

**THE STATUTES OF THE REPUBLIC OF SINGAPORE**

**MASS RAPID TRANSIT CORPORATION ACT  
(CHAPTER 172)**

**Act  
13 of 1983**

**Amended by  
2 of 1986  
7 of 1986  
17 of 1987**

**REVISED EDITION 1988**

PRINTED BY THE GOVERNMENT PRINTER, SINGAPORE

1988

# Mass Rapid Transit Corporation Act

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An Act to establish a corporation for the construction and operation of a mass rapid transit system in Singapore, to assume the functions, assets and liabilities of the Provisional Mass Rapid Transit Authority and to make provision for purposes connected therewith.

[14th October 1983]

## PART I

## PRELIMINARY

1. This Act may be cited as the Mass Rapid Transit Corporation Act. Short title.

2.—(1) In this Act, unless the context otherwise requires — Inter-pretation.

“Chairman” means the Chairman of the Corporation;

“claim” means a claim for compensation under section 43;

“claimant” means a person who has made a claim for compensation;

“Compensation Board” means the Railway Compensation Board established under section 49;

Cap. 232.

“Competent Authority” means the competent authority appointed under section 3 of the Planning Act;

“Corporation” means the Mass Rapid Transit Corporation established under section 3;

“Deputy Chairman” means the Deputy Chairman of the Corporation;

“land” includes and may, where the context so requires, have any one or more of the following meanings separately:

(a) land of any tenure and so much of the airspace above the surface as may be reasonably used or enjoyed by any owner thereof, and all substances under the surface, whether or not held apart from the surface;

(b) the whole or part of any building or other erection or fixture on land;

(c) where an undivided share of a leasehold interest in land has appurtenant to it rights to the exclusive use and occupation of a building or part thereof on such land, such share in the land and all rights appurtenant thereto;

(d) any other estate, right, share or interest in land;

17/87.

“licensee” means a company which is licensed under this Act to operate the Mass Rapid Transit System;

“Mass Rapid Transit System” means the rail-based transport system or any part thereof set up or intended to be set up to meet the transport requirements of the public;

“member” means a member of the Corporation and includes the Chairman and the Deputy Chairman;

“mortgage” means a mortgage or charge registered under the Land Titles Act or the Registration of Deeds Act;

Cap. 157.

Cap. 269.

- “President” means the President of the Railway Compensation Board appointed under section 49;
- “Provisional Authority” means the Provisional Mass Rapid Transit Authority established under section 3 of the Provisional Mass Rapid Transit Authority Act 1980, repealed by this Act; 18/80.
- “railway” means the railway, tunnels, viaducts, bridges, crossings, stabling yards, depots, stations and other infrastructures constructed or intended to be constructed for the Mass Rapid Transit System and any extensions thereto;
- “railway area” means the land delineated as such in plans and maps prepared pursuant to section 32 (1) or (3);
- “railway premises” means any area, space or building owned or occupied by the Corporation which is designed, equipped or set apart for the carriage of passengers by train or for affording facilities incidental to the carriage of passengers by train and includes any train on such premises; 17/87.
- “Registrar of Deeds” means the Registrar of Deeds appointed under the Registration of Deeds Act; Cap. 269.
- “Registrar of Titles” means the Registrar of Titles appointed under the Land Titles Act. Cap. 157.

(2) In this Act, references to constructing the Mass Rapid Transit System shall be construed as references to undertaking every stage of the process beginning with its design and ending when it is brought into operation.

## PART II

### INCORPORATION, FUNCTIONS AND POWERS

3. There is hereby established a body to be known as the Mass Rapid Transit Corporation which shall be a body corporate with perpetual succession and a common seal and shall, by that name, be capable of —

Establishment and incorporation of Mass Rapid Transit Corporation.

- (a) suing and being sued;
- (b) acquiring, owning, holding and developing or disposing of property, both movable and immovable; and
- (c) doing and suffering all such other acts or things as bodies corporate may lawfully do and suffer.

Functions of  
Corporation.

4. The functions of the Corporation are —

- (a) to construct the Mass Rapid Transit System and to operate it having regard to the reasonable requirements of the public transport system of Singapore;
- 17/87. (b) to approve and regulate the operation of the Mass Rapid Transit System by any licensee having regard to the reasonable requirements of the public transport system of Singapore; and
- (c) to engage in such other activities, and to perform such functions as the Minister may, after consultation with the Corporation, permit or assign to it by order published in the *Gazette*.

Powers of  
Corporation.

5.—(1) The Corporation shall have the power to do anything for the purpose of discharging its functions under this Act or which is incidental or conducive to the discharge of those functions.

(2) Without prejudice to the generality of subsection (1), the Corporation may for the purpose referred to in that subsection —

- (a) acquire, hold and dispose of all kinds of property, movable and immovable, and in any manner which it thinks fit;
- (b) improve, develop or alter any property held by it;
- (c) enter into, assign or accept the assignment of, and vary or rescind any contract or obligation;
- (d) carry on any business either alone or in partnership with any other person or persons;
- (e) borrow or raise or secure the repayment of money in such manner as the Corporation may think fit;
- (f) employ an agent to do anything which the Corporation may do;
- 17/87. (g) issue licences, with or without conditions, to such company or companies as the Corporation thinks fit to operate the Mass Rapid Transit System; and
- 17/87. (h) with the approval of the Minister, form or participate in the formation of a company or companies under the provisions of any written law in force relating to companies.

(3) Any land held by the Corporation may be improved, developed and altered by it in such manner and to such extent as the law would allow if the land were held by a natural person in the same interest and the Corporation shall not be required to show that such improvement, development or alteration is itself undertaken for the discharge of its functions under this Act.

**6.—**(1) The Minister may from time to time give to the Corporation in writing such general or special directions as he thinks fit as to the performance of the functions and the exercise of the powers of the Corporation. Directions by Minister.

(2) The Corporation shall, in the exercise of its functions and powers, give effect to any directions given to it under subsection (1).

**7.—**(1) The Corporation shall consist of — Members of Corporation.

- (a) a Chairman;
- (b) a Deputy Chairman; and
- (c) such number of members as the Minister may determine.

(2) The Chairman, Deputy Chairman and members shall be appointed by the Minister and shall hold office for such terms as the Minister may specify in their appointments, being not longer than 3 years.

(3) The Chairman, Deputy Chairman and members may be reappointed on completion of their terms of office.

(4) Any member may at any time by notice in writing to the Minister resign his office.

(5) The Minister may at any time revoke the appointment of any member without assigning any reason.

(6) The Corporation shall pay to the Chairman, Deputy Chairman and members such salaries, fees and allowances as the Minister may from time to time determine.

**8.—**(1) At all meetings of the Corporation, 3 members shall form a quorum. Proceedings of Corporation.

(2) The Chairman shall preside at all meetings of the Corporation at which he is present and in his absence the Deputy Chairman or, if the Deputy Chairman is also

absent, such member as the members present may elect shall preside.

(3) Meetings of the Corporation shall be held at such times and places as the Corporation may think fit.

(4) All questions arising at any meeting shall be decided by a majority of the votes of the members present and voting.

(5) At any meeting of the Corporation the Chairman, Deputy Chairman or member presiding shall have a deliberative vote and, in the case of an equality of votes, he shall also have a casting vote.

(6) The validity of any proceedings of the Corporation shall not be affected by any vacancy amongst its members or by any defect in the appointment of any member.

(7) Subject to the provisions of this Act, the Corporation may regulate its own proceedings.

Disclosure  
of interest  
by members.

**9.** A member of the Corporation who is in any way, directly or indirectly, interested in a transaction or project of the Corporation shall disclose the nature of his interest at a meeting of the Corporation; and the disclosure shall be recorded in the minutes of the meeting and the member shall not take part in any deliberation of the Corporation with respect to that transaction or project.

