

THE STATUTES OF THE REPUBLIC OF SINGAPORE

**LAND TRANSPORT AUTHORITY OF SINGAPORE ACT
(CHAPTER 158A)**

**Act
28 of 1995**
Amended by
S 382/95

REVISED EDITION 1996
(30th April 1996)

Land Transport Authority of Singapore Act

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An Act to establish and incorporate the Land Transport Authority of Singapore, to provide for its functions and powers, and for matters connected therewith.

[1st September 1995]

PART I

PRELIMINARY

Short title.

1. This Act may be cited as the Land Transport Authority of Singapore Act.

Inter-
pretation.

2. In this Act, unless the context otherwise requires —

“Authority” means the Land Transport Authority of Singapore established under section 3;

“Chairman” means the Chairman of the Authority and includes any acting Chairman of the Authority;

“Chief Executive” means the Chief Executive of the Authority appointed under section 9 and includes any person acting in that capacity;

“claim” means a claim for compensation under section 20;

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

“Compensation Board” means the Compensation Board established under section 26;

“construction”, with its grammatical variations and cognate expressions, in relation to a railway or road, includes —

(a) the reconstruction or realignment of the railway or road;

(b) permanently improving the railway or road or otherwise bringing it to a higher standard,

and any associated investigative and engineering studies, but does not include the planning, maintenance and management of the railway or road;

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

“Land Transport Revenue Account” or “Account” means the Land Transport Revenue Account established under section 12;

“land transport system” means the infrastructure facilitating transport on land by the railway or road;

“maintenance”, with its grammatical variations and cognate expressions, in relation to a railway or road, includes the execution of all works of any description which are necessary to keep the railway or road in the state of utility in which it was on the completion of its construction;

“member” means a member of the Authority;

“President” means the President of the Compensation Board appointed under section 26;

“railway” has the same meaning as in the Rapid Transit Systems Act; Cap. 263A.

“road” includes —

- (a) any street, bridge, underpass, tunnel square, footway or passage, whether a thoroughfare or not, over which the public has a right of way;
- (b) any street, footway or passage, open court or open alley, used or intended to be used as a means of access to two or more holdings, whether the public has a right of way thereover or not; and
- (c) all channels, sewers, drains, tunnels, ditches and reserves at the side of any road.

PART II

ESTABLISHMENT, INCORPORATION AND
CONSTITUTION OF AUTHORITY

Establishment and incorporation of Land Transport Authority of Singapore.

3. There is hereby established a body to be known as the Land Transport Authority of Singapore which shall be a body corporate with perpetual succession and a common seal and shall, by that name, be capable of —

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

Common seal.

4.—(1) All deeds and other documents requiring the seal of the Authority shall be sealed with the common seal of the Authority and such instruments to which the common seal is affixed shall be signed by any 2 members generally or specially authorised by the Authority for the purpose or by one member and the Chief Executive.

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

Constitution of Authority.

5.—(1) The Authority shall consist of —

- (a) a Chairman; and
- (b) not less than 2 nor more than 14 other members as the Minister may from time to time determine.

(2) The First Schedule shall have effect with respect to the Authority, its members and proceedings.

PART III

FUNCTIONS, DUTIES AND POWERS OF AUTHORITY

- 6.—(1)** Subject to the provisions of this Act, it shall be the function and duty of the Authority —
- Functions
and duties of
Authority.
- (a) to plan, design, construct, manage and maintain roads in Singapore in accordance with this Act and the Street Works Act; Cap. 320A.
 - (b) to plan, design, construct, maintain and improve pedestrian walkways, bus stops or shelters, bus interchanges or terminals, taxi stands and other commuter facilities in accordance with this Act, the Street Works Act and any other written law;
 - (c) to maintain, operate and improve road traffic signs or signals, traffic control equipment or lighting equipment associated with a road and other road traffic facilities for the purposes of traffic management and control;
 - (d) to provide parking places for motor vehicles, to license and regulate the use of parking places and to administer the Parking Places Act; Cap. 214.
 - (e) to develop and implement road traffic management strategies and practices;
 - (f) to provide registration and licensing procedures and systems for road transport in accordance with the Road Traffic Act; Cap. 276.
 - (g) without prejudice to the Public Transport Council Act, to regulate the carriage of passengers on any road for hire or reward in accordance with the Road Traffic Act; Cap. 259B.
 - (h) to regulate the construction of motor vehicles and the conditions under which they may be used on roads in Singapore;
 - (i) to determine load limits for any road, bridge or culvert and to establish guidelines or requirements for the issue of vehicle mass and dimension permits;

Cap. 263A.

- (j) to promote better understanding of land transport policies and programmes, whether solely or jointly with other authorities or organisations;
- (k) to plan, design, construct, manage, operate and maintain the railway in accordance with this Act and the Rapid Transit Systems Act;
- (l) to approve and regulate the operation of the railway in accordance with this Act and the Rapid Transit Systems Act;
- (m) to co-ordinate land transport services, including developing or promoting the development of integrated ticket systems;
- (n) to conduct, or engage persons to conduct, research and demonstration projects in respect of land transport and associated matters, and to encourage, advise and otherwise assist (whether financially or otherwise) any such research or project;
- (o) to advise the Government in respect of the land transport system in Singapore, including, but not limited to —
 - (i) its adequacy to meet national and community needs in an efficient, viable and safe manner;
 - (ii) changes considered advisable in the provision of finance for the control, construction, management or maintenance of the land transport system; and
 - (iii) changes considered advisable in the levying and collection of land transport taxation, including the granting or withdrawing of exemptions or partial exemptions from any form of land transport taxation;
- (p) to maintain contact with land transport organisations in Singapore and abroad, in order to obtain, collect and exchange information relating to land transport developments in Singapore and abroad, and to make such information available to bodies and persons with an interest in land transport in Singapore;

