



**THE STATUTES OF THE REPUBLIC OF SINGAPORE**

**PARKING PLACES ACT**

**(CHAPTER 214)**

**(Original Enactment: Act 5 of 1974)**

**REVISED EDITION 2014**

(28th February 2014)

*Prepared and Published by*

THE LAW REVISION COMMISSION  
UNDER THE AUTHORITY OF  
THE REVISED EDITION OF THE LAWS ACT (CHAPTER 275)

Informal Consolidation – version in force from 8/5/2018

# Parking Places Act

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An Act relating to parking places and to address indiscriminate vehicle parking in public places because of vehicle sharing.

*[Act 24 of 2018 wef 08/05/2018]*

[3rd May 1974]

**PART 1****PRELIMINARY****Short title**

1. This Act may be cited as the Parking Places 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);

“bicycle”, “power-assisted bicycle” and “personal mobility device” have the same meanings as in the Active Mobility Act 2017;

*[Act 3 of 2017 wef 30/04/2018]*

“design of parking facilities”, for any parking place, means the design of the physical features, plant or like equipment necessary for the parking or manoeuvring of vehicles in the parking place or both, and includes circulation aisles and access ramps;

*[Act 24 of 2018 wef 01/05/2018]*

“driver” includes the person for the time being in charge or in control of a vehicle, and “drive” shall be construed accordingly;

“enforcement officer”, in relation to any provision in this Act or any regulations made under Part 3, means an officer or employee of the Authority who is appointed under section 3(4) as an enforcement officer for the purposes of that provision;

*[Act 24 of 2018 wef 08/05/2018]*

“heavy vehicle” means —

- (a) any heavy goods vehicle or concrete mixer, the maximum laden weight of which exceeds 5,000 kilograms;
- (b) any bus with a seating capacity of more than 15 persons, not inclusive of the driver;
- (c) any trailer, container trailer, low loader or flat-bed trailer, the maximum laden weight of which exceeds 5,000 kilograms; and
- (d) any mobile crane or recovery vehicle the unladen weight of which exceeds 2,500 kilograms;

“licence” means a licence to maintain or operate any private parking place for the parking or housing of one or more heavy vehicles granted under this Act;

“licensee” means the holder of a valid licence;

“motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads;

“officer” means a public officer or an employee of a statutory body;

“park”, with its grammatical variations, means, in respect of a vehicle, to bring the vehicle to a stationary position and cause it to wait for any purpose;

“parking lot” means an area within a parking place which is marked out for parking of a single vehicle in that area;

*[Act 24 of 2018 wef 01/05/2018]*

“parking place” means any part of a road or any other place on or in which the parking of vehicles is authorised under section 4;

“private footway” has the meaning given by the Street Works Act (Cap. 320A);

*[Act 24 of 2018 wef 01/05/2018]*

“private parking place” means any land or premises or part thereof owned or occupied by any person other than the Government and used for the parking or housing of —

(a) one or more motor vehicles other than heavy vehicles;

*[Act 3 of 2017 wef 30/04/2018]*

(b) one or more heavy vehicles, whether or not in addition to any motor vehicle which is not a heavy vehicle; or

*[Act 3 of 2017 wef 30/04/2018]*

(c) one or more bicycles, power-assisted bicycles or personal mobility devices or a combination of such vehicles,

*[Act 3 of 2017 wef 30/04/2018]*

but does not include any parking place provided under section 4;

“public street” has the meaning given by the Street Works Act;

*[Act 24 of 2018 wef 01/05/2018]*

“statutory body” means a body corporate established or constituted by or under a public Act to perform or discharge a public function;

*[Act 24 of 2018 wef 01/05/2018]*

“Superintendent” means the Superintendent of Car Parks or a Deputy or an Assistant Superintendent of Car Parks appointed under section 3;

“traffic sign” has the meaning given by section 119 of the Road Traffic Act (Cap. 276);

*[Act 24 of 2018 wef 01/05/2018]*

“trailer” means a vehicle drawn by a motor vehicle;

*[Act 3 of 2017 wef 30/04/2018]*

*[10/82; 6/91; 34/93; 28/95; 9/2005]*

“vehicle” means any vehicle whether mechanically propelled or otherwise, and includes a bicycle, a power-assisted bicycle or a personal mobility device.

*[Act 3 of 2017 wef 30/04/2018]*

### **Administration of this Act**

**3.—(1)** The Authority shall be responsible for the general administration of this Act.

*[28/95]*

(2) The Authority shall appoint one of its officers as the Superintendent of Car Parks who shall carry out such duties as may be assigned to him by the Authority under this Act and any rules made thereunder.

*[28/95]*

(3) The Authority may appoint public officers and officers employed by other statutory bodies as Deputy Superintendents and Assistant Superintendents of Car Parks for the purposes of this Act.

*[28/95]*

(4) The Authority may —

- (a) in relation to any provision in this Act or any regulations made under Part 3, appoint any of its officers or employees to be an enforcement officer for the purposes of that provision, either generally or in a particular case; and
- (b) delegate to any enforcement officer the exercise of all or any of the powers conferred or duties imposed upon the Authority by any provision in this Act or any regulations made under Part 3 (except the power of delegation conferred by this subsection), subject to such conditions or limitations as the Authority may specify; and any reference in that provision to the Authority includes a reference to such an enforcement officer.

*[Act 24 of 2018 wef 08/05/2018]*

## PART 2

## PARKING PLACES

**Authority may provide parking places**

4.—(1) Where it appears to the Authority to be necessary to provide suitable parking places for vehicles, the Authority may provide such parking places in accordance with the provisions of this Act and such general or specific directions as the Minister may give, and for that purpose may —

- (a) utilise any land or premises which may lawfully be acquired or appropriated;
- (b) utilise any land or premises owned or occupied by any statutory body upon such terms and conditions as may be agreed upon between the Minister and the statutory body;  
or
- (c) permit any part of a road to be used as a parking place.

[44/99]

(2) The Authority must not permit any part of a road to be used as a parking place under subsection (1)(c) if —

- (a) the parking place is for the parking of personal mobility devices; or
- (b) the use of such part of the road as a parking place will unreasonably prevent access to any premises adjoining the road or to the use of the road by any person entitled to the use of the road, or will cause a nuisance to any person.

[Act 3 of 2017 wef 30/04/2018]

(3) The certificate of the Superintendent stating to the effect that any parking place named or described in the certificate is a parking place within the meaning of this Act shall be prima facie evidence for the purpose of any prosecution under this Act.

[44/99]

**Use of property as private parking place**

**5.—(1)** No person shall maintain or operate any private parking place for the parking or housing of one or more heavy vehicles unless he is a holder of a valid licence.

[9/2005]

(2) The Authority may, by order published in the *Gazette* —

(a) permit the use as a private parking place of any land or premises with respect to which an agreement has been made between the Superintendent and the owner or the occupier thereof for the use of the land or premises as a private parking place; and

(b) prescribe the manner in which a licensee shall maintain or operate a licensed private parking place.

[44/99]

(3) The Superintendent or any person authorised by him may manage and superintend any private parking place referred to in subsection (2)(a).

(4) [*Deleted by Act 9 of 2005*]

**Power to require maintenance, etc., of parking place**

**5A.—(1)** Where, in the opinion of the Superintendent, any private parking place for the parking of bicycles, power-assisted bicycles or personal mobility devices on any land or premises —

(a) has not been kept or maintained in a state of good and serviceable repair or in a proper and clean condition;

(b) has been discontinued without the permission of the Superintendent; or

(c) has been altered (whether by repair or otherwise) so as to render the parking place to be non-compliant with any rules made under section 8,

the Superintendent may, by notice, require the owner or the occupier of the land or premises to carry out such repairs, work or alteration to the parking place, or to reinstate the parking place, as the case may be, as the Superintendent thinks fit to be carried out.

- (2) A notice under subsection (1) must specify —
- (a) the manner in which the repairs, work, alteration or reinstatement specified in the notice is to be carried out;
  - (b) the time within which the repairs, work, alteration or reinstatement must be completed; and
  - (c) that the repairs, work, alteration or reinstatement must be carried out with due diligence to the satisfaction of the Superintendent.
- (3) If a notice under subsection (1) is not complied with to his satisfaction, the Superintendent may —
- (a) carry out or cause to be carried out all or any of the repairs, work, alteration or reinstatement specified in that notice; and
  - (b) recover all expenses reasonably incurred by him in the exercise of his powers under this section from the person in default.
- (4) Without prejudice to the right of the Superintendent to exercise the powers under subsection (3), if any person on whom a notice under subsection (1) is served fails, without reasonable excuse, to comply with the requirements of that notice, that person 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 3 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$500 for every day or part of a day during which the offence continues after conviction.

*[Act 3 of 2017 wef 30/04/2018]*

### **Adaptation of land for use as parking place**

**6.** The Authority may take such steps as may be necessary to adapt for use as a parking place any land not being part of a road which it may utilise for that purpose under this Act.

*[44/99]*

**Layout, etc., of parking lots in private parking places**

**6A.**—(1) The owner or occupier of —

- (a) any land or premises on which any private parking place is, on or after the date of commencement of section 5 of the Parking Places (Amendment) Act 2018, provided; or
- (b) any land or premises on which any development (within the meaning of the Planning Act (Cap. 232)) is or is to be carried out and in respect of which —
  - (i) written permission is granted on or after the date of commencement of section 5 of the Parking Places (Amendment) Act 2018; or
  - (ii) an application for approval of a proposal or plan for the provision of parking lots is pending on that date,

must provide and maintain the private parking place provided or to be provided on the land or premises only in accordance with the applicable requirements for parking places.

(2) In subsection (1), “applicable requirement for parking places”, for any land or premises mentioned in that subsection, means any of the requirements as to layout, arrangement, dimensions, area and number of parking lots, or to the design of parking facilities for a private parking place on the land or premises, which —

- (a) are specified in the proposal or plan for the provision of parking lots in the private parking place last approved (or deemed approved) by the Authority; or
- (b) are specified in the last waiver granted (or deemed granted) under section 6B in relation to the private parking place.

(3) The Authority may, in respect of a proposal or plan for the provision of parking lots in a private parking place, approve the proposal or plan in accordance with rules made (or deemed made) under section 22 or, subject to those rules, after having regard to, and giving such weight as the Authority considers appropriate to, all of the following matters:

- (a) the proximity and accessibility of the land or premises to other forms of public passenger transport facilities;

- (b) the availability of other parking places in the vicinity of the land or premises;
- (c) traffic flow around the land or premises and the road capacity;
- (d) access to roads, public streets, private footways and public paths;
- (e) such other matters and evidence as may be relevant.

(4) The Authority may, by an infringement notice, require the owner or occupier of the land or premises mentioned in subsection (1) to carry out such works to the land or premises or any part of it, and to take such other measures specified in the notice, as the Authority thinks fit to rectify any contravention of that subsection.

(5) A person who contravenes or fails to comply with an infringement notice under subsection (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$30,000 and, in the case of a continuing offence, to a further fine of \$500 for every day or part of a day during which the offence continues after conviction.