Delegation  
of powers.

**10.—(1)** The Corporation may, from time to time, in respect of a specified matter or class of matters, by writing delegate any of its powers to a member, officer, committee or agent of the Corporation.

(2) Every member, officer, committee or agent purporting to act pursuant to a delegation under subsection (1), shall, in the absence of proof to the contrary, be presumed to be acting in accordance with the terms of the delegation.

(3) A delegation under subsection (1) shall be revocable at will, and no such delegation shall prevent the exercise of any power by the Corporation.

Committees.

**11.—(1)** The Corporation may from time to time appoint or alter the composition of committees, consisting of one or more persons (whether members of the Corporation or

not), and define and vary the terms of reference of those committees.

(2) Subject to this Act and any regulations made thereunder and to the control of the Corporation, each committee appointed under this section may regulate its procedure in such manner as it thinks fit.

**12.—**(1) The Corporation shall, after consultation with the Public Service Commission and with the approval of the Minister, appoint a chief executive officer on such terms and conditions as the Corporation may determine. Appointment of staff.

(2) The chief executive officer shall be known by such designation as the Corporation may determine and shall —

(a) be responsible to the Corporation for the discharge of its functions and the proper administration and management of its affairs in accordance with the policy laid down by the Corporation; and

(b) not be removed from office without the consent of the Minister.

(3) The Corporation may appoint such other employees as it thinks fit and determine all matters relating to their remuneration and terms and conditions of appointment or employment.

(4) The Corporation may engage the services of technical and professional advisers in such manner and on such terms and conditions as it thinks fit.

(5) The Corporation may make regulations, not inconsistent with this Act, regulating the work and conduct of its employees.

**13.—**(1) The Corporation may, with the approval of the Minister, make regulations for the establishment of a scheme or schemes for the payment of pensions, gratuities, provident fund or other superannuation benefits to such employees or classes of employees of the Corporation as it may determine, or to their legal personal representatives or dependants, on the death or retirement of such employees from the service of the Corporation, or on their otherwise leaving the service of the Corporation. Pension schemes, provident fund, etc.

(2) The following provisions shall apply to any scheme established under subsection (1):

- (a) no assurance on the life of a contributor under any such scheme, and no moneys or other benefits payable under any such assurance, and no payment made under any such scheme to a person who had been employed by the Corporation shall be assignable or transferable, or liable to be garnished, attached, sequestered or levied upon for or in respect of any debt or claim, other than a debt due to the Corporation or to the Government;
- (b) no donation by the Corporation or contribution by its employees made under any such scheme and no interest thereon shall be assignable or transferable or liable to be garnished, attached, sequestered or levied upon for or in respect of any debt or claim, other than a debt due to the Corporation or to the Government;
- (c) no such donation, contribution or interest shall be subject to the debts of the contributor, nor shall such donation, contribution or interest pass to the Official Assignee on the bankruptcy of such contributor, but, if such a contributor is adjudicated a bankrupt or is declared insolvent by judgment of the court, such donation, contribution or interest shall not form part of the property of that contributor;
- (d) the bankruptcy of a contributor shall not affect the making of deductions from the salary of the contributor in accordance with any such scheme, but such deductions shall continue to be made notwithstanding the provisions of any written law, and the portion of salary so deducted shall not form part of his after-acquired property;
- (e) subject to the provisions of any such scheme, all moneys paid or payable under any such scheme on the death of a contributor shall be subject to a trust in favour of the persons entitled thereto under a nomination in such form as may be prescribed in such scheme, or in the absence of any such nomination the persons entitled

thereto under the will or intestacy of such deceased contributor and shall not form part of his estate or be subject to the payment of his debts but shall be deemed to be property passing on his death for the purpose of the Estate Duty Act; Cap. 96.

- (f) a contributor may, by a memorandum under his hand, appoint a trustee or trustees of the moneys payable on his death out of any such scheme and may make provision for the appointment of a new trustee or trustees of such moneys and for the investment thereof; such memorandum shall be in the form prescribed in such scheme and shall be deposited with the Corporation;
- (g) if, at the time of the death of a contributor or at any time afterwards, there is no trustee of such moneys or it is expedient to appoint a new trustee or trustees, then and in any such case a trustee or trustees or a new trustee or trustees may be appointed by the High Court; and
- (h) the receipt of a person duly nominated by a deceased contributor or a trustee or trustees duly appointed or, in default of any such nomination or appointment and of written notice thereof to the Corporation, the receipt of the legal personal representative of a deceased contributor shall be a discharge to the Corporation for any moneys payable on his death out of any such scheme.

(3) Where any person in the service of the Corporation, who does not come within the scope and effect of any pension or other schemes established under this section, retires or dies in the service of the Corporation or is discharged from such service, the Corporation may grant to him or to such other person or persons wholly or partly dependent on him, as the Corporation may think fit, such allowance or gratuity as the Corporation may determine.

(4) The Corporation may, in exercise of its powers under section 5, provide living accommodation for the occupation and use of employees and advisers of the Corporation at

such rent and on such terms and conditions as it may determine.

Documents  
of  
Corporation.

**14.—(1)** The Corporation may make and execute all such documents as may be expedient for or conducive to the attainment of its purposes or of any purpose reasonably incidental to or consequential upon those purposes.

(2) Subject to the provisions of this Act, a document to be made by the Corporation shall be deemed to be duly executed —

(a) if sealed with the seal of the Corporation in the presence of two members or of a member and the chief executive officer; or

(b) if signed on behalf of the Corporation by a member or an employee of the Corporation authorised by the Corporation to do so.

(3) Any document purporting to be executed in accordance with subsection (2) shall, unless the contrary is proved, be deemed to have been duly executed.

(4) Subject to the provisions of this Act, a document executed by the Corporation in accordance with subsection (2) (b) shall not be ineffectual in law by reason only of the fact that, apart from this subsection, it would be required by law to be executed under seal.

(5) All courts, judges and persons acting judicially shall take judicial notice of the common seal of the Corporation affixed to any document and shall presume that it was duly affixed.

Protection  
from  
personal  
liability.  
7/86.

**15.** No suit or other legal proceedings shall lie personally against any member, officer or employee of the Corporation or other person acting under the direction of the Corporation for anything which is in good faith done or intended to be done in the execution or purported execution of this Act.

Members and  
employees of  
Corporation  
deemed to  
be public  
servants.  
Cap. 224.

**16.** The members and employees of the Corporation of every description shall be deemed to be public servants within the meaning of the Penal Code.

## PART III

## LICENCES

**17.** Any person who operates the Mass Rapid Transit System without being licensed by the Corporation shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 6 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$5,000 for every day during which the offence continues after conviction. [16A]

Operating  
Mass Rapid  
Transit  
System  
without  
licence.  
17/87.

**18.—(1)** Subject to the provisions of this Act, the Corporation may grant to any company a licence to operate the Mass Rapid Transit System for such period as may be specified in the licence.

Licence to  
operate Mass  
Rapid Transit  
System.  
17/87.

(2) Every licensee shall be authorised under this Act to operate the Mass Rapid Transit System for the period specified in the licence unless the licence is earlier revoked, cancelled or suspended under the provisions of this Act.

(3) The fee for a licence to operate the Mass Rapid Transit System shall be such amount as may be prescribed. [16B]

**19.** In exercising its discretion to grant or refuse a licence to operate the Mass Rapid Transit System, the Corporation shall have regard to the financial standing of the applicant and its ability to maintain an adequate, satisfactory, safe and efficient service. [16C]

Matters to be  
considered by  
Corporation  
in granting  
licence.  
17/87.