- (q) to represent Singapore internationally in respect of matters relating to land transport;
- (r) to act as agent of the Government and provide service in administering, assessing, collecting and enforcing payment of —
 - (i) the special tax imposed under section 17 of the Customs Act; Cap. 70.
 - (ii) the surcharge imposed under the Parking Places (Surcharge) Act; Cap. 215.
 - (iii) the charge imposed pursuant to the Parking Places Act for the waiver of requirements imposed by or under that Act in relation to car parks; Cap. 214.
 - (iv) the proposed sums of successful bids for particular index marks and registration numbers for any type or category of vehicle; and
 - (v) all taxes, fees and charges collected by the Registrar of Vehicles under the Road Traffic Act or any rules made thereunder which are not specified in the Second Schedule; Cap. 276.
- (s) to act as agent of the Government in vesting of land under the Street Works Act; Cap. 320A.
- (t) to collect, compile and analyse information of a statistical nature relating to land transport or such other subject-matter necessary for the performance of the functions of the Authority, and to publish and disseminate the results of any such compilation and analysis or abstracts of those results;
- (u) to establish and maintain a Land Transport Revenue Account in accordance with the provisions of this Act;
- (v) to undertake any other activity considered necessary or desirable to achieve a safe and efficient land transport system that maximises national economic and social benefits; and
- (w) to perform such other functions as are conferred on the Authority by any other written law.

(2) Nothing in this section shall be construed as imposing on the Authority, directly or indirectly, any form of duty or liability enforceable by proceedings before any court.

(3) In addition to the functions and duties imposed by this section, the Authority may undertake such other functions as the Minister may assign to the Authority and in so doing the Authority shall be deemed to be fulfilling the purposes of this Act and the provisions of this Act shall apply to the Authority in respect of such functions.

Powers of
Authority.

7.—(1) Subject to this Act, the Authority may carry on such activities as appear to the Authority to be advantageous, necessary or convenient for it to carry on for or in connection with the discharge of its functions and duties under this Act or any other written law, and in particular may exercise any of the following powers:

- (a) to grant licences or permits for land transport purposes and to supervise and enforce compliance with the provisions of such licences;
- (b) to open and break up any road and to take possession of and use any road or portion thereof;
- (c) to utilise all property of the Authority, movable and immovable, in such manner as the Authority may think expedient, including the raising of loans by mortgaging such property;
- (d) to lease or let, with or without taking a premium, any property vested in or acquired by it or to grant easements, rights of way, temporary licences or other rights or privileges over, under, through or in respect of any land or buildings belonging to or vested in the Authority upon such terms and conditions as the Authority may think fit;
- (e) to subscribe for or acquire any securities, stocks and shares of an incorporated company or other body corporate, to procure its admission to membership of an incorporated company limited by guarantee and not having a share capital, to promote the formation of an incorporated

company or participate in the promotion of such company or to acquire an undertaking or part thereof;

- (f) to form or participate in any joint venture as a partner or a shareholder or in any other capacity, with any firm, body corporate, society or institution for the purposes of this Act;
- (g) to enter into all such contracts for the supply of goods, services or materials or for the execution of works or any other contract as may be necessary for the discharge of its duties and functions under this Act;
- (h) to engage alone or in conjunction with other corporations in the production, manufacture or sale of equipment, whether in Singapore or elsewhere;
- (i) to provide technical advice or assistance, including training facilities, to land transport authorities of other countries;
- (j) to impose fees or charges for services rendered by the Authority;
- (k) to grant loans to officers or employees of the Authority for any purposes specifically approved by the Authority as are likely to increase the efficiency of officers or employees;
- (l) to provide recreational facilities and promote recreational activities for, and activities conducive to, the welfare of officers or employees of the Authority and members of their families;
- (m) to provide training for employees of the Authority and to award scholarships or otherwise pay for such training;
- (n) to receive donations and contributions from any source and raise funds by all lawful means; and
- (o) to do anything incidental to any of its powers.

(2) This section shall not be construed as limiting any power of the Authority conferred by or under any other written law.

(3) The Authority shall furnish the Minister information with respect to its property and activities in such manner and at such times as the Minister may require.

Appointment
of
committees
and
delegation of
powers.

8.—(1) The Authority may appoint from among its own members or other persons who are not members such number of committees as it thinks fit consisting of members or other persons or members and other persons for purposes which, in the opinion of the Authority, would be better regulated and managed by means of such committees.

(2) The Authority may, subject to such conditions or restrictions as it thinks fit, delegate to any such committee or to any member, officer or employee of the Authority, any of the functions or powers of the Authority under this Act or any other written law, except the power of delegation conferred by this section.

(3) No delegation under this section shall prevent the performance or exercise of any function or power by the Authority.

PART IV

PROVISIONS RELATING TO STAFF

Appointment
of Chief
Executive
and other
employees.

9.—(1) The Authority shall, with the approval of the Minister, appoint a Chief Executive on such terms and conditions as the Authority may determine.

(2) The Chief Executive shall —

(a) be known by such designation as the Authority may determine;

(b) be responsible to the Authority for the proper administration and management of the functions and affairs of the Authority in accordance with the policy laid down by the Authority; and

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

(3) The Minister shall consult the Public Service Commission before granting his approval under subsection (1) or before giving his consent under subsection (2) (c).

(4) If the Chief Executive is temporarily absent from Singapore, or is temporarily unable to perform his duties by reason of illness or otherwise, another person may be appointed by the Authority to act in the place of the Chief Executive during any such period of absence from duty.