(6) In this section, a reference to a proposal or plan for the provision of parking lots in a private parking place includes a reference to a proposal or plan to change —

- (a) the number of parking lots in the private parking place;
- (b) the layout, arrangement, dimensions or area of any parking lot in the private parking place; or
- (c) the design of parking facilities in that private parking place,

and change includes the making of a material change in the use as a parking lot.

*[Act 24 of 2018 wef 08/05/2018]*

### **Deficiency charge**

**6B.**—(1) The owner or occupier of any land or premises which is the subject of a development mentioned in section 6A(1)(b) may provide parking lots in a private parking place or proposed private parking place on the land or premises otherwise than in accordance

with the requirements in rules made (or deemed made) under section 22 if —

- (a) the Authority waives the requirement in those rules because, in the opinion of the Authority, it would be unduly onerous or unreasonable for the owner or occupier to comply with that requirement; and
- (b) where the waiver affects the applicable number of parking lots, the owner or occupier pays to the Authority a deficiency charge.

(2) In determining whether to grant a waiver in relation to any private parking place or proposed private parking place on any land or premises, the Authority must have regard to, and give such weight as the Authority considers appropriate to, all of the following matters:

- (a) the proximity and accessibility of the land or premises to other forms of public passenger transport facilities;
- (b) the availability of other parking places in the vicinity of the land or premises;
- (c) traffic flow around the land or premises and the road capacity;
- (d) access to roads, public streets, private footways and public paths;
- (e) the physical topography and location of the land or premises;
- (f) other regulatory requirements which the owner of the land or premises must also comply with in relation to the private parking place;
- (g) the safety of pedestrians, drivers, riders and other road and public path users;
- (h) such other matters and evidence as may be relevant.

(3) The deficiency charge is an amount calculated in the manner prescribed, and must be paid into the Consolidated Fund.

(4) Despite anything in this section, no deficiency charge is payable in respect of a private parking place or class of private parking places

which, or any person who, is exempt from section 6A because of an exemption under section 21.

(5) In subsection (1), “applicable number of parking lots”, for any land or premises which is the subject of a development mentioned in section 6A(1)(b), means the requirement relating to the number of parking lots which is prescribed in rules made (or deemed made) under section 22.

*[Act 24 of 2018 wef 08/05/2018]*

### **Authority not liable for loss or damage**

7. The exercise by the Authority or the Superintendent of its or his powers under this Act with respect to the use as a parking place or otherwise of any part of a road or any other place shall not render the Government, the Authority or the Superintendent subject to any liability in respect of —

- (a) any loss or damage to any vehicle or the fittings or contents of any vehicle parked in such parking place or otherwise; or
- (b) any injury or death suffered by any person in such parking place or otherwise.

*[28/95; 44/99]*

## PART 3

### VEHICLE SHARING

#### *Division 1 — General*

### **Interpretation of this Part**

8.—(1) In this Part, unless the context otherwise requires —

“chief executive officer”, in relation to a licensee, means an individual (by whatever name described) who —

- (a) is in the direct employment of, or acting for or by arrangement with, the licensee; or
- (b) is principally responsible for the management and conduct of the business of the licensee in carrying on any licensable activity authorised by the licence,

and includes an individual for the time being performing all or any of the functions or duties of a chief executive officer;

“company” has the meaning given by section 4(1) of the Companies Act (Cap. 50);

“director” has the meaning given by section 4(1) of the Companies Act;

“hire”, for a vehicle, does not include hiring the vehicle under a hire-purchase agreement but includes —

- (a) the hire of a vehicle for use on a single occasion, or the hire of a vehicle or different vehicles on multiple occasions within a fixed period;
- (b) the hire of the vehicle as a free gift, or with the supply of any other goods or services as a free gift;
- (c) the hire of the vehicle as a prize in any lottery, raffle, draw, game or competition held in Singapore; and
- (d) the hire of the vehicle to the public or any section of the public as a free example or demonstration of a licensable service by a licensee;

“licence” means a licence granted (on renewal or otherwise) under this Part to provide a licensable service using a class of vehicles specified in the licence;

“licensee” means a person to whom a licence is granted (on renewal or otherwise) under this Part;

“limited liability partnership” has the meaning given by the Limited Liability Partnerships Act (Cap. 163A);

“modification” and “modify”, in relation to the conditions of a licence, includes deleting or varying and substituting a condition, and adding a condition;

“premises” means a building or structure (whether permanent or temporary) or part of such a building or structure, and includes any immediately adjoining space or land necessary for access to, or the enjoyment of occupants of, the building or structure;

“public path” has the meaning given by the Active Mobility Act 2017 (Act 3 of 2017);

“public place” means any land or premises in Singapore —

(a) which is, or is on —

(i) any State land;

(ii) any land under the control or management of a statutory body; or

(iii) any land which is under lease from a statutory body to another person other than another statutory body or the Government, and is prescribed by the Minister, by order in the *Gazette*, as a public place for the purposes of this Part; and

(b) to which members of the public have access as of right or by virtue of express or implied permission and without payment of a fee,

and includes part of a public place;

“regulations” means regulations made under section 8S;

“regulatory action” means any action in section 8P that may be taken by the Authority against a licensee;

“ride”, in relation to a vehicle, means to travel in or on the vehicle, and includes driving the vehicle;

“road” has the meaning given by the Road Traffic Act (Cap. 276);

“standard of performance” means a standard of performance issued or approved by the Authority under section 8N, and includes any such standard of performance as amended from time to time under that section;

“use”, in relation to a vehicle and a licensee, means use by the licensee of the vehicle in providing the licensable service authorised by the licensee’s licence;

“vehicle” means a bicycle, power-assisted bicycle, personal mobility device or other means of transport used on land (whether mechanically propelled or otherwise) except —

- (a) a motor car or motor cycle;
- (b) a heavy or light locomotive;
- (c) a motor tractor;
- (d) a public service vehicle which is a bus, private hire car or taxi;

“vehicle location device” means a device that is capable of transmitting signals about the approximate location of a vehicle for reception by another device.

(2) In this Part, a person provides a licensable service if the person carries on a licensable activity in Singapore in the course of business, whether or not carried on for profit and whether or not its primary function is connected with offering or exposing vehicles for hire by the general public to ride.

(3) For the purpose of subsection (2), a “licensable activity” means carrying on any of the following:

- (a) offering or exposing undocked vehicles for hire by the general public to ride, and —
  - (i) allowing the hiring of any of these vehicles to end in or at a public place undocked; or
  - (ii) taking bookings for the hire of any of these vehicles, the hiring of which may end in or at a public place undocked;
- (b) providing to individuals interested in hiring undocked vehicles used in a licensable activity in paragraph (a) a service of booking such a vehicle for hire, and communicating the booking to the individual or the person carrying on that licensable activity.

(4) For the purpose of subsection (3), it does not matter whether the booking is obtained or communicated remotely by means of an

electronic device or other means not directly provided by the person who provides a booking service.

(5) However, the regulations may provide that the provision of prescribed services is not a licensable service.

(6) In this Part, a vehicle is treated as undocked if the vehicle is permitted to remain at rest without a rider in or at a public place —

- (a) which is outdoors or in an unenclosed shelter; and
- (b) other than in or at a vehicle docking station or installation attached to the ground which is installed or provided by a person for the exclusive use of that person's customers.

(7) In this Part, “improperly parking in a public place”, for a vehicle of a class, means parking, or permitting to remain at rest without a rider, the vehicle undocked outside an area that is —

- (a) demarcated (by a marking or traffic sign or other signboard) for parking of vehicles of that same class; and
- (b) provided by any licensee, the Government or a statutory body for the parking of vehicles of that class.

*[Act 24 of 2018 wef 08/05/2018]*

### **Purpose of this Part**

**8A.**—(1) The purpose of this Part is to regulate the provision of licensable services so as to address indiscriminate parking of vehicles in public places arising from the provision of licensable services.

(2) To avoid doubt, this Part does not limit the application of any other requirement or restriction to, or in relation to, the conduct of business in, or the parking of vehicles on, any public place by or under any other written law.

*[Act 24 of 2018 wef 08/05/2018]*

### **Classes of vehicles**

**8B.**—(1) For the purposes of this Part, vehicles may be classified into the classes prescribed by regulations.

(2) Each class of vehicles prescribed may be subdivided into one or more subdivisions according to weight, construction, use or otherwise as described in the regulations, and any reference in this Part or the

regulations to a class of vehicles includes a reference to any subdivision of such class.

*[Act 24 of 2018 wef 08/05/2018]*

### *Division 2 — Licences*

#### **Unauthorised licensable service**

**8C.**—(1) A person must not provide, or hold out as providing, any licensable service using a class of vehicles unless the person —

- (a) is authorised to do so by a licence; or
- (b) is exempt from this section under section 21 in relation to that activity.

(2) A person who contravenes subsection (1) 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 6 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$500 for every day or part of a day during which the offence continues after conviction.

(3) For the purposes of this section, a licensee is not authorised by its licence to provide a licensable service during the period the licence is suspended.

*[Act 24 of 2018 wef 08/05/2018]*

#### **Application for or to renew licence**

**8D.**—(1) An application for or to renew a licence must be made to the Authority in accordance with this section.

- (2) An application for or to renew a licence must —
- (a) be in such form and manner as the Authority may determine;
  - (b) be accompanied by an application fee, if prescribed; and
  - (c) be accompanied by such information that the Authority requires to decide on the application.

(3) In addition, an application to renew a licence must be made no later than a prescribed period before the date of expiry of the licence,

unless otherwise allowed by the Authority in any particular case which is to be treated as a late renewal application.

(4) A late renewal application must be accompanied by a late renewal application fee (if prescribed), in addition to the fee in subsection (2)(b), if prescribed.

(5) Upon receiving an application for or to renew a licence to provide any licensable service, the Authority may carry out, or arrange to be carried out by any of its officers, an inspection of —

- (a) the land or premises on or at which the applicant intends to provide the licensable service in the application or to place any vehicle or carry out any activity in connection with the provision of such licensable service; and
- (b) any vehicle, equipment or other thing which the applicant intends to use to provide the licensable service in the application.

(6) The Authority may refuse to consider an application for or to renew a licence made by or on behalf of an applicant where —

- (a) the application is incomplete or not made in accordance with this section;
- (b) an inspection mentioned in subsection (5) in relation to the application is refused; or
- (c) a safety directive under section 8Q is in force.

*[Act 24 of 2018 wef 08/05/2018]*

### **Grant, etc., of licence**

**8E.**—(1) After considering any application for or to renew a licence, the Authority may do either of the following:

- (a) on payment of —
  - (i) a licence fee (if prescribed), grant the applicant a licence authorising the provision of a licensable service using a class of vehicles specified in the licence; or
  - (ii) a renewal fee and, where applicable, late renewal fee (if prescribed), renew the licence authorising the

provision of a licensable service using a class of vehicles specified in the licence;

(b) refuse to grant or renew the licence.