**20.** In granting a licence to operate the Mass Rapid Transit System, the Corporation may impose such conditions as it thinks fit, and may, in particular, impose conditions relating to —

Conditions  
of licence.  
17/87.

- (a) the extent, hours and general level of services;
- (b) the safety of persons using or engaged in work on the Mass Rapid Transit System;
- (c) the maintenance and operation of the railway;
- (d) the approval of persons who are to be appointed as directors of the licensee; and
- (e) the deposit of security or bank guarantee to the satisfaction of the Corporation for the due

performance by the licensee of all or any obligations imposed upon it by the licence or by this Act or any regulations made thereunder. [16D

Suspension  
or cancella-  
tion of  
licence, etc.  
17/87.

**21.** If any licensee —

(a) contravenes or fails to comply with or fails to secure the compliance by its employees, agents or contractors with any of the conditions of the licence to operate the Mass Rapid Transit System or with the provisions of this Act or any regulations made thereunder; or

(b) in the opinion of the Corporation, fails or is likely to fail to provide and maintain an adequate, safe and satisfactory service,

the Corporation may, by notice in writing and without any compensation, do either or both of the following:

(i) suspend or cancel the licence;

(ii) forfeit the whole or any part of any security deposited with the Corporation by the licensee or by his bank pursuant to a bank guarantee.

[16E

Appeal.  
17/87.

**22.—**(1) Any person who is aggrieved by any decision of the Corporation under section 21 may appeal to the Minister whose decision shall be final.

(2) An appeal under this section shall be instituted within 14 days after such person has been given the notice in writing referred to in section 21. [16F

## PART IV

### FINANCIAL PROVISIONS

Financial  
year of  
Corporation.

**23.** The financial year of the Corporation shall begin on 1st April of each year and end on 31st March of the succeeding year. [17

Funds for  
construction  
of Mass  
Rapid Transit  
System.

**24.—**(1) For the purpose of enabling the Corporation to carry out its function of constructing and equipping the Mass Rapid Transit System, the Minister for Finance shall, from time to time, provide funds, subject to such conditions as he may impose, to the Corporation out of moneys provided by Parliament.

(2) The Corporation may, from time to time and with the approval of the Minister for Finance, borrow or otherwise raise money in any currency in Singapore or elsewhere for the purpose referred to in subsection (1) and on such terms and conditions as it thinks fit. 7/86.

(3) The repayment of money borrowed or raised by the Corporation for the purpose referred to in subsection (1), and interest, premium and other charges thereon and costs and fees incurred for the purpose of borrowing or raising such money shall be met out of funds provided to the Corporation by the Minister for Finance.

(4) Nothing in this section shall be construed to restrict the power of the Corporation to borrow or raise or secure the repayment of money for purposes other than the purpose referred to in subsection (1). [18

**25.—**(1) It shall be the duty of the Corporation to ensure as far as possible that, taking one year with another, its revenue is at least sufficient to meet its operating expenses. Operating expenses.

(2) In this section, “operating expenses” shall not include —

(a) interest, fees and other charges in respect of loans incurred under section 24 (2); and

(b) operating expenses associated directly with the construction and equipping of the Mass Rapid Transit System,

the payment of which shall be met from funds provided by the Minister for Finance to the Corporation pursuant to section 24 (1). [19

**26.—**(1) Any excess of revenue over operating expenses in any financial year may be applied by the Corporation to the creation of a general reserve and such other reserves as the Corporation may determine. Reserve funds.

(2) The Corporation may expend the sums credited to reserves created under subsection (1) in any way it thinks fit and consistent with this Act. [20

**27.** Moneys of the Corporation may be invested in such forms of investment as trustees are authorised by law to invest. Investment. [21

Accounts.

**28.—**(1) The Corporation shall keep proper accounts and records of its transactions and affairs and shall do all things necessary to ensure that all payments out of its funds are correctly made and properly authorised and that adequate control is maintained over the assets of the Corporation, or while in the custody of the Corporation and over the expenditure incurred by the Corporation.

(2) The Corporation shall, as soon as practicable after the close of each financial year, prepare and submit financial statements in respect of that year to the auditor who shall audit and report on them. [22

Audit of accounts.

**29.—**(1) The accounts of the Corporation shall be audited by the Auditor-General or by an auditor appointed annually by the Minister in consultation with the Auditor-General.

Cap. 50.

(2) A person shall not be qualified for appointment as an auditor under subsection (1) unless he is an approved company auditor under the Companies Act.

(3) The auditor shall be paid out of the funds of the Corporation.

(4) The auditor or any person authorised by him shall be entitled at all reasonable times to full and free access to all accounting and other records relating, directly or indirectly, to the financial transactions of the Corporation.

(5) The auditor shall in his report state —

- (a) whether the financial statements show fairly the financial transactions and the state of affairs of the Corporation;
- (b) whether proper accounting and other records have been kept, including records of all assets of the Corporation whether purchased, donated or otherwise;
- (c) whether the receipts, expenditure and investment of moneys and the acquisition and disposal of assets by the Corporation during the financial year were in accordance with the provisions of this Act; and
- (d) such other matters arising from the audit as he considers should be reported.

(6) The auditor shall, as soon as practicable after the accounts have been submitted for audit, send a report of his audit to the Corporation and shall also submit such periodical and special reports to the Minister and to the Corporation as may appear to him to be necessary or as the Minister or the Corporation may require. [23]

**30.**—(1) The Corporation shall, as soon as the accounts of the Corporation and the financial statements have been audited in accordance with the provisions of this Act, submit to the Minister a copy of the audited financial statements, signed by the Chairman, together with a copy of the auditor's report. [23]

Presentation of financial statements and auditor's report to Parliament.

(2) The Minister shall as soon as practicable cause a copy of the audited financial statements and of the auditor's report referred to in subsection (1) to be presented to Parliament.

(3) Where the accounts of the Corporation are not audited by the Auditor-General, the auditor shall forward a copy of the audited financial statements and the report made by him to the Auditor-General at the same time when they are submitted to the Corporation. [24]

**31.** The Corporation shall, as soon as practicable after the end of each financial year, submit to the Minister a report on the activities of the Corporation during that financial year and the Minister shall cause a copy of every such report to be presented to Parliament. [25]

Annual report.

## PART V

### FURTHER RIGHTS AND POWERS OF CORPORATION FOR PURPOSES OF CONSTRUCTION AND OPERATION OF MASS RAPID TRANSIT SYSTEM

**32.**—(1) The Corporation shall, with the approval of the Competent Authority, cause plans and maps to be prepared in such detail and with such markings and endorsements thereon as are sufficient to delineate the railway area, being that area within which land may be acquired or rights in, under or over land may be exercised by the Corporation pursuant to this Act for the purposes of and incidental to the railway. [25]

Preparation and promulgation of plans and maps.

(2) A copy of every plan and map prepared for the purposes of subsection (1) and signed by an authorised officer of the Corporation shall be —

- (a) deposited with the Competent Authority; and
- (b) available for inspection by the public free of charge at the office of the Corporation, during the hours when that office is normally open to the public.

(3) Any plan or map prepared for the purposes of subsection (1) and any marking or endorsement on any such plan or map may be amended and any plan or map may be replaced by a substitute plan or map but the Corporation shall as soon as possible cause to be likewise amended, or replaced with the substitute plan or map, every copy referred to in subsection (2) and certify the amendment or substitution in such manner as the Corporation thinks sufficient.

(4) The Corporation shall, within 21 days of the deposit of a copy of a plan or map with the Competent Authority or of any amendment to such copy or the deposit of a substitute plan or map, cause a notice of such deposit or amendment to be published in the *Gazette* containing —

- (a) a general description of the plan or map or of the nature and extent of the amendment or substitution; and
- (b) particulars of the places and times at which a copy of the plan or map, or details of the amendment or a copy of the substitute plan or map may be inspected by the public in conformity with subsection (2).