(5) The Authority may, from time to time, appoint and employ on such terms and conditions as the Authority may determine such other employees, consultants and agents as may be necessary for the effective performance of its functions.

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

Protection
from
personal
liability.

11.—(1) All members, officers and employees of the Authority shall be deemed to be public servants for the purposes of the Penal Code.

Public
servants
and public
officers.
Cap. 224.

(2) The members, officers and employees of the Authority shall, in relation to their administration, assessment, collection and enforcement of payment of the taxes, fees and charges referred to in section 6 (1) (r), be deemed to be public officers for the purposes of the Financial Procedure Act and section 20 of that Act shall apply to such persons notwithstanding that they are not or were not in the employment of the Government.

Cap. 109.

PART V

FINANCIAL PROVISIONS

12.—(1) The Authority shall establish, maintain and operate a Land Transport Revenue Account into which shall be paid —

Land
Transport
Revenue
Account.

(a) all taxes, fees and charges specified in the Second Schedule;

- (b) all fees received by the Authority for services rendered by the Authority to any person, including any collection agency fee;
- (c) all moneys derived from the disposal, lease, or hire of, or any other dealing with, any property vested in or acquired by the Authority;
- (d) all income derived from the investment of moneys in the Account, including any gains made on the sale of any investment of money of the Account, and interest or gains thereon;
- (e) all moneys borrowed by the Authority under this Act; and
- (f) all other moneys lawfully received by the Authority for the purposes of the Authority.

(2) The Land Transport Revenue Account shall be managed and administered by the Authority, subject to the directions of the Minister.

Application
of revenue.

13.—(1) The revenue of the Land Transport Revenue Account for any financial year shall be applied in defraying the following charges:

- (a) the remuneration, fees and allowances of the members of the Authority;
- (b) the salaries, fees, remuneration, pensions, superannuation allowances and gratuities of the officers, agents, employees, advisers and former employees of the Authority;
- (c) working and establishment expenses and expenditure on, or provision for, the maintenance of any of the property of the Authority, and the discharge of the functions of the Authority properly chargeable to revenue account;
- (d) expenses incurred or incidental to the investment or management of moneys in the Account;
- (e) interest on any loan raised by the Authority;

- (f) sums required to be paid to the Government towards repayment of any loan made by the Government to the Authority;
- (g) sums required to be transferred to a sinking fund or otherwise set aside for the purpose of making provision for the repayment of borrowed money;
- (h) such sums as may be deemed appropriate to set aside in respect of depreciation or renewal of the property of the Authority, having regard to the amount set aside out of revenue under paragraphs (c) and (f);
- (i) the cost, or any portion thereof, of any new works, plant, vessels or appliances not being a renewal of the property of the Authority, which the Authority may determine to charge to revenue;
- (j) such sums by way of contribution, for the purposes associated with the objects of this Act as the Authority may determine, to the public or for charities; and
- (k) any other expenditure authorised by the Authority and properly chargeable to revenue account.

(2) The balance of the revenue of the Land Transport Revenue Account may be applied to the creation of a general reserve and such other reserves as the Authority may think fit.

14.—(1) For the purpose of enabling the Authority to carry out its function and duty of constructing any railway or roads or other related facilities, the Minister for Finance shall, from time to time, provide funds by way of grants, subject to such conditions as he may impose, to the Authority out of moneys provided by Parliament.

Funds for construction, etc., projects.

(2) The Authority 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 purposes referred to in subsection (1) and on such terms and conditions as it thinks fit.

(3) The repayment of money borrowed or raised by the Authority for the purposes 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 Authority by the Minister for Finance.

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

Operating
expenses.

15.—(1) It shall be the duty of the Authority so to exercise and perform its functions under this Act as to secure that the total revenues of the Authority are sufficient, taking one financial year with another, to meet its total operating expenses properly chargeable to the Land Transport Revenue Account.

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

(a) operating expenses associated directly with the functions and duties referred to in section 14 (1); and

(b) interests, fees and other charges in respect of loans incurred under section 14 (2),

the payment of which shall be met from funds provided by the Minister for Finance to the Authority pursuant to section 14 (1).

Bank
accounts and
application
of revenue.

16.—(1) The Authority shall open and maintain an account or accounts with such bank or banks as the Authority thinks fit; and every such account shall be operated upon as far as practicable by cheque signed by such person or persons as may from time to time be authorised in that behalf by the Authority.

(2) The moneys of the Authority shall be applied only in payment or discharge of the expenses, obligations and liabilities of the Authority and in making any payments that the Authority is authorised or required to make.

Investment.

Cap. 337.

17. The Authority may invest any of its funds available for investment in accordance with the provisions of the Trustees Act as to the investment of trust funds or, with the approval of the Minister, in any other manner.

18. The financial provisions set out in the Third Schedule shall have effect with respect to the Authority. Other financial provisions.

PART VI

RIGHTS TO COMPENSATION, CLAIMS PROCEDURE AND
ASSESSMENT OF COMPENSATION

19.—(1) No action, claim or proceedings shall lie or be brought against the Authority or any other person — No remedy except under this Act.

(a) to restrain the doing of anything which is authorised by or under the Rapid Transit Systems Act or to compel the doing of anything which may be omitted to be done thereunder; or Cap. 263A.

(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 Authority,

which is authorised by or under the Rapid Transit Systems Act or arises from any act or omission so authorised, except in pursuance of one of the rights to compensation provided for in section 20.

(2) No action, claim or proceedings shall lie or be brought against the Authority or any other person —

(a) to restrain the doing of anything which —

(i) is authorised by section 9, 12 or 29 of the Street Works Act; or Cap. 320A.