(2) In deciding whether an applicant should be granted a licence, or the applicant's licence should be renewed, and the conditions to impose or modify, the Authority must have regard to, and give such weight as the Authority considers appropriate to, all of the following matters:

- (a) the demand for the licensable service proposed in the application to be provided;
- (b) the existence of other licensees providing licensable services using the same class of vehicles proposed in the application;
- (c) the existence of other licensees providing licensable services using other classes of vehicles;
- (d) the adequacy of parking places for the class of vehicles proposed in the application;
- (e) the design, safety and roadworthiness of the vehicles to be used by the applicant in providing the licensable service proposed in the application;
- (f) the applicant's capacity to provide the licensable service proposed in the application according to the standards of performance applicable to licensees using the class of vehicles proposed in the application;
- (g) the applicant's capacity to comply with the requirements for financial viability in providing the licensable service proposed in the application;
- (h) whether the applicant and where necessary, whether —
  - (i) every member of the board of directors or committee or board of trustees or other governing body of an applicant which is a company, limited liability partnership or other body corporate; or
  - (ii) every partner of an applicant that is a partnership,

is a suitable person to be involved in the management or operation of providing the licensable service proposed in the application;

- (i) whether it is otherwise contrary to the public interest for the licence to be granted to the applicant.

(3) For the purpose of determining whether or not an individual mentioned in subsection (2)(h) is a suitable person to be involved in the management or operation of providing a licensable service, the Authority must, having regard to the degree and nature of the individual's proposed involvement, consider and give such weight as the Authority considers appropriate to all of the following matters:

- (a) the individual's relevant knowledge, competency and experience;
- (b) any evidence of regulatory action taken against the individual under this Part, or for contravening any notice or direction given under this Part;
- (c) any prior conviction of the individual for committing —
  - (i) an offence under section 32A of the Street Works Act (Cap. 320A), under section 28 of the Active Mobility Act 2017 (Act 3 of 2017) or under this Part or the regulations, whether or not the offence was committed before the date of commencement of section 6 of the Parking Places (Amendment) Act 2018; or
  - (ii) any other offence, whether or not the conviction was in a Singapore court and whether or not the offence was committed before the date of commencement of section 6 of the Parking Places (Amendment) Act 2018;
- (d) any previous occasion where the individual accepted any composition sum offered under section 12 for an offence mentioned in paragraph (c) or for an offence under this Part or the regulations.

(4) To avoid doubt, the Authority is not confined to consideration of the matters specified in subsection (2) or (3) and may take into account such other matters and evidence as may be relevant.

(5) Without limiting subsection (1), the Authority may grant a renewal of a licence with or without modifying the conditions of the licence, but section 8H does not apply to or in relation to granting a renewal of a licence with modifications to the conditions of the licence.

*[Act 24 of 2018 wef 08/05/2018]*

### **Validity of licence**

**8F.**—(1) Every licence granted or renewed under this Part is to continue in force for such period (not exceeding 2 years) as may be specified in the licence unless it is earlier cancelled or suspended under section 8P.

(2) Regulations may be made to vary the maximum period of 2 years in subsection (1), by prescribing a longer or shorter period for licences granted or renewed after those regulations are in force.

*[Act 24 of 2018 wef 08/05/2018]*

### **Conditions of licence**

**8G.**—(1) In granting a licence to any person, the Authority may impose such conditions as the Authority considers requisite or expedient having regard to the purposes of this Part.

(2) In particular, in granting or renewing a licence to a person to provide a licensable service, the Authority may impose conditions —

- (a) prohibiting or restricting the use of a certain type of vehicle specified in the licence in providing the licensable service;
- (b) fixing the maximum or minimum number, or both, of vehicles which the licensee, during the validity period of the licence or any part of that period —
  - (i) may offer or expose for hiring undocked; or
  - (ii) may allow the hiring of which to end undocked, or both;

- (c) requiring a serial number to be engraved on or affixed to every vehicle used or to be used by the licensee to provide the licensable service authorised by the licence;
- (d) requiring the licensee to provide parking spaces for the class of vehicles used or to be used by the licensee in providing the licensable service authorised by the licence;
- (e) requiring the provision of a performance bond, guarantee or any other form of security of such amount, and on such terms and conditions as the Authority may determine, for all or any of the following purposes:
  - (i) to secure compliance by the licensee with any standards of performance applicable to the licensee and any condition attached to the licence;
  - (ii) to meet any financial penalty arising out of any proceedings under section 8P with a view to the regulatory action started or likely to start against the licensee;
  - (iii) to meet any cost or expenses which the Authority may reasonably incur in moving and disposing of vehicles that were used by the former licensee in providing licensable services and are abandoned in public places; or
- (f) requiring the licensee to undergo (at the licensee's own cost) such audit as the Authority may require to ascertain the licensee's compliance with —
  - (i) the provisions of this Part or a standard of performance applicable to the licensee;
  - (ii) the conditions of the licence granted to that licensee; or
  - (iii) a direction given under section 8O.

(3) An audit mentioned in subsection (2)(f) must be carried out by enforcement officers or other qualified individuals approved by the Authority for the purpose.

*[Act 24 of 2018 wef 08/05/2018]*

**Modifying conditions of licence: by Authority**

**8H.**—(1) Subject to this section, it is lawful for the Authority to modify the conditions of a licence without compensating the licensee concerned.

(2) Before modifying any conditions of a licence, the Authority must give notice to the licensee holding that licence —

- (a) stating that the Authority proposes to make the modification in the manner as specified in the notice; and
- (b) specifying the time (being not less than 14 days after the date of service of the notice on the licensee) within which the licensee may make written representations to the Authority with respect to the proposed modification.

(3) Upon receiving any written representation mentioned in subsection (2)(b), the Authority must consider that representation and may —

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

(4) Where —

- (a) the Authority rejects any written representation under subsection (3)(a);
- (b) the Authority amends any proposed modification to the conditions of the licence under subsection (3)(b); or
- (c) no written representation is received by the Authority within the time specified under subsection (2)(b), or any written representation made under that subsection is subsequently withdrawn, and the licensee has not given immediate effect to the modification,

the Authority must issue a direction in writing to the licensee in question requiring the licensee, within the time specified by the Authority, to give effect to the modification as specified in the notice

under subsection (2) or as amended by the Authority, as the case may be.

*[Act 24 of 2018 wef 08/05/2018]*

### **Modifying conditions of licence: by licensee**

**8I.**—(1) A licensee may apply to the Authority to modify the conditions of the licensee's licence mentioned in section 8G(2)(b), and no other condition.

(2) An application under subsection (1) must —

- (a) be in such form and manner as the Authority may determine;
- (b) be accompanied by an application fee, if prescribed; and
- (c) be accompanied by such prescribed information and any other additional information that the Authority requires to decide on the application.

(3) However, an application under subsection (1) must be made no later than 9 months (or such longer or shorter period as may be prescribed in substitution) before the date of expiry of the licence concerned.

(4) The Authority may refuse to consider an application under subsection (1) to modify the conditions of the licensee's licence where the application is incomplete or not made in accordance with this section.

(5) After considering any application under subsection (1) and whether a safety directive under section 8Q is in effect, the Authority may do either of the following:

- (a) on payment of a fee (if prescribed) to modify a licence condition in subsection (1) —
  - (i) modify other relevant conditions of the licence; and
  - (ii) grant the licensee the modification applied for;
- (b) refuse to modify the licence condition in the application.

(6) Sections 8E(2) to (5) and 8G(2)(e) apply, with the necessary modifications, to every application under subsection (1) as if the application is an application for or to renew a licence.

*[Act 24 of 2018 wef 08/05/2018]*

### **Restrictions on transfer of licence**

**8J.**—(1) A licence, and any rights, benefits or privileges under the licence, is not transferable or assignable to any other person unless —

- (a) the licence contains a condition authorising the transfer or assignment; and
- (b) the Authority consents in writing to the transfer or assignment.

(2) Any consent under subsection (1) may be given subject to compliance with such conditions as the Authority thinks fit to impose, which may, subject to section 8H, include conditions modifying, or requiring or otherwise providing for the making of modifications to, the conditions of the licence.

(3) A transfer or an assignment, or purported transfer or assignment, of a licence, or of any rights, benefits or privileges under the licence, is void and of no effect —

- (a) if the licence is not capable of transfer or assignment;
- (b) if the transfer or assignment, or purported transfer or assignment, is in breach of a condition of the licence; or
- (c) if there has, before the transfer or assignment or purported transfer or assignment, been a contravention of a condition subject to compliance with which the consent required by subsection (1) is given.

(4) Every licence is not capable of being surrendered without the consent in writing of the Authority, and any surrender or purported surrender of a licence is void if it is without such consent.

*[Act 24 of 2018 wef 08/05/2018]*

*Division 3 — Duties of licensees***Accounts and records**

**8K.**—(1) A licensee must —

- (a) in respect of the whole or part, as the case may be, of every financial year, prepare such accounts and statements as are specified in, or ascertained in accordance with, the regulations;
- (b) retain the accounts and statements prepared in accordance with paragraph (a) for 5 years (or such longer or shorter period as may be prescribed in substitution) after the end of the period to which they relate;
- (c) within the prescribed period after the financial year, give the Authority those accounts and statements duly audited by an auditor approved by the Authority; and
- (d) keep and retain records, where the records are relevant to the preparation of, the accounts and statements of the licensee mentioned in paragraph (a), for such period and in such manner as prescribed in the regulations.

(2) A licensee must —

- (a) keep and retain, for such period as may be prescribed, records, where the records are relevant —
  - (i) to monitoring or evaluating, under this Part, the quality of an aspect of licensable services prescribed in the regulations;
  - (ii) to the hiring of vehicles from the licensee, their period of hire, the place from which the hire started and ended, and any other prescribed information relating to hirers and hiring of vehicles used to provide licensable services; or
  - (iii) to the instances of improper parking in public places by hirers of vehicles at the end of hiring;

- (b) give to the Authority, within the period and in the manner prescribed in the regulations, specified information that is relevant —
    - (i) to monitoring or evaluating, under this Part, the quality of an aspect of licensable services prescribed in the regulations; or
    - (ii) to the hiring of vehicles from the licensee, their period of hire, the place from which the hire started and ended, and any other prescribed information relating to hirers and hiring; and
  - (c) give to the Authority, within the period and in the manner prescribed in the regulations, specified information that is relevant to the instances of improper parking in public places by hirers of vehicles at the end of hiring, including the personal data of the hirers.
- (3) A licensee —
- (a) must not prepare any such accounts or statements in such a way that they do not correctly record and explain the matters or things to which they relate; and
  - (b) must not make a record of any matter or thing in such a way that it does not correctly record the matter or thing.
- (4) A person —
- (a) who is subject to any requirement under subsection (1), (2) or (3); and
  - (b) who contravenes any such requirement,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000.

*[Act 24 of 2018 wef 08/05/2018]*

### **Monitoring improper parking by hirers**

**8L.**—(1) A licensee providing a licensable service using a class of vehicles may enter into an information sharing arrangement with another licensee providing a licensable service using the same or

different class of vehicles to share or exchange information held by the licensees for the purpose of subsection (4).

(2) Under an information sharing arrangement mentioned in subsection (1), each party to the arrangement, despite any other Act, is authorised to request and receive information held by the other party to the arrangement, and to disclose information to the other party, but only to the extent that the information is reasonably necessary to assist in the exercise of any power under subsection (4).

(3) However, the information to which an information sharing arrangement mentioned in subsection (1) may relate is limited to the following:

- (a) information concerning possible improper parking in public places by hirers of vehicles which were hired from licensees party to the arrangement;
- (b) information about hirers in respect of whom a power under subsection (4) has been exercised by any licensee which is party to the arrangement;
- (c) information prescribed.

