



THE STATUTES OF THE REPUBLIC OF SINGAPORE

RAPID TRANSIT SYSTEMS ACT 1995

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Rapid Transit Systems Act 1995

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An Act to provide for the planning, construction, operation and maintenance of rapid transit systems and the control of entities providing essential transport services and their equity interest holders.

[Act 20 of 2024 wef 01/04/2025]

[1 September 1995]

PART 1

PRELIMINARY

Short title

1. This Act is the Rapid Transit Systems Act 1995.

Interpretation

2. In this Act —

“Authority” means the Land Transport Authority of Singapore established under the Land Transport Authority of Singapore Act 1995;

“business trust” and “trustee-manager” have the meanings given by section 2 of the Business Trusts Act 2004;

[Act 20 of 2024 wef 01/04/2025]

“competent authority” means the competent authority appointed under section 5 of the Planning Act 1998 in respect of the development of land;

“construction”, in relation to a railway, includes —

(a) the reconstruction or realignment of the railway;

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

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

[Deleted by Act 20 of 2024 wef 01/04/2025]

“corporation” has the meaning given by section 4(1) of the Companies Act 1967;

[Act 20 of 2024 wef 01/04/2025]

“designated entity” means a designated equity interest holder or a designated operating entity;

[Act 20 of 2024 wef 01/04/2025]

“designated equity interest holder” means an entity that has been designated as a designated equity interest holder under section 21E;

[Act 20 of 2024 wef 01/04/2025]

“designated operating entity” means an entity that has been designated as a designated operating entity under section 21E;

[Act 20 of 2024 wef 01/04/2025]

“effective designation date”, in relation to a designated entity, means the date specified under section 21E(3) as the date on which the designation of that entity as a designated operating entity or designated equity interest holder (as the case may be) takes effect;

[Act 20 of 2024 wef 01/04/2025]

“entity” means any sole proprietorship, partnership, corporation or other body of persons, whether corporate or unincorporate, and includes a business trust;

[Act 20 of 2024 wef 01/04/2025]

“essential transport service” means —

- (a) the service of operating or maintaining any rapid transit system; or
- (b) any service specified or described in the Schedule which is necessary —
 - (i) for the continuity of; or
 - (ii) for supporting,the operation of any rapid transit system;

[Act 20 of 2024 wef 01/04/2025]

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

- (a) land of any tenure and so much of the airspace above the surface as may be reasonably used or enjoyed by any owner thereof, and so much of the subterranean space below the surface as is reasonably necessary for the use and enjoyment of the land, whether or not held apart from the surface;
- (b) the whole or part of any building or other erection or fixture on land;

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

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

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

“maintenance” includes the detection and rectification of any faults;

“outsourced enforcement officer”, in relation to any provision of this Act or regulations made under this Act, means an individual who —

(a) is appointed under section 11 of the Land Transport Authority of Singapore Act 1995;

(b) is authorised by or under that Act to exercise any powers under any provision of this Act or regulations made under this Act, as the case may be; and

(c) is acting within that authorisation;

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

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

“railway commuter facility” means —

(a) a pedestrian facility (such as ramps, overhead bridges, footpaths, escalators, stairs and lifts) for or connected or facilitating access to the railway comprised in any rapid transit system;

- (b) a bicycle parking facility or vehicle set down facility for intending passengers of the railway comprised in any rapid transit system; or
- (c) any other similar structure or facility that integrates a rapid transit system with developments surrounding the rapid transit system by facilitating better access for passengers to residences, employment, markets, services and recreation;

“railway premises” means any area, space or building owned or occupied by the Authority which is designed, equipped or set apart for the carriage of passengers by train or for affording facilities incidental to the carriage of passengers by train (but not any railway commuter facility unless expressly included) and includes any train on such premises;

“rapid transit system” means any railway line, or a combination of 2 or more railway lines, and any part thereof comprised in that line or those lines set up or intended to be set up under this Act to meet the transport requirements of the public and includes the Mass Rapid Transit system set up under the repealed Act;

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

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

[21/2010; 9/2014; 11/2015; 38/2018]

[Act 20 of 2024 wef 01/04/2025]

PART 2

PLANNING AND CONSTRUCTION OF RAPID TRANSIT SYSTEMS

Preparation and promulgation of plans and maps

3.—(1) The Authority must, with the approval of the competent authority, cause plans and maps to be prepared in such detail and with such markings and endorsements thereon as are sufficient to delineate

the railway area, being that area within which land may be acquired or rights in, under or over land may be exercised by the Authority under this Act for the purposes of and incidental to any railway.

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

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

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

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

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

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

Power to enter State land to lay and operate railway

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

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

[9/2014; 21/2018]

(2) In addition to subsection (1), the Authority may, at any reasonable time, enter upon any State land that is within or adjoining any railway area, and do all things as are reasonably necessary for the construction and maintenance of railway commuter facilities on, under or over that land.

[9/2014]

(3) To avoid doubt, nothing in subsection (2) derogates from any power of the Authority to construct and maintain any street, road structure or road related facility under the Street Works Act 1995.

[9/2014]

Power to enter private land to lay railway

5.—(1) The Authority or any person authorised by the Authority has the right to enter upon and take possession of any land or part thereof not being State land within or adjoining the railway area not being land belonging to or acquired by the Authority and lay and construct any railway on, under or over the land and do all things as are reasonably necessary for the purpose of laying and constructing the railway.

(2) The Authority or a person authorised by the Authority must not exercise the right conferred by subsection (1) unless the Authority has given at least 2 months' notice of its intention to exercise the right conferred by that subsection upon every owner and occupier of the land.

[12/2015]

(3) A notice mentioned in subsection (2) must —

- (a) give a brief description of the works which the Authority proposes to carry out on the land;
- (b) state the estimated period (if any) during which the Authority intends to occupy or take possession of the land;
- (c) describe the area or extent of the land needed for the carrying out of the works mentioned in paragraph (a); and
- (d) state that any person entitled to payment of any compensation under the Land Transport Authority of Singapore Act 1995 may serve a written claim on the Authority.

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

(5) Any person authorised under this section to enter upon any land must, if so required by the owner or occupier, produce evidence of the person's authority before entering the land.

[9/2014]

(6) Any person who refuses to give access to, or obstructs, hinders or delays, an agent or employee of the Authority at any time in the exercise of his or her authority shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

[9/2014]

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

Creation of rights in, under or over land

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

land or such rights of temporary occupation of the land as may be specified in the notice.

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

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

(3) Any right described in a notice of creation of a right under this section must be limited to a right conferring the rights and powers that are necessary or convenient for the operation of any railway and for all purposes connected with or incidental to such operation.

Owners who suffer substantial impairment in rights in land may require their land to be acquired

7.—(1) The owner of any land temporary possession of which is or has been taken in accordance with section 5 may, by written notice given to the Authority, request the Government to acquire under the Land Acquisition Act 1966 —

- (a) the land; and
- (b) any other land of the owner related to the land in paragraph (a),

if the owner considers that the owner suffers substantial impairment of the owner's rights in the lands in paragraphs (a) and (b) because of the taking of that temporary possession.

[12/2015]

(2) If there is more than one owner of the land concerned, the notice under this section must be given by all the owners.

[12/2015]

(3) Any notice under this section is irrevocable once given to the Authority.

[12/2015]

(4) For the purposes of this section and section 7A, land (called the *A* land) is related to other land temporary possession of which is or has been taken in accordance with section 5 (called in this section and section 7A the temporarily occupied land) if the *A* land is the remainder of a parcel of land part of which is the temporarily occupied land.

[12/2015]

(5) In this section and section 7A —

“owner”, in relation to any land, means —

- (a) a person who has the fee simple estate in the land;
- (b) a person who is the grantee or lessee under a State title for the land;
- (c) a person who has become entitled to exercise a power of sale of the land; or
- (d) a person in occupation of the land under a tenancy the term of which exceeds 7 years;

“parcel of land” means the whole area of land that —

- (a) is the subject of a separate certificate of title registered under the Land Titles Act 1993; or
- (b) is a lot in a lawful division of land and capable of being separately held by any owner,

and where a single building is erected on 2 or more such adjoining lands or lots mentioned in paragraph (a) or (b), includes the area comprised in those lands or lots, as the case may be.

[12/2015]

Owner-initiated acquisition

7A.—(1) Upon the Authority receiving a notice under section 7(1) in relation to any temporarily occupied land, and any other land related to the temporarily occupied land, the President is to proceed under the Land Acquisition Act 1966 to acquire that land as if those lands were the subject of a notice under section 49 of that Act.

[12/2015]

(2) The provisions of sections 49 and 49A of the Land Acquisition Act 1966 apply (so far as relevant) to any land that is the subject of a notice under section 7(1) with the following exceptions, modifications and adaptations:

- (a) any reference in those sections to any land that is the subject of a notice under section 49(1) of the Land Acquisition Act 1966 must be read as a reference to the land that is the subject of a notice under section 7(1);
- (b) any reference in those sections to land temporary possession of which is or has been taken under section 42 of the Land Acquisition Act 1966 must be read as a reference to any land temporary possession of which is or has been taken in accordance with section 5;
- (c) any reference in those sections to an owner of land must be read as a reference to an owner of land mentioned in section 7;
- (d) any reference in section 49A of the Land Acquisition Act 1966 to a claim period for any land temporary possession of which is or has been taken in accordance with a direction under section 42 of the Land Acquisition Act 1966 must be read as a reference to one year starting from either of the following dates:
 - (i) the date of the notice under section 5 relating to that land;
 - (ii) the date of the expiry of the term of temporary possession in a notice under section 5 for the temporary occupation of the land, or the date the land is returned to the owner if earlier;
- (e) any other exceptions, modifications and adaptations that the differences between them necessarily require.

[12/2015]

(3) All compensation for the acquisition under the Land Acquisition Act 1966 of any land that is the subject of a notice under section 7 is to be paid out of the funds of the Authority.

[12/2015]

Power of entry

8. Where in respect of any land notice has been published in the *Gazette* in accordance with section 5 of the Land Acquisition Act 1966 but the land has not vested in the State or notice has been given by the Authority under section 5(2) of its intention to lay and construct any railway on, over or under any land, the Authority, or any person acting under its authority, may after giving at least 14 days' notice in writing to the owner or occupier enter upon that land and any adjoining land within the railway area at all reasonable times for the purpose of —

- (a) surveying and taking levels of the firstmentioned land;
- (b) setting out the line of any works;
- (c) digging or boring into the soil for the purpose of determining whether the soil is suitable for laying the railway on, over or under the land; or
- (d) inspecting any object or structure mentioned in section 11.

Power to enter land for inspection and survey, etc.

9.—(1) The Authority, or any person acting under its authority, may enter any land or building situated wholly or partly within the railway area or wholly or partly within 150 metres thereof in order to carry out —

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

(2) A person must not, for the purposes of subsection (1), enter any land or building which is occupied without giving the owner and the occupier at least 7 days' notice of the person's intention to do so unless —

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

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

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

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

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

(6) The Authority, or any person acting under its authority, may —

- (a) as the occasion requires, enter and reinspect and re-survey any land or building in respect of which any of the powers contained in subsection (1) have been exercised; and
- (b) in relation to that land or building, exercise those powers as often as the occasion requires.

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

(8) Any person who refuses to give access to, or obstructs, hinders or delays, an agent or employee of the Authority at any time in the

exercise of his or her authority shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

[9/2014]

Utility services

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

- (a) alter the course or position of any wire, line, cable, pipe, tube, casing, duct, post, structure or other apparatus which belongs to or is maintained by that owner or supplier; and
- (b) repair any street surface thereby disturbed,

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

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

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

Removal of projections or obstructions

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

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

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

- (a) describe the object or structure to be removed;
- (b) stipulate the period within which the work of removal must be carried out;
- (c) be given to the owner of the land or building not later than 28 days before the commencement of that period; and
- (d) state that any person entitled to compensation under the Land Transport Authority of Singapore Act 1995 may serve a written claim upon the Authority.

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

PART 3

OPERATION OF RAPID TRANSIT SYSTEMS

General considerations

11A. In the exercise of its functions and powers under this Part, the Authority must have regard to the need for —

- (a) an integrated public transport system in Singapore, including the integration of the rapid transit systems with other modes of transport and surrounding developments;
- (b) reliable, seamless and convenient travel within the public transport system and enhanced passenger services;
- (c) network-wide efficient and coordinated movements of passengers on rapid transit systems;

- (d) sustainability, adequacy and optimisation of capacity across the network of rapid transit systems; and
- (e) safety and security of life and property on the rapid transit systems.