(ii) is authorised by any other provision of the Street Works Act relating to the construction of a road tunnel,

or to compel the doing of anything which may be omitted to be done under those provisions of that Act; 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 Authority,

Cap. 320A.

which is authorised by or under section 9, 12 or 29 of the Street Works Act or is authorised by any other provision thereof relating to the construction of a road tunnel, or arises from any act or omission so authorised, except in pursuance of one of the rights of compensation provided for in section 20.

Compen-
sation.

20.—(1) The rights to compensation referred to in section 19 are the rights to claim from the Authority or any other person for the items of loss, damage or cost set out in the first column of Part I of the Fourth 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 Fourth Schedule, subject to —

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

(2) Every person who is described in the third column of Part I of the Fourth Schedule shall have the right to claim compensation for the items 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.

21. Where any action, claim or proceeding is brought against any person other than the Authority to recover the damages, compensation or costs for —

Claims
against
persons
other than
Authority.

- (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 20, sections 22, 23, 25 and 27 shall apply and any reference to the Authority in those sections shall be read as a reference to that other person.

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

Claims out of
time.

(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 Authority by the applicant.

(4) The Compensation Board may extend the period within which a claim must be served upon the Authority if the Board 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 Fourth Schedule) or by any other reasonable cause or that the Authority 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 the Board thinks fit but not in any case exceeding 6 years from the time when the right to compensation first arose.

Claims
procedure.

23.—(1) Any person who claims to be entitled to compensation under this Act shall serve upon the Authority 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 Authority 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 Authority considers the amendment to be substantial, the Authority 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 Authority, and this section shall apply accordingly.

(4) The Authority 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 Authority within a

period of 28 days from the date of the notice, or within such further period as the Authority 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 Authority shall, within 3 months of the service of a claim on it, or if the Authority 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 the Authority —

- (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 Authority 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 Authority may —

- (a) by notice in writing offer to the claimant such sum (including costs) as the Authority 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 the Board in accordance with this Act.

(7) The Authority 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 Authority, it has not been settled by agreement, either the claimant or the Authority 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 the Board in accordance with this Act.

(9) In any case where the claimant has failed to supply further particulars required by the Authority in accordance with subsection (4), the Compensation Board may on the hearing of the claim consider the merits of the Authority's request for further particulars, and the claimant's failure to supply them and may, if the Board 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 Authority; and
- (c) make such further order as the Board thinks fit as to the costs of either party occasioned by the Authority's request for and the claimant's failure to supply the further particulars.

Claims by
minor, etc.

24. 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.

Settlement
after
reference to
Compen-
sation Board.

25.—(1) At any time after proceedings have been commenced before the Compensation Board but before compensation is finally assessed, the Authority may make an offer in writing of the kind described in section 23 (6) (a) or the claimant may by notice to the Authority 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.

(2) Where an offer made by the Authority pursuant to section 23 (6) (a) or by the Authority 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 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 Board has made its assessment.

(3) Where the Authority has made any offer pursuant to section 23 (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 Board shall, unless for special reasons the Board 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.

PART VII

ASSESSMENT AND AWARD OF COMPENSATION

26.—(1) For the purposes of this Act, there shall be established a Compensation Board consisting of a President and such number of members, not being less than 2, as the Minister may think fit. Establishment of Compensation Board.

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

(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. Cap. 321.

(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 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 Board shall not invalidate the acts of the Board.

Cap. 224.

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

Cap. 160.

(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

(c) in any particular case in which the 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 Board as may be necessary.

Cap. 172,
1988 Ed.

(13) The persons who immediately before 1st September 1995 were appointed President and members of the Railway Compensation Board under the repealed Mass Rapid Transit Corporation Act shall continue to be President and members, respectively, of the Compensation Board under this Act as if they had been appointed under this section on the same terms and conditions for a term expiring on the day on which their respective appointments under the repealed Mass Rapid Transit Corporation Act would expire.

27.—(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 Authority or the claimant may refer to it under section 23 (6); and
- (b) applications provided for by section 22 (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 the Board has no notice or intimation of any dispute as to the claimant's 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.

28. 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.

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

Review of awards of Compensation Board.

- (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 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 Board not later than 2 years from the date of the award.

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

30.—(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.

High Court may call for proceedings of Compensation Board.

31.—(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.

(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 27.

(3) There shall be no further right of appeal from the decision of the High Court under this section and under section 30.

PART VIII

TRANSFER OF ASSETS, LIABILITIES AND EMPLOYEES

32.—(1) As from 1st September 1995, such movable and immovable property vested in the Government as may be determined by the Minister for Finance and used or managed by —

Transfer to
Authority of
property,
assets and
liabilities of
Government.

- (a) the Registry of Vehicles;
- (b) the Roads and Transportation Division of the Public Works Department; and
- (c) the Land Transport Division of the Ministry of Communications,

and all assets, interests, rights, privileges, liabilities and obligations of the Government relating to the Registry of Vehicles, the Roads and Transportation Division of the Public Works Department and the Land Transport Division of the Ministry of Communications shall be transferred to and shall vest in the Authority without further assurance.

(2) If any question arises as to whether any particular property, or whether any particular asset, interest, right, privilege, liability or obligation has been transferred to or vested in the Authority under subsection (1), a certificate under the hand of the Minister for Finance shall be conclusive evidence that the property, asset, interest, right, privilege, liability or obligation was or was not so transferred or vested.

(3) Any immovable property to be transferred to and vested in the Authority under subsection (1) shall be held by the Authority upon such tenure and subject to such terms and conditions as the President of Singapore may determine.

Transfer of
employees.