(4) Every licensee —

- (a) is entitled to refuse to hire or further hire for a period not exceeding a prescribed period; and
- (b) must refuse to hire or further hire where directed by the Authority under section 8O,

to any individual any undocked vehicle used by the licensee to provide a licensable service where the licensee has reasonable grounds to believe that the individual persistently improperly parks vehicles (whether or not hired from the same licensee) in public places.

(5) For the purpose of subsection (4), an individual seeking at any time in a year to hire to ride an undocked vehicle (called vehicle *A*) from a licensee may be treated by the licensee as an individual who persistently improperly parks vehicles in public places if, pursuant to an information sharing arrangement mentioned in subsection (1), the licensee reasonably believes the individual to have, upon ending any

hiring of a vehicle from the licensee or another licensee, improperly parked in any public place a vehicle on at least 3 earlier occasions (or such higher number as may be prescribed in substitution) within the year —

- (a) where any vehicle involved in the earlier occasions is of the same class as vehicle *A* or is of a prescribed class within which vehicle *A* falls; and
- (b) after disregarding all other occasions of improper parking in public places before that year.

(6) Despite subsection (5), if an individual is refused by a licensee under subsection (4) the hire or further hire of a vehicle, all occasions which counted towards that refusal must be disregarded for the purposes of subsequent determinations by any licensee as to whether that individual is or is not an individual who persistently improperly parks vehicles in public places.

*[Act 24 of 2018 wef 08/05/2018]*

#### *Division 4 — Compliance measures*

##### **Power to obtain information, etc.**

**8M.**—(1) The Authority or an enforcement officer may, by written notice, require any licensee to furnish, within a reasonable period and in the form and manner specified in the notice, all documents and information which —

- (a) relate to any matter which the Authority or enforcement officer considers necessary for an enforcement purpose concerning that licensee; and
- (b) are within the knowledge of that licensee, or in the licensee's custody or under the licensee's control.

(2) The power to require a licensee to furnish any document or information under subsection (1) includes the power —

- (a) to require that licensee, or any individual who is or was an officer or employee of the licensee, to provide an explanation of the document or information;

- (b) if the document or information is not furnished, to require that licensee or individual to state, to the best of the licensee's or individual's knowledge and belief, where it is; and
  - (c) if the information is recorded otherwise than in legible form, to require the information to be made available to the Authority in legible form.
- (3) The Authority is entitled without payment to keep any document or information, or any copy or extract thereof, furnished to the Authority or an enforcement officer under subsection (1).
- (4) For an enforcement purpose concerning a licensee, the Authority or an enforcement officer is entitled, at all reasonable times —
- (a) to full and free access to any place on or at which the licensee provides the licensable service authorised by the licence or to carry out any activity in connection with the provision of the licensable service;
  - (b) to examine or observe any activity conducted in or on the place;
  - (c) to inspect and examine any thing in or on the place;
  - (d) to make any still or moving image or any recording of the place or any thing in or on the place;
  - (e) to inspect any document in the place and make copies of, or take extracts from, any such document;
  - (f) to take into or onto the place such equipment and materials as the enforcement officer requires for the purpose of exercising powers in this subsection in relation to the place;
  - (g) to operate electronic equipment in or on the place; and
  - (h) to require any individual found in or on the place to answer, or to attend before the enforcement officer to answer, any question (to the best of that individual's knowledge, information and belief) and to furnish any document or information.

(5) The power under subsection (4)(g) to operate electronic equipment in or on any place includes —

- (a) the power to use a disc, tape or other storage device that is in or on the place and can be used with the equipment or in association with the equipment;
- (b) the power to operate electronic equipment in or on the place to put the relevant data in documentary form and remove the documents so produced from the place; and
- (c) the power to operate electronic equipment in or on the place to transfer the relevant data to a disc, tape or other storage device that —
  - (i) is brought to the place for the exercise of the power; or
  - (ii) is in or on the place and the use of which for that purpose has been agreed in writing by the licensee concerned,

and remove the disc, tape or other storage device from that place.

(6) Any statement made by any individual in answer to a question under subsection (4)(h) must —

- (a) be reduced to writing;
- (b) be read over to the individual;
- (c) if the individual does not understand English, be interpreted for the person in a language that the individual understands; and
- (d) after correction, if necessary, be signed by that individual.

(7) A person —

- (a) who intentionally alters, suppresses or destroys any document or information which the person has been required by a notice under subsection (1) or (4)(h) to furnish; or

- (b) who, in furnishing any document or information required under subsection (1) or (4)(h) makes any statement which the person knows or ought reasonably to know that, or is reckless as to whether, it is false or misleading in a material particular,

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 12 months or to both.

(8) A person who, without reasonable excuse, fails to do anything required of the person by notice under subsection (1) or (4)(h) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000.

(9) However, an individual or person is not subject to a requirement under subsection (1) if —

- (a) the individual or person does not possess the information or document required; or
- (b) the individual or person has taken all reasonable steps available to the individual or person to obtain the information or document required and has been unable to obtain it.

(10) To avoid doubt, for the purposes of subsection (8), it is a reasonable excuse for a person to refuse or fail to furnish any information, produce any document or answer any question if doing so might tend to incriminate that person.

(11) In this section, “enforcement purpose”, in relation to a licensee, means —

- (a) determining whether any of the following are being complied with:
- (i) the provisions of this Part or the regulations in relation to that licensee;
- (ii) the provisions of any standard of performance applicable to that licensee; and
- (iii) the conditions imposed on the licensee’s licence or any other consent, approval or authorisation granted

under this Part or the regulations with respect to that licensee;

- (b) investigating any offence under the provisions of this Part or the regulations in relation to that licensee; or
- (c) determining whether information furnished to the Authority or an enforcement officer under a provision of this Part or the regulations in relation to that licensee is correct.

*[Act 24 of 2018 wef 08/05/2018]*

### **Standards of performance**

**8N.**—(1) The Authority may, from time to time —

- (a) issue one or more standards of performance applicable to licensees or a specified type of licensee;
- (b) approve as a standard of performance applicable to licensees or a specified type of licensee any document prepared by a person other than the Authority if the Authority considers the document as suitable for this purpose; and
- (c) amend or revoke any standard of performance issued under paragraph (a) or approved under paragraph (b),

with respect to all or any of the aspects of the provision of licensable services mentioned in subsection (2).

(2) For the purposes of subsection (1), the aspects of licensable services to which standards of performance may relate to are —

- (a) hirer handling-related facilities, systems and services;
- (b) facilities, systems and services for locating, distributing and collecting vehicles parked or apparently abandoned in public places;
- (c) facilities, systems and services for the installation, maintenance and keeping in a state of good and serviceable repair vehicle location devices affixed to each vehicle used or to be used to provide licensable services;

- (d) facilities, systems and services to discourage indiscriminate parking by hirers of vehicles in public places at the end of hiring, which may include prices and the use of geo-fencing technology; and
  - (e) the maintenance and keeping of safe and roadworthy vehicles used or to be used in the provision of licensable services.
- (3) If any provision in any standard of performance is inconsistent with any provision of this Act, such provision, to the extent of the inconsistency —
- (a) is to have effect subject to this Act; and
  - (b) having regard to this Act, is not to have effect.
- (4) Where a standard of performance is issued, approved, amended or revoked by the Authority under subsection (1), the Authority must —
- (a) give notice of the issue, approval, amendment or revocation, as the case may be, of the standard of performance to every licensee to which the standard of performance applies;
  - (b) specify in the notice mentioned in paragraph (a) the date of issue, approval, amendment or revocation, as the case may be; and
  - (c) ensure that, so long as the standard of performance remains in force, copies of that standard of performance, and of all amendments to that standard of performance, are available for inspection, free of charge, by the licensees to whom the standard of performance applies.
- (5) No standard of performance, no amendment to an approved standard of performance, and no revocation of any such approved standard of performance, has any force or effect as an approved standard of performance until the notice relating thereto is given in accordance with subsection (4).
- (6) A standard of performance issued or approved under this section does not have legislative effect.

(7) Subject to subsection (8), every licensee must comply with the relevant standards of performance applicable to the licensee.

(8) The Authority may, either generally or for such time as it may specify, waive the application of any standard of performance or part thereof, issued or approved under this section to any licensee.

(9) Any contravention or failure to comply by a licensee with a standard of performance that applies to the licensee does not of itself render the licensee liable to criminal proceedings, but any such contravention or failure may, in any proceedings (criminal or otherwise under this Act) in connection with an offence under this Act may be relied on by any party to those proceedings as tending to establish or negative any liability which is in question in those proceedings.

*[Act 24 of 2018 wef 08/05/2018]*

## **Directions**

**80.**—(1) The Authority may give a direction to a licensee for or in respect of —

- (a) the extent, hours and general level of service by the licensee to hirers;
- (b) locating, distributing or collecting from public places of vehicles used by the licensee to provide licensable services authorised by the licensee's licence;
- (c) the safety or roadworthiness of the vehicle used in connection with the provision of licensable services authorised by the licensee's licence; or
- (d) any matter affecting the interests of the public,

with respect to all or any of the aspects of the licensable service.

(2) A 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, for a specified period, things specified in the direction or things that are of a description specified in the direction, including refusing to hire or further hire vehicles to any

particular hirer for the prescribed period mentioned in section 8L(4)(a);

(b) takes effect at such time, being the earliest practicable time, as is fixed by or under that direction; and

(c) may be revoked at any time by the Authority.

(3) Before exercising any powers under subsection (1), the Authority must give written notice to the licensee concerned —

(a) stating that the Authority intends to give a direction to the licensee under this section and the nature of the direction; and

(b) specifying the time (being not less than 14 days after the date of service of the notice on the licensee) within which written representations may be made to the Authority with respect to the proposed direction.

(4) However, subsection (3) does not apply where —

(a) a safety directive under section 8Q is in effect and the proposed direction is occasioned by the directive; or

(b) the Authority, in respect of any particular direction, considers that it is not practicable or desirable to comply with subsection (3).

(5) The Authority may, after considering any written representation under subsection (3)(b), decide to give or not give the direction as the Authority considers appropriate.

(6) The Authority must serve on the licensee concerned a notice of the Authority's decision under subsection (5).

(7) Subject to section 8R, a direction takes effect from the date on which the notice under subsection (6) is given, or on such other date as may be specified in the notice.

(8) Every licensee must comply with every direction given under this section to the licensee as soon as the direction takes effect.