[21/2010]

Operating rapid transit system without licence

12.—(1) Only the Authority or a person licensed by the Authority may operate any rapid transit system.

(2) Any person who operates any rapid transit system in contravention of subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 6 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$5,000 for every day during which the offence continues after conviction.

Licence to operate rapid transit system

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

(2) Every licensee is authorised under this Act to operate any rapid transit system for the period specified in the licence unless the licence is earlier revoked, cancelled or suspended under the provisions of this Act.

(3) The fee for a licence to operate any rapid transit system is such amount as may be prescribed.

Licence charge

13A.—(1) In addition to the licence fee payable under section 13(3), a charge is payable by every person who is granted a licence on or after 13 September 2010, which is the amount determined by the Authority and specified in the licence, after taking into account —

- (a) the relative viability of operating and maintaining that rapid transit system in the network of rapid transit systems;

- (b) the long-term operational and maintenance needs of the railway network and the long-term sustainability of each rapid transit system comprised in the network of rapid transit systems; and
- (c) the benefits and burdens that the operation and maintenance of that rapid transit system is likely to bring to and impose on the network of rapid transit systems.

[21/2010]

(2) A person who is to be granted a licence on or after 13 September 2010 must ordinarily be selected by the Authority from among those who submit tenders in response to an invitation to tender under this section for the right to operate (or to secure that a wholly-owned subsidiary thereof operates) a rapid transit system under that licence.

[21/2010]

(3) Any such invitation to tender must specify that an applicant who tenders for a licence must state the amount (by reference to quantity or method or otherwise) that the applicant (or a wholly-owned subsidiary thereof) is willing to pay for the grant of a licence (called in this Part a cash-bid), in addition to the charge determined under subsection (1); and that cash-bid is payable, together with the charge determined under subsection (1), by the applicant or its wholly-owned subsidiary if the applicant or its wholly-owned subsidiary (as the case may be) is granted a licence.

[21/2010]

Matters to be considered by Authority in granting licence

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

Conditions of licence

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

- (a) the extent, hours and general level of services;

- (b) the security and safety of persons using or engaged in work on the rapid transit system;
 - (c) the maintenance and operation of the railway relating to the rapid transit system;
 - (d) the deposit of security or bank guarantee to the satisfaction of the Authority for the due performance by the licensee of all or any obligations imposed upon it by the licence or by this Act;
 - (e) the control and restriction, directly or indirectly, on the creation, holding or disposal of shares in the licensee or its shareholders, or of interests in the undertaking of the licensee or any part thereof;
 - (f) the restriction on the carrying on by the licensee of any trade or business not related to the activity which the licensee is authorised by its licence to carry on; and
 - (g) the standards of performance to be complied by the licensee in the maintenance or operation of the rapid transit system or the provision of rapid transit system services.
- [21/2010; 9/2014]*
- (2) Without limiting subsection (1), conditions included in a licence to operate a rapid transit system —
- (a) may require the licensee to enter into any agreement with any person for such purposes as may be specified in the conditions of the licence, such as but not limited to any matter which is dealt with (whether in the same or different manner) by an access contract;
 - (b) may include provision for determining the terms on which such agreements are to be entered into, which may be such conditions as may be agreed to by the licensee and such other persons or, in default of agreement, as may be determined by the Authority;
 - (c) may include conditions which must be complied with before the licence can be transferred or assigned;

- (d) may require the licensee —
 - (i) to comply with any requirements from time to time imposed by the Authority (or a person nominated by the Authority for this purpose) with respect to the matters concerning the operation or maintenance of the rapid transit system that are specified, or are of a description specified, in the licence;
 - (ii) except insofar as the Authority (or a person nominated by the Authority for this purpose) consents to the licensee doing or not doing them, to do, or not to do, the things that are specified, or are of a description specified, in the licence;
 - (iii) to refer for determination by a person nominated by the Authority for this purpose the questions arising under the licence that are specified, or are of a description specified, in the licence; or
 - (iv) to furnish to the Authority (or a person nominated by the Authority for this purpose) any documents or other information that the Authority may require for the purpose of exercising any functions conferred or imposed on the Authority or person under or by virtue of the licence or this Act;
- (e) may contain provision for the conditions to cease to have effect or be modified at the times, in the manner and in the circumstances specified in or determined by or under the conditions; and any provision included by virtue of this paragraph in a licence has effect in addition to section 16 with respect to the modification of the conditions of a licence;
- (f) may require the licensee —
 - (i) to operate or maintain any extension of the rapid transit system or part thereof; or
 - (ii) to maintain any railway commuter facility within the vicinity of a station that is part of the rapid transit system, and any other premises, facilities and

structures used as, or for the purposes of, or otherwise reasonably necessary for or incidental to operating the rapid transit system;

- (g) may require the licensee to acquire from such person as may be specified in the licence, and to use, such property or rights as may be so specified, or to undertake such liabilities as may be so specified;
- (h) may require the licensee to prepare itself to deal with any plague or epidemic, fire, flood, earthquake or disaster (natural or otherwise) or any public emergency; and
- (i) may require the licensee to provide travel information systems and directional signs for the purpose of ensuring integration of the rapid transit system with transport services and facilities and developments surrounding the rapid transit systems operated by the licensee so as to enhance railway passenger services.

[21/2010; 9/2014]

(3) In this section —

“access contract” means —

- (a) a contract under which a person, and so far as may be appropriate, an associate of that person, obtains permission from a facility owner to use the facility owner’s railway facility; or
- (b) a contract conferring an option to require a facility owner to secure that a person, and so far as may be appropriate, an associate of that person, obtains permission from the facility owner to use the facility owner’s railway facility;

“associate”, in relation to any person, includes —

- (a) any employee, agent or independent contractor of the person;
- (b) any passenger of the person;
- (c) any person engaged in the provision of goods or services to or for the person; or

- (d) any other person who deals or has business with the person;

“facility owner” means any person (other than the Authority or the Government) —

- (a) who has an estate or interest in, or right over, any track, station or depot of a rapid transit system; and
- (b) whose permission to use that track, station or depot is needed by another before that other may use it;

“railway facility” means a track, station or depot of a rapid transit system.

[21/2010]

Modification of terms and conditions of licence

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

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

- (a) stating that it proposes to make the addition, deletion or modification in the manner specified in the notice; and
- (b) specifying the time (being at least 28 days from the date of service of notice on the licensee) within which the licensee may make written representations to the Authority with respect to the proposed addition, deletion or modification.

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

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

(4) Where the Authority rejects any written representation under subsection (3)(a) or amends any proposed addition, deletion or modification to the terms or conditions of a licence under subsection (3)(b), the Authority must issue a direction in writing to the licensee requiring the licensee, within the time specified by the Authority, to give effect to the addition, deletion or modification specified in the notice or as amended by the Authority, as the case may be.

(5) The Authority must not enforce its direction —

(a) during the period prescribed for the purposes of section 28(3); and

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(b) while the appeal of the licensee is under consideration by the Minister.

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

Restrictions on acquisition of essential operating assets

16A.—(1) A person must not acquire, on or after 13 September 2010, any essential operating asset of a rapid transit system, or an interest in an essential operating asset of a rapid transit system (whether or not the acquisition is by way of the enforcement of a loan security) unless —

(a) the person is a licensee authorised by licence to operate that rapid transit system; or

(b) the Authority consents in writing to the acquisition.

[21/2010]

(2) Any acquisition, or a purported acquisition, on or after 13 September 2010, of any essential operating asset of a rapid transit system or part thereof, or an interest in an essential operating

asset of a rapid transit system or part thereof, in contravention of subsection (1) is void.

[21/2010]

(3) In this section, “essential operating asset”, in relation to any rapid transit system, means any land, plant, equipment, machinery or other property which —

- (a) is used or intended to be used (and whether or not it is also used for other purposes) by the licensee authorised by a licence to operate that rapid transit system; and
- (b) is designated by or under the licence to be an essential operating asset.

[21/2010]

Restrictions on transfer, etc., and surrender of licences

16B.—(1) Every licence is not capable of being transferred or assigned unless —

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

[21/2010]

(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 16, include conditions modifying, or requiring or otherwise providing for the making of modifications to, the conditions of the licence.

[21/2010]

(3) A transfer or an assignment, or a purported transfer or assignment, of a licence is void —

- (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.

[21/2010]

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

[21/2010]

Codes of practice

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

- (a) the maintenance or operation of rapid transit systems and any equipment relating thereto;
- (b) the provision of services for the carriage of passengers on a rapid transit system;
- (c) the conduct of licensees;
- (d) the security and safety of persons who use or who are engaged in any work on the rapid transit system; and
- (e) the measures necessary for licensees to deal with any plague or epidemic, fire, flood, earthquake or disaster (natural or otherwise) or other public emergency.

[21/2010]

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

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

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

Directions affecting licensees

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

- (a) the extent, hours and general level of the services to be provided by licensees;
- (b) the extension of the operating hours of the services provided by the licensees;
- (c) the maintenance and operation of the rapid transit system;
- (d) the provision of travel information systems and directional signs for the purpose of ensuring integration of rapid transit systems with transport services and facilities and developments surrounding the respective rapid transit systems operated by licensees so as to enhance railway passenger services;
- (e) the security and safety of persons who use or who are engaged in any work on the rapid transit system; and
- (f) any other matters affecting the interests of the public in connection with the services provided by licensees.

[21/2010]

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

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

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

- (a) must give notice to the licensee —
 - (i) informing the licensee of the proposed direction and setting out its effect; and

- (ii) specifying the time within which representations or objections to the proposed direction may be made by the licensee in connection with the proposed direction,

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

- (b) must consider any representations or objections which are duly made by the licensee under paragraph (a)(ii).
- (4) Every licensee must comply with every direction given to it by the Authority under this section.

Appointment and removal of director, etc., of licensee

18A.—(1) A licensee must not —

- (a) appoint or re-appoint an individual as its chief executive officer, its director or the chairperson of its board of directors; or
- (b) remove its chief executive officer or the chairperson of its board of directors or any of its directors,

unless the licensee has obtained the approval of the Authority to do so.

[9/2014]

(1A) The Authority may —

- (a) grant an approval under this section subject to any conditions that the Authority considers appropriate to impose; and
- (b) at any time add to, vary or revoke any condition so imposed.

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(2) Where a licensee, in contravention of subsection (1), does any of the following without the approval of the Authority:

- (a) appoints or re-appoints an individual as its chief executive officer, its director or the chairperson of its board of directors;

- (b) removes its chief executive officer or the chairperson of its board of directors or any of its directors,

the Authority may issue a direction to the licensee to do either of the following, whichever being applicable, and the licensee must comply with the direction:

- (c) to remove that individual from his or her appointment as the chief executive officer or a director or the chairperson of the board of directors of the licensee, as the case may be;
- (d) to reinstate the individual as the chief executive officer or a director or the chairperson of the board of directors of the licensee, as the case may be.

[9/2014]

(3) Where at any time the Authority is satisfied that it is necessary or desirable to act for the purpose of the proper administration of the licensee's business of operating a rapid transit system, the Authority may issue a direction to the licensee to appoint an individual as an additional director of the licensee, and the licensee must comply with the direction.

[9/2014]

(4) Before issuing any direction to any licensee under subsection (2) or (3), the Authority must give notice to the licensee —

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

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

[9/2014]

(5) The Authority must consider any representations or objections which are duly made by the licensee in connection with a proposed direction following a notice under subsection (4).

[9/2014]

(6) This section has effect despite the provisions of any other written law and the provisions of the memorandum or articles of

association, or other constitution, of the licensee, and nothing in section 152 of the Companies Act 1967 prevents the Authority from exercising any power under this section.

[9/2014]

(7) Nothing in subsections (2) to (6) is to be taken as depriving an individual who is removed under any of those provisions of compensation or damages payable to him or her in respect of the termination of his or her appointment as a chief executive officer, director or chairperson of the board of directors.

[9/2014]

(7A) This section does not apply to or in relation to any licensee that has been designated as a designated operating entity, starting on its effective designation date and while it remains so designated.

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(8) In this section —

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

- (a) is in the direct employment of, or acting for or by arrangement with, the licensee; and
- (b) is principally responsible for the management and conduct of any type of business of the licensee in Singapore,

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

“director” has the meaning given by section 4(1) of the Companies Act 1967.

[9/2014]

Suspension or cancellation of licence, etc.

