



THE STATUTES OF THE REPUBLIC OF SINGAPORE

RAPID TRANSIT SYSTEMS ACT

(CHAPTER 263A)

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29 of 1995**

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Rapid Transit Systems Act

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An Act to provide for the planning, construction, operation and maintenance of rapid transit systems, to transfer the functions, assets and liabilities of the Mass Rapid Transit Corporation to the Land Transport Authority of Singapore.

[1st September 1995]

PART I

PRELIMINARY

Short title

1. This Act may be cited as the Rapid Transit Systems Act.

Interpretation

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

“Authority” means the Land Transport Authority of Singapore established under the Land Transport Authority of Singapore Act (Cap. 158A);

“competent authority” means the competent authority appointed under section 5 of the Planning Act (Cap. 232) in respect of the development of land;

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

- (a) the reconstruction or realignment of the railway;
- (b) permanently improving the railway 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;

“Corporation” means the Mass Rapid Transit Corporation established under the repealed Act;

“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;

“licensee” means a company which is licensed under this Act to operate any rapid transit system;

“railway” means a network or system of fixed horizontal rails, tracks, grooves or other guide-ways on, under or above the ground along which a train moves or runs, and includes all tunnels, viaducts, bridges, crossings, stabling yards, depots, stations and other infrastructures constructed or intended to be constructed for any railway and any extensions thereto;

“railway area” means the land delineated as such in plans and maps prepared under section 3 (1) or (3);

“railway premises” means any area, space or building owned or occupied by the Authority 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;

“rapid transit system” means any one of the railways or any part thereof set up or intended to be set up under this Act to meet the transport requirements of the public and includes the Mass Rapid Transit system set up under the repealed Act;

“repealed Act” means the repealed Mass Rapid Transit Corporation Act (Cap. 172, 1988 Ed.);

“train” includes a carriage, tram, car or other vehicle for the carriage of passengers on a railway.

PART II

PLANNING AND CONSTRUCTION OF
RAPID TRANSIT SYSTEMS**Preparation and promulgation of plans and maps**

3.—(1) The Authority 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 Authority under this Act for the purposes of and incidental to any railway.

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

- (a) deposited with the competent authority; and
- (b) available for inspection by the public free of charge at the office of the Authority, 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 Authority 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 Authority thinks sufficient.

(4) The Authority 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 the land may be required to be acquired or that rights in, under or over the land may need to be exercised by the Authority for the purposes of and incidental to any railway.

Power to enter State land to lay and operate railway

4. For the purpose of constructing, maintaining and operating any railway, the Authority or any person authorised by the Authority may —

- (a) at any reasonable time, enter upon any State land within or adjoining the railway area; and
- (b) subject to the approval of the Collector of Land Revenue, lay, construct and operate the railway on, under or over the State land and do all things as are reasonably necessary for the laying, construction, maintenance and operation of the railway.

Power to enter private land to lay railway

5.—(1) The Authority or any person authorised by the Authority 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 Authority and lay and construct any railway on, under or over the land and do all things as are reasonably necessary for the purpose of laying and constructing the railway.

(2) The Authority or a person authorised by the Authority shall not exercise the right conferred by subsection (1) unless the Authority has given not less than 2 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) A 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 Authority proposes to carry out on the land;
 - (b) state the estimated period, if any, during which the Authority 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 the Land Transport Authority of Singapore Act (Cap. 158A) may serve a written claim on the Authority.

(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 Authority 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.

Creation of rights in, under or over land

6.—(1) From the date of publication in the *Gazette* of a notice of creation of a right under this section, the Authority or any person authorised by the Authority may, at any reasonable time and for the purposes of and incidental to the operation of a railway specified therein, 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 Authority, 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 Authority;
 - (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 any railway and for all purposes connected with or incidental to such operation.

Obligation of Authority to purchase land

7.—(1) The owner of any land who has been served with a notice under section 5 may, within 2 years from the date of service of such notice, require the Authority to purchase his estate, right, share or interest in the portion of the land affected by the proposed laying and construction of any railway or the whole of his land.

(2) The Authority shall thereupon request the President to direct the acquisition of that land and in that case that 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 Authority.

(3) The declaration referred to in subsection (2) 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.

Power of entry

8. Where in respect of any land notice has been published in the *Gazette* in accordance with section 5 of the Land Acquisition Act (Cap. 152) but the land has not vested in the State or notice has been given by the Authority under section 5 (2) of its intention to lay and construct any railway on, over or under any land, the Authority, 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 —

- (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 object or structure referred to in section 11.