33.—(1) As from 1st September 1995, such categories of persons employed immediately before that date in —

- (a) the Registry of Vehicles;
- (b) the Roads and Transportation Division of the Public Works Department; and
- (c) the Land Transport Division of the Ministry of Communications,

as the Minister may determine shall be transferred to the service of the Authority on terms no less favourable than those enjoyed by them immediately prior to their transfer.

(2) Until such time as terms and conditions of service are drawn up by the Authority, the scheme and terms and conditions of service in the Government shall continue to apply to every person transferred to the service of the Authority under subsection (1) as if he were still in the service of the Government.

Pension
rights, etc.,
of
Government
employees to
be preserved.

34.—(1) The terms and conditions to be drawn up by the Authority shall take into account the salaries and terms and conditions of service, including any accrued rights to leave, enjoyed by the persons transferred to the service of the Authority under section 33 while in the employment of the Government; and any such term or condition relating to the length of service with the Authority shall provide for the recognition of service under the Government by the persons so transferred to be service by them under the Authority.

(2) Nothing in the terms and conditions to be drawn up by the Authority shall adversely affect the conditions that would have been applicable to persons transferred to the service of the Authority as regards any pension, gratuity or allowance payable under the Pensions Act.

Cap. 225.

(3) In every case where a person has been transferred to the service of the Authority under section 33, the Government shall be liable to pay to the Authority such portion of any gratuity, pension or allowance payable to such person on his retirement as the same shall bear to the proportion which the aggregate amount of his pensionable emoluments

during his service with the Government bears to the aggregate amount of his pensionable emoluments during his service under both the Government and the Authority.

(4) Where any person in the service of the Authority whose case does not fall within the scope of any pension or other schemes established under this section retires or dies in the service of the Authority or is discharged from such service, the Authority may grant to him or to such other person or persons wholly or partly dependent on him, as the Authority thinks fit, such allowance or gratuity as the Authority may determine.

(5) Where any person who is transferred to the service of the Authority under section 33 is a contributor under the Widows' and Orphans' Pension Act, he shall for the purposes of that Act continue to make contributions under that Act as if he had not been transferred to the service of the Authority and for the purposes of that Act his service with the Authority shall be deemed to be service with the Government.

Cap. 350.

35. Notwithstanding the provisions of the Pensions Act, no person who is transferred to the service of the Authority under section 33 shall be entitled to claim any benefit under the Pensions Act on the ground that he has been retired from the service of the Government on account of abolition or reorganisation of office in consequence of the establishment and incorporation of the Authority.

No benefits in respect of abolition or reorganisation of office.
Cap. 225.

36. All deeds, bonds, agreements, instruments and arrangements, subsisting immediately before 1st September 1995 to which the Government is a party and relating to the Registry of Vehicles, the Roads and Transportation Division of the Public Works Department or the Land Transport Division of the Ministry of Communications or to any person transferred to the service of the Authority under section 33 shall continue in force on and after that date and shall be enforceable by or against the Authority as if the Authority had been named therein or had been a party thereto instead of the Government.

Existing contracts.

Continuation
and
completion
of
disciplinary
proceedings.

37.—(1) Where on 1st September 1995 any disciplinary proceedings were pending against any employee of the Government transferred to the service of the Authority, the proceedings shall be carried on and completed by the Authority; but where on that date any matter was in the course of being heard or investigated or had been heard or investigated by a committee acting under due authority but no order or decision had been rendered thereon, the committee shall complete the hearing or investigation and make such order, ruling or direction as it could have made under the authority vested in it before 1st September 1995.

(2) Any order, ruling or direction made or given by a committee pursuant to this section shall be treated as an order, a ruling or a direction of the Authority and have the same force or effect as if it had been made or given by the Authority pursuant to the authority vested in the Authority under this Act.

Misconduct
or neglect of
duty by
employee
before
transfer.

38. The Authority may reprimand, reduce in rank, retire, dismiss or punish in some other manner a person who had, whilst he was in the employment of the Government, been guilty of any misconduct or neglect of duty which would have rendered him liable to be reprimanded, reduced in rank, retired, dismissed or punished in some other manner if he had continued to be in the employment of the Government and if this Act had not been enacted.

PART IX

GENERAL

Powers of
enforcement.

39.—(1) In addition to the powers conferred on him by any written law specified in the Fifth Schedule, an officer or employee of the Authority may, on declaration of his office and production to the person against whom he is acting such identification card as the Chief Executive may direct to be carried by officers or employees of the Authority, in relation to any offence under any such written law —

- (a) exercise all the powers of a police officer under sections 81, 92, 93 and 127 of the Road Traffic Act and all the powers of a duly authorised police officer under section 94 of that Act, and any reference in those sections to a police officer or

duly authorised police officer shall include a reference to such officer or employee of the Authority;

- (b) require any person whom he reasonably believes to have committed an offence under any such written law to furnish evidence of the person's identity;
- (c) if he is generally or specially authorised in writing by the Chief Executive, arrest without warrant any person found committing or whom he has reason to believe has committed an offence under any such written law, except as otherwise provided in paragraph (a);
- (d) for the purposes of any such written law, require any person to furnish any information or produce any book, document or copy thereof in the possession of that person, and may, without fee or reward, inspect, copy or make extracts from such book or document;
- (e) when conducting any investigation under such written law, require, by order in writing, the attendance before the officer or employee of any person being within the limits of Singapore who from the information given or otherwise appears to be acquainted with the circumstances of the case, and the person so ordered shall attend as so required; and
- (f) detain or seize any document found in the course of a search under this subsection.

(2) Where any person is arrested by an officer or employee of the Authority under subsection (1), the officer or employee shall comply with sections 35 and 36 of the Criminal Procedure Code as if he were a police officer. Cap. 68.