19.—(1) Subject to subsection (3), if any licensee —

- (a) contravenes or fails to comply with, or fails to secure the compliance by its employees, agents or contractors with, any of the conditions of its licence to operate any rapid transit system or with any provision of this Act which is

applicable to the licensee and for which no criminal penalty is prescribed for a contravention of the provision;

- (b) is convicted of any offence under this Act;
- (c) in the opinion of the Authority, fails or is likely to fail to provide and maintain an adequate, safe and satisfactory service;
- (d) fails to comply with any provision of any code of practice issued or approved by the Authority under section 17;
- (e) fails to comply with any direction given by the Authority under section 18 or 18A;
- (ea) fails to comply with any condition of approval under section 18A;

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- (f) fails to comply with any provisional order confirmed under section 19A;
- (g) goes into compulsory or voluntary liquidation other than for the purpose of reconstruction or amalgamation; or
- (h) makes any assignment to, or composition with, its creditors,

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

- (i) suspend or cancel the licence of the licensee;
- (j) forfeit the whole or any part of any security deposited with the Authority by the licensee or by its bank pursuant to a bank guarantee but not in excess of the maximum amount specified in subsection (2) if the licence is not cancelled;
- (k) require the licensee to pay, within a specified period, a financial penalty of an amount that the Authority thinks fit, which in any case must not exceed the maximum amount specified in subsection (2).

[21/2010; 9/2014; 31/2015]

(2) For the purposes of requiring a licensee of any rapid transit system to pay a financial penalty under subsection (1)(k), the maximum amount means the higher of the following amounts:

- (a) \$1 million;
- (b) 10% of the licensee's annual fare revenue that is received —
 - (i) during the licensee's last-completed financial year as ascertained from the licensee's latest audited accounts; and
 - (ii) from the operation of the rapid transit system or, if more than one rapid transit system is the subject of the licensee's licence, of each rapid transit system.

[9/2014]

(3) A financial penalty cannot be imposed on a licensee if the sole ground for proceeding under subsection (1) is that, in the opinion of the Authority, the licensee is likely to fail to provide and maintain an adequate, safe and satisfactory service.

[31/2015]

(4) A financial penalty imposed under subsection (1)(k) on any licensee must be recovered and collected by the Authority for the purposes of the Public Transport Fund.

[31/2015]

(5) The whole or part of any financial penalty recovered and collected under subsection (4) from a licensee, and any interest on any financial penalty in arrears, must be paid into the Public Transport Fund established under the Public Transport Council Act 1987.

[31/2015]

(6) In this section, "annual fare revenue", in relation to a licensee of a rapid transit system, means the total charges received by the licensee from passengers for travel services provided on any railway comprised in that rapid transit system, less any goods and services tax paid by, the value of any rebate supplied to, and any connection commission paid by, passengers in connection with those travel services.

[9/2014]

Provisional orders for securing compliance

19A.—(1) Subject to subsections (5) and (6), where it appears to the Authority that —

- (a) a licensee is contravening, or is likely to contravene, any condition of its licence; or
- (b) a licensee has failed to secure the compliance by its employees, agents or contractors with any condition of its licence,

and that it is appropriate or requisite that a provisional order be made under this section, the Authority may, instead of taking any decision under section 19, by provisional order make such provision as appears to it requisite for securing compliance with that condition.

[21/2010]

(2) A provisional order —

- (a) must require the licensee to whom it relates (according to the circumstances of the case) to do, or not to do, the things that are specified, or are of a description specified, in the provisional order;
- (b) takes effect at the time, being the earliest practicable time, that is determined by or under the provisional order; and
- (c) may be revoked at any time by the Authority.

[21/2010]

(3) In determining whether it is appropriate or requisite that a provisional order be made, the Authority must have regard, in particular, to the extent to which any person is likely to sustain loss or damage in consequence of anything which, in contravention of any condition of a licence, is likely to be done, or omitted to be done, before a decision under section 19 may be made.

[21/2010]

(4) Subject to subsections (5), (6) and (7), the Authority must, by written notice, confirm a provisional order, with or without modifications, if —

- (a) the Authority is satisfied that the licensee to whom the order relates is contravening, or is likely to contravene any condition of its licence, or has failed to secure the

compliance by its employees, agents or contractors with any condition of its licence; and

- (b) the provision made by the order (with any modifications) is requisite for the purpose of securing compliance with that condition.

[21/2010]

(5) The Authority must not make or confirm a provisional order in relation to a licensee if it is satisfied —

- (a) that the duties imposed on the Authority under this Act or the Land Transport Authority of Singapore Act 1995 preclude the making of such an order;
- (b) that the licensee has agreed to take, and is taking, all steps that appear to the Authority for the time being to be appropriate for the licensee to take for the purpose of securing or facilitating compliance with the condition in question; or
- (c) that the contraventions were, or the apprehended contraventions are, of a trivial nature.

[21/2010]

(6) Before the Authority makes or confirms a provisional order, the Authority must give notice to the licensee concerned —

- (a) stating that the Authority proposes to make or confirm the provisional order and setting out its effect;
- (b) setting out —
 - (i) the relevant condition of the licence for the purpose of securing compliance with which the provisional order is to be made or confirmed;
 - (ii) the acts or omissions which, in the Authority's opinion, constitute or would constitute contraventions of that condition; and
 - (iii) the other facts which, in the Authority's opinion, justify the making or confirmation of the provisional order; and

- (c) specifying the period (being at least 28 days from the date of service of the notice) within which representations or objections with respect to the proposed provisional order or proposed confirmation may be made,

and must consider any representations or objections which are duly made and not withdrawn.

[21/2010]

(7) The Authority must not confirm a provisional order with modifications except —

- (a) with the consent of the licensee to whom the provisional order relates; or
- (b) after —
 - (i) serving on that licensee notice under subsection (6) of the proposal to confirm the provisional order with modifications and in that notice, specifying the period (being at least 28 days from the date of service of the notice) within which representations or objections with respect to the proposed modifications may be made; and
 - (ii) considering any representations or objections which are duly made and not withdrawn.

[21/2010]

(8) In this section, “provisional order” means an order under this section which, if not previously confirmed in accordance with subsection (5), will cease to have effect at the end of the period (not exceeding 3 months) determined by or under the order.

[21/2010]

Outstanding fees, charges, penalties, etc.

19B.—(1) If —

- (a) any fee imposed under section 13 in respect of a licence or any part thereof is not paid in full by the due date for payment;

- (b) any charge and cash-bid (if any) imposed under section 13A in respect of a licence or any part thereof is not paid in full by the due date for payment; or
- (c) any financial penalty imposed under section 19(1)(k) in respect of a licensee or any part thereof is not paid in full by the due date for payment,

interest at the prescribed rate is payable by the licensee concerned on the outstanding amount of any such fee, charge, cash-bid or financial penalty.

[21/2010]

(2) The Authority may recover as a debt in a court of competent jurisdiction any of the following amounts that has become due and payable but has not been paid:

- (a) any fee imposed under section 13 in respect of a licence or any part thereof;
- (b) any charge and cash-bid (if any) imposed under section 13A in respect of a licence or any part thereof;
- (c) any financial penalty imposed under section 19(1)(k) in respect of a licensee or any part thereof;
- (d) any interest imposed under subsection (1) or any part thereof,

and the liability of the licensee concerned to pay is not affected by its licence ceasing (for any reason) to be in force.

[21/2010]

Restrictions on voluntary winding up, etc., of licensees

20.—(1) Despite any other written law —

- (a) a licensee cannot be wound up without the consent of the Authority;
- (b) a person must not make an application under section 210 of the Companies Act 1967 or section 71 of the Insolvency, Restructuring and Dissolution Act 2018 in relation to a licensee without the consent of the Authority;

- (c) no judicial management order under Part 7 of the Insolvency, Restructuring and Dissolution Act 2018 may be made in relation to a licensee without the consent of the Authority;
 - (d) no interim judicial manager or judicial manager may be appointed under section 94 of the Insolvency, Restructuring and Dissolution Act 2018 in respect of a licensee without the consent of the Authority;
 - (e) a person must not take any step to enforce any security over the property of a licensee unless that person has served 14 days' notice in writing of that person's intention to take that step on the Authority; and
 - (f) a person must not take any step to execute or enforce any judgment or order of court against a licensee unless that person has served 14 days' notice in writing of that person's intention to take that step on the Authority.
- (2) The Authority must be a party to —
- (a) any proceedings relating to the making of an order under section 210 of the Companies Act 1967 or section 71 of the Insolvency, Restructuring and Dissolution Act 2018 in relation to a licensee;
 - (b) any proceedings relating to the making of a judicial management order under Part 7 of the Insolvency, Restructuring and Dissolution Act 2018 in relation to a licensee; and
 - (c) any proceedings under the Insolvency, Restructuring and Dissolution Act 2018 for the winding up of the affairs of a licensee.
- (3) A court must, when deciding any proceedings mentioned in subsection (2), take into consideration any representations made by the Authority in those proceedings.
- (4) This section does not apply to or in relation to any licensee that has been designated as a designated operating entity, starting on its effective designation date and while it remains so designated.

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Authority to operate rapid transit system

21. If there is for any reason no licensee to operate any rapid transit system, it is the duty of the Authority to operate that rapid transit system having regard to the reasonable requirements of the land transport system in Singapore or the relevant part thereof.

PART 3A**CONTROL OF DESIGNATED ENTITIES**

[Act 20 of 2024 wef 01/04/2025]

*Division 1 — Preliminary***Extraterritorial application of this Part**

21A.—(1) Except where otherwise expressly provided, this Part applies to, and in relation to —

- (a) all individuals, whether resident in Singapore or not and whether citizens of Singapore or not; and
- (b) all bodies corporate or unincorporate, whether incorporated, formed, established, or carrying on business in Singapore or not.

(2) Every person who, outside Singapore, commits an act or omission that, if committed in Singapore, would constitute an offence under this Part, is deemed to commit the act or omission in Singapore and may be proceeded against, charged, tried and punished accordingly.

[Act 20 of 2024 wef 01/04/2025]

Interpretation of this Part

21B.—(1) In this Part —

“5% controller”, in relation to a designated entity, means a person who, alone or together with that person’s associates —

- (a) holds 5% or more, but less than 25%, of the total equity interests in that designated entity; or

- (b) is in a position to control 5% or more, but less than 25%, of the voting power in that designated entity;

“25% controller”, in relation to a designated entity, means a person who, alone or together with that person’s associates —

- (a) holds 25% or more, but less than 50%, of the total equity interests in that designated entity; or
- (b) is in a position to control 25% or more, but less than 50%, of the voting power in that designated entity;

“50% controller”, in relation to a designated entity, means a person who, alone or together with that person’s associates —

- (a) holds 50% or more, but less than 75%, of the total equity interests in that designated entity; or
- (b) is in a position to control 50% or more, but less than 75%, of the voting power in that designated entity;

“75% controller”, in relation to a designated entity, means a person who, alone or together with that person’s associates —

- (a) holds 75% or more of the total equity interests in that designated entity; or
- (b) is in a position to control 75% or more of the voting power in that designated entity;

“acquisition” includes an agreement to acquire, but does not include —

- (a) an acquisition by will or by operation of law; or
- (b) an acquisition by way of enforcement of a loan security;

“arrangement” includes any formal or informal scheme, arrangement or understanding, and any trust whether express or implied;

“chief executive officer”, in relation to a designated entity or the trustee-manager of a designated entity, means an individual (by whatever name called) who —

(a) is in the direct employment of, or acting for or by arrangement with, the designated entity or trustee-manager, as the case may be; and

(b) is principally responsible for the management and conduct of the business of the designated entity or trustee-manager, as the case may be,

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

“control” includes control as a result of, or by means of, any trust, agreement, arrangement, understanding or practice, whether or not having legal or equitable force and whether or not based on legal or equitable rights;

“decrease”, in relation to the holding of equity interests, includes a decrease to a point of nil;

“director” has the meaning given by section 4(1) of the Companies Act 1967;

“equity interest” —

(a) in relation to a corporation — means a voting share in that corporation;

(b) in relation to an entity other than a corporation — means any right or interest, whether legal or equitable, in that entity (by whatever name called) which gives the holder of that right or interest voting power in that entity; and

(c) in relation to a business trust — means a unit in that business trust;

“increase”, in relation to the holding of equity interests, includes an increase from a starting point of nil;

“indirect controller”, in relation to a designated entity, means any person, whether acting alone or together with any other person, and whether with or without holding equity interests or controlling the voting power in the designated entity —