Power to enter land for inspection and survey, etc.

9.—(1) The Authority, or any person acting under its authority, 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 any 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 Authority 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 the owner and the occupier at least 7 days notice of his intention to do so unless —

- (a) the Authority 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 a 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 any railway.

(5) The decision of the Authority 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 Authority, or any person acting under its authority, may —
- (a) 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
 - (b) 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 Authority 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.

Utility services

10.—(1) The Authority may serve notice on the owner or supplier of any gas, electricity, water, telecommunication, sewerage or drainage services to —

- (a) 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
- (b) repair any street surface thereby disturbed,

if in the opinion of the Authority such alteration is required for the purposes of the construction, operation, maintenance or improvement of any railway.

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

- (a) specify the apparatus or structure to which the notice applies and set out the requirements of the Authority 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 Authority.

Removal of projections or obstructions

11.—(1) The Authority 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 Authority the removal of the object or structure is required for the purposes of the construction of any 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 the Land Transport Authority of Singapore Act (Cap. 158A) may serve a written claim upon the Authority.

(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 Authority 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.

PART III**OPERATION OF RAPID TRANSIT SYSTEMS****Operating rapid transit system without licence**

12.—(1) No person except the Authority or a person licensed by the Authority shall operate any rapid transit system.

(2) Any person who operates any rapid transit system in contravention of subsection (1) 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.

Licence to operate rapid transit system

13.—(1) Subject to the provisions of this Act, the Authority may grant to any company a licence to operate any rapid transit system specified therein for such period as may be specified in the licence.

(2) Every licensee shall be authorised under this Act to operate any 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 any rapid transit system shall be such amount as may be prescribed.

Matters to be considered by Authority in granting licence

14. In exercising its discretion to grant a licence to operate any rapid transit system, the Authority shall have regard to the financial standing of the applicant and its ability to maintain an adequate, satisfactory, safe and efficient service.

Conditions of licence

15. In granting a licence to operate any rapid transit system, the Authority may impose such conditions as it thinks fit, and may, in particular, impose conditions relating to —

- (a) the extent, hours and general level of services;
- (b) the safety of persons using or engaged in work on the rapid transit system;
- (c) the maintenance and operation of the railway relating to the rapid transit system;
- (d) the approval by the Authority of the appointment, re-appointment or removal of any person as the chairman or as a director of the licensee;
- (e) the deposit of security or bank guarantee to the satisfaction of the Authority for the due performance by the licensee of all or any obligations imposed upon it by the licence or by this Act;

- (f) the control and restriction, directly or indirectly, on the creation, holding or disposal of shares in the licensee or its shareholders, or of interests in the undertaking of the licensee or any part thereof;
- (g) the restriction on the carrying on by the licensee of any trade or business not related to the activity which the licensee is authorised by its licence to carry on; and
- (h) the standards of performance to be complied by the licensee in the maintenance or operation of the rapid transit system or the provision of rapid transit system services.

[41/2002]

Modification of terms and conditions of licence

16.—(1) Subject to this section, the Authority may add to, delete or modify the terms or conditions of a licence granted under section 13.

[41/2002]

(2) Before making any addition, deletion or modification to the terms or conditions of a licence under subsection (1), the Authority shall give notice to the licensee —

- (a) stating that it proposes to make the addition, deletion or modification in the manner as specified in the notice; and
- (b) specifying the time (not being less than 28 days from the date of service of notice on such licensee) within which the licensee may make written representations to the Authority with respect to the proposed addition, deletion or modification.

[41/2002]

(3) Upon receipt of any written representation referred to in subsection (2) (b), the Authority shall consider such representation and may —

- (a) reject the representation;
- (b) amend the proposed addition, deletion or modification in such manner as it thinks fit having regard to the representation; or
- (c) withdraw the proposed addition, deletion or modification.

[41/2002]

(4) Where the Authority rejects any written representation under subsection (3) (a) or amends any proposed addition, deletion or modification to the terms or conditions of a licence under subsection (3) (b), the Authority shall issue a direction in writing to

the licensee requiring the licensee, within the time specified by the Authority, to give effect to the addition, deletion or modification as specified in the notice or as amended by the Authority, as the case may be.