(5) No person shall have a right of objection to the delineation of land in any plan or map prepared for the purposes of subsection (1) or to any amendment thereto or substitute plan or map prepared under subsection (3) and the fact that land is therein delineated as being within the railway area shall for all purposes be conclusive evidence that it may be required to be acquired or that rights in, under or over it may need to be exercised by the Corporation for the purposes of and incidental to the railway.

**33.** Where any land within the railway area, not being State land, is needed for the purposes of the Corporation, the Corporation may request and the President of Singapore may, if he thinks fit, direct the acquisition of that land and in that case the land may be acquired in accordance with the provisions of any written law relating to the acquisition of land for a public purpose and any declaration required under any such law that the land is so needed may be made notwithstanding that compensation is to be paid out of the funds of the Corporation, and the declaration shall have effect as if it were a declaration that the land is needed for a public purpose made in accordance with that written law. [27]

Compulsory acquisition of land.

**34.** For the purpose of constructing, maintaining and operating the railway, the Corporation or any person authorised by the Corporation may, at any reasonable time, enter upon any State land within or adjoining the railway area and may, subject to the approval of the Collector of Land Revenue, lay, construct and operate the railway in, under or over the State land and do all things as are reasonably necessary for the laying, construction, maintenance and operation of the railway. [28]

Power to enter State land to lay and operate railway. 17/87.

**35.**—(1) The Corporation or any person authorised by the Corporation shall have the right to enter upon and take possession of any land or part thereof not being State land within or adjoining the railway area not being land belonging to or acquired by the Corporation and lay and construct the railway in, under or over the land and do all things as are reasonably necessary for the purpose of laying and constructing the railway. [29]

Power to enter private land to lay railway.

(2) The Corporation or a person authorised by the Corporation shall not exercise the right conferred by subsection (1) unless the Corporation has given not less than two months' notice of its intention to exercise the right conferred upon that subsection to the occupier of the land and every person having any estate, right, share or interest in the land.

(3) Notice under subsection (2) may be given to and shall be deemed to have been received by an occupier if a written notice is affixed to a conspicuous part of the land to be entered.

- (4) A notice referred to in subsection (2) shall —
- (a) give a brief description of the works which the Corporation proposes to carry out on the land;
  - (b) state the estimated period, if any, during which the Corporation intends to occupy or take possession of the land;
  - (c) describe the area or extent of the land needed for the carrying out of the works referred to in paragraph (a); and
  - (d) state that any person entitled to payment of any compensation under this Act may serve a written claim on the Corporation.

(5) The ownership of anything shall not be altered by reason only that it is placed in, under, over or affixed to any land in exercise of a right conferred upon the Corporation by this section.

(6) In this section, a reference to entry on land includes the digging or boring of a tunnel under the land and the erection of any structure over or under the land. [29

Creation of  
rights in,  
under or  
over land.  
17/87.

**36.—**(1) From the date of publication in the *Gazette* of a notice of creation of a right under this section, the Corporation or any person authorised by the Corporation may, at any reasonable time and for the purposes of and incidental to the operation of the railway, enter upon such land within the railway area as described in the notice, not being State land or land belonging to or acquired by the Corporation, and exercise such permanent rights in, under or over such land or such rights of temporary occupation of the land as may be specified in the notice.

(2) A notice of creation of a right under this section shall —

- (a) be made by the Corporation;
- (b) describe the right in, under or over land or the right of temporary occupation and the area of land subject to such right; and
- (c) state particulars of the places and times at which a copy of a plan of the area of land subject to such right may be inspected.

(3) Any right referred to in a notice of creation of a right under this section shall be limited to a right conferring such rights and powers as are necessary or convenient for the operation of the railway and for all purposes connected with or incidental to such operation. [29A

37. The owner of any land who has been served with a notice under section 35 may, if he so desires, require the Corporation to purchase his estate, right, share or interest in the portion of the land affected by the proposed laying and construction of the railway or the whole of his land and the Corporation shall thereupon request the President of Singapore to direct the acquisition of that land and in that case that property may be acquired in accordance with the provisions of any written law relating to the acquisition of land for a public purpose and any declaration required under any such law that the land is so needed may be made notwithstanding that compensation is to be paid out of the funds of the Corporation, and the declaration shall have effect as if it were a declaration that the land is needed for a public purpose made in accordance with that written law. [30

Obligation of Corporation to purchase land.

38. Where in respect of any land notice has been published in the *Gazette* in accordance with section 5 of the Land Acquisition Act but the land has not vested in the State or notice has been given by the Corporation under section 35 (2) of its intention to lay and construct any railway on, over or under any land, the Corporation, or any person acting under its authority, may after giving at least 14 days' notice in writing to the owner or occupier enter upon that land and any adjoining land within the railway area at all reasonable times for the purpose of —

Power of entry.  
Cap. 152.

- (a) surveying and taking levels of such first-mentioned land;
- (b) setting out the line of any works;
- (c) digging or boring into the soil for the purpose of determining whether the soil is suitable for laying the railway on, over or under the land; or
- (d) inspecting any apparatus or structure referred to in section 41. [31

Power to enter land for inspection and survey, etc.

**39.—**(1) The Corporation, or any person acting under the authority of the Corporation, may enter any land or building situate wholly or partly within the railway area or wholly or partly within 150 metres thereof in order to carry out —

- (a) any inspection or survey which is reasonably necessary to ascertain the condition of such land or building prior to or during the construction of the railway and to carry out all reasonably necessary work of a preventive or remedial nature; and
- (b) any inspection or maintenance of the railway which has been laid by the Corporation on, under or over the land or building and to carry out any work and do all things necessary for the purpose of maintaining the railway causing as little damage as possible and paying compensation to any person affected for any damage that may be caused.

(2) No person shall, for the purposes of subsection (1), enter any land or building which is occupied without giving to the owner and the occupier at least 7 days' notice of his intention to do so unless —

- (a) the Corporation is of the opinion that an emergency exists which necessitates immediate entry; or
- (b) the entry is required only for the purpose of an inspection or survey.

(3) A notice of entry referred to in subsection (2) shall —

- (a) describe the purpose of the entry and the nature of any work to be carried out; and
- (b) be deemed to be given to and received by an owner or occupier if a written notice is affixed to a conspicuous part of the land or building to be entered.

(4) In subsection (1), “work of a preventive or remedial nature” means the underpinning or strengthening of any land or building and other work thereon intended to render it reasonably safe or to repair or detect damage caused in the course of the construction or operation of the railway.

(5) The decision of the Corporation that any work is of a preventive or remedial nature or that such work or any inspection or survey is reasonably necessary shall be final.

(6) The Corporation, or any person acting under the authority of the Corporation, may as the occasion requires enter and reinspect and resurvey any land or building in respect of which any of the powers contained in subsection (1) have been exercised and may in relation to that land or building exercise such powers as often as the occasion may require.

(7) Any person authorised under this section to enter upon any land or building shall, if so required by the owner or occupier, produce evidence of his authority before so entering it.

(8) Any person who unlawfully obstructs an agent or employee of the Corporation at any time in the exercise of his authority shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000. [32

**40.—**(1) The Corporation may serve notice on the owner or supplier of any gas, electricity, water, telecommunication, sewerage or drainage services to alter the course or position of any wire, line, cable, pipe, tube, casing, duct, post, structure or other apparatus which belongs to or is maintained by that owner or supplier and to repair any street surface thereby disturbed if in the opinion of the Corporation such alteration is required for the purposes of the construction, operation, maintenance or improvement of the railway. Utility services.

