law/Evidence): What kind(s) of presumptions are provided for in the Bill? How similar are they compared to presumptions found in other criminal statutes and can they be justified?

(Public International Law): To what extent is the extra-territorial scope of the Bill consistent with the principles of public international law? Does it matter that the statutory framework contemplates both criminal and civil liability?

(Civil Procedure/Private International Law): Which foreign parties fall within the scope of application of the Bill? How do the Singapore courts assert jurisdiction over such parties and what sorts of civil remedies may be sought against them?

SPEAKERS

Professor M Sornarajah

CJ Koh Professor

Faculty of Law, National University of Singapore (NUS)

Professor Michael Hor

Dean designate

Faculty of Law, The University of Hong Kong (HKU)

Professor Jeffrey Pinsler, SC

Senior Counsel

Faculty of Law, National University of Singapore (NUS)

Associate Professor Lye Lin Heng

Director

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Chairperson:

Associate Professor Burton Ong

Deputy Director

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REGISTRATION

There is no registration fee for this seminar but seats are limited. To register, please [click here](#) and you will receive an automated message upon submission. For enquiries, please contact Alexandria / Shu Hui at Tel: 6601 2693 or email us at clemail@nus.edu.sg

Closing date: 7 March 2014, Friday

Directions to the law school may be found at http://law.nus.edu.sg/about_us/location.html