*[Act 24 of 2018 wef 08/05/2018]*

**Regulatory action against licensee**

**8P.**—(1) Subject to subsection (3), if the Authority is satisfied that —

- (a) a licensee is contravening or not complying with, or has contravened or failed to comply with —
  - (i) any of the conditions of the licensee's licence;
  - (ii) any provision of this Act applicable to the licensee, contravention of or non-compliance with which is not an offence;
  - (iii) any provision of a standard of performance applicable to the licensee; or
  - (iv) any direction given to the licensee under subsection (2)(b), (d) or (f) or section 8O;
- (b) the licensee has gone or is likely to go into compulsory or voluntary liquidation other than for the purpose of amalgamation or reconstruction;
- (c) the licensee has made any assignment to, or composition with, its creditors, or if a company is unable to pay its debts; and
- (d) the licensee, or any of the following individuals, is convicted of any offence under this Part or the regulations committed during the term of the licence:
  - (i) any member of the board of directors or committee or board of trustees or other governing body, or the chief executive officer, of a licensee that is a company, limited liability partnership or other body corporate;
  - (ii) any partner of a licensee that is a partnership or limited liability partnership; or
- (e) the public interest or national security of Singapore requires,

the Authority may cancel (without any compensation) the licensee's licence, and forfeit the whole or part of any performance bond,

guarantee or other form of security furnished under subsection (2)(g) or section 8G(2)(e).

(2) However, the Authority may, in lieu of cancelling a licensee's licence under subsection (1), do any one or more of the following:

- (a) censure the licensee in writing;
- (b) order the reduction of the maximum or an increase of the minimum number, or both, of vehicles which the licensee, during the validity period of the licence or any part of that period —
  - (i) may offer or expose undocked for hiring in or at a public place; or
  - (ii) may allow the hiring of which to end in or at a public place undocked,or both;
- (c) modify any condition of the licence;
- (d) direct the licensee —
  - (i) to do, or to refrain from doing, such things as are specified in a direction to rectify contravention or non-compliance; or
  - (ii) to remove, within a period specified in the direction, from all public places vehicles used by the licensee or former licensee in providing licensable services when the licence is not in force;
- (e) suspend (for not more than 6 months) the licence without any compensation;
- (f) direct the licensee to pay, within a period specified in a direction, a financial penalty of such amount as the Authority thinks fit, being not more than \$100,000 for each instance of the contravention or non-compliance which is the subject of the regulatory action;
- (g) require the licensee to furnish any performance bond, guarantee or other form of security, or an additional

performance bond, guarantee or other form of security, for the purposes mentioned in section 8G(2)(e).

(3) Before exercising any powers under subsection (1) or (2), the Authority must give written notice to the licensee concerned —

- (a) stating that the Authority intends to take regulatory action against the licensee under this section;
- (b) specifying the type of regulatory action in subsection (1) or (2) the Authority proposes to take, and each instance of non-compliance that is the subject of the action; and
- (c) specifying the time (being not less than 14 days after the date of service of the notice on the licensee) within which written representations may be made to the Authority with respect to the proposed regulatory action.

(4) The Authority may, after considering any written representation under subsection (3)(c), decide to take such regulatory action in subsection (1) or (2) as the Authority considers appropriate.

(5) Where the Authority has made any decision under subsection (4) against any licensee, the Authority must serve on the licensee concerned a notice of its decision.

(6) Subject to section 8R, a decision to cancel a licence, or to impose any other regulatory action in subsection (2), which is specified in the notice given under subsection (5) takes effect from the date on which that notice is given, or on such other date as may be specified in the notice.

(7) The cancellation or suspension of any licence, or any direction issued under this section does not prejudice the enforcement by any person of any right or claim against the licensee or former licensee, or by the licensee or former licensee of any right or claim against any person.

(8) Where any financial penalty is imposed on a licensee under subsection (2) for contravening or not complying with any condition in its licence or any provision of a standard of performance applicable to the licensee, any performance bond, guarantee or other form of security given by the licensee to secure compliance by the licensee

must not be forfeited by the Authority for that contravention or non-compliance except to the extent to pay the financial penalty.

(9) In any proceedings under this section in relation to the conviction of a licensee or any person for a criminal offence, the Authority is to accept the licensee's or person's conviction as final and conclusive.

(10) For the purposes of subsection (1)(c), a company is unable to pay its debts if it is a company which is deemed to be so unable under section 254(2) of the Companies Act (Cap. 50).

(11) All financial penalties imposed under this Part must be paid into the Consolidated Fund.

*[Act 24 of 2018 wef 08/05/2018]*

### **Safety directive**

**8Q.**—(1) The Minister may from time to time and in accordance with subsections (2), (3) and (4), make such safety directives of general application as may be necessary to alleviate or minimise any risk of the death of, or a serious injury to, any individual or of damage to any property relating to the use of any vehicle or class of vehicles in the provision of licensable services.

(2) Once a safety directive of general application is made, the Minister must cause to be published in the *Gazette* the safety directive except that where for reasons of safety or security it is impracticable to notify the safety directive in the *Gazette*, the Minister must notify such person or persons as the Minister thinks appropriate or necessary in the circumstances.

(3) Every safety directive of general application comes into force immediately upon its being published in the *Gazette* or, where notified by service on any person under subsection (3), immediately upon service of the notification upon that person and in respect of that person only.

(4) A safety directive of general application made under this section may be in force for a period not exceeding 6 months unless earlier revoked, and may be renewed by the Minister once only for a further period not exceeding 6 months.

*[Act 24 of 2018 wef 08/05/2018]*

## Appeal to Minister

**8R.**—(1) A licensee who is aggrieved by —

(a) a decision by the Authority —

- (i) imposing any condition on a licence under section 8G;
- (ii) modifying any condition of a licence under section 8H;
- (iii) refusing to modify a condition of a licence under section 8I(5)(b);
- (iv) requiring the provision of a performance bond, guarantee or any other form of security of such amount, or an additional performance bond, guarantee or any other form of security upon granting under section 8I(5)(a) a modification of a condition of a licence; or
- (v) refusing consent to a transfer of a licence under section 8J;

(b) any direction of the Authority under section 8O not occasioned by a safety directive under section 8Q; or

(c) any regulatory action of the Authority under section 8P,

may appeal to the Minister.

(2) An applicant for or to renew a licence who is aggrieved by a decision by the Authority refusing to grant or renew a licence under section 8E(1) may appeal to the Minister unless a safety directive under section 8Q is in effect.

(3) An appeal under this section must —

- (a) be in writing;
- (b) specify the grounds on which it is made; and
- (c) be made within a prescribed period after the date the appellant is given the decision that is appealed against.

(4) The Minister may reject an appeal of an appellant who fails to comply with subsection (3).

(5) After considering an appeal under this section, the Minister may —

- (a) reject the appeal and confirm the Authority's decision; or
- (b) allow the appeal and substitute or vary the Authority's decision.

(6) The Minister's decision on appeal is final.

(7) Every appellant must be notified of the Minister's decision under subsection (5).

(8) An appeal against the Authority's decision does not affect the operation of the decision appealed against or prevent the taking of action to implement the decision and, unless otherwise directed by the Minister, the decision appealed against must be complied with until the determination of the appeal.

(9) The Minister may designate any of the following persons to hear and determine, in the Minister's place, any appeal or a specific appeal under this section:

- (a) the Second Minister, if any, for his Ministry;
- (b) any Minister of State, including a Senior Minister of State, for his Ministry;
- (c) any Parliamentary Secretary, including a Senior Parliamentary Secretary, to his Ministry.

(10) A reference to the Minister in this section includes a reference to a person designated under subsection (9).

*[Act 24 of 2018 wef 08/05/2018]*

## **Regulations**

**8S.**—(1) The Authority may, with the approval of the Minister, make regulations necessary or convenient to be prescribed for carrying out or giving effect to this Part.

(2) Without limiting subsection (1), the Authority may make regulations for any of the following:

- (a) the duties of licensees, including —
    - (i) labelling or marking vehicles used by the licensee to provide licensable services authorised by the licensee's licence; and
    - (ii) locating, distributing or collecting from public places the relevant vehicles used by the licensee in providing licensable services authorised by the licensee's licence;
  - (b) the records that must be kept by a licensee and the provision of returns and other information with respect to the provision of licensable services by the licensee;
  - (c) the fees to be paid in respect of applications for, and the grant and renewal or late renewal of, any licence, and any other thing done by the Authority or enforcement officer in connection with the administration of this Part, and the waiver, reduction or refund of fees charged.
- (3) Regulations made under this section may —
- (a) provide that any contravention of any provision of the regulations shall be an offence punishable with a fine not exceeding \$5,000; and
  - (b) provide for such transitional and saving provisions as is necessary or expedient.
- (4) All regulations made under this section must be presented to Parliament as soon as possible after publication in the *Gazette*.

*[Act 24 of 2018 wef 08/05/2018]*

### **Service of documents**

**8T.**—(1) Despite section 18, a document that is permitted or required by or under this Part or the regulations to be served on a person may be served as described in this section.

- (2) A document may be served on an individual —
- (a) by giving it to the individual personally;
  - (b) by sending it by prepaid registered post to the address specified by the individual for the service of documents or,

if no address is so specified, the individual's residential address or business address;

- (c) by leaving it at the individual's residential address with an adult person apparently residing there, or at the individual's business address with an adult person apparently employed there;
- (d) by affixing a copy of the document in a conspicuous place at the individual's residential or business address;
- (e) by sending it by fax to the fax number given by the individual as the fax number for the service of documents under this Act; or
- (f) by sending it by email to the individual's email address.

(3) A document may be served on a partnership (other than a limited liability partnership) —

- (a) by giving it to any partner or other like officer of the partnership;
- (b) by leaving it at, or by sending it by prepaid registered post to, the partnership's business address;
- (c) by sending it by fax to the fax number used at the partnership's business address; or
- (d) by sending it by email to the partnership's email address.

(4) A document may be served on a body corporate (including a limited liability partnership) or an unincorporated association —

- (a) by giving it to the secretary or other like officer of the body corporate or unincorporated association, or the limited liability partnership's manager;
- (b) by leaving it at, or by sending it by prepaid registered post to, the body corporate's or unincorporated association's registered office or principal office in Singapore;
- (c) by sending it by fax to the fax number used at the body corporate's or unincorporated association's registered office or principal office in Singapore; or

(d) by sending it by email to the body corporate's or unincorporated association's email address.

(5) Service of a document on a person under this section takes effect —

(a) if the document is sent by fax and a notification of successful transmission is received, on the day of the transmission;

(b) if the document is sent by email, at the time that the email becomes capable of being retrieved by the person; and

(c) if the document is sent by prepaid registered post, on the second day after the day the document was posted (even if it is returned undelivered).

(6) A document may be served on a person under this Part or the regulations by email only with that person's prior written consent.

(7) This section does not apply to documents to be served in proceedings in court for an offence or other matter under this Part or the regulations.

(8) In this section —

“business address” means —

(a) in the case of an individual, the individual's usual or last known place of business in Singapore; and

(b) in the case of a partnership (other than a limited liability partnership), the partnership's principal or last known place of business in Singapore;

“email address” means the last email address given by the addressee concerned as the email address for the service of documents under this Part or the regulations;

“residential address” means an individual's usual or last known place of residence in Singapore.