- (a) whose directions, instructions or wishes —
 - (i) the directors or other officers of the designated entity; or
 - (ii) the trustee-manager (in the case of a designated entity that is a business trust),
is accustomed or under an obligation, whether formal or informal, to act in accordance with; or
- (b) who is in a position to determine the policy of the designated entity,

but does not include —

- (c) any person who is —
 - (i) a director or other officer of the designated entity; or
 - (ii) the trustee-manager (in the case of a designated entity that is a business trust); or
- (d) any person whose directions, instructions or wishes —
 - (i) the directors or other officers of the designated entity; or
 - (ii) the trustee-manager (in the case of a designated entity that is a business trust),
is accustomed to act in accordance with by reason only that the acting is on advice given by the person in that person's professional capacity;

“limited liability partnership” has the meaning given by section 2(1) of the Limited Liability Partnerships Act 2005;

“liquidator” includes the Official Receiver when acting as the liquidator of a corporation;

“officer”, in relation to a corporation, includes —

- (a) a director or secretary of, or a person employed in an executive capacity by, the corporation;

- (b) any receiver or manager, or any receiver and manager, of any part of the undertaking of the corporation, appointed under a power contained in any instrument or by the General Division of the High Court or by creditors;
- (c) any liquidator of the corporation appointed in a voluntary winding up or by the General Division of the High Court or by creditors; and
- (d) any judicial manager of the corporation appointed under Part 7 of the Insolvency, Restructuring and Dissolution Act 2018;

“Official Receiver” has the meaning given by section 2(1) of the Insolvency, Restructuring and Dissolution Act 2018;

“related corporation”, in relation to a corporation, means another corporation that is deemed under section 21D(2) to be related to that corporation;

“share”, in relation to a corporation, means a share in the share capital of the corporation and includes stock into which all or any of the share capital of the corporation has been converted;

“treasury share” has the meaning given by section 4(1) of the Companies Act 1967;

“unit” has the meaning given by section 2 of the Business Trusts Act 2004;

“unitholder” means a person who holds units in a business trust;

“unregistered company” has the meaning given by section 245(1) of the Insolvency, Restructuring and Dissolution Act 2018;

“voting share” has the meaning given by section 4(1) of the Companies Act 1967 but does not include a treasury share.

(2) A reference in this Part to the control of a percentage of the voting power in a designated entity is to the control, whether direct or indirect, of that percentage of the total number of votes that might be cast in —

- (a) a general meeting of the designated entity; or
- (b) in the case of a designated entity that is a business trust — a general meeting of the unitholders of the business trust.

(3) In ascertaining a person's control of the percentage of the total number of votes that might be cast at a general meeting mentioned in subsection (2), the number of votes that the person is entitled to cast at the meeting by reason of having been appointed a proxy or representative to vote at the meeting is to be disregarded.

(4) In this Part —

- (a) a reference to the chairperson of a board of directors includes an individual (by whatever name called) acting in that capacity;
- (b) a reference to the business or operations of an entity that is a business trust is to the business or operations (as the case may be) carried on by the trustee-manager of the business trust on behalf of the business trust; and
- (c) a reference to a condition imposed by the Authority includes a condition added or varied by the Authority.

[Act 20 of 2024 wef 01/04/2025]

What holding an equity interest means

21C.—(1) In this Part, a person holds an equity interest if the person —

- (a) has or is deemed to have an equity interest in accordance with subsections (2) to (8); or
- (b) otherwise has a legal or equitable interest in that equity interest,

except for any interest prescribed under section 45 as an interest that is to be disregarded.

(2) Subject to subsection (3), a person has an equity interest if the person has authority (whether formal or informal, or express or implied) to dispose of, or to exercise control over the disposal of, that equity interest.

(3) It is immaterial that the authority of a person to dispose of, or to exercise control over the disposal of, the equity interest mentioned in subsection (2) is, or is capable of being made, subject to restraint or restriction.

(4) It is immaterial, for the purposes of determining whether a person has an equity interest, that the interest cannot be related to a particular share, an interest or a right that gives its holder voting power, or a unit of a business trust, as the case may be.

(5) A person is deemed to have an equity interest if —

- (a) any property held in trust consists of or includes the equity interest; and
- (b) the person knows, or has reasonable grounds for believing, that the person has an interest under that trust.

(6) A person is also deemed to have an equity interest if that person —

- (a) has entered into a contract to purchase the equity interest;
- (b) has a right, otherwise than by reason of having an interest under a trust, to have the equity interest transferred to (or to the order of) that person, whether the right is exercisable presently or in the future and whether on the fulfilment of a condition or not;
- (c) has the right to acquire the equity interest under an option, whether the right is exercisable presently or in the future and whether on the fulfilment of a condition or not; or
- (d) is entitled (otherwise than by reason of having been appointed a proxy or representative) to vote at —
 - (i) a general meeting of the designated entity; or
 - (ii) in the case of a designated entity that is a business trust — a general meeting of the unitholders of the business trust,

to exercise or control the exercise of a right attached to the equity interest, not being an equity interest in which that person has a legal or equitable interest.

(7) A person is not to be deemed as not having an equity interest by reason only that the person has the equity interest jointly with another person.

(8) An equity interest is not to be disregarded by reason only of —

- (a) its remoteness;
- (b) the manner in which it arose; or
- (c) the fact that the exercise of a right conferred by the equity interest is, or is capable of being made, subject to restraint or restriction.

[Act 20 of 2024 wef 01/04/2025]

Meanings of “associate”, “related corporation”, “subsidiary” and “holding company”

21D.—(1) In this Part, a person (*A*) is an associate of another person (*B*) if —

- (a) *A* is the spouse, or a parent, step-parent or remoter lineal ancestor, or a son, stepson, daughter, stepdaughter or remoter issue, or a brother or sister, of *B*;
- (b) *A* is a partner of *B* in a partnership or limited liability partnership;
- (c) *A* is a corporation of which *B* is an officer;
- (d) *B* is a corporation of which *A* is an officer;
- (e) *A* and *B* are officers of the same corporation;
- (f) *A* is an employee of *B*;
- (g) *B* is an employee of *A*;
- (h) *A* and *B* are employees of the same employer;
- (i) *A* is the trustee of a discretionary trust where *B* (or another person who is an associate of *B* by virtue of any paragraph, except this paragraph and paragraphs (*j*) and (*r*)) benefits, or is capable (whether by exercise of a power of appointment or otherwise) of benefitting, under the trust, either directly or through interposed entities or trusts;

- (j) *B* is the trustee of a discretionary trust where *A* (or another person who is an associate of *A* by virtue of any paragraph, except this paragraph and paragraphs (i) and (r)) benefits, or is capable (whether by exercise of a power of appointment or otherwise) of benefitting, under the trust, either directly or through interposed entities or trusts;
- (k) *A* is a corporation whose directors are accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of *B* or, where *B* is a corporation, of the directors of *B*;
- (l) *B* is a corporation whose directors are accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of *A* or, where *A* is a corporation, of the directors of *A*;
- (m) *A* is a person who is accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of *B* or, where *B* is a corporation, of the directors of *B*;
- (n) *B* is a person who is accustomed or under an obligation, whether formal or informal, to act in accordance with the directions, instructions or wishes of *A* or, where *A* is a corporation, of the directors of *A*;
- (o) *A* is a related corporation of *B*;
- (p) *A* is a corporation in which *B*, alone or together with other associates of *B* as described in paragraphs (b) to (o), is in a position to control at least 20% of the voting power in *A*;
- (q) *B* is a corporation in which *A*, alone or together with other associates of *A* as described in paragraphs (b) to (o), is in a position to control at least 20% of the voting power in *B*;
- (r) *A* is a person with whom *B* enters, or proposes to enter, into an agreement or arrangement (whether oral or in writing and whether express or implied) that relates to any of the following matters:

- (i) *A* and *B* being in a position, by acting together, to control any of the voting power in a designated entity;
 - (ii) *A* and *B* acting together with respect to the acquisition, holding or disposal of equity interests or other interests in a designated entity;
 - (iii) the power of *A* and *B*, by acting together, to appoint or remove —
 - (A) a director of a designated entity; or
 - (B) in the case of a designated entity that is a business trust — a director of the trustee-manager of the designated entity;
 - (iv) the situation where one or more of the directors of —
 - (A) a designated entity; or
 - (B) in the case of a designated entity that is a business trust — the trustee-manager of the business trust,are accustomed or under an obligation (whether formal or informal) to act in accordance with the directions, instructions or wishes of *A* and *B* acting together;
 - (s) *A* controls more than half of the voting power of a holding company of *B*;
 - (t) *B* controls more than half of the voting power of a holding company of *A*; or
 - (u) *A* is related to *B* in such other manner as may be prescribed by regulations made under section 45.
- (2) A corporation (*A*) and another corporation (*B*) are deemed to be related to each other for the purposes of this section where *A* is —
- (a) the holding company of *B*;
 - (b) a subsidiary of *B*; or
 - (c) a subsidiary of the holding company of *B*.

(3) For the purposes of subsection (2), a corporation (*A*) is, subject to subsection (5), deemed to be a subsidiary of another corporation (*B*) if —

- (a) *B* controls the composition of the board of directors of *A*;
- (b) *B* controls more than half of the voting power of *A*; or
- (c) *A* is a subsidiary of any corporation which is *B*'s subsidiary.

(4) For the purposes of subsection (3), the composition of *A*'s board of directors is deemed to be controlled by *B* if *B*, by the exercise of a power exercisable by it without the consent or concurrence of any other person, can appoint or remove all or a majority of the directors, and for the purposes of this provision, *B* is deemed to have power to make such an appointment if —

- (a) a person cannot be appointed as a director without the exercise in the person's favour by *B* of such a power; or
- (b) a person's appointment as a director follows necessarily from that person being a director or other officer of *B*.

(5) In determining whether one corporation (*A*) is the subsidiary of another corporation (*B*) —

- (a) any shares held or power exercisable by *B* in a fiduciary capacity is treated as not held or exercisable by *B*;
- (b) subject to paragraphs (c) and (d), any shares held or power exercisable —
 - (i) by any person as a nominee for *B* (except where *B* is concerned only in a fiduciary capacity); or
 - (ii) by, or by a nominee for, a subsidiary of *B*, not being a subsidiary which is concerned only in a fiduciary capacity,

is to be treated as being held or exercisable by *B*;

- (c) any shares held or power exercisable by any person by virtue of the provisions of any debentures of *A*, or of a trust deed for securing any issue of such debentures, is to be disregarded; and

- (d) any shares held or power exercisable by, or by a nominee for, *B* or its subsidiary (not being held or exercisable as mentioned in paragraph (c)) is to be treated as not held or exercisable by *B* if the ordinary business of *B* or its subsidiary (as the case may be) includes the lending of money and the shares are so held or power is so exercisable by way of security only for the purposes of a transaction entered into in the ordinary course of that business.

(6) A reference in this section to the holding company of a corporation is to a corporation of which the last mentioned corporation is a subsidiary.

(7) For the purposes of this section, the Depository is not to be regarded as a holding company of a corporation by reason only of the shares it holds in that corporation as a bare trustee.

(8) Regulations made under section 45 may provide that any person or class of persons are not associates of another person for the purposes of any provision of this Part.

(9) In this section —

“Depository” has the meaning given by section 81SF of the Securities and Futures Act 2001;

“officer”, in relation to a corporation, means a director or secretary of, or any person employed in an executive capacity by, the corporation.

[Act 20 of 2024 wef 01/04/2025]

Designation of designated operating entities and designated equity interest holders

21E.—(1) The Authority may by notification in the *Gazette* —

- (a) designate an entity that provides any essential transport service in Singapore, or any business trust through which any essential transport service is provided in Singapore, as a designated operating entity; or
- (b) designate an entity that holds any equity interest in a designated operating entity as a designated equity interest holder,

if the Authority considers that the designation is necessary in the public interest.

(2) The Authority must inform the Minister of the Authority's decision to designate an entity before publishing the notification under subsection (1) but the failure to do so does not invalidate the designation.

(3) The notification under subsection (1) —

(a) must specify the date on which the designation takes effect; and

(b) must be published in the *Gazette* at least 14 days before the date that the designation takes effect.

(4) The Authority may by notification in the *Gazette* cancel a designation at any time.

[Act 20 of 2024 wef 01/04/2025]

Division 2 — Control of designated entities

Notice to Authority by 5% controller of designated entity

21F.—(1) If a person becomes a 5% controller of a designated entity on or after the effective designation date as a result of an increase in the holding of equity interest, or in the voting power controlled, by that person or any associate of that person, that person must within 7 days after becoming the 5% controller give written notice to the Authority of that fact.

(2) Any person who contravenes subsection (1) shall be guilty of an offence.