[41/2002]

(5) The Authority shall not enforce its direction —

- (a) during the period referred to in section 20 (1); and
- (b) whilst the appeal of the licensee is under consideration by the Minister.

[41/2002]

(6) If no written representation is received by the Authority within the time specified in subsection (2) (b) or if any written representation made under that subsection is subsequently withdrawn, the Authority may immediately carry out the addition, deletion or modification to the terms or conditions of the licence as specified in the notice given to the licensee under subsection (2).

[15A

[41/2002]

Codes of practice

17.—(1) The Authority may issue or approve and from time to time modify codes of practice in connection with —

- (a) the maintenance or operation of rapid transit systems and any equipment relating thereto;
- (b) the provision of rapid transit system services;
- (c) the conduct of licensees; and
- (d) the safety of persons who use or who are engaged in any work on the rapid transit system.

[41/2002]

(2) Every licensee shall comply with any code of practice issued or approved by the Authority under subsection (1), except that if any provision in any such code of practice is inconsistent with this Act, that provision shall not have effect to the extent of the inconsistency.

[41/2002]

(3) The Authority may, if the circumstances so warrant, exempt any licensee from any provision in any code of practice, whether unconditionally or subject to such conditions as the Authority thinks fit to impose, and whether permanently or for such time as the Authority may specify.

[41/2002]

(4) Any code of practice issued or approved by the Authority shall be deemed not to be subsidiary legislation.

[15B
[41/2002]

Directions affecting licensees

18.—(1) The Authority may give directions to be observed by licensees for or in respect of the following matters:

- (a) the extent, hours and general level of the services to be provided by licensees;
- (b) the extension of the operating hours of the services provided by the licensees;
- (c) the maintenance and operation of the rapid transit system;
- (d) the safety of persons who use or who are engaged in any work on the rapid transit system; and
- (e) any other matters affecting the interests of the public in connection with the services provided by licensees.

[41/2002]

(2) Any direction given under subsection (1) —

- (a) may require the licensee concerned (according to the circumstances of the case) to do, or to refrain from doing, such things as are specified in the direction or are of a description as specified therein;
- (b) shall take effect at such time, being the earliest practicable time, as is determined by or under that direction; and
- (c) may be revoked at any time by the Authority.

[41/2002]

(3) Before giving any direction to any licensee under subsection (1), the Authority —

- (a) shall give notice to the licensee —
 - (i) informing the licensee of the proposed direction and setting out its effect; and
 - (ii) specifying the time within which representations or objections to the proposed direction may be made by the licensee in connection with the proposed direction,

unless the Authority, in respect of any particular direction, considers that it is not practicable or desirable that such notice be given; and

(b) shall consider any representations or objections which are duly made by the licensee under paragraph (a) (ii).

[41/2002]

(4) Every licensee shall comply with every direction given to it by the Authority under this section.

[15C

[41/2002]

Suspension or cancellation of licence, etc.

19.—(1) Subject to subsections (2) and (3), 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 its licence to operate any rapid transit system or with the provisions of this Act;

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

(c) fails to comply with any provision of any code of practice issued or approved by the Authority under section 17;

(d) fails to comply with any direction given by the Authority under section 18;

(e) goes into compulsory or voluntary liquidation other than for the purpose of reconstruction or amalgamation; or

(f) makes any assignment to, or composition with, its creditors,

the Authority may, by notice in writing and without any compensation, do all or any of the following:

(i) suspend or cancel the licence of the licensee;

(ii) forfeit the whole or any part of any security deposited with the Authority by the licensee or by its bank pursuant to a bank guarantee;

(iii) require the licensee to pay, within a specified period, a financial penalty of such amount not exceeding \$1 million as the Authority thinks fit.

[41/2002]

(2) The Authority shall not impose any financial penalty under subsection (1) (iii) on any licensee by reason only that under subsection (1) (b) the Authority is of the opinion that the licensee is likely to fail to provide and maintain an adequate, safe and satisfactory service.

[41/2002]

(3) Any financial penalty payable by any licensee under subsection (1) (iii) shall be recoverable as a debt due to the Authority from that licensee, and the licensee's liability to pay shall not be affected by its licence ceasing (for any reason) to be in force.