*[Act 24 of 2018 wef 08/05/2018]*

**PART 4****PARKING CHARGES****Parking charges for parking place provided under section 4**

- 9.—**(1) The Superintendent may, from time to time —
- (a) fix the parking charge for parking of a vehicle in any parking place provided under section 4;
  - (b) change any parking charge fixed under paragraph (a) in accordance with this section;
  - (c) waive in any particular case the payment of the whole or part of any parking charge; and
  - (d) refund the whole or part of any parking charge paid in error or overpaid.
- (2) The Superintendent may fix different parking charges —
- (a) for different parking places;
  - (b) for different types of vehicles;
  - (c) for parking at different times; and
  - (d) for different payment methods.
- (3) Where a parking charge is fixed or changed by the Superintendent under subsection (1), the Superintendent must —
- (a) give public notice of the fixing or change (as the case may be) of the parking charge;
  - (b) specify in the public notice mentioned in paragraph (a) the parking charge or changed parking charge (as the case may be) and the parking place, vehicle or time (as the case may be) to which it applies, and the date which the parking charge or the changed parking charge takes effect; and
  - (c) except for season parking charges, ensure that, so long as the parking charge or changed parking charge is in effect, the parking charge or changed parking charge (as the case may be), and the following information (where applicable), are displayed on one or more traffic signs erected at every entrance to the parking place, or in a conspicuous location

within the parking place so that the traffic signs may be easily seen and read:

- (i) information indicating the period of time for which parking is permitted in that parking place;
- (ii) information indicating the times when a vehicle may be parked in accordance with the sign;
- (iii) information indicating that parking is reserved for vehicles belonging to the class of vehicles referred to in the sign.

(4) The public notice required by subsection (3)(a) must be given in all or any of the following ways:

- (a) by causing it to be published in the daily newspapers circulating in Singapore in all the official languages;
- (b) by making accessible the information mentioned in subsection (3)(b) —
  - (i) in the case of any parking place maintained or operated by a statutory body except the Authority, on the statutory body's website; and
  - (ii) in all other cases, on the Authority's website;
- (c) by causing it to be published in such other manner as the Superintendent considers will secure adequate publicity for the parking charge fixed or changed.

(5) No parking charge and no change to any parking charge has any effect until the notice relating to it is published in accordance with subsection (4).

(6) An instrument setting out any parking charge fixed or changed under this section does not have legislative effect.

(7) In any proceedings relating to the recovery or non-payment of any parking charge, a certificate purporting to be issued by the Superintendent certifying the amount of the parking charge due and payable by a person is prima facie evidence that the amount of parking charge so stated is due and payable by the person so named in the certificate as at the date of the certificate.

(8) In this section —

- (a) a reference to a parking charge includes a reference to a season parking charge, and a surcharge which is payable if a parking charge is not paid within a specified time; and
- (b) a reference to the Superintendent in relation to a parking place provided under section 4 maintained or operated by a statutory body includes a reference to a Deputy Superintendent or an Assistant Superintendent who is an officer employed by the statutory body.

*[Act 24 of 2018 wef 01/05/2018]*

### **Collection of parking charges**

**9A.** All charges paid in connection with the use of any parking place maintained or operated by a statutory body under the provisions of this Act must be paid to that statutory body unless —

- (a) otherwise agreed between the Minister and that statutory body; or
- (b) otherwise directed by the Minister.

*[Act 24 of 2018 wef 01/05/2018]*

## **PART 5**

### **ADMINISTRATION AND ENFORCEMENT**

#### **Plying for hire prohibited within parking place**

**10.—**(1) While any vehicle is within a parking place which has not been appointed a public stand under section 109 of the Road Traffic Act (Cap. 276), it shall not be lawful for the driver or conductor of the vehicle or for any person employed in connection with the vehicle to ply for hire or to accept passengers for hire.

(2) Any person who acts in contravention of this section shall be guilty of an offence.

**Parking places to be indicated by traffic signs**

**11.—**(1) When the Authority permits any part of a road to be used as a parking place, the Authority shall cause the parking place to be indicated by means of traffic signs.

[44/99]

(2) In this section, “traffic signs” shall have the meaning assigned to it by section 119 of the Road Traffic Act (Cap. 276).

**Composition of offences**

**12.—**(1) The relevant officer may, in his discretion, compound any offence under this Act or any subsidiary legislation made under this Act that is prescribed as being an offence which may be compounded by doing one or both of the following:

(a) by collecting from a person reasonably suspected of having committed the offence a sum not exceeding the lower of the following amounts:

(i) one half of the amount of the maximum fine that is prescribed for the offence;

(ii) \$5,000;

(b) by requiring the person reasonably suspected of having committed the offence to do, or to refrain from doing, such things as are specified in an offer of composition (called conditions of composition) by the relevant officer, with the concurrence (general or specific) of the Public Prosecutor.

(2) On payment of such sum of money or meeting such requirement in subsection (1)(a) or (b) or both, no further proceedings are to be taken against that person in respect of the offence.

(3) All sums collected under this section must be paid into the Consolidated Fund.

(4) In this section, “relevant officer”, for an offence that is prescribed as being an offence which may be compounded, means —

(a) the Authority or an enforcement officer where the offence is an offence under Part 3 or any regulations under that Part;  
or

- (b) the Superintendent where the offence is an offence under any other provision of this Act or any other subsidiary legislation made under this Act.

*[Act 24 of 2018 wef 01/05/2018]*

### **Duty to give information**

**13.—(1)** Where the driver or the conductor of a vehicle is alleged or is suspected to be guilty of an offence under this Act or any rules made thereunder —

- (a) the owner of the vehicle shall furnish such information as may be required by the Superintendent or an officer authorised by the Superintendent to act in that behalf as to the identity and address of the person who was the driver or conductor of that vehicle at or about the time of the alleged offence, and as to the driving licence held by that person (if necessary); and

*[Act 3 of 2017 wef 30/04/2018]*

- (b) any other person who was or should have been in charge of the vehicle shall, if so required under paragraph (a), give any information which it is in his power to give, and which may lead to the identification of the driver.

*[Act 3 of 2017 wef 30/04/2018]*

(2) Any owner of a vehicle or any other person who fails to furnish the information required from him under subsection (1)(a) or (b), as the case may be, within 14 days after the date on which the information was required from him shall be guilty of an offence unless he proves, to the satisfaction of the court, that he did not know and could not with reasonable diligence have ascertained the information required.

*[Act 3 of 2017 wef 30/04/2018]*

*[Act 24 of 2018 wef 01/05/2018]*

(3) Any person who wilfully furnishes any false or misleading information under 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 3 months or to both.

*[6/91]*

(4) The Superintendent or any officer authorised by the Superintendent to act in that behalf may require any information to be furnished under subsection (1) to be in writing signed by the person required to furnish the information.

(5) Notwithstanding any other written law to the contrary, any information given under this section by any person charged with an offence under this Act or any rules made thereunder or an offence in connection with the driving of a vehicle may be used as evidence without proof of signature at the hearing of the charge.

*[Act 3 of 2017 wef 30/04/2018]*

(6) Notwithstanding any other written law to the contrary, any statement made by any person to the Superintendent or any officer authorised by the Superintendent under this section that a vehicle was on a particular occasion being driven by or belonged to that person or that it belonged to a firm in which that person also stated that he was a partner or to a corporation of which that person stated that he was a director, an officer or an employee shall be admissible in evidence without proof of signature for the purpose of determining by whom the vehicle was on that occasion being driven or who was in charge of it or to whom it belonged.

*[Act 3 of 2017 wef 30/04/2018]*

### **Liability of owner of vehicles for parking offences**

**14.—**(1) When a parking offence is committed, the person who, at the time of the commission of the offence, is the owner of the vehicle in respect of which the offence is committed shall be guilty of an offence under the rules made under this Act in all respects as if he were the actual offender guilty of the parking offence unless —

- (a) he satisfies the Superintendent that the vehicle was at the relevant time a stolen vehicle or a vehicle illegally taken or used; or
- (b) the court is satisfied that the vehicle was at the relevant time a stolen vehicle or a vehicle illegally taken or used.

*[10/82]*

(2) Nothing in this section shall affect the liability of the actual offender except that where a penalty has been imposed on or recovered from a person in relation to any parking offence, no further

penalty shall be imposed on or recovered from any other person in relation to that offence.

[10/82]

(3) Notwithstanding subsection (1), no owner of a vehicle shall, by virtue of this section, be guilty of an offence if he —

(a) within 14 days after service on him of a notice alleging that he has been guilty of the offence, furnishes by statutory declaration to the Superintendent the name and address of the person who was in charge of the vehicle at all relevant times relating to the parking offence concerned;

[Act 24 of 2018 wef 01/05/2018]

(b) satisfies the Superintendent that he did not know and could not with reasonable diligence have ascertained such name and address; or

(c) satisfies the court that he did not know and could not with reasonable diligence have ascertained such name and address.

[10/82]

(4) A statutory declaration made under subsection (3)(a) if produced in any proceedings against the person named therein and in respect of the parking offence concerned shall be prima facie evidence that the person was in charge of the vehicle at all relevant times relating to such parking offence.

[10/82]

(5) A statutory declaration which relates to more than one parking offence shall not be regarded as a statutory declaration under, or for the purposes of, subsection (3)(a).

[10/82]

(6) In this section —

“owner”, in relation to a motor vehicle, means —

(a) for a motor vehicle which is registered under the Road Traffic Act (Cap. 276) —

(i) each person in whose name the vehicle is registered under the Road Traffic Act unless the person has sold or ceased to have possession of the vehicle and has complied with the

provisions of the rules applicable in regard to the sale or disposal;

- (ii) each person, although not a registered owner of the vehicle, who is a sole or joint owner of the vehicle unless that person has sold or ceased to have possession of that vehicle; or
  - (iii) if any such registered owner has sold or ceased to have possession of the vehicle, any person who solely or jointly or in common with any other person is entitled to the immediate possession of the vehicle;
- (b) for a motor vehicle that is unregistered, the person who solely or jointly or in common with any other person is entitled to the immediate possession of the vehicle;
- (c) for a motor vehicle in respect of which a general licence is issued under section 28 of the Road Traffic Act, the person to whom the general licence is issued; or
- (d) for a motor vehicle which is the subject of a hiring agreement or hire-purchase agreement, the person in possession or entitled to possession of the vehicle under that agreement;

*[Act 24 of 2018 wef 01/05/2018]*

“parking offence” means an offence of parking a vehicle or causing or permitting a vehicle to stand, wait or be parked in contravention of any rules made under this Act.

*[10/82]*

(7) For the purposes of the definition of “owner” in subsection (6), a person is taken not to have ceased to have possession or, as the case may be, not to have acquired possession of a vehicle where a change of possession occurs by way of —

- (a) any hiring (not being a hiring under a hire-purchase agreement) or lending of the vehicle; or

- (b) the passing of the possession of the vehicle to a bailee for the purpose of sale or disposal or for the purpose of alteration, repair, renovation, storing or other like purpose involving the use or operation of the vehicle for the benefit of the bailee.

*[Act 24 of 2018 wef 01/05/2018]*

### **Removal and detention, etc., of abandoned or illegally parked vehicles**

**15.—(1)** Where a vehicle —

- (a) has been permitted to remain at rest in a parking place in such a position or in such condition or circumstances as to appear to the Superintendent or an authorised officer to have been abandoned without lawful authority;

*[Act 24 of 2018 wef 01/05/2018]*

- (b) is parked in a parking place in contravention of any provision of this Act or any rules made thereunder; or

- (c) being owned by a person against whom a warrant of arrest is in force, is parked in a parking place,

the Superintendent or authorised officer may —

- (i) remove the vehicle to a place of safety or any other place and detain it thereat; or
- (ii) prevent the removal of the vehicle from the parking place without his consent by fixing an immobilisation device to the vehicle.