(3) In any proceedings for a contravention of subsection (1), it is a defence for the accused to prove that the accused —

(a) was not aware of the contravention when it occurred; and

(b) notified the Authority of the contravention within a period of 14 days after becoming aware of the contravention.

(4) In any proceedings for a contravention of subsection (1), it is also a defence for the accused to prove that, though the accused was aware of the contravention —

- (a) the contravention occurred as a result of an increase in the holding of equity interest, or in the voting power controlled, by any of the associates of the accused, in the designated entity;
 - (b) the accused has no agreement or arrangement (whether oral or in writing and whether express or implied) with that associate with respect to the acquisition, holding or disposal of equity interests or other interests, or under which they act together in exercising their voting power, in relation to the designated entity; and
 - (c) the accused notified the Authority of the contravention within a period of 7 days after the contravention.
- (5) Except as provided in subsections (3) and (4), it is not a defence in any proceedings for a contravention of subsection (1) to prove that the accused did not intend to or did not knowingly contravene subsection (1).

[Act 20 of 2024 wef 01/04/2025]

Approvals of Authority in relation to equity interests and control of voting power in designated entities in certain cases

21G.—(1) Except with the prior written approval of the Authority, a person must not —

- (a) as a result of an increase in the holding of equity interest, or in the voting power controlled, by that person or any associate of that person, become a 25% controller, 50% controller or 75% controller of a designated entity on or after the effective designation date; or
 - (b) as a result of a decrease in the holding of equity interest, or in the voting power controlled, by that person or any associate of that person, cease to be a 25% controller, 50% controller or 75% controller of a designated entity on or after the effective designation date.
- (2) Subsection (1) does not apply if the transaction through which a person becomes a 25% controller, 50% controller or 75% controller, or ceases to be a 25% controller, 50% controller or 75% controller, is entered into before the effective designation date.

(3) A person must not become an indirect controller of a designated entity on or after the effective designation date unless the person has obtained the prior written approval of the Authority.

(4) The Authority may approve an application under subsection (1)(a) or (3) if the Authority is satisfied that —

- (a) the person who is to become a 25% controller, 50% controller, 75% controller or indirect controller of a designated entity and every associate of that person known to the Authority, are fit and proper persons;
- (b) the essential transport services provided by the following (whichever is applicable) will continue to be safe, reliable and efficient:
 - (i) the designated operating entity of which the person is to become a 25% controller, 50% controller, 75% controller or indirect controller;
 - (ii) the trustee-manager of the designated operating entity of which the person is to become a 25% controller, 50% controller, 75% controller or indirect controller;
 - (iii) in the case where the person is to become a 25% controller, 50% controller, 75% controller or indirect controller of a designated equity interest holder — the designated operating entity, or the trustee-manager of the designated operating entity, in relation to which the designated equity interest holder is so designated;
- (c) having regard to the influence of the person mentioned in paragraph (a) and every associate of that person known to the Authority, the following requirements are met:
 - (i) if the designated entity is a designated operating entity — the designated operating entity or, if the designated operating entity is a business trust, its trustee-manager, will continue to conduct the business of the designated operating entity prudently and comply with the provisions of this Act;

(ii) if the designated entity is a designated equity interest holder —

(A) the designated operating entity in respect of which the designated equity interest holder is so designated or, if that designated operating entity is a business trust, its trustee-manager, will continue to conduct the business of the designated operating entity prudently and comply with the provisions of this Act; and

(B) the designated equity interest holder or, if the designated equity interest holder is a business trust, its trustee-manager, will continue to comply with the provisions of this Act; and

(d) it is in the public interest to do so.

(5) The Authority may approve an application under subsection (1)(b) if the Authority is satisfied that —

(a) the essential transport services provided by the following (whichever is applicable) will continue to be safe, reliable and efficient:

(i) the designated operating entity of which the person is a 25% controller, 50% controller or 75% controller;

(ii) the trustee-manager of the designated operating entity of which the person is a 25% controller, 50% controller or 75% controller;

(iii) in the case where the person is a 25% controller, 50% controller or 75% controller of a designated equity interest holder — the designated operating entity, or the trustee-manager of the designated operating entity, in relation to which the designated equity interest holder is so designated;

(b) in the case where the person is a 25% controller, 50% controller or 75% controller of a designated operating entity — the designated operating entity or, if the designated operating entity is a business trust, its trustee-

manager, will continue to conduct the business of the designated operating entity prudently and comply with the provisions of this Act;

(c) in the case where the person is a 25% controller, 50% controller or 75% controller of a designated equity interest holder —

(i) the designated operating entity in respect of which the designated equity interest holder is so designated or, if that designated operating entity is a business trust, its trustee-manager, will continue to conduct the business of the designated operating entity prudently and comply with the provisions of this Act; and

(ii) the designated equity interest holder or, if the designated equity interest holder is a business trust, its trustee-manager, will continue to comply with the provisions of this Act; and

(d) it is in the public interest to do so.

(6) The Authority may —

(a) grant an approval under this section subject to any conditions that the Authority considers appropriate to impose; and

(b) at any time add to, vary or revoke any condition so imposed.

(7) Any condition imposed by the Authority under subsection (6) has effect despite the provisions of any other written law or anything contained in the memorandum or articles of association, limited liability partnership agreement, partnership contract, trust deed or other constitution of the designated entity in relation to which the application for approval under subsection (1) or (3) is made.

(8) Any person who contravenes subsection (1) or (3), or who fails to comply with any condition imposed under subsection (6), shall be guilty of an offence.

(9) In any proceedings for a contravention of subsection (1), it is a defence for the accused to prove that —

- (a) the accused was not aware of the contravention when it occurred;
- (b) the accused notified the Authority of the contravention within a period of 14 days after becoming aware of the contravention; and
- (c) if the Authority issued any direction under section 21M relating to the contravention —
 - (i) the accused complied with the direction within the period determined by the Authority under that section; or
 - (ii) the period determined by the Authority under that section for compliance with the direction has not expired.

(10) In any proceedings for a contravention of subsection (1), it is also a defence for the accused to prove that even though the accused was aware of the contravention —

- (a) the contravention occurred as a result of an increase or a decrease in the holding of equity interest, or in the voting power controlled, by any of the associates of the accused, in the designated entity;
- (b) the accused has no agreement or arrangement (whether oral or in writing and whether express or implied) with that associate with respect to the acquisition, holding or disposal of equity interests or other interests, or under which they act together in exercising their voting power, in relation to the designated entity;
- (c) the accused notified the Authority of the contravention within a period of 7 days after the contravention; and
- (d) if the Authority issued any direction under section 21M relating to the contravention —

- (i) the accused complied with the direction within the period determined by the Authority under that section; or
- (ii) the period determined by the Authority under that section for compliance with the direction has not expired.

(11) In any proceedings for a contravention of subsection (3), it is a defence for the accused to prove that —

- (a) the accused was not aware of the contravention when it occurred;
- (b) the accused notified the Authority of the contravention within a period of 14 days after the contravention; and
- (c) if the Authority issued any direction under section 21M relating to the contravention —
 - (i) the accused complied with the direction within the period determined by the Authority under that section; or
 - (ii) the period determined by the Authority under that section for compliance with the direction has not expired.

(12) Except as provided in subsections (9), (10) and (11), it is not a defence in any proceedings for a contravention of subsection (1) or (3) to prove that the accused did not intend to or did not knowingly contravene subsection (1) or (3).

[Act 20 of 2024 wef 01/04/2025]

Appointment and removal of chief executive officer, chairperson, director, etc., of designated entity

21H.—(1) A licensee-designated operating entity must not, on or after the effective designation date, appoint or remove an individual as its chief executive officer, the chairperson of its board of directors or any of its directors, unless the licensee-designated operating entity has obtained the prior written approval of the Authority.

(2) Each of following persons must not, on or after the effective designation date, appoint or remove an individual as its chief

executive officer, or the chairperson of its board of directors unless the person has obtained the prior written approval of the Authority:

- (a) a non-licensee-designated operating entity or, in the case of a non-licensee-designated operating entity that is a business trust, its trustee-manager;
- (b) a designated equity interest holder or, in the case of a designated equity interest holder that is a business trust, its trustee-manager.

(3) A person must not, on or after the effective designation date, be appointed as a manager of, or become a partner in, a limited liability partnership that is a designated entity unless the designated entity has obtained the prior written approval of the Authority.

(4) A person must not, on or after the effective designation date, become a partner in a partnership that is a designated entity unless the person has obtained the prior written approval of the Authority.

(5) The Authority may —

- (a) grant an approval under this section subject to any conditions that the Authority considers appropriate to impose; and
- (b) at any time add to, vary or revoke any condition so imposed.

(6) Any person who contravenes subsection (1), (2), (3) or (4), or who fails to comply with any condition imposed under subsection (5), shall be guilty of an offence.

(7) This section has effect despite the provisions of any other written law or anything contained in the memorandum or articles of association, limited liability partnership agreement, partnership contract, trust deed or other constitution, of the designated entity or the trustee-manager of the designated entity in relation to which the application for approval under subsection (1), (2), (3) or (4) is made.

(8) In this section —

- (a) a reference to a “licensee-designated operating entity” is to a designated operating entity that is also a licensee; and

- (b) a reference to a “non-licensee-designated operating entity” is to a designated operating entity that is not a licensee-designated operating entity.

[Act 20 of 2024 wef 01/04/2025]

Acquisition of business of designated operating entity as going concern

21I.—(1) A person must not, on or after the effective designation date, acquire as a going concern, the designated operating entity’s business of providing any essential transport service (or any part of such business) unless —

(a) the person; and

(b) the designated operating entity or, if the designated operating entity is a business trust, its trustee-manager,

have obtained the prior written approval of the Authority.

(2) An application for the Authority’s approval under subsection (1) must be —

(a) made jointly by the persons mentioned in subsection (1)(a) and (b); and

(b) made in such form and manner as the Authority may specify.

(3) The Authority may approve an application under subsection (1) if the Authority is satisfied that —

(a) the person acquiring the business or part is a fit and proper person;

(b) after the acquisition, the essential transport service mentioned in subsection (1) will continue to be safe, reliable and efficient;

(c) in the case where after the acquisition, the designated operating entity continues to carry on part of the business mentioned in subsection (1) — the designated operating entity or, if the designated operating entity is a business trust, its trustee-manager, will continue to conduct the

business of the designated operating entity prudently and comply with the provisions of this Act; and

(d) it is in the public interest to do so.

(4) The Authority may —

(a) grant an approval under this section subject to any conditions that the Authority considers appropriate to impose; and

(b) at any time add to, vary or revoke any condition so imposed.

(5) This section has effect despite the provisions of any other written law or anything contained in the memorandum or articles of association, limited liability partnership agreement, partnership contract, deed or other constitution, of the designated operating entity.

(6) Any person who contravenes subsection (1), or who fails to comply with any condition imposed under subsection (4), shall be guilty of an offence.

[Act 20 of 2024 wef 01/04/2025]

Occurrence of certain events

21J.—(1) A designated entity or, in the case of a designated entity that is a business trust, its trustee-manager, must notify the Authority of any of the following agreements at least 14 days before entering into the agreement:

(a) in the case of a designated entity that is a designated operating entity — an agreement for the outsourcing of a material function performed by the designated operating entity in the provision of any essential transport service;

(b) any agreement prescribed under section 45.

(2) Subsection (1) does not apply in relation to any agreement entered into by a designated entity before the expiry of 14 days after the effective designation date.

(3) A designated entity or, in the case of a designated entity that is a business trust, its trustee-manager, must notify the Authority of the

occurrence of any of the following events within 7 days after becoming aware of the occurrence:

- (a) in the case of a designated entity that is a designated operating entity —
 - (i) any civil or criminal proceedings (whether in Singapore or elsewhere) instituted against the designated entity or, if the designated entity is a business trust, its trustee-manager, that materially impedes or impairs the operations of the designated entity carried out in the course of providing any essential transport service; or
 - (ii) any other event or any irregularity that materially impedes or impairs the operations of the designated entity carried out in the course of providing any essential transport service;
 - (b) the designated entity or, if the designated entity is a business trust, its trustee-manager, being or becoming, or being likely to become, insolvent;
 - (c) the designated entity or, if the designated entity is a business trust, its trustee-manager —
 - (i) being wound up or subject to any receivership or judicial management order; or
 - (ii) entering into a compromise or scheme of arrangement;
 - (d) in the case of a designated entity that is a business trust — the business trust being wound up or deregistered or the making of an application for the deregistration of the business trust;
 - (e) any other event prescribed under section 45.
- (4) Subsection (3) does not apply where the designated entity or trustee-manager (as the case may be) becomes aware of the occurrence of the event before the effective designation date.
- (5) The Authority may, upon receiving a notification under subsection (1) or (3) in relation to an agreement or the occurrence

of an event, direct the designated entity or trustee-manager in question to submit to the Authority any information or document relating to the agreement or event within the period specified by the Authority.