(2) A notice under subsection (1) shall —

- (a) specify the apparatus or structure to which the notice applies and set out the Corporation's requirements as to the alteration of its course or position and the repair of any street surface;
- (b) stipulate the period within which such work shall be carried out;
- (c) be served upon the owner or supplier at least one month before the commencement of that period; and
- (d) state that any person entitled to compensation under this Act may serve a written claim upon the Corporation. [33

Removal of  
projections  
or  
obstructions.

**41.**—(1) The Corporation may give notice to the owner of any land or building in the railway area requiring him to remove any object or structure described in the notice which is erected on or attached to, or projects from, the land or building if in the opinion of the Corporation the removal of the object or structure is required for the purposes of the construction of the railway.

(2) A notice under subsection (1) may be given to the owner of any land or building and shall be deemed to have been received by him if it is affixed to some conspicuous part of the land or building to or from which the object or structure is erected or attached or projects from.

(3) A notice under subsection (1) shall —

- (a) describe the object or structure to be removed;
- (b) stipulate the period within which the work of removal shall be carried out;
- (c) be given to the owner of the land or building not later than 28 days before the commencement of that period; and
- (d) state that any person entitled to compensation under this Act may serve a written claim upon the Corporation.

(4) If the owner of the land or building does not comply with a notice given to him under subsection (1), any person authorised in that behalf by the Corporation may enter the land or building, together with such other persons as he thinks necessary, and remove the object or structure described in the notice or cause it to be removed by those other persons. [34

## PART VI

### RIGHTS TO COMPENSATION, CLAIMS PROCEDURE AND ASSESSMENT OF COMPENSATION

No remedy  
except under  
this Act.

**42.** No action, claim or proceedings shall lie or be brought against the Corporation or any other person —

- (a) to restrain the doing of anything which is authorised by or under this Act or to compel the doing of anything which may be omitted to be done thereunder; or

- (b) to recover damages, compensation or costs for —
- (i) damage or disturbance to or loss of or in the value of any land, chattel, trade or business;
  - (ii) personal disturbance or inconvenience;
  - (iii) extinguishment, modification or restriction of rights; or
  - (iv) effecting or complying with any requirement or condition imposed by the Corporation,

which is authorised by or under this Act or arises from any act or omission so authorised, except in pursuance of one of the rights to compensation provided for in section 43. [35

**43.**—(1) The rights to compensation referred to in section 42 are the rights to claim from the Corporation or any other person for the items of loss, damage or cost set out in the first column of Part I of the First Schedule a sum assessed on the basis specified opposite thereto in the second column thereof and with regard to the provisions of Part II of the First Schedule, subject to — Compensation.

- (a) the claim being served on the Corporation or such other person within the appropriate period specified in the fourth column of Part I of the First Schedule; and
- (b) the other provisions of this Act.

(2) Every person who is described in the third column of Part I of the First Schedule shall have the right to claim compensation for the item of loss, damage or cost set out opposite thereto in the first column to the extent of the loss, damage or cost suffered or incurred by him as assessed pursuant to this Act. [36

**44.** Where an action, claim or proceeding is brought against any person other than the Corporation to recover the damages, compensation or costs for — Claims against persons other than Corporation. 17/87.

- (a) damage or disturbance to or loss of or in the value of any land, chattel, trade or business;
- (b) personal disturbance or inconvenience; or
- (c) extinguishment, modification or restriction of rights,

in pursuance of one of the rights to compensation provided for in section 43, sections 45, 46, 48 and 50 shall apply and any reference to the Corporation in those sections shall be read as a reference to that other person. [36A

Claims out  
of time.

**45.**—(1) Subject to this section, if a claim for an item of loss, damage or cost is not served on the Corporation before the expiration of the period specified in the fourth column of Part I of the First Schedule in respect of that item, the right to claim compensation therefor shall be barred.

(2) The period referred to in subsection (1) may, upon application made to the Compensation Board either before or after the expiry of that period, be extended in accordance with this section.

(3) Notice of an application under subsection (2) shall be given to the Corporation by the applicant.

(4) The Compensation Board may extend the period within which a claim must be served upon the Corporation if it considers that the delay in serving the claim was occasioned by mistake of fact or mistake of any matter of law (other than the relevant provision in the fourth column of Part I of the First Schedule) or by any other reasonable cause or that the Corporation is not materially prejudiced in the conduct of its case or otherwise by the delay.

(5) An extension may be granted by the Compensation Board under subsection (4), with or without conditions, for such period as it thinks fit but not in any case exceeding 6 years from the time when the right to compensation first arose. [37

Claims  
procedure.

**46.**—(1) Any person who claims to be entitled to compensation under this Act shall serve upon the Corporation a written claim setting out such of the following particulars as are applicable to his claim:

- (a) the name of the claimant and his address for service of notices;
- (b) a full description of the land to which the claim relates including any covenants, easements or restrictions affecting the same;
- (c) the nature of the claimant's interest in the land including in the case of a sub-lessee or

sub-tenant his landlord's name and address and details of the sub-lease or tenancy;

- (d) details of any mortgage, including the principal still owing and the name and address of the mortgagee;
- (e) if the claimant has sublet the land or any part thereof, the name and address of each tenant and details of his lease or tenancy;
- (f) particulars of the claim showing —
  - (i) under which item the claim is made; and
  - (ii) how the amount claimed under any item is calculated.

(2) The Corporation shall in writing acknowledge receipt and the date of receipt of every claim served on it under subsection (1).

(3) If a claimant amends his claim before proceedings are commenced before the Compensation Board and the Corporation considers the amendment to be substantial, the Corporation may, within 14 days of the receipt of the amended claim, notify the claimant that it elects to treat the claim, for the purposes of this section, as if it were a new claim served under subsection (1) on the date on which the amendment was received by the Corporation, and this section shall apply accordingly.

(4) The Corporation may by notice in writing to the claimant request him to furnish further particulars of and in support of his claim or any item thereof and if any such particulars are not furnished to the Corporation within a period of 28 days from the date of the notice, or within such further period as the Corporation may in writing allow, the claim or the item thereof concerning which the particulars are requested shall be deemed to be rejected and subsection (5) shall not apply thereto.

(5) The Corporation shall within 3 months of the service of a claim on it, or if it has requested further particulars under subsection (4) within 3 months of the day on which they are furnished in accordance with that subsection, notify the claimant in writing that it —

- (a) admits the entire claim;
- (b) rejects the entire claim; or

- (c) admits a specified part or parts and rejects the remainder,

and in every case shall briefly state its reasons for rejection so that the claimant is adequately informed of those reasons.

(6) Where the Corporation has rejected a claim or any part thereof under subsection (5) or where a claim or any part thereof is deemed to have been rejected under subsection (4), the Corporation may —

- (a) by notice in writing offer to the claimant such sum (including costs) as the Corporation is willing to pay in full and final settlement of the claim or any part thereof, as the case may be; or
- (b) commence proceedings before the Compensation Board to have the claim or any part thereof heard and determined by it in accordance with this Act.

(7) The Corporation may commence proceedings before the Compensation Board to have the claim or any part thereof heard and determined in accordance with this Act where any offer under subsection (6) (a) is refused by the claimant.

(8) If at the expiration of 4 months from the receipt of a claim by the Corporation it has not been settled by agreement, either the claimant or the Corporation may commence proceedings before the Compensation Board to have the claim, or so much thereof as is still then in dispute, heard and determined by it in accordance with this Act.