(3) A person who —

- (a) refuses to give access to, or assaults, obstructs, hinders or delays, an officer or employee of the Authority in the discharge of his duties;

- (b) wilfully mis-states or without lawful excuse refuses to give any information or without lawful excuse refuses to produce any book, document or copy thereof required of him by an officer or employee of the Authority under subsection (1); or
- (c) fails to comply with a lawful demand of an officer or employee of the Authority in the discharge of his duties,

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 12 months or to both.

Proceedings
conducted by
officers of
Authority.

40.—(1) Proceedings in respect of any offence under this Act or any written law specified in the Fifth Schedule or any subsidiary legislation made under this Act or any such written law, may be conducted by an officer of the Authority who is authorised to conduct such proceedings by the Authority with the consent of the Attorney-General.

(2) The Minister may, by order published in the *Gazette*, amend the Fifth Schedule.

Preservation
of secrecy.

41.—(1) Except for the purpose of the performance of his duties or the exercise of his functions or when lawfully required to do so by any court or under the provisions of any written law, no person who is or has been a member, an officer, an employee or an agent of the Authority or a member of a committee of the Authority shall disclose any information relating to the affairs of the Authority or of any other person which has been obtained by him in the performance of his duties or the exercise of his functions.

(2) Any person who contravenes subsection (1) 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 one year or to both.

Authority's
symbol.

42.—(1) The Authority shall have the exclusive right to the use of such symbol or representation as it may select or devise and thereafter display or exhibit in connection with its activities or affairs.

(2) Any person who uses a symbol or representation identical with that of the Authority, or which so resembles the Authority's symbol or representation as to deceive or cause confusion, or to be likely to deceive or to 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.

43. The Authority shall, as soon as practicable after the end of each financial year, submit to the Minister an annual report on the activities of the Authority during that financial year and the Minister shall cause a copy of every such report to be presented to Parliament. Annual report.

44.—(1) The Authority may, with the approval of the Minister, make rules for carrying out the purposes and provisions of this Act. Rules.

(2) Without prejudice to the generality of subsection (1), the Authority may, with the approval of the Minister, make rules for or with respect to all or any of the following matters:

- (a) the manner of appointment, conduct and discipline and the terms and conditions of service of the officers and employees of the Authority;
- (b) the payment of gratuities and other benefits to officers and employees of the Authority; and
- (c) the fees to be charged in respect of anything done or any services rendered by the Authority under or by virtue of this Act, including but not limited to —
 - (i) fees in respect of surveys or searches of maps, plans and other documents made or maintained by the Authority;
 - (ii) fees in respect of the sale or copying of maps, plans or other documents made or maintained by the Authority; and
 - (iii) fees in respect of the supply of information maintained by the Authority in relation to its functions.

FIRST SCHEDULE

Section 5 (2)

CONSTITUTION AND PROCEEDINGS OF AUTHORITY

Appointment
of Chairman
and other
members.

1.—(1) The Chairman and other members of the Authority under section 5 shall be appointed by the Minister from among persons who have had experience in public administration or matters relating to land transport.

(2) The Minister may appoint one of the members to be the Deputy Chairman; and the Deputy Chairman so appointed may, subject to such directions as may be given by the Chairman, exercise all or any of the powers exercisable by the Chairman under this Act.

(3) The Minister may appoint the Chief Executive to be a member of the Authority.

Tenure of
office of
members.

2. A member shall hold office on such terms and conditions and for such period as the Minister may determine, and shall be eligible for reappointment.

Temporary
members.

3. The Minister may appoint any person to be a temporary member of the Authority during the temporary incapacity from illness or otherwise, or during the temporary absence from Singapore, of any member.

Revocation
of
appointment.

4. The Minister may, at any time, revoke the appointment of the Chairman or any member without assigning any reason.

Resignation.

5. Any member may resign from his appointment at any time by giving notice in writing to the Minister.

Chairman
may delegate
functions.

6. The Chairman may, by instrument in writing, authorise any member to exercise any power or perform any function conferred on the Chairman by or under this Act.

Vacation of
office.

7. The office of a member shall become vacant —

(a) on his death;

(b) if he, without sufficient cause (the sufficiency thereof to be decided by the Authority) fails to attend 3 consecutive meetings of the Authority; or

(c) if he becomes in any manner disqualified from membership of the Authority.

Filling of
vacancies.

8. If a member dies, resigns or has his appointment revoked or otherwise vacates his office before the expiry of the term for which he has been appointed, the Minister may appoint a person to fill the vacancy for the residue of the term for which the vacating member was appointed.

FIRST SCHEDULE — *continued*

9. No person shall be appointed or shall continue to hold office as a member if he —
- Disqualifi-
cation from
membership.
- (a) is an undischarged bankrupt or has made any arrangement with his creditors; or
- (b) has been sentenced to imprisonment for a term of 6 months or more and has not received a free pardon.
- 10.—(1) A member of the Authority who is in any way, directly or indirectly, interested in a transaction or project of the Authority shall disclose the nature of his interest at a meeting of the Authority; and the disclosure shall be recorded in the minutes of the Authority and the member shall not take part in any deliberation of the Authority with respect to that transaction or project.
- Disclosure of
interest by
members.
- (2) For the purpose of determining whether there is a quorum, a member shall be treated as being present at a meeting notwithstanding that under sub-paragraph (1) he cannot vote or has withdrawn from the meeting.
11. There shall be paid to the members out of the funds of the Authority such salaries, fees and allowances as the Minister may from time to time determine.
- Salaries, etc.,
payable to
members of
Authority.
- 12.—(1) The Authority shall meet for the despatch of business at such times and places as the Chairman may from time to time appoint.
- Meetings of
Authority.
- (2) At every meeting of the Authority, 3 members shall form a quorum.
- (3) A decision at a meeting of the Authority shall be adopted by a simple majority of the members present and voting except that in the case of an equality of votes the Chairman or member presiding shall have a casting vote in addition to his original vote.
- (4) The Chairman or in his absence the Deputy Chairman shall preside at meetings of the Authority.
- (5) Where both the Chairman and the Deputy Chairman are absent at a meeting, such member as the Chairman appoints as an acting Chairman shall preside at that meeting.
13. The Authority may act notwithstanding any vacancy in its membership.
- Vacancies.
14. Subject to the provisions of this Act, the Authority may make rules to regulate its own procedure generally, and in particular, regarding the holding and proceedings of meetings, the notice to be
- Procedure at
meetings.