(6) Any person who —

- (a) contravenes subsection (1) or (3);
- (b) fails to comply with a direction of the Authority under subsection (5); or
- (c) submits any false or misleading information or document in compliance or purported compliance with a direction of the Authority under subsection (5),

shall be guilty of an offence.

[Act 20 of 2024 wef 01/04/2025]

Duty of designated entity or trustee-manager to report changes of equity and control of certain persons

21K.—(1) If a designated entity or, in the case of a designated entity that is a business trust, its trustee-manager, becomes aware that —

- (a) a person has, on or after the effective designation date, become a 5% controller, 25% controller, 50% controller or 75% controller of the designated entity;
- (b) a 25% controller, 50% controller or 75% controller of the designated entity has, on or after the effective designation date, ceased to be a 25% controller, 50% controller or 75% controller (as the case may be) of the designated entity;
- (c) a person has, on or after the effective designation date, become an indirect controller of the designated entity; or
- (d) in a case where the designated entity is a designated operating entity — a person has, on or after the effective designation date, acquired, as a going concern, the designated operating entity's business of providing any essential transport service (or any part of such business),

the designated entity or trustee-manager (as the case may be) must inform the Authority in writing within 7 days after becoming aware of that fact.

(2) Any person who contravenes subsection (1) shall be guilty of an offence.

[Act 20 of 2024 wef 01/04/2025]

Restrictions on voluntary winding up, etc., of designated operating entities

21L.—(1) Despite any other written law —

- (a) a designated operating entity that is a corporation or limited liability partnership cannot be wound up voluntarily without the consent of the Authority;
- (b) a designated operating entity that is a partnership cannot be dissolved —
 - (i) by a partner giving notice to the other partner or partners (as the case may be) of the partner's intention to dissolve the partnership; or
 - (ii) by the partners agreeing to dissolve the partnership, without the consent of the Authority;
- (c) a designated operating entity that is a business trust cannot be wound up voluntarily without the consent of the Authority;
- (d) a person must not make any application under section 210 of the Companies Act 1967 or section 71 of the Insolvency, Restructuring and Dissolution Act 2018 in relation to a designated operating entity that is a corporation, unless that person has served 14 days' notice in writing of that person's intention to make that application on the Authority;
- (e) no judicial management order under Part 7 of the Insolvency, Restructuring and Dissolution Act 2018 may be made in relation to a designated operating entity that is a corporation without the consent of the Authority;

- (f) no interim judicial manager or judicial manager may be appointed under section 94 of the Insolvency, Restructuring and Dissolution Act 2018 in respect of a designated operating entity that is a corporation without the consent of the Authority;
 - (g) a person must not take any step to enforce any security over —
 - (i) the property of a designated operating entity; or
 - (ii) in the case of a designated operating entity that is a business trust — the trust property of the trust,unless that person has served 14 days' notice in writing of that person's intention to take that step on the Authority; and
 - (h) a person must not take any step to execute or enforce any judgment or order of court obtained against a designated operating entity unless that person has served 14 days' notice in writing of that person's intention to take that step on the Authority.
- (2) The Authority must be a party to —
- (a) any proceedings relating to the making of an order under section 210 of the Companies Act 1967 or section 71 of the Insolvency, Restructuring and Dissolution Act 2018 in relation to a designated operating entity that is a corporation;
 - (b) any proceedings relating to the making of a judicial management order under Part 7 of the Insolvency, Restructuring and Dissolution Act 2018 in relation to a designated operating entity that is a corporation;
 - (c) any proceedings under the Insolvency, Restructuring and Dissolution Act 2018 relating to the winding up of the affairs of a designated operating entity that is a company or an unregistered company;
 - (d) any proceedings under the Limited Liability Partnerships Act 2005 relating to the winding up of the affairs of a

designated operating entity that is a limited liability partnership; and

- (e) any proceedings before any court for the dissolution, winding up or termination (as the case may be) of any designated operating entity that is an entity not mentioned in paragraph (c) or (d).

(3) A court must, when deciding any proceedings mentioned in subsection (2), take into consideration any representations made by the Minister in those proceedings.

[Act 20 of 2024 wef 01/04/2025]

Division 3 — Remedial directions

Remedial directions relating to section 21G

21M.—(1) Subsection (2), (3) or (4) applies if —

- (a) the Authority is satisfied that a person (called in this section a defaulter) —
 - (i) has contravened section 21G(1) or (3) or failed to comply with a condition imposed on that person under section 21G(7); or
 - (ii) has provided false or misleading information or documents in connection with an application for approval under section 21G(1) or (3); or
- (b) the Authority would not have granted its approval under section 21G(1) or (3) had it been aware, at the time of approval, of circumstances relevant to a defaulter's application for such approval.

(2) Where the defaulter is a 25% controller, 50% controller or 75% controller of the designated entity, the Authority may do any one or more of the following:

- (a) direct the defaulter to take such steps as are necessary, within the period specified by the Authority, to cease to be a 25% controller, 50% controller or 75% controller (as the case may be) of the designated entity;

- (b) direct the transfer or disposal of all or any of the equity interests in the designated entity held by the defaulter or any of the defaulter's associates (called in this section and section 21N the section 21M(2) equity interests), within such time and subject to such conditions as the Authority considers appropriate;
- (c) restrict or prohibit the transfer or disposal of all or any of the section 21M(2) equity interests, subject to any conditions that the Authority considers appropriate;
- (d) make any other direction that the Authority considers appropriate.

(3) Where, as a result of a person (called in this subsection the transferee) acquiring any equity interests from the defaulter who is a 25% controller, 50% controller or 75% controller of the designated entity (called in this section and section 21N the section 21M(3) equity interests), the defaulter ceases to be a 25% controller, 50% controller or 75% controller (as the case may be), the Authority may do one or more of the following:

- (a) direct the transferee to take such steps as are necessary, within the period specified by the Authority, to cease to hold all or any of the section 21M(3) equity interests;
- (b) direct the defaulter to take such steps as are necessary within the period specified by the Authority, to resume being a 25% controller, 50% controller or 75% controller (as the case may be) of the designated entity, as the case may be;
- (c) direct the acquisition, transfer or disposal of all or any of the section 21M(3) equity interests within such time and subject to such conditions as the Authority considers appropriate;
- (d) restrict or prohibit the transfer or disposal of all or any of the section 21M(3) equity interests, subject to any conditions that the Authority considers appropriate;
- (e) make any other direction that the Authority considers appropriate.

(4) Where the defaulter is an indirect controller of the designated entity, the Authority may do one or both of the following:

- (a) direct the defaulter, or direct the designated entity or, if the designated entity is a business trust, its trustee-manager, to take such steps as are necessary, within the period specified by the Authority, to cease to be such an indirect controller or to cause the defaulter to cease to be such an indirect controller;
- (b) make any other direction that the Authority considers appropriate.

[Act 20 of 2024 wef 01/04/2025]

Effect of remedial directions issued under section 21M, etc.

21N.—(1) Any direction issued to a person, and any condition imposed, under section 21M(2) or (3) take effect, despite —

- (a) any other written law;
- (b) anything in any listing rules as defined in section 2(1) of the Securities and Futures Act 2001; and
- (c) the provisions of the memorandum or articles of association, limited liability partnership agreement, partnership contract, trust deed or other constitution of the designated entity in question.

(2) Without affecting subsection (1), where any direction is issued under section 21M(2) or (3), then, until the direction is carried out or is suspended or revoked —

- (a) the voting rights in respect of the section 21M(2) equity interests or section 21M(3) equity interests that are subject to the direction are not exercisable, unless the Authority expressly permits those rights to be exercised;
- (b) the voting power that the person to whom the direction is issued controls, whether alone or together with that person's associates, in the designated entity is not exercisable, unless the Authority expressly permits that power to be exercised;

- (c) no equity interest in the designated entity is to be issued or offered (whether by way of dividends or otherwise) in respect of the section 21M(2) equity interests or section 21M(3) equity interests that are subject to the direction, unless the Authority expressly permits that issue or offer; and
 - (d) no amount may be paid (whether by way of profits, income or otherwise) in respect of the section 21M(2) equity interests or section 21M(3) equity interests that are subject to the direction, unless the Authority expressly authorises such payment.
- (3) Subsection (2)(d) does not apply in the event of the winding up, dissolution, termination or deregistration of the designated entity.

[Act 20 of 2024 wef 01/04/2025]

Remedial directions relating to section 21H

21O.—(1) Subsection (2) applies where —

- (a) an individual has been appointed or removed in contravention of section 21H(1) or (2), or a person has been appointed a manager of or becomes a partner in a designated entity in contravention of section 21H(3) or (4);
- (b) any condition of approval imposed under section 21H(5) has not been complied with;
- (c) any of the following persons has provided false or misleading information or documents to the Authority in connection with an application for approval under section 21H(1), (2), (3) or (4):
 - (i) a designated entity;
 - (ii) the trustee-manager of a designated entity;
 - (iii) the person mentioned in section 21H(4); or
- (d) the Authority would not have granted its approval under section 21H(1), (2), (3) or (4) had it been aware, at the time of approval, of circumstances relevant to a person's application for such approval.

(2) The Authority may issue a direction to the designated entity or trustee-manager in question (as the case may be) to do as follows (whichever is applicable):

- (a) remove the individual as the chief executive officer, the chairperson of the board of directors or a director of the designated entity or trustee-manager, as the case may be;
- (b) reinstate the individual as the chief executive officer, the chairperson of the board of directors or a director of the designated entity or trustee-manager, as the case may be;
- (c) remove the person as a manager of or partner in the designated entity.

(3) A direction issued under this section (including a direction varied under section 21Q(2)) has effect despite the provisions of any other written law or anything contained in the memorandum or articles of association, limited liability partnership agreement, partnership contract, trust deed or other constitution, of the designated entity or trustee-manager in question.

(4) Nothing in subsection (2) is to be taken as depriving a person who is removed under that subsection of compensation or damages payable to that person in respect of the termination of his or her appointment as the chief executive officer, the chairperson of the board of directors or a director, or the person's removal as a manager or partner.

[Act 20 of 2024 wef 01/04/2025]

Remedial directions relating to section 21I

21P.—(1) Subsection (2) applies where —

- (a) a person has contravened section 21I(1); or
- (b) where the Authority has granted its approval under section 21I(1) —
 - (i) any condition of approval imposed under section 21I(4) has not been complied with;
 - (ii) either of the joint applicants mentioned in section 21I(1)(a) or (b) has provided false or misleading information or documents to the

Authority in connection with the person's application for approval under section 21I(1); or

- (iii) the Authority would not have granted its approval under section 21I(1) had it been aware, at the time of approval, of circumstances relevant to the application for such approval.

(2) The Authority may —

- (a) direct the person who has acquired as a going concern the business or part of the business mentioned in section 21I(1) to transfer or dispose of all or any part of the business within such time and subject to such conditions as the Authority considers appropriate;
- (b) prohibit or restrict the transfer or disposal of all or any part of the business; or
- (c) issue any other direction that the Authority considers appropriate.

(3) A direction issued under this section (including a direction varied under section 21Q(2)) has effect despite the provisions of any other written law or anything contained in the memorandum or articles of association, limited liability partnership agreement, partnership contract, trust deed or other constitution, of the designated operating entity in question.

[Act 20 of 2024 wef 01/04/2025]

Other provisions relating to remedial directions

21Q.—(1) Before issuing any direction to a person under section 21M, 21O or 21P, the Authority must —

- (a) unless the Authority decides that it is not practicable or desirable to do so, give the person written notice of the Authority's intention to issue the direction and specify a date by which the person may make written representations with regard to the direction; and
- (b) consider every written representation from the person received on or before the specified date mentioned in paragraph (a).

(2) The Authority may, at any time, revoke, vary or discharge, or suspend the operation of, any direction given by it under section 21M, 21O or 21P.

(3) Any person who fails to comply with a direction issued by the Authority under section 21M, 21O or 21P (including a direction that is varied under subsection (2)) within the period specified by the Authority shall be guilty of an offence.

[Act 20 of 2024 wef 01/04/2025]

Division 4 — Penalties

Penalties under this Part

21R. A person guilty of an offence under this Part shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 6 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$5,000 for every day or part of a day during which the offence continues after conviction.