[16

[41/2002]

Appeal to Minister

20.—(1) Any licensee aggrieved by —

- (a) any licence condition imposed by the Authority under section 15 (g) or (h);
- (b) any addition, deletion or modification of the terms or conditions of its licence under section 16;
- (c) any code of practice as issued, approved or modified by the Authority under section 17;
- (d) any direction given by the Authority under section 18;
- (e) any decision made by the Authority under section 19 (1) (i), (ii) or (iii); or
- (f) the refusal of the Authority to renew its licence,

may, within 14 days of the receipt of the notice relating to the relevant matter, appeal to the Minister.

[41/2002]

(2) Except as provided in section 16 (5) or unless the Minister otherwise directs, where an appeal is lodged by a licensee under this section, the licensee shall continue to comply with any licence condition, code of practice, direction, decision or refusal being appealed against, until the determination of the appeal.

[41/2002]

(3) The Minister may determine an appeal under this section by confirming, varying or reversing any decision of the Authority or by amending any licence condition, code of practice or direction affecting the licensee.

[41/2002]

(4) The decision of the Minister in any appeal shall be final.

[17

[41/2002]

Authority to operate rapid transit system

21. If there is for any reason no licensee to operate any rapid transit system, it shall be the duty of the Authority to operate that

rapid transit system having regard to the reasonable requirements of the land transport system in Singapore or the relevant part thereof.

[18]

PART IV

SAFETY OF RAILWAY

Appointment of inspector

22.—(1) The Minister may in writing appoint any person to be an inspector for the purposes of this Part.

(2) The powers conferred by section 23 or by any regulations made under this Act shall be exercised by an inspector only —

- (a) for the purpose of ensuring the safety of any 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 any railway,

after the railway or the part in question has commenced operation for public use.

(3) An inspector may appoint such persons as he considers necessary to assist him in the performance of his duties and may in writing authorise any such person to exercise any power conferred on him by section 23 or by any regulations made under this Act for any purpose referred to in subsection (2).

(4) On the occasion of the exercise of any power, an inspector or a person authorised under subsection (3) shall produce to any person who requests him to do so evidence of his identity and, in the case of an inspector, of his appointment or, in the case of a person so authorised, of his authority.

[19]

General powers of inspector

23.—(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 any 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 under paragraph (c) (ii).
- (2) Subsection (1) shall apply to —
 - (a) any railway premises and the premises of any contractor or sub-contractor who is carrying out or has carried out any work on the railway; and
 - (b) any employee of the Authority, any licensee, any employee of any 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 or a person authorised under section 22 (3) acting under subsection (1) (c) information that is false or misleading in a material particular; or
 - (c) obstructs an inspector or a person authorised under section 22 (3) 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.

Minister may order defects to be remedied

24.—(1) Where in the opinion of the Minister —

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

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 Authority or a licensee, whichever is the relevant party, or both the Authority 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 Authority 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 Authority 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.

[21

Offence of wilfully endangering safety

25. Any person who wilfully does or omits to do anything in relation to any 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.

[22]

Damage to railway or railway premises

26. Any person who wilfully removes, destroys or damages any railway or railway premises or any part thereof shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$200,000 or to imprisonment for a term not exceeding 12 months or to both.

[23]

Compensation for damaging railway or railway premises

27.—(1) Any person who removes, destroys or damages, whether wilfully or otherwise, any railway or railway premises or any part thereof shall, in addition to any penalty for which he is liable for an offence under this Act, be liable to pay compensation for the damage he has done and the compensation shall be recoverable by civil action or suit before any court of competent jurisdiction.

(2) Subject to subsection (1), any court before which a person is charged with an offence under this Act may assess the compensation payable under this section and may make an order for the payment of the same.

(3) Any order made under subsection (2) may be enforced as if it were a judgment in a civil action or suit.

[24]

PART V

TRANSFER OF ASSETS, LIABILITIES, FUNCTIONS AND EMPLOYEES OF MASS RAPID TRANSIT CORPORATION

Dissolution of Corporation

28. The Corporation shall cease to exist as from 1st September 1995.

[25]

Transfer of assets and liabilities

29.—(1) As from 1st September 1995, all movable and immovable property vested in the Corporation immediately before that date,

and all assets, rights, interests, liabilities and obligations of the Corporation 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, liability or obligation has been transferred to or vested in the Authority under subsection (1), a certificate under the hand of the Minister shall be conclusive evidence that the property, asset, interest, right, 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 may determine.

[26]

Existing agreements, etc.