(9) In any case where the claimant has failed to supply further particulars required by the Corporation in accordance with subsection (4), the Compensation Board may on the hearing of the claim consider the merits of the Corporation's request for further particulars, and the claimant's failure to supply them and may, if it thinks fit —

- (a) order the claimant to furnish some or all of such particulars;
- (b) adjourn the hearing until the order is complied with and the particulars are considered by the Corporation; and

- (c) make such further order as it thinks fit as to the costs of either party occasioned by the Corporation's request for and the claimant's failure to supply the further particulars. [38]

**47.** A claim may be brought on behalf of a minor by his guardian or guardians, or any of them, and on behalf of a mentally disordered person by the person empowered by law to administer his assets. [39]

Claims by minor, etc.

**48.—(1)** At any time after proceedings have been commenced before the Compensation Board but before compensation is finally assessed, the Corporation may make an offer in writing of the kind described in section 46 (6) (a) or the claimant may by notice to the Corporation offer a sum (inclusive or exclusive of costs) which he is willing to accept in full and final settlement of his claim or any rejected part thereof.

Settlement after reference to Compensation Board.

(2) Where an offer made by the Corporation pursuant to section 46 (6) (a) or by the Corporation or the claimant pursuant to subsection (1) is not accepted by the other party, no part of the contents thereof which relates to any part of a claim before the Compensation Board shall be disclosed to the Compensation Board until the amount of compensation for that part is assessed by it but a copy of the offer enclosed in a sealed envelope may be lodged with the President and opened by him after the Compensation Board has made its assessment.

(3) Where the Corporation has made any offer pursuant to section 46 (6) (a) which is refused by the claimant or either party has made any offer pursuant to subsection (1) which is refused by the other and the compensation including costs, if any, assessed by the Compensation Board does not exceed the amount of compensation including costs, if any, comprised in the offer, the Compensation Board shall, unless for special reasons it thinks it proper not to do so, order the party who refused the offer to bear his own costs and to pay the costs of the other party in so far as the costs of either party are incurred after the making of the offer. [40]

## PART VII

## ASSESSMENT AND AWARD OF COMPENSATION

Establish-  
ment of  
Railway  
Compensa-  
tion Board.

49.—(1) For the purposes of this Act, there shall be established a Railway Compensation Board consisting of a President and such number of members, not being less than two, as the Minister may think fit.

(2) The President and every member of the Compensation Board shall be appointed by the Minister and upon appointment the name of the President and every member of the Compensation Board shall be published in the *Gazette*.

Cap. 321.

(3) The President shall possess the qualifications required for a District Judge under section 9 (3) of the Subordinate Courts Act, and shall preside at all sessions of the Compensation Board.

(4) Three members of the Compensation Board of whom the President shall be one shall form a quorum, and the opinion of the majority of the Compensation Board present shall be decisive upon any matter, except that in the case of an equality the President shall decide which opinion shall prevail.

(5) Every member of the Compensation Board shall, except where his appointment is revoked by the Minister under subsection (6) or he resigns during the period of his appointment, hold office for a period of 3 years or for such shorter period as the Minister may, in any case, determine but shall be eligible for reappointment.

(6) The Minister may at any time revoke the appointment of a member of the Compensation Board.

(7) Where a person ceases to be a member of the Compensation Board, the Minister shall, as soon as is reasonably practicable, take steps to fill the vacancy but the existence of any vacancy in the Compensation Board shall not invalidate the acts of the Compensation Board.

Cap. 224.

(8) Every member of the Compensation Board when and so long as he is serving on the Compensation Board shall be deemed to be a public servant within the meaning of the Penal Code and the proceedings of the Compensation Board shall be deemed to be judicial proceedings.

(9) There shall be paid to the members of the Compensation Board such salaries, fees and allowances as the Minister may determine.

(10) Any interested party may be represented before the Compensation Board —

- (a) by an advocate and solicitor of the Supreme Court;
- (b) subject to the provisions of the Legal Aid and Advice Act, by the Director of Legal Aid or any of his officers; or Cap. 160.
- (c) in any particular case in which the Compensation Board may at the request of that party and for good reason permit, by an agent acting without fee, gain, reward or any expectation thereof, as that party may appoint.

(11) Every summons and notice issued under the hand of the President shall be deemed to be issued by the Compensation Board.

(12) The Minister may appoint a secretary of the Compensation Board and such other officers and employees of the Compensation Board as may be necessary. [41

**50.**—(1) The Compensation Board shall have jurisdiction to hear and determine in accordance with this Act — Compensation Board to hear and determine claims.

- (a) all claims for compensation which the Corporation or the claimant may refer to it under section 46 (6); and
- (b) applications provided for by section 45 (2).

(2) The Compensation Board shall also have jurisdiction to award compensation or any part thereof to a claimant if at the time of the award it has no notice or intimation of any dispute as to his entitlement but the making of any such award shall not affect the entitlement to receive compensation under this Act of any other person who may thereafter be held by a court of competent jurisdiction to have a better title to the compensation or any other part thereof other than the person to whom it was awarded. [42

**51.** The Compensation Board shall have powers to examine any witness on oath, to summon any person to appear before it and to require any interested party or witness to produce any relevant document which the Board may require. Power of Compensation Board to examine witness on oath, etc. [43

Review of awards of Compensation Board.

**52.—(1)** An award of compensation of the Compensation Board may be reviewed, varied or set aside by the Compensation Board in any of the following circumstances:

- (a) where an award of compensation was made in consequence of any fraud, misrepresentation or mistake;
- (b) where fresh evidence of a material nature which could not by the exercise of reasonable diligence have been produced when an award of compensation was made is available;
- (c) where an award of compensation was made in the absence of any necessary or proper party whose absence was not due to any default or neglect on his part;
- (d) where in the opinion of the Compensation Board some substantial wrong or miscarriage of justice is occasioned by an award of compensation.

(2) No award shall be reviewed, varied or set aside by the Compensation Board under subsection (1) unless any party aggrieved by the award applies to the Compensation Board not later than two years from the date of the award.

[44

Power of Compensation Board to state special case for decision of High Court.

**53.—(1)** The Compensation Board may, at any stage of an application or proceeding before it, reserve for the consideration of the High Court any question of law arising in the application or proceeding in the form of a special case which shall be —

- (a) drawn up by the President and shall set out shortly the facts on which the law is to be applied and the question or questions of law to be determined;
- (b) sent by the President to the Registrar of the Supreme Court; and
- (c) set down for argument in such manner as the High Court directs.

(2) The High Court shall hear and determine the question or questions of law arising on the special case and shall thereupon remit the matter to the President with the opinion of the Court thereon and that opinion shall be binding on the Compensation Board.

(3) The costs of the proceeding in the High Court shall be in the discretion of the Court and may be dealt with by the order of the Court, except that no member of the Compensation Board shall be personally liable to any costs in respect thereof.

(4) Nothing in this section shall be construed to prevent the Compensation Board from determining any question of law arising in the application or proceeding before it.

[45]

**54.—**(1) The High Court, either on its own motion or on the application within 14 days of any party aggrieved by a decision of the Compensation Board on the ground that it is wrong in law, may call for the proceedings and the grounds of the award and give such order thereon, either by directing a fresh hearing or otherwise, as seems necessary to secure that substantial justice is done.

High Court may call for proceedings of Compensation Board.

(2) The powers of review conferred upon the High Court in this section shall not extend to a decision of the Compensation Board as to the quantum of compensation awarded or apportioned under section 50.

(3) There shall be no further right of appeal from the decision of the High Court under this section and under section 53.

[46]

## PART VIII

### SAFETY OF RAILWAY

**55.—**(1) The Minister may in writing appoint any public officer to be an inspector for the purposes of this Part.

Appointment of inspector. 17/87.

(2) The powers conferred by section 56 or by regulations made under this Act shall be exercised by an inspector only —

(a) for the purpose of ensuring the safety of the railway or any part thereof; or

(b) when an inspector is directed to do so pursuant to such regulations, for the purpose of investigating an accident on any part of the railway, after the railway or the part in question has commenced operation for public use.