*[34/93; 44/99]*

*[Act 24 of 2018 wef 01/05/2018]*

(1A) Where a vehicle (within the meaning given by Part 3) has been permitted to remain at rest in a public place (also within the meaning given by that Part) —

- (a) in such a position or in such condition or circumstances as to appear to the Authority or an enforcement officer to have been abandoned;

- (b) is evidence of the commission of an offence under section 8C or any regulations made under section 8S; or

- (c) is parked in contravention of any provision of this Act or any subsidiary legislation made under this Act, or any other written law,

an enforcement officer may remove the vehicle to a place of safety or any other place and detain it thereat.

*[Act 24 of 2018 wef 08/05/2018]*

(2) Where the Superintendent or an authorised officer or enforcement officer has removed any vehicle to a place of safety or any other place under subsection (1)(i) or (1A) or fixed an immobilisation device to the vehicle under subsection (1)(ii), the Superintendent, authorised officer or enforcement officer, as the case may be, must, with all reasonable despatch, give notice in writing to the owner of the vehicle as to the procedure by which he may secure the release of the vehicle, and such notice shall be served on the owner of the vehicle —

- (a) in the case where the Superintendent or an authorised officer or enforcement officer has removed the vehicle to a place of safety or any other place, in accordance with section 18; or

*[Act 24 of 2018 wef 01/05/2018]*

- (b) in the case where the Superintendent or authorised officer has fixed an immobilisation device to the vehicle, by affixing the notice onto the windscreen or any other conspicuous part of the vehicle.

*[34/93]*

*[Act 24 of 2018 wef 01/05/2018]*

*[Act 24 of 2018 wef 08/05/2018]*

(3) No vehicle which has been removed and detained or to which an immobilisation device has been fixed in accordance with this section shall be released to the owner of the vehicle except —

- (a) by or under the direction of the Superintendent or an authorised officer or enforcement officer; and

*[Act 24 of 2018 wef 01/05/2018]*

- (b) upon the owner of the vehicle having paid all expenses incurred by the Superintendent or the authorised officer or

enforcement officer, and such other charges as may be imposed under this Act or any rules made thereunder,

*[Act 24 of 2018 wef 08/05/2018]*

and the vehicle shall remain at the risk of the owner of the vehicle until all such expenses and charges have been paid.

*[34/93]*

*[Act 24 of 2018 wef 01/05/2018]*

(3A) Where, under subsection (1)(c), the Superintendent or an authorised officer has removed a vehicle to a place of safety or any other place or fixed an immobilisation device to a vehicle, the Superintendent or authorised officer may refuse to release the vehicle unless he is satisfied that the owner of the vehicle has been arrested or has surrendered himself to a police officer or the warrant of arrest in force against him has been cancelled by a court.

*[44/99]*

*[Act 24 of 2018 wef 01/05/2018]*

(4) Any person who, without the authority of the Superintendent or an authorised officer, removes or tampers with any notice affixed to a vehicle under subsection (2)(b) shall be guilty of an offence.

*[34/93]*

*[Act 24 of 2018 wef 01/05/2018]*

(5) Any person who, without being authorised to do so in accordance with this section, removes or attempts to remove —

(a) any vehicle from any place at which it is being detained under this section; or

(b) an immobilisation device fixed to a vehicle in accordance with this section,

shall be guilty of an offence.

*[34/93]*

(6) Where any vehicle which has been removed and detained or to which an immobilisation device has been fixed in accordance with this section is not claimed by its owner within one month of the date of its detention or immobilisation, the Superintendent or an authorised officer or enforcement officer may, after giving one month's notice in

the *Gazette* of his intention to do so, sell the vehicle by public auction or otherwise dispose of the vehicle in any manner as he thinks fit.

[34/93]

[Act 24 of 2018 wef 01/05/2018]

(7) Where a vehicle has been sold or otherwise disposed of under subsection (6), the proceeds of the sale or disposal of the vehicle shall be applied in payment of any expenses incurred in carrying out the provisions of this section and thereafter shall be applied in payment of all charges and fines payable under this Act and any rules made thereunder and the surplus, if any, shall be paid to the owner of the vehicle, or if not claimed by the owner of the vehicle within 12 months of the date of the sale or disposal, shall be forfeited to the Authority.

[34/93; 28/95]

(8) The Superintendent may waive, in whole or in part, any expense or charge payable under subsection (3).

[Act 24 of 2018 wef 01/05/2018]

(9) In this section —

“authorised officer” means an officer of a statutory body authorised by the Superintendent for the purpose of this section and, in relation to a vehicle moved under subsection (1A);

[Act 24 of 2018 wef 01/05/2018]

“immobilisation device” means any device or appliance designed or adapted to be fixed to any part of a vehicle for the purpose of preventing the vehicle from being driven or otherwise put in motion, being a device or an appliance of a type approved by the Superintendent for use for that purpose in accordance with this section;

“owner”, in relation to a vehicle, has the same meaning as in section 14, and “owned” shall be construed accordingly;

“warrant of arrest” means a warrant of arrest issued by a court against a person in connection with any offence committed by him under —

(a) this Act or any rules made thereunder; or

- (b) the Road Traffic Act (Cap. 276) or any rules made thereunder.

[44/99]

### **Power to require information**

**15A.** The Authority or the Superintendent may require any owner or occupier of a private parking place to furnish such information relating to the private parking place as the Authority or the Superintendent considers necessary or expedient for the performance of its or his functions or duties under this Act.

[9/2005]

### **Power of entry**

**15B.—(1)** The Superintendent or any person authorised by the Authority or the Superintendent (referred to in this section as an authorised person) may —

- (a) for the purpose of ascertaining whether there is or has been a contravention of any provision of this Act or any rules made thereunder; or
- (b) for such other purpose incidental to or in connection with the performance of the functions or duties of the Authority or the Superintendent under this Act,

enter any private parking place between the hours of 8 a.m. and 6 p.m. to make any survey or inspection without being liable to any legal proceedings or molestation on account of such entry or any thing done in such private parking place.

[9/2005]

(2) No person shall, except with the consent of the owner or occupier of a private parking place, enter the parking place by virtue of the powers conferred by subsection (1) without at least 6 hours' previous notice being given to the owner or occupier of the private parking place, if any.

[9/2005]

(3) Notwithstanding subsection (1), where it is necessary or expedient to make any survey or inspection outside the hours specified in subsection (1), the Superintendent or any authorised

person may enter any private parking place by giving at least 6 hours' previous notice to the owner or occupier of the private parking place.  
*[9/2005]*

(4) The Superintendent or an authorised person may do any of the following, without involving any search of any property or individual, for the purposes of a survey or inspection under this section:

- (a) photograph or film, or make audio recordings or make sketches of, any part of the premises, or any vehicle or parts of a vehicle or other thing at the premises;
- (b) require any person on those premises to produce or grant access to, without charge, any document or information reasonably required for any purpose in subsection (1), which are in the possession or under the control of that person;
- (c) inspect and make copies of or take extracts from any such document;
- (d) take possession of such a document if, in the opinion of the Superintendent or authorised officer —
  - (i) the inspection or copying of or extraction from the document cannot reasonably be performed without taking possession;
  - (ii) the document may be interfered with or destroyed unless possession is taken; or
  - (iii) the document may be required as evidence in any proceedings instituted or commenced for any of the purposes of, or in connection with, this Act.

*[Act 3 of 2017 wef 30/04/2018]*

(5) The power to require a person to furnish any document or information under subsection (4)(b) includes the power —

- (a) to require the person, or any person who is or was an officer or employee of that person, to provide an explanation of the document or information;

- (b) if the document or information is not furnished, to require the person to state, to the best of the person's knowledge and belief, where it is; and
- (c) if the information is recorded otherwise than in legible form, to require the information to be made available to the Superintendent or authorised officer in legible form.

*[Act 3 of 2017 wef 30/04/2018]*

### **False information in applications, etc.**

**15C.**—(1) If a person —

- (a) in relation to an application for any licence, permit, approval or certificate by the person himself or any other person under this Act or any subsidiary legislation made under this Act; or
- (b) in relation to any modification of a condition of any licence, permit, approval or certificate (whether or not procuring for the benefit of the person or any other person) under this Act or any subsidiary legislation made under this Act,

furnishes or causes to be furnished any document or information which the person knows or ought reasonably to know that, or is reckless as to whether, it is false or misleading in a material particular, shall be guilty of an offence.

(2) A person who is guilty of an offence under subsection (1) shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

*[Act 24 of 2018 wef 01/05/2018]*

### **Penalty**

**16.** Any person who contravenes any of the provisions of this Act or any rules or orders made thereunder shall be guilty of an offence and shall be liable on conviction, where no special penalty is provided, to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$500 for every day or part thereof during which the offence continues after conviction.

*[6/91]*

**Offences by corporations**

17.—(1) Where, in a proceeding for an offence under this Act or any of its subsidiary legislation, it is necessary to prove the state of mind of a corporation in relation to a particular conduct, evidence that —

(a) an officer, employee or agent of the corporation engaged in that conduct within the scope of his actual or apparent authority; and

(b) the officer, employee or agent had that state of mind,

is evidence that the corporation had that state of mind.

(2) Where a corporation commits an offence under this Act or any of its subsidiary legislation, a person —

(a) who is —

(i) an officer of the corporation; or

(ii) an individual involved in the management of the corporation and in a position to influence the conduct of the corporation in relation to the commission of the offence; and

(b) who —

(i) consented or connived, or conspired with others, to effect the commission of the offence;

(ii) is in any other way, whether by act or omission, knowingly concerned in, or is party to, the commission of the offence by the corporation; or

(iii) knew or ought reasonably to have known that the offence by the corporation (or an offence of the same type) would be or is being committed, and failed to take all reasonable steps to prevent or stop the commission of that offence,

shall be guilty of that same offence as is the corporation, and shall be liable on conviction to be punished accordingly.

(3) A person mentioned in subsection (2) may rely on a defence that would be available to the corporation if it were charged with the

offence with which the person is charged and, in doing so, the person bears the same burden of proof that the corporation would bear.

(4) To avoid doubt, this section does not affect the application of —

- (a) Chapters V and VA of the Penal Code (Cap. 224); or
- (b) the Evidence Act (Cap. 97) or any other law or practice regarding the admissibility of evidence.

(5) To avoid doubt, subsection (2) also does not affect the liability of the corporation for an offence under this Act, and applies whether or not the corporation is convicted of the offence.

(6) In this section —

“corporation” includes a limited liability partnership within the meaning of section 2(1) of the Limited Liability Partnerships Act (Cap. 163A);

“officer”, in relation to a corporation, means any director, partner, chief executive officer, manager, secretary or other similar officer of the corporation, and includes —

- (a) any person purporting to act in any such capacity; and
- (b) for a corporation whose affairs are managed by its members, any of those members as if the member were a director of the corporation;

“state of mind” of a person includes —

- (a) the knowledge, intention, opinion, belief or purpose of the person; and
- (b) the person’s reasons for the intention, opinion, belief or purpose.