30. All deeds, bonds, agreements, instruments and working arrangements subsisting immediately before 1st September 1995 affecting —

- (a) any of the property, assets, rights, interests, liabilities and obligations transferred to or vested in the Authority under section 29 (1); or
- (b) any officer or employee of the Corporation transferred to the service of the Authority under section 32,

shall continue in force on and after that date and shall be enforceable by or against the Authority as if, instead of the Corporation, the Authority had been named therein or had been a party thereto.

[27]

Pending legal proceedings

31. Any proceedings or cause of action pending or existing immediately before 1st September 1995 by or against the Corporation may be continued and shall be enforced by or against the Authority.

[28]

Transfer of employees

32. As from 1st September 1995, such persons employed immediately before that date by the Corporation 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.

[29]

Conditions of service

33.—(1) 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 Corporation shall continue to apply to every person transferred to the service of the Authority under section 32 as if he were still in the service of the Corporation.

(2) The terms and conditions of service of persons transferred to the service of the Authority under section 32 shall take into account the salaries and terms and conditions of service, including any accrued rights to leave, enjoyed by such persons while in the employment of the Corporation and any such term or condition relating to the length of service with the Authority shall provide for the recognition of service under the Corporation by persons so transferred to be service by them under the Authority.

(3) For the purpose of determining the right to pension, gratuity or other benefits of any person transferred to the service of the Authority under section 32 on the cessation of his service, there shall be no break in the continuity of his service by reason only of the repeal of the Mass Rapid Transit Corporation Act (Cap. 172, 1988 Ed.).

[30]

Continuation and completion of disciplinary proceedings

34.—(1) Where, on 1st September 1995, any disciplinary proceedings are pending or there is an interdiction or investigation against or in respect of any employee of the Corporation transferred to the service of the Authority, the proceedings, the commencement of proceedings, or the appropriate dealing with the employee shall be taken up and continued by the Authority.

(2) Where, on 1st September 1995, any penalty (other than dismissal) has been imposed on any employee of the Corporation pursuant to disciplinary proceedings against him and the penalty has not been, or remains to be, served by such employee, he shall, on his transfer to the service of the Authority under section 32, serve or continue to serve such penalty to its full term as if it had been imposed by the Authority, and the penalty shall remain valid against

the employee on his transfer and shall continue in full force and effect until he has served the penalty in full.

[31]

Misconduct or neglect of duty whilst in employment of Corporation

35. Where an employee of the Corporation has been transferred to the service of the Authority under section 32, the Authority may reprimand, reduce in rank, retire, dismiss or punish in some other manner that employee for any misconduct, omission or neglect of duty which took place or occurred whilst he was in the employment of the Corporation if the misconduct, omission or neglect of duty would have rendered him liable to be reprimanded, reduced in rank, retired, dismissed or punished in some other manner by the Corporation as if this Act had not been enacted.

[32]

PART VI**MISCELLANEOUS****No remedy except under Land Transport Authority of Singapore Act**

36. 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 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 Authority,

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 the Land Transport Authority of Singapore Act (Cap. 158A).

[33]

Service of documents

37.—(1) Unless otherwise expressly provided in this Act, any notice, order or document required or authorised by this Act to be given or served on any person, and any summons issued by a court in connection with any offence under this Act may be served on the person concerned —

- (a) by delivering it to the person or to some adult member or employee of his family at his last known place of residence;
- (b) by leaving it at his usual or last known place of residence or business in a cover addressed to him;
- (c) by sending it by registered post addressed to the person at his usual or last known place of residence or business; or
- (d) where the person is a body corporate —
 - (i) by delivering it to the secretary or other like officer of the body corporate at its registered or principal office; or
 - (ii) by sending it by registered post addressed to the body corporate at its registered or principal office.

(2) Any summons, notice, order or document sent by registered post to any person in accordance with subsection (1) shall be deemed to be duly served on the person to whom the letter is addressed at the time when the letter would in the ordinary course of post be delivered and in proving service of the same it shall be sufficient to prove that the envelope containing the summons, notice, order or document was properly addressed, stamped and posted by registered post.

[34]

Certain statements to be conclusive

38. Where it is stated by the Authority in a notice under section 5, 8, 9, 10 or 11 that the entry or the work therein described or required to be carried out is, in the opinion of the Authority, necessary or required for the construction, operation, maintenance or improvement of any railway, then such statement shall be accepted by all courts, tribunals and persons as conclusive evidence of the truth of the fact so stated.

[35]

Power to require evidence of identity in certain cases

39.—(1) Any police officer or employee of the Authority who reasonably believes that any person has committed an offence under

this Act 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 Authority.