[Act 20 of 2024 wef 01/04/2025]

PART 4

SAFETY OF RAILWAY

Appointment of inspector

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

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

- (a) for the purpose of ensuring the safety of any railway or any part thereof; or
- (b) when an inspector is directed to do so pursuant to such regulations, for the purpose of investigating an accident on any part of any railway,

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

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

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

General powers of inspector

23.—(1) An inspector may —

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

(2) Subsection (1) applies to —

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

(3) Any person who —

- (a) without lawful excuse, fails to comply with a requirement under subsection (1)(c);
- (b) knowingly furnishes to an inspector or a person authorised under section 22(3) acting under subsection (1)(c) information that is false or misleading in a material particular; or
- (c) obstructs an inspector or a person authorised under section 22(3) in the exercise of his or her powers under subsection (1),

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

Screening, etc., train passengers or entrants to railway premises

23A.—(1) It is a condition of entry to any train or railway premises that a train passenger of the train or an entrant to those premises must, if asked by a police officer or an approved person anywhere in or in the immediate vicinity of the train or railway premises, do one or more of the following for the purpose of ensuring the security or safety of persons who are or may be on board the train or on the railway premises:

- (a) undergo any form of security screening mentioned in subsection (2);
- (b) undergo a frisk search;

- (c) permit an inspection to be made of the personal property of the train passenger or entrant;
- (d) permit a search through any bag, container or other receptacle or any garments removed in accordance with subsection (2).

[12/2021]

(2) To ensure the security or safety of persons who are or may be on board a train or on any railway premises, a police officer or an approved person may ask a train passenger of the train or an entrant to the railway premises to do one or more of the following:

- (a) walk through a screening detector;
- (b) pass the personal property of the train passenger or entrant through an X-ray machine;
- (c) allow the police officer or approved person to pass a hand-held scanner in close proximity to the personal property of the train passenger or entrant;
- (d) allow the police officer or approved person to inspect the personal property of the train passenger or entrant;
- (e) produce or empty the contents of any bag, container or other receptacle in the possession or apparently in the immediate control of the train passenger or entrant;
- (f) turn out the train passenger's or entrant's pockets or remove all articles from the train passenger's or entrant's clothing, and allow the police officer or approved person to inspect them;
- (g) remove any coat, jacket, gloves, shoes or hat or any other thing worn or carried by the train passenger or entrant, which may be conveniently removed if worn and that is specified by the police officer or approved person, and allow the police officer or approved person to inspect the coat, jacket, gloves, shoes or hat or other thing;
- (h) open an article for inspection and allow the police officer or approved person to inspect it.

[12/2021]

(3) To ensure the security or safety of persons who are or may be on board a train or on any railway premises, a police officer or a senior approved person may also ask a train passenger of the train or an entrant to the railway premises to do one or more of the following:

- (a) undergo a frisk search;
- (b) allow the police officer or senior approved person to pass a hand-held scanner in close proximity to the train passenger or entrant.

[12/2021]

(4) To avoid doubt, a police officer or an approved person may make a request to a train passenger of a train or an entrant to a railway premises to do anything under subsection (2)(d), (e), (f), (g) or (h) if the police officer or approved person (as the case may be) reasonably considers it necessary to make such a request under that provision, whether or not the train passenger or entrant or the personal property of the train passenger or entrant has been subjected to screening or a frisk search under subsection (2)(a), (b) or (c) or (3).

[12/2021]

(5) Without limiting subsection (6), where any train passenger of a train or entrant to any railway premises refuses —

- (a) to permit to be screened or inspected under subsection (2) or (3) by a police officer or an approved person —
 - (i) the personal property of the train passenger or entrant; or
 - (ii) any bag, container or other receptacle in the possession or apparently in the immediate control of the train passenger or entrant;
- (b) to allow a police officer or an approved person under subsection (2) or (3) to pass a hand-held scanner in close proximity to the train passenger or entrant or personal property of the train passenger or entrant; or
- (c) to undergo a frisk search under subsection (3) by a police officer or a senior approved person,

the police officer or approved person (as the case may be) may order the train passenger or entrant (as the case may be) to immediately

leave the train or railway premises and with that personal property, bag, container or receptacle, as the case may be.

[12/2021]

(6) An individual commits an offence if the individual, without reasonable excuse, refuses or fails to comply with any request or order of a police officer or an approved person under subsection (2), (3) or (5).

[12/2021]

(7) An individual who is guilty of an offence under subsection (6) shall be liable on conviction to a fine not exceeding \$1,000.

[12/2021]

(8) However, it is not an offence under subsection (6) for any individual to refuse to comply with any request or order made or given by —

- (a) a police officer who is not in uniform and who fails to declare his or her office; or
- (b) an approved person who fails to declare his or her office and, in the case of an outsourced enforcement officer, who also refuses to produce his or her identification card on demand being made by that individual.

[12/2021]

(9) In this section —

“approved person”, in relation to any train or railway premises, means any of the following individuals who is authorised by the Authority in writing to exercise any power under this section at or in relation to the train or those railway premises:

- (a) an officer or employee of the Authority;
- (b) a member of an auxiliary police force in uniform;
- (c) an employee of a licensee authorised to operate a rapid transit system using that train or railway premises;
- (d) a security officer (within the meaning of the Private Security Industry Act 2007) engaged by a licensee mentioned in paragraph (c);
- (e) an outsourced enforcement officer;

“entrant”, in relation to any railway premises, means an individual who is about to enter the railway premises, and includes an individual who is within the railway premises, whether or not a train passenger;

“frisk search” means a search of an individual conducted by quickly running the hands over the individual’s outer clothing;

“hand-held scanner” means a device that may be passed over or around an individual or an individual’s personal property to detect metal, dangerous objects or explosive or other hazardous substances;

“identification card”, in relation to an outsourced enforcement officer, means an identification card issued under section 11(3) of the Land Transport Authority of Singapore Act 1995 to the officer;

“inspecting an article” includes handling the article, opening it and examining or moving its contents;

“personal property”, in relation to an individual, means things carried by the individual or things apparently in the immediate control of the individual, but does not include clothing being worn by the individual;

“railway premises” includes a bicycle parking facility or vehicle set down facility adjoining the railway premises;

“senior approved person”, in relation to any train or railway premises, means an approved person who is authorised by the Authority in writing to exercise any power under this section at or in relation to the train or railway premises concerned, as follows:

- (a) a member of an auxiliary police force in uniform;
- (b) a security officer (within the meaning of the Private Security Industry Act 2007) engaged by a licensee authorised to operate a rapid transit system using that train or railway premises;
- (c) an outsourced enforcement officer;

“train passenger”, in relation to any train, means an individual carried on board the train, and includes —

- (a) an individual boarding or intending to board the train for the purpose of travelling on board the train as a passenger; and
- (b) a driver, fare collector or an inspector while carrying out work or on duty on board the train in that capacity, or intending to board the train for the purpose of carrying out that work or duty.

[12/2021]

Obstructing railway premises, etc.

23B.—(1) Subject to subsection (2), a person must not cause or allow any small vehicle, article or thing to remain on —

- (a) any part of the railway premises; or
- (b) any part of a bicycle parking facility or vehicle set down facility adjoining the railway premises,

so as to create any obstruction or inconvenience to the passage of the public to, from or within the railway premises.

[38/2018]

(2) Subsection (1) does not apply if the obstruction or inconvenience is authorised or permitted by or under this Act or any other Act, or arises out of a lawful and reasonable use of the railway premises, bicycle parking facility or vehicle set down facility, as the case may be.

[38/2018]

(3) Where an approved person finds on any part of any railway premises or a bicycle parking facility or vehicle set down facility adjoining the railway premises, any small vehicle, article or thing which has been abandoned, or deposited or left to remain there in contravention of subsection (1), the approved person may move the small vehicle, article or thing, or cause it to be so removed, so that it is no longer an obstruction or inconvenience to other persons on the railway premises.

[38/2018]

(4) Subject to subsection (5), an approved person must not exercise a power under subsection (3) unless the approved person has taken reasonable steps to inform the owner of the small vehicle, article or thing (if known) of the approved person's intention to exercise that power, and allowed or directed the owner to move the small vehicle, article or thing.

[38/2018]

(5) An approved person may immediately exercise a power under subsection (3) and move a small vehicle, article or thing, or cause it to be so removed, where the small vehicle, article or thing which has been abandoned, or deposited or left to remain in contravention of subsection (1), is causing obstruction or inconvenience to other persons on the railway premises.

[38/2018]

(6) For the purpose of exercising a power under subsection (3), an approved person may, with any assistance that the approved person considers necessary —

- (a) move the small vehicle, article or thing by any reasonable means (including by towing it) to a holding yard and detain it there at the risk of its owner; and
- (b) use reasonable force, including cutting or breaking open any lock, seal, fastener or other device on or connected to the small vehicle, article or thing, as the case may be.

[38/2018]

(7) A person must remove any small vehicle, article or thing where directed to do so by an approved person under subsection (4).

[38/2018]

(8) When a small vehicle, article or thing is moved to a holding yard under this section by an approved person, the approved person must as soon as practicable give to the owner of the small vehicle, article or thing (if known) notice of —

- (a) the move;
- (b) the manner by which and the time within which the owner may procure the release of the small vehicle, article or thing, which includes paying to the Authority all expenses incurred by the Authority, the licensee concerned or an

approved person in moving and detaining the small vehicle, article or thing; and

- (c) the consequences that may follow under subsection (10) if the small vehicle, article or thing is not claimed within the time specified in the notice.

[38/2018]

(9) Without limiting section 37, a notice required under subsection (8) to be given to the owner of a small vehicle, article or thing may be given —

- (a) by affixing it to the small vehicle, article or thing in respect of which it applies; or
- (b) by posting it conspicuously at or near the part of the railway premises or a bicycle parking facility or vehicle set down facility adjoining the railway premises from which the small vehicle, article or thing was removed, if the name and address of the owner of the small vehicle, article or thing are unknown or cannot be ascertained despite reasonable diligence.

[38/2018]

(10) If the small vehicle, article or thing is not claimed by its owner within the reasonable time specified in the notice mentioned in subsection (8), the Authority may dispose of the small vehicle, article or thing in any manner that the Authority thinks fit (including selling it).

[38/2018]

(11) A person —

- (a) who contravenes subsection (1) or (7); or
- (b) who, without the authority of an approved person, removes or tampers with any notice required under subsection (8) that has been —
 - (i) affixed to any small vehicle, article or thing under subsection (9)(a); or
 - (ii) posted at any part of, or at or near the part of, the railway premises or a bicycle parking facility or

vehicle set down facility adjoining the railway premises under subsection (9)(b),

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

[38/2018]

(12) In this section —

“approved person”, in relation to any railway premises, means any of the following individuals who is authorised by the Authority in writing to exercise any power under this section at or in relation to those railway premises:

- (a) an officer or employee of the Authority;
- (b) an employee of a licensee;
- (c) an outsourced enforcement officer;

“small vehicle” means a bicycle, power-assisted bicycle, personal mobility device, mobility scooter or wheelchair.

[38/2018]

Minister may order defects to be remedied

24.—(1) Where in the Minister’s opinion —

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

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

(2) An order under subsection (1) may specify the time before which the Authority or licensee or both (as the case may be) must

commence to carry out the specified work or take the specified steps and the time by which the same must be completed.

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

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

- (a) is to be admitted in evidence in proceedings for an offence under subsection (3) on its production without further proof; and
- (b) is evidence of the Minister's opinion and of the other matters contained therein.

Offence of wilfully endangering safety

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

Damage to railway or railway premises

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

Compensation for damaging railway or railway premises

27.—(1) Any person who removes, destroys or damages, whether wilfully or otherwise, any railway or railway premises or any part thereof shall, in addition to any penalty for which the person is liable

for an offence under this Act, be liable to pay compensation for the damage the person has done and the compensation shall be recoverable by civil action or suit before any court of competent jurisdiction.

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

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

PART 4A

SPECIAL ADMINISTRATION ORDERS AND SCHEMES OF TRANSFERS, ETC., FOR LICENSEES AND DESIGNATED OPERATING ENTITIES

[Act 20 of 2024 wef 01/04/2025]

Interpretation of this Part

27A.—(1) In this Part —

“designated operating entity” excludes an entity that is also a licensee;

“limited liability partnership” has the meaning given by section 2(1) of the Limited Liability Partnerships Act 2005;

“relevant entity” means a licensee or a designated operating entity;

“unitholder” has the meaning given by section 2 of the Business Trusts Act 2004;

“unregistered company” has the meaning given by section 245(1) of the Insolvency, Restructuring and Dissolution Act 2018.