(3) On the occasion of the exercise of any power, an inspector shall produce evidence of his identity, and of his appointment, to any person who requests him to do so.

(4) An inspector may take with him such persons as he reasonably requires to assist him in the exercise of his powers. [46A

General  
powers of  
inspector.  
17/87.

56.—(1) An inspector may —

- (a) at all reasonable times, enter upon premises to which this subsection applies;
- (b) carry out on premises to which this subsection applies, or on any machinery, plant or equipment thereon, such tests and inspections as he considers expedient;
- (c) require any person to whom this subsection applies —
  - (i) to do anything which the inspector reasonably considers to be necessary for facilitating any test or inspection; and
  - (ii) to provide the inspector with such information relating to the railway or any machinery, plant or equipment connected with the railway as the inspector may specify, and to answer any question or produce for inspection any document which is necessary for that purpose; and
- (d) take copies of any document produced to him pursuant to paragraph (c) (ii).

(2) Subsection (1) shall apply to —

- (a) the railway premises and the premises of any contractor or subcontractor who is carrying out or has carried out any work on the railway; and
- (b) any employee of the Corporation, any licensee, any employee of the licensee, any contractor or sub-contractor mentioned in paragraph (a) and any employee of such a contractor or sub-contractor.

(3) Any person who —

- (a) without lawful excuse, fails to comply with a requirement under subsection (1) (c);

- (b) knowingly furnishes to an inspector acting under subsection (1) (c) information that is false or misleading in a material particular; or
- (c) obstructs an inspector in the exercise of his powers under subsection (1),

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months. [46B

**57.—(1)** Where in the opinion of the Minister —

- (a) the condition of any part of the railway which has been brought into operation or of any machinery, plant or equipment of such part; or
- (b) the manner in which the railway or any part thereof is being operated,

Minister  
may order  
defects to  
be remedied.  
17/87.

is such as to cause, or to be likely to cause, a risk of injury to any person, the Minister may, by order in writing, direct the Corporation or the licensee, whichever is the relevant party, or both the Corporation and the licensee, to carry out such work, or to take such steps, as the Minister may specify in the order to ensure that the condition of the railway, or of the part of the machinery, plant or equipment in question, or the manner of operation will cease to constitute such a risk.

(2) An order made under subsection (1) may specify the time before which the Corporation or licensee or both, as the case may be, shall commence to carry out the specified work or take the specified steps and the time by which the same shall be completed.

(3) The Corporation or licensee which fails without reasonable excuse to comply with an order made under this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 and, in the case of a continuing offence, to a further fine of \$500 for every day during which it is proved to the court that the failure to comply with the order has continued without reasonable excuse.

(4) Any copy of a document which purports to be an order signed by the Minister for the purposes of subsection (1) shall —

- (a) be admitted in evidence in proceedings for an offence under subsection (3) on its production without further proof; and

(b) be evidence of the opinion of the Minister and of the other matters contained therein. [46C

Offence of wilfully endangering safety. 17/87.

**58.** Any person who wilfully does or omits to do anything in relation to the railway as a result of which the safety of any person travelling or being upon the railway is endangered, or is likely to be so endangered, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 5 years or to both. [46D

## PART IX

### MISCELLANEOUS

Service of documents.

**59.** Without prejudice to any other provisions of this Act, any notice or other document required or authorised to be given to or served on any person for the purposes of this Act or any proceedings thereunder before the Compensation Board may be personally given to or served on that person or may be sent to him by registered post. [47

Certain statements to be conclusive.

**60.** Where it is stated by the Corporation in a notice under section 35, 38, 39, 40 or 41 that the entry or the work therein described or required to be carried out is, in the opinion of the Corporation, necessary or required for the construction, operation, maintenance or improvement of the railway, then such statement shall be accepted by all courts, tribunals and persons as conclusive evidence of the truth of the fact so stated. [48

Power to require evidence of identity in certain cases. 17/87.

**61.—(1)** Any police officer or employee of the Corporation who reasonably believes that any person has committed an offence under this Act or any regulations made thereunder may require such person to furnish evidence of his identity and such person shall thereupon furnish such evidence of his identity as may be required by such police officer or employee of the Corporation.

(2) Any person who refuses to furnish any information required of him by any police officer or any employee of the Corporation under subsection (1) or wilfully mis-states such information shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500. [48A

**62.**—(1) A police officer, or any employee of the Corporation generally or specially authorised in writing by the chief executive officer appointed under section 12, may arrest without warrant any person found committing or whom he has reason to believe has committed an offence punishable under this Act or any regulations made thereunder.

Powers of arrest.  
17/87.

(2) No person arrested under subsection (1) shall be detained longer than is necessary for bringing him before a court unless the order of court for his continued detention is obtained. [48B

**63.** Notwithstanding the provisions of any written law to the contrary, a District Court or a Magistrate's Court shall have jurisdiction to try any offence under this Act and award the full punishment for such offence. [48C

Court for trial of offence.  
17/87.

**64.** Where a body corporate is guilty of an offence under this Act or any regulations made thereunder and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly. [48D

Offences committed by body corporate.  
17/87.

**65.**—(1) The Corporation may in its discretion compound any offence under any regulations made under this Act which is prescribed as an offence which may be compounded by collecting from the person reasonably suspected of having committed the offence a sum not exceeding \$200.

Powers of composition.  
17/87.

(2) The Corporation may, with the approval of the Minister, make regulations prescribing the offences which may be compounded. [48E

**66.**—(1) No proceedings for an offence punishable under this Act or any regulations made thereunder shall be instituted except by or with the sanction of the Public Prosecutor.

Public Prosecutor to sanction prosecution.  
17/87.

(2) Any employee of the Corporation or any police officer may conduct such a prosecution on behalf of the Corporation. [48F

Symbol,  
design or  
representa-  
tion of  
Corporation.  
17/87.

**67.—**(1) The Corporation shall have the exclusive right to the use of the symbol a representation of which is set out in the Second Schedule.

(2) Any person who, without the permission of the Corporation, uses the Corporation's symbol or uses a symbol which so resembles the Corporation's symbol as to nearly deceive or cause confusion or to be likely to deceive or cause confusion shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both. [48G

Regulations.  
17/87.

**68.—**(1) The Corporation may, with the approval of the Minister, make regulations for or in respect of every purpose which is considered by the Corporation necessary or expedient for carrying out the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Corporation may make regulations for all or any of the following purposes:

(a) controlling and regulating —

- (i) the maintenance and operation of the railway;
- (ii) the work and conduct of the employees of the Corporation;
- (iii) the conduct of members of the public using the railway or on railway premises;
- (iv) a system for evidencing (whether by the issue of tickets or otherwise) the payment of fares on the railway and any contract of carriage of passengers thereon;
- (v) advertising on railway premises; and
- (vi) the custody and disposal of property found on railway premises;

(b) providing the safety of persons using or engaged in work on the railway;

(c) prescribing the terms and conditions relating to the use of railway premises;

(d) protecting the property of the Corporation on railway premises;

(e) the investigation and notification of accidents;

- (f) prescribing the powers and duties of inspectors appointed for the purposes of Part VIII for the administration and enforcement of that Part; and
- (g) prescribing the fees for services rendered by the Corporation.

(3) The Corporation may, in making any regulations, provide that any contravention of, or failure or neglect to comply with, any regulations shall be an offence and may prescribe the fine with which such offence shall be punishable but so that no such fine shall exceed for any one offence the sum of \$5,000 and, in the case of a continuing offence, a further sum of \$100 for every day or part thereof during which the offence continues after conviction. [49]

**69.—**(1) All property of whatever kind and whether movable or immovable vested in or belonging to the Provisional Authority immediately before 14th October 1983 shall as from that date be transferred to and vested in the same interest in the Corporation without any further assurance and the Corporation shall have all the powers necessary to take possession of, recover and obtain the benefit of that property.