(2) Any person who refuses to furnish any information required of him by any police officer or any employee of the Authority 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.

[36]

Powers of arrest

40.—(1) A police officer, or any employee of the Authority generally or specially authorised in writing by the Chief Executive of the Authority, may arrest without warrant any person found committing or whom he has reason to believe has committed an offence punishable under this Act.

(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.

[37]

Authorised employees of licensee to exercise certain powers of Authority's employees

41. The Authority may, with the approval of the Minister, in writing authorise any licensee or employee of a licensee to exercise all or any of the powers of an employee of the Authority under this Act subject to such conditions or limitations as the Authority may specify.

[38]

Jurisdiction of courts

42. 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.

[39]

Offences committed by body corporate

43. Where a body corporate is guilty of an offence under this Act 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.

[40]

Composition of offences

44.—(1) The Authority 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.

(2) The Authority may, with the approval of the Minister, make regulations prescribing the offences which may be compounded.

[41]

Regulations

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

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

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

- (vii) any activity which may damage a railway or railway premises or may endanger the safety of any person travelling on or upon the railway or railway premises;
- (b) providing the safety of persons using or engaged in work on any railway;
- (c) prescribing the terms and conditions relating to the use of railway premises;
- (d) protecting the property of the Authority on railway premises;
- (e) investigation and notification of accidents;
- (f) prescribing the powers and duties of inspectors appointed for the purposes of Part IV for the administration and enforcement of that Part; and
- (g) prescribing the fees for services rendered by the Authority.

(3) The Authority 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.

[42]

Non-application of Railways Act

46. Nothing in the Railways Act (Cap. 263) shall apply to the Authority or any railway under this Act.

[43]

Transitional provisions

47.—(1) Any railway set up under the repealed Act* shall be deemed to constitute or form part of a rapid transit system set up under this Act.

(2) Any scheme, contract, document, licence, permission or resolution prepared, made, granted or approved under the repealed Act shall, so far as it is not inconsistent with the provisions of this Act and except as otherwise expressly provided in this Act or in any other written law, continue and be deemed to have been prepared, made, granted or approved by the Authority under the corresponding provisions of this Act.

*The Mass Rapid Transit Corporation Act (Cap. 172, 1988 Rev. Ed.) was repealed by the Rapid Transit Systems Act 1995 (Act 20 of 1995) with effect from 1st September 1995.

(3) Any subsidiary legislation made under the repealed Act and in force immediately before 1st September 1995 shall, so far as it is not inconsistent with the provisions of this Act, continue in force as if made under this Act until it is revoked by subsidiary legislation made under this Act.

(4) Where a period of time specified in any provision of the repealed Act is current at 1st September 1995, this Act shall have effect as if the corresponding provision in this Act had been in force when that period began to run.

(5) The Minister may, by order published in the *Gazette*, repeal or amend any written law which appears to him to be unnecessary having regard to the provisions of this Act or to be inconsistent with any provision of this Act.

(6) In any written law, any reference to the repealed Act shall be a reference to this Act and any reference to the Corporation shall be a reference to the Authority.

[44

LEGISLATIVE HISTORY
RAPID TRANSIT SYSTEMS ACT
(CHAPTER 263A)

1. Act 29 of 1995 — Rapid Transit Systems Act 1995

Date of First Reading : 7.7.95 (Bill No. 25/95
published on 8.7.95)
Date of Second and Third Readings : 7.8.95
Date of commencement : 1.9.95

2. Act 3 of 1998 — Planning Act 1998

(Consequential amendments made by)

Date of First Reading : 19.11.97 (Bill No. 18/97
published on 20.11.97)
Date of Second and Third Readings : 14.1.98
Date of commencement : 1.4.98

3. Act 41 of 2002 — Rapid Transit Systems (Amendment) Act 2002

Date of First Reading : 1.10.2002 (Bill No. 33/2002
published on 2.10.2002)
Date of Second and Third Readings : 25.11.2002
Date of commencement : 13.12.2002

COMPARATIVE TABLE

RAPID TRANSIT SYSTEMS ACT (CHAPTER 263A)

The following provisions in the 1996 Revised Edition of the Rapid Transit Systems Act have been renumbered by the Law Revision Commissioners in this 2004 Revised Edition.

This Comparative Table is provided for the convenience of users. It is not part of the Rapid Transit Systems Act.

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