(2) In this Part —

- (a) a reference to the affairs, business, undertaking, operations or activities of a relevant entity that is a business trust is to the affairs, business, undertaking, operations or activities (as the case may be) carried on by the trustee-manager of the business trust on behalf of the business trust; and
- (b) a reference to the obligations of a relevant entity that is a business trust is to the obligations undertaken by the trustee-manager of the business trust on behalf of the business trust.

[Act 20 of 2024 wef 01/04/2025]

Meaning and purposes of special administration order

27B.—(1) A special administration order is an order of the Minister made in relation to a relevant entity in accordance with section 27C, directing that during the period the order is in force, the affairs, business and property of that entity are to be managed by a person appointed by the Minister which may be the Authority (called in this Part an appointed person) —

- (a) for securing one or more of the purposes specified in subsection (2); and
- (b) in a manner that protects the interests of the shareholders, unitholders or beneficiaries (as the case may be), and the customers and creditors, of the entity.

(2) For the purposes of subsection (1)(a), the purposes are as follows:

- (a) in the case of a relevant entity that is a licensee — the safety, security and continuity of the provision of railway passenger services and facilities relating to the rapid transit system specified in its licence;
- (b) in the case of a relevant entity that is a designated operating entity — the security and reliability of the business, undertaking or activities of the relevant entity in Singapore relating to the provision of any essential transport service;

- (c) the survival of the relevant entity or the whole or any part of the business or undertaking of the relevant entity, as a going concern;
- (d) the transfer to another person, or (as respects different parts of its business or undertaking) to 2 or more different persons, as a going concern, of so much of the business or undertaking of the relevant entity as is necessary to ensure that the following may be properly carried out:
 - (i) in the case of a relevant entity that is a licensee — the obligations of the entity in relation to its business, undertaking or activities of providing railway passenger services and facilities relating to the rapid transit system specified in its licence;
 - (ii) in the case of a relevant entity that is a designated operating entity — the obligations of the entity in relation to its business, undertaking or activities of providing any essential transport service; and
- (e) the carrying out of the obligations of the relevant entity mentioned in paragraph (d)(i) or (ii) (whichever is applicable) pending the transfer, as a going concern, of the entity's business or undertaking mentioned in paragraph (d)(i) or (ii) (as the case may be) to any other person or persons.

[Act 20 of 2024 wef 01/04/2025]

Power to make special administration order and other orders

27C.—(1) If, on an application made to the Minister by the Authority, the Minister is satisfied that any one or more of the grounds specified in subsection (2) are satisfied in relation to a relevant entity, the Minister may make any one or more of the following orders:

- (a) a special administration order in relation to the relevant entity;
- (b) an order requiring —
 - (i) the relevant entity; or

- (ii) in the case of a relevant entity that is a business trust — the trustee-manager of the business trust,
to immediately take any action or to do or not do any act or thing where the Minister considers that the action or the doing or not doing of the act or thing is necessary for —
 - (iii) in the case of a relevant entity that is a licensee — the business, undertaking or activities of the entity of providing railway passenger services and facilities relating to the rapid transit system specified in its licence; or
 - (iv) in the case of a relevant entity that is a designated operating entity — the business, undertaking or activities of the entity of providing any essential transport service by the entity;
 - (c) an order appointing a person (called in this Part an advisor) to advise —
 - (i) the relevant entity; or
 - (ii) in the case of a relevant entity that is a business trust — the trustee-manager of the business trust,
in the proper conduct of the business, undertaking or activities of the relevant entity mentioned in paragraph (b)(iii) or (iv), whichever is applicable.
- (2) For the purposes of subsection (1), the grounds are the following:
- (a) in the case of a relevant entity that is a licensee —
 - (i) there has been, is or is likely to be a contravention by the licensee of the conditions of its licence or this Act that is serious enough to make it inappropriate for the licensee to continue to hold its licence to operate the rapid transit system specified in its licence; or
 - (ii) the Minister considers it to be in the interest of the safety, security and continuity of the provision of railway passenger services relating to the rapid transit system that the entity is licensed to operate;

- (b) the relevant entity is or is likely to be unable to pay its debts;
- (c) the Minister considers it to be in the interest of the security and reliability of the carrying on of the business, undertaking or activities of the relevant entity;
- (d) the Minister considers it to be in the public interest.

(3) No special administration order may be made under this Part in relation to a relevant entity that is a designated operating entity before its effective designation date.

(4) Notice of any order under subsection (1) must be given immediately by the Minister to such persons and in such manner as may be determined by the Minister.

(5) The Minister may make a special administration order in relation to a relevant entity despite the commencement of (as applicable) —

- (a) any proceedings relating to the making of an order under section 210 of the Companies Act 1967 or section 71 of the Insolvency, Restructuring and Dissolution Act 2018 in relation to the relevant entity, being a corporation;
- (b) any proceedings relating to the making of a judicial management order under Part 7 of the Insolvency, Restructuring and Dissolution Act 2018 in relation to the relevant entity, being a corporation;
- (c) any meeting convened under section 94(7) of the Insolvency, Restructuring and Dissolution Act 2018 in respect of the relevant entity, being a corporation;
- (d) any proceedings under the Insolvency, Restructuring and Dissolution Act 2018 relating to the winding up of the affairs of the relevant entity, being a company or an unregistered company;
- (e) any proceedings under the Limited Liability Partnerships Act 2005 relating to the winding up of the affairs of the relevant entity, being a limited liability partnership; or

- (f) any proceedings before any court for the dissolution, winding up or termination (as the case may be) of the relevant entity, being an entity not mentioned in paragraph (d) or (e).

(6) For the purposes of this section, a relevant entity is unable to pay its debts if —

- (a) a creditor (by assignment or otherwise) to whom the entity is indebted in a sum exceeding the sum mentioned in section 125(2)(a) of the Insolvency, Restructuring and Dissolution Act 2018 then due has served on the entity, by leaving at the registered office of the entity, a written demand by the creditor or the creditor's lawfully authorised agent requiring the entity to pay the sum so due, and the entity has for 3 weeks after the service of the demand neglected to pay the sum, or to secure or compound for it to the reasonable satisfaction of the creditor;
- (b) an enforcement order or other process issued to enforce a judgment, decree or order of any court in favour of a creditor of the entity is returned unsatisfied in whole or in part; or
- (c) it is proved to the satisfaction of the General Division of the High Court that the entity is unable to pay its debts.

[Act 20 of 2024 wef 01/04/2025]

Ancillary directions, etc., when special administration order, etc., is made

27D.—(1) A special administration order under this Part may specify that —

- (a) the appointed person has such functions and powers in relation to the operations of the relevant entity as are specified in the order;
- (b) the relevant entity or, if the relevant entity is a business trust, its trustee-manager, is to stop providing a specified service or facility from a specified date; and

- (c) the appointed person must have access to, and take control of, the property (including intellectual property), licences and employees used or required by the relevant entity or, if the relevant entity is a business trust, its trustee-manager, for the purposes of carrying on the operations of the relevant entity as are specified in the order.

(2) A special administration order under this Part may also contain ancillary directions that may —

- (a) direct how the costs of the operations specified in the order and revenue generated from those operations, are to be dealt with;
- (b) fix the remuneration and expenses to be paid by the relevant entity or trustee-manager to the appointed person;
- (c) specify the period for which the order under this section applies; and
- (d) specify any other conditions that may apply.

(3) An order under section 27C(1)(c) may also contain an ancillary direction that fixes the remuneration and expenses to be paid by the designated operating entity or trustee-manager to the advisor.

[Act 20 of 2024 wef 01/04/2025]

Effect of special administration order and other orders

27E.—(1) Any decision of the Minister under section 27C(1) is final.

(2) A special administration order operates to the exclusion of rights that are inconsistent with the order.

(3) Nothing in Part 3 or 3A applies to prohibit or invalidate any special administration order or other order made under this Part or any transaction entered into to give effect to such an order.

[Act 20 of 2024 wef 01/04/2025]

Duties of relevant entity or trustee-manager, etc.

27F.—(1) The relevant entity that is the subject of a special administration order under this Part or, in the case of such a relevant entity that is a business trust, its trustee-manager —

- (a) must facilitate the handover of the operations to the appointed person as specified in the order;
- (b) must not obstruct the appointed person's access to property or the exercise by the appointed person of the appointed person's responsibilities under or pursuant to the special administration order; and
- (c) must comply with reasonable directions given by the appointed person in the exercise of the appointed person's responsibilities under or pursuant to the special administration order.

(2) The relevant entity or trustee-manager which fails to comply with subsection (1) or an order under section 27C(1)(b) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

[Act 20 of 2024 wef 01/04/2025]

Scheme for transfer of property, rights and liabilities from existing licensee to new licensee

27G. Without limiting sections 27B, 27C and 27D, where a special administration order is made in relation to a relevant entity that is a licensee (called the existing licensee) and it is proposed that, on or after a date appointed in the order, another entity (which may or may not be the appointed person) that is a company (called the new licensee) should operate the rapid transit system that the existing licensee is authorised to operate, in place of the existing licensee —

- (a) the existing licensee, acting with the consent of the new licensee and of any other licensees (in respect of matters affecting them), may make a scheme, in accordance with any prescribed requirements, for the transfer of property, rights and liabilities from the existing licensee to the new licensee;
- (b) any such scheme does not take effect unless it is approved by the Authority;
- (c) the Authority may, with the consent of the new licensee, of the existing licensee and, in respect of matters affecting

them, of any other licensees, modify any such scheme before approving it;

- (d) it is the duty of the new licensee, the existing licensee and any other licensees to provide the Authority with all such information and other assistance as the Authority may reasonably require for the purposes of, or in connection with, the exercise of any power conferred under this section;
- (e) the property, rights and liabilities of the existing licensee that are capable of being transferred in accordance with any such scheme include —
 - (i) property, rights and liabilities that would not otherwise be capable of being transferred or assigned by the existing licensee;
 - (ii) such property, rights and liabilities to which the existing licensee may become entitled or subject after the making of the scheme and before the day the special administration order is discharged;
 - (iii) property situated anywhere in Singapore or elsewhere; and
 - (iv) rights and liabilities under the law of Singapore or of any country or territory outside Singapore;
- (f) any such scheme for the transfer of the existing licensee's property, rights and liabilities may, where appropriate —
 - (i) create for the existing licensee, the new licensee or any other licensees an interest in or right over any property to which the scheme relates;
 - (ii) create new rights and liabilities as between any 2 or more of those licensees; and
 - (iii) provide for a licence held by an existing licensee to have effect as if it had been granted to the new licensee; and
- (g) any such scheme for the transfer of the existing licensee's property, rights and liabilities has, upon its coming into

force, effect in accordance with its provisions and without further assurance, so as to transfer the property, rights and liabilities to which the scheme relates to the new licensee.

[Act 20 of 2024 wef 01/04/2025]

Transfer of property, etc., under special administration order

27H.—(1) Without limiting sections 27B, 27C and 27D, a special administration order in relation to a relevant entity that is not a licensee may provide for the following matters:

- (a) the transfer to one or more prescribed transferees (which may or may not be the appointed person) of the following (whichever is applicable):
 - (i) the property, rights and liabilities of the relevant entity; or
 - (ii) in the case of a relevant entity that is a business trust — the property of the business trust, and the rights held and the liabilities incurred by the trustee-manager of the business trust in its capacity as trustee-manager of the business trust;
- (b) matters that are consequential or related to any such transfer.

(2) If the Minister makes a special administration order providing for any matter mentioned in subsection (1), the Minister must, by notification in the *Gazette*, establish a scheme within the following period for determining the amount of any compensation payable by the prescribed transferee to the relevant entity or the trustee-manager or unitholders of the business trust (as the case may be) for the transfer of the property, rights and liabilities:

- (a) 6 months after the date of the making of the special administration order;
- (b) any longer period after the date of the making of the special administration order, as agreed between the prescribed transferee and the relevant entity or trustee-manager.

- (3) A scheme established under subsection (2) may provide for —
- (a) the manner in which any compensation or consideration is to be assessed, including methods of calculation, valuation dates and matters to be taken into account or disregarded when making valuations;
 - (b) the assessment to be made by an independent valuer appointed by the Minister; and
 - (c) the remuneration and expenses of the independent valuer.
- (4) In this section, “prescribed transferee” means the Authority or a person nominated by the Minister.

[Act 20 of 2024 wef 01/04/2025]

Regulations for this Part

27I. The Minister may make regulations under section 45 for giving effect to this Part, including —

- (a) regulations for prescribing any requirements of any