Transfer of assets and liabilities. S 236/83.

(2) All obligations and liabilities of the Provisional Authority subsisting immediately before 14th October 1983 shall as from that date be the obligations and liabilities of the Corporation and the Corporation shall have all necessary powers to discharge those obligations and liabilities. [50]

**70.—**(1) Without limiting the generality of section 69, every agreement, whether in writing or not, to which the Provisional Authority was a party immediately before 14th October 1983 and whether or not of such a nature that the rights and liabilities thereunder could be assigned shall have effect as from that date as if —

Other transitional provisions. S 236/83.

- (a) the Corporation had been a party to such agreement; and
- (b) for any reference, however worded and whether express or implied, to the Provisional Authority there were substituted in respect of anything to be done or omitted on or after that date a reference to the Corporation.

(2) Subsection (1) (b) shall also apply to any document, not being an agreement, having therein references to the Provisional Authority.

(3) The appointment of any employee of the Provisional Authority subsisting immediately before 14th October 1983 shall be deemed to be made by the Corporation under this Act, and for the purpose of determining the right to pension, gratuity or other benefits of that employee on the cessation of his service, there shall be no break in the continuity thereof by reason only of the repeal of the Provisional Mass Rapid Transit Authority Act 1980.

18/80.

(4) Where anything has been commenced by or under the authority of the Provisional Authority before 14th October 1983 such thing may be carried on and completed by or under the authority of the Corporation.

(5) Any proceedings or cause of action pending or existing before 14th October 1983 by or against the Provisional Authority may be continued and be enforced by or against the Corporation. [51

Non-  
application  
of Railways  
Act.  
Cap. 263.  
2/86.

**71.** Nothing in the Railways Act shall apply to this Act. [52

## FIRST SCHEDULE

Sections 43 and 45.

## PART I

<i>Losses for which compensation may be claimed.</i>	<i>Basis on which compensation is to be assessed.</i>	<i>Persons who may claim compensation for their respective losses.</i>	<i>Period within which the claim must be served on the Corporation or other person.</i>
1. The loss due to displacement resulting from the exercise of the Corporation's right under section 35 of this Act.	A displacement payment.	Any person owning a compensatable interest in the land on the date on which the notice is issued under section 35 (2) of this Act.	Before the expiration of two years from the date on which the notice is issued under section 35 (2) of this Act.
2. (a) Structural damage to any building resulting from the construction or operation of the railway.	(a) The amount which is, or might be, fairly and reasonably incurred in repairing the damage.	(a) Any person owning a compensatable interest in the damaged building.	(a) Before the expiration of 6 years from the date of the opening for public traffic of that portion of the railway from which the damage is alleged to have resulted.
(b) The loss due to displacement resulting from structural damage mentioned in item (a) above.	(b) A displacement payment.	(b) Same as in item (a) above.	(b) Same as in item (a) above.
3. Damage to any land or building resulting from the exercise of any power contained in section 39 of this Act.	The amount which is, or might be, fairly and reasonably incurred in repairing the damage.	Any person owning a compensatable interest in the land or damaged building.	Before the expiration of one year from the date of completion of the work carried out under section 40 of this Act from which the damage or loss is alleged to have resulted.
4. The cost of altering the course or position of any apparatus and of repairing any street surface pursuant to a notice served by the Corporation under section 40 of this Act.	The cost which is fairly and reasonably incurred in effecting such alteration and repair.	The person on whom the notice under section 40 of this Act is served.	Before the expiration of one year from the completion of the alteration and repair.

FIRST SCHEDULE — *continued*PART I — *continued*

<i>Losses for which compensation may be claimed.</i>	<i>Basis on which compensation is to be assessed.</i>	<i>Persons who may claim compensation for their respective losses.</i>	<i>Period within which the claim must be served on the Corporation or other person.</i>
5. (a) The cost of the removal of any object or structure which was erected and maintained without the contravention of any written law.	(a) The cost incurred in moving the object or structure and making good that part of the land or building from which it is removed.	(a) Any person who incurs the cost.	(a) Before the expiration of one year from the date of removal.
(b) The cost of reinstating an object or structure described in item (a) above or of replacing the same with a similar object or structure.	(b) The cost incurred in so doing.	(b) Any person who incurs the cost.	(b) Before the expiration of one year from the date of reinstatement or replacement.
(c) The loss sustained by the removal of an object or structure which was erected and maintained without the contravention of any written law and is not to be reinstated or replaced with a similar object or structure at the expense of the Corporation under item (b) above.	(c) The amount which might fairly and reasonably be estimated as the cost of reinstating or replacing the object or structure.	(c) Any person owning a share or interest in the object or structure on the date on which it is removed under section 41 (4) of this Act.	(c) Before the expiration of one year from the date of removal.

FIRST SCHEDULE — *continued*

## PART II

1. The provisions in this Part shall, where applicable, have effect for the purpose of assessing compensation under Part I. General effect of this Part.
2. In Part I — Definitions applicable to Part I.
- “compensatable interest” means the estate or interest of —
- (a) a person having an unexpired term in land (including any further term which could be obtained as of right) of not less than one month or a tenancy or sub-tenancy terminable (where by virtue of any written law or otherwise) by either party by not less than one month’s notice;
  - (b) a mortgagee in possession;
  - (c) the holder of a valid and subsisting option to purchase an interest referred to in paragraph (a) or (d); or
  - (d) a purchaser under an agreement for sale and purchase to whom the benefit of an interest referred to in paragraph (a) or (c) has already passed;
- “displacement” means the displacement of a person from land, whether such displacement is temporary or permanent;
- “displacement payment” means a sum equal to the financial loss naturally and reasonably resulting from the displacement of a person from the land.
3. In the assessment of compensation no account shall be taken of — No account of certain financial loss or increase or decrease in value attributable to railway.
- (a) the financial loss resulting from the interruption of or interference with any trade or business carried on any land; and
  - (b) any increase or decrease in the value of land to which the compensation relates which is attributable to —
    - (i) the delineation thereof under section 32 of this Act as part of the railway area; or
    - (ii) the construction or operation of the railway.
4. Compensation may be refused or reduced in respect of any building or part thereof which has been constructed or modified or on which building works have been carried out so as to amount to a contravention of the Building Control Act being a contravention within the meaning of that Act. Refusal or reduction where Building Control Act contravened. Cap. 29.
5. The compensation assessed under item 2 or 3 of Part I shall be reduced to such extent as the Compensation Board thinks just and equitable having regard to the share in the responsibility for the loss or damage not attributable to and connected with the railway. Compensation where damage results only partly from railway.

FIRST SCHEDULE — *continued*PART II — *continued*

No compensation under item 5 (c) of Part I for loss of advertising.

6. Where a sign advertising any business, product, service or activity is removed under section 41 (4) of this Act, nothing in item 5 (c) of Part I shall be construed as conferring upon any person a right to compensation for the loss of any benefit which might have accrued to him from the advertising of that business, product, service or activity if the sign had not been removed.

Claim by a mortgagee in possession.

7. Where under this Act a claim for compensation may be made by a mortgagee in possession and compensation received by a mortgagee in possession shall be applied by him as if it were proceeds of sale of the mortgage security.

Compensation payable to person within or outside railway area.  
17/87.

8. The compensation referred to in item 2 or 3 of Part I may be paid to any person owning a compensatable interest in land situate within or outside the railway area.

## SECOND SCHEDULE

Section 67.