(7) This section does not apply to or in relation to an offence under this Act or any of its subsidiary legislation committed by a corporation before the date of commencement of section 13 of the Parking Places (Amendment) Act 2018.

*[Act 24 of 2018 wef 01/05/2018]*

**Offences by unincorporated associations or partnerships**

**17A.—(1)** Where, in a proceeding for an offence under this Act or any of its subsidiary legislation, it is necessary to prove the state of mind of an unincorporated association or a partnership in relation to a particular conduct, evidence that —

- (a) an employee or agent of the unincorporated association or the partnership engaged in that conduct within the scope of his actual or apparent authority; and
- (b) the employee or agent had that state of mind,

is evidence that the unincorporated association or partnership had that state of mind.

(2) Where an unincorporated association or a partnership commits an offence under this Act or any of its subsidiary legislation, a person —

- (a) who is —
  - (i) an officer of the unincorporated association or a member of its governing body;
  - (ii) a partner in the partnership; or
  - (iii) an individual involved in the management of the unincorporated association or the partnership and in a position to influence the conduct of that unincorporated association or that partnership in relation to the commission of the offence; and
- (b) who —
  - (i) consented or connived, or conspired with others, to effect the commission of the offence;
  - (ii) is in any other way, whether by act or omission, knowingly concerned in, or is party to, the commission of the offence by the unincorporated association or the partnership; or
  - (iii) knew or ought reasonably to have known that the offence by the unincorporated association or the partnership (or an offence of the same type) would be

or is being committed, and failed to take all reasonable steps to prevent or stop the commission of that offence,

shall be guilty of that same offence as is the unincorporated association or the partnership, and shall be liable on conviction to be punished accordingly.

(3) A person mentioned in subsection (2) may rely on a defence that would be available to the unincorporated association or the partnership if it were charged with the offence with which the person is charged and, in doing so, the person bears the same burden of proof as that unincorporated association or that partnership would bear.

(4) To avoid doubt, this section does not affect the application of —

- (a) Chapters V and VA of the Penal Code (Cap. 224); or
- (b) the Evidence Act (Cap. 97) or any other law or practice regarding the admissibility of evidence.

(5) To avoid doubt, subsection (2) also does not affect the liability of an unincorporated association or a partnership for an offence under this Act or any of its subsidiary legislation, and applies whether or not that unincorporated association or that partnership is convicted of the offence.

(6) In this section —

“officer”, in relation to an unincorporated association (other than a partnership), means the president, the secretary, or any member of the committee of the unincorporated association, and includes —

- (a) any person holding a position analogous to that of president, secretary or member of a committee of the unincorporated association; and
- (b) any person purporting to act in any such capacity;

“partner” includes a person purporting to act as a partner;

“state of mind” of a person includes —

- (a) the knowledge, intention, opinion, belief or purpose of the person; and
- (b) the person’s reasons for the intention, opinion, belief or purpose.

(7) This section does not apply to or in relation to an offence under this Act or any of its subsidiary legislation committed by an unincorporated association or a partnership before the date of commencement of section 13 of the Parking Places (Amendment) Act 2018.

[Act 24 of 2018 wef 01/05/2018]

### **Service of summons, etc.**

**18.**—(1) Every summons, notice, order or document required or authorised by this Act or any rules made thereunder to be served on any person may be served —

- (a) by delivering it to the person or to some adult member or employee of his family at his usual or last known place of residence;
- (b) by leaving it at the usual or last known place of residence or business of the person in a cover addressed to him;
- (c) by sending it by registered post in a prepaid letter addressed to the person at his usual or last known place of residence or business or any address furnished by him; or
- (d) in the case of a notice to be served on a person whose usual or last known place of residence or business cannot, with reasonable diligence, be ascertained, by publication of such notice in the *Gazette*.

[44/99]

(2) Where any summons, notice, order or document is served on any person by registered post, it shall be deemed to have been served within such time as it would take to arrive in the ordinary course of transmission 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.

(3) All notices, orders, receipts and other documents which the Superintendent is empowered to give by this Act or any rules made thereunder may be given by any officer duly authorised by the Superintendent.

(4) Where any such notice, order or document requires authentication, the signature or a facsimile thereof of the Superintendent or any officer duly authorised by the Superintendent affixed thereto shall be sufficient authentication.

### **Obstruction of Authority, Superintendent, etc.**

**19.** Any person who obstructs or hinders the Authority, the Superintendent, any enforcement officer or any person acting in the discharge of his duty under this Act or any rules or regulations made thereunder 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 3 months or to both.

*[6/91; 28/95]*

*[Act 24 of 2018 wef 08/05/2018]*

### **Protection from personal liability**

**20.** No liability shall lie personally against the Superintendent of Car Parks, any Deputy Superintendents and Assistant Superintendents of Car Parks and any enforcement officers for anything which is done or purported to be done, or omitted to be done, in good faith and with reasonable care in the execution or purported execution of this Act and any rules or regulations made under this Act.

*[Act 24 of 2018 wef 01/05/2018]*

### **Power to exempt**

**21.** The Minister may, by order in the *Gazette*, exempt any private parking place or class of private parking places or any person or class of persons from the provisions of this Act or any rules made thereunder.

*[10/82]*

*[Act 24 of 2018 wef 01/05/2018]*

**Rules**

**22.**—(1) The Authority may, with the approval of the Minister, make rules necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) Without limiting subsection (1), the Authority may, with the approval of the Minister, make rules —

- (a) regulating the use of parking places and private parking places, including —
  - (i) controlling the type or class of vehicles which may park in different parking places or private parking places;
  - (ii) prohibiting or restricting the activities which may take place in parking places and private parking places; and
  - (iii) prescribing the conditions upon and the times during which parking of vehicles or other activities are permitted to take place in parking places and private parking places;
- (b) requiring private parking places to be provided for any land or building and its layout, including prescribing —
  - (i) the layout, arrangement, dimensions or area of each parking lot in the private parking place and the design of parking facilities in the private parking place;
  - (ii) the maximum or minimum dimensions or area of each parking lot in the private parking place;
  - (iii) the maximum or minimum number or a number range, or a maximum rate of increase or decrease or a minimum rate of increase or decrease, in the number of parking lots for the private parking place;
  - (iv) different layout, arrangement, dimensions or area of parking lots and different designs of parking facilities, in the private parking place for different types of vehicles which may park in the private

parking place and in different circumstances or for different classes of land or premises; or

- (v) different maximum or minimum numbers or different number ranges, or different maximum rates of increase or decrease or different minimum rates of increase or decrease, in the number of parking lots for different types of vehicles, different circumstances or different classes of land or premises;
  - (c) regulating the operation of private parking places, garages and places kept or used for the housing or parking of vehicles, except garages or places used in connection with private dwelling houses for housing or parking vehicles kept for private use only;
  - (d) regulating the parking of heavy vehicles in any parking place, by the issue of vehicle parking certificates or such other documents entitling the holder to park a heavy vehicle in a parking lot in such a parking place;
  - (e) providing for the calculation of the deficiency charge mentioned in section 6B, including —
    - (i) prescribing different rates and methods of calculation of the charge;
    - (ii) prescribing circumstances for the deferment of liability to pay the charge;
    - (iii) prescribing the procedure to apply to the Authority to determine the amount of a deficiency charge; or
    - (iv) providing for the remission or the refund, wholly or in part, of the charge payable or paid by any person; and
  - (f) prescribing the fees to be paid for the Superintendent or Authority for doing anything under this Act or the rules.
- (3) All rules made under this section must be presented to Parliament as soon as possible after publication in the *Gazette*.

*[Act 24 of 2018 wef 08/05/2018]*

LEGISLATIVE HISTORY  
PARKING PLACES ACT  
(CHAPTER 214)

This Legislative History is provided for the convenience of users of the Parking Places Act. It is not part of the Act.

**1. Act 5 of 1974 — Parking Places Act 1974**

Date of First Reading	:	14 March 1974 (Bill No. 10/74 published on 15 March 1974)
Date of Second and Third Readings	:	27 March 1974
Date of commencement	:	3 May 1974

**2. Act 10 of 1982 — Parking Places (Amendment) Act 1982**

Date of First Reading	:	22 December 1981 (Bill No. 34/81 published on 30 December 1981)
Date of Second and Third Readings	:	3 March 1982
Date of commencement	:	1 August 1982

**3. 1985 Revised Edition — Parking Places Act (Chapter 214)**

Date of operation	:	30 March 1987
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**4. Act 6 of 1991 — Parking Places (Amendment) Act 1991**

Date of First Reading	:	20 December 1990 (Bill No. 35/90 published on 21 December 1990)
Date of Second and Third Readings	:	3 January 1991
Date of commencement	:	1 April 1991

**5. 1992 Revised Edition — Parking Places Act (Chapter 214)**

Date of operation	:	9 March 1992
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**6. Act 34 of 1993 — Parking Places (Amendment) Act 1993**

Date of First Reading	:	30 August 1993 (Bill No. 28/93 published on 31 August 1993)
Date of Second and Third Readings	:	12 October 1993
Date of commencement	:	1 January 1994

**7. Act 28 of 1995 — Land Transport Authority of Singapore Act 1995**  
(Amendments made to Act by)

- Date of First Reading : 7 July 1995  
(Bill No. 24/95 published on  
8 July 1995)
- Date of Second and Third Readings : 7 August 1995
- Date of commencement : 1 September 1995

**8. 1996 Revised Edition — Parking Places Act (Chapter 214)**

- Date of operation : 27 December 1996

**9. Act 7 of 1997 — Statutes (Miscellaneous Amendments) Act 1997**

- Date of First Reading : 11 July 1997  
(Bill No. 6/97 published on  
12 July 1997)
- Date of Second and Third Readings : 25 August 1997
- Date of commencement : 1 October 1997 (item (2) of the  
Third Schedule — Amendment  
of Parking Places Act)

**10. Act 44 of 1999 — Parking Places (Amendment) Act 1999**

- Date of First Reading : 11 October 1999  
(Bill No. 37/99 published on  
12 October 1999)
- Date of Second and Third Readings : 24 November 1999
- Date of commencement : 21 December 1999

**11. Act 9 of 2005 — Parking Places (Amendment) Act 2004**

- Date of First Reading : 24 November 2004  
(Bill No. 66/2004 published on  
25 November 2004)
- Date of Second and Third Readings : 25 January 2005
- Date of commencement : 1 April 2005

**12. 2014 Revised Edition — Parking Places Act (Chapter 214)**

- Date of operation : 28 February 2014

**13. Act 3 of 2017 — Active Mobility Act 2017**

- Date of First Reading : 9 November 2016  
(Bill No. 40/2016)

Date of Second and Third Readings : 10 January 2017

Date of commencement : 30 April 2018

**14. Act 24 of 2018 — Parking Places (Amendment) Act 2018**

Date of First Reading : 5 March 2018 (Bill No. 18/2018  
published on 5 March 2018)

Date of Second and Third Readings : 20 March 2018

Date of commencement : 1 May 2018

**15. Act 24 of 2018 — Parking Places (Amendment) Act 2018**

Date of First Reading : 5 March 2018 (Bill No. 18/2018  
published on 5 March 2018)

Date of Second and Third Readings : 20 March 2018

Date of commencement : 8 May 2018