FIRST SCHEDULE — *continued*

given of such meetings, the keeping of minutes and the custody, production and inspection of such minutes.

Validity of proceedings.

15. The validity of any proceedings of the Authority shall not be affected by any defect in the appointment of any member or by any contravention of paragraph 10 by any member.

SECOND SCHEDULE

Section 12 (1) (a)

REVENUE OF LAND TRANSPORT REVENUE ACCOUNT

1. All fees for the grant, issue, renewal or replacement of —
 - (a) a licence to maintain or operate a private parking place; and
 - (b) a vehicle parking certificate,

Cap. 214. under the Parking Places Act.

Cap. 263A. 2. All fees for the grant, issue or renewal of a licence to operate the railway or any part thereof under the Rapid Transit Systems Act.

Cap. 276. 3. All fees under section 10 of the Road Traffic Act for the registration of a vehicle.

4. All fees for the grant, issue, renewal or replacement of —
 - (a) a visitor's licence referred to in the Road Traffic (Motor Vehicles, Registration and Licensing) Rules;
 - (b) a general licence referred to in section 28 of the Road Traffic Act;
 - (c) any public service vehicle licence referred to in section 102 of the Road Traffic Act;
 - (d) a vocational licence referred to in section 110 of the Road Traffic Act;
 - (e) a permit authorising the carriage of passengers in or on a goods vehicle under the Road Traffic (Passengers in Goods Vehicles) (Permits and Fees) Rules; and

Cap. 276,
R 2.

Cap. 276,
R 17.

- (f) a licence under the Road Traffic (Malaysian and Thai-Registered Goods and Public Service Vehicles Licensing) Rules.

SECOND SCHEDULE — *continued*

5. All fees for the inspection of a vehicle under section 87 of the Road Traffic Act. Cap. 276.
6. All fees for the assignment and sealing of identification marks on any vehicle under the Road Traffic (Motor Vehicles, Registration and Licensing) Rules. Cap. 276,
R 5.
7. All fees for the weighing of a motor vehicle on a weighbridge under the Road Traffic (Motor Vehicles, Registration and Licensing) Rules.
8. The fees for the following, excluding additional transfer fees:
- (a) the transfer of a certificate of entitlement under the Road Traffic (Motor Vehicles, Quota System) Rules; Cap. 276,
R 31.
 - (b) the transfer of the residual value of any certificate of entitlement under the Road Traffic (Motor Vehicles, Quota System) Rules;
 - (c) the transfer of the benefit of any rebate on the additional registration fee under the Road Traffic (Motor Vehicles, Registration and Licensing) Rules; and
 - (d) the transfer of a motor vehicle under the Road Traffic (Motor Vehicles, Registration and Licensing) Rules.
9. All conversion fees under the Road Traffic (Motor Vehicles, Registration and Licensing) Rules for registering a private motor car as an off-peak car.
10. All fees relating to an appeal under the Road Traffic (Motor Vehicles, Test) Rules against any refusal of a test certificate. Cap. 276,
R 21.
11. All late payment fees for the issue of a licence referred to in section 21 of the Road Traffic Act or for the renewal of a certificate of entitlement.
12. All fees for the issue of a warrant under section 30 of the Road Traffic Act and all fees for the towing and transportation of vehicles seized under such warrant.
13. All fees for the replacement of a licence, permit, certificate or a registration book or card issued under those provisions of the Road Traffic Act, or any rules made thereunder, for which the Minister for Communications has been charged with responsibility.

SECOND SCHEDULE — *continued*

14. All fees for furnishing a copy of or an extract from a vocational licence or for conducting a search or furnishing a copy of an extract from any register relating to a motor vehicle.

Cap. 276. 15. All fees for the grant of an exemption under section 142 of the Road Traffic Act.

Cap. 276,
R 5. 16. All security deposits for the issue of a general licence forfeited under the Road Traffic (Motor Vehicles, Registration and Licensing) Rules.

17. All composition sums collected —

Cap. 263A. (a) under the Rapid Transit Systems Act;

(b) by the Registrar or any duly authorised employee of the Authority under the Road Traffic Act;

Cap. 320A. (c) under the Street Works Act; and

Cap. 214. (d) under the Parking Places Act.

18. All fines for offences under this Act and any written law specified in the Fifth Schedule.

19. All fees for the issue of any notice of demand or warrant of attachment under the Street Works Act.

20. All charges for the conduct of any tests on any private street with a view to declaring it as a public street under the Street Works Act.

THIRD SCHEDULE

Section 18

FINANCIAL PROVISIONS

1. The financial year of the Authority shall begin on 1st April of each year and end on 31st March of the succeeding year.

2. The Authority 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 moneys are correctly made and properly authorised and that adequate control is maintained over the assets of, or in the custody of, the Authority and over the expenditure incurred by the Authority.

THIRD SCHEDULE — *continued*

3.—(1) The accounts of the Authority shall be audited by the Auditor-General or such other auditor as may be appointed annually by the Minister in consultation with the Auditor-General.

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

Cap. 50.

4. The remuneration of the auditor shall be paid out of the Land Transport Revenue Account.

5. The Authority shall, as soon as practicable after the close of each financial year, prepare and submit the financial statements in respect of that year to the auditor who shall audit and report on them.

6. The auditor shall in his report state —

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

7. The auditor may at any other time report to the Minister through the Authority upon any matter arising out of the performance of his audit.

8. The auditor or any person authorised by him is 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 Authority.

9. The auditor or any person authorised by him may make copies of or extracts from any such accounting and other records.

10. The auditor may require any person to furnish him with such information in the possession of that person or to which that person has access as the auditor considers necessary for the purposes of his functions under this Act.

THIRD SCHEDULE — *continued*

11. Any person who fails without any reasonable cause to comply with any requirement of the auditor under paragraph 10 shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

12. As soon as the accounts of the Authority and the financial statements have been audited in accordance with the provisions of this Act, a copy of the audited financial statements signed by the Chairman, together with a copy of any report made by the auditor, shall be submitted to the Minister.

13. Where the Auditor-General is not the auditor of the Authority, a copy of the audited financial statements and any report made by the auditor shall be forwarded to the Auditor-General at the same time they are submitted to the Authority.

14. The Minister shall as soon as practicable cause a copy of the audited financial statements and of the auditor's report to be presented to Parliament.

FOURTH SCHEDULE

Sections 20 and 22

COMPENSATION

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 Authority or other person.</i>
1. The loss due to displacement resulting from the exercise of the Authority's right under section 5 of the Rapid Transit Systems Act (Cap. 263A) or section 9 of the Street Works Act (Cap. 320A).	A displacement payment.	Any person owning a compensatable interest in the land on the date on which the notice is issued under section 5 (2) of the Rapid Transit Systems Act or section 9 (2) of the Street Works Act, as the case may be.	Before the expiration of 2 years from the date on which the notice is issued under section 5 (2) of the Rapid Transit Systems Act or section 9 (2) of the Street Works Act, as the case may be.

FOURTH 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 Authority or other person.</i>
2. (a) Structural damage to any building resulting from the construction or operation of the railway or the construction of a road tunnel under the Street Works Act (Cap. 320A).	(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 or road tunnel, as the case may be, 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.

FOURTH 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 Authority or other person.</i>
3. Damage to any land or building resulting from the exercise of any power contained in section 9 of the Rapid Transit Systems Act (Cap. 263A) or section 12 of the Street Works Act (Cap. 320A).	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 10 of the Rapid Transit Systems Act or section 29 of the Street Works Act, as the case may be, 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 Authority under section 10 of the Rapid Transit Systems Act or section 29 of the Street Works Act.	The cost which is fairly and reasonably incurred in effecting such alteration and repair.	The person on whom the notice under section 10 of the Rapid Transit Systems Act or section 29 of the Street Works Act, as the case may be, is served.	Before the expiration of one year from the completion of the alteration and repair.

FOURTH 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 Authority 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 a 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.

FOURTH 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 Authority or other person.</i>
(c) The loss sustained by the removal of an object or a 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 Authority 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 11 (4) of the Rapid Transit Systems Act (Cap. 263A) or section 13 (4) of the Street Works Act (Cap. 320A), as the case may be.	(c) Before the expiration of one year from the date of removal.

FOURTH SCHEDULE— *continued*

PART II

General
effect of this
Part.

1. The provisions in this Part shall, where applicable, have effect for the purpose of assessing compensation under Part I.

Definitions
applicable to
Part I.

2. In 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 giving 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.

No account
of certain
financial loss
or increase
or decrease
in value
attributable
to railway.

3. In the assessment of compensation, no account shall be taken of —

(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 3 of the Rapid Transit Systems Act as part of the railway area; or

(ii) the construction or operation of any railway or road.

Cap. 263A.

FOURTH SCHEDULE — *continued*PART II — *continued*

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 or tunnel. Compensation where damage results only partly from railway.
6. Where a sign advertising any business, product, service or activity is removed under section 11 (4) of the Rapid Transit Systems 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. No compensation under item 5 (c) of Part I for loss of advertising. Cap. 263A.
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. Claim by a mortgagee in possession.
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. Compensation payable to person within or outside railway area.

FIFTH SCHEDULE

Sections 39 and 40

SPECIFIED ACTS

S 382/95.

- Cap. 70. 1. Section 17 of the Customs Act.
- Cap. 189. 2. Section 3 of the Motor Vehicles (Third-Party Risks and Compensation) Act.
- Cap. 214. 3. All provisions of the Parking Places Act and any subsidiary legislation made thereunder.
- Cap. 263A. 4. All provisions of the Rapid Transit Systems Act and any subsidiary legislation made thereunder.
- Cap. 276. 5. All provisions of the Road Traffic Act and any subsidiary legislation made thereunder which are carried out or administered by the Registrar of Vehicles.
- Cap. 320A. 6. All provisions of the Street Works Act and any subsidiary legislation made thereunder.
- Cap. 259B. 7. Section 20 of the Public Transport Council Act.

LEGISLATIVE HISTORY
LAND TRANSPORT AUTHORITY OF SINGAPORE ACT
(CHAPTER 158A)

Act 28 of 1995 — Land Transport Authority of Singapore Act 1995

Date of First Reading	:	7.7.95 (Bill No. 24/95 published on 8.7.95)
Date of Second and Third Readings	:	7.8.95
Date of commencement	:	1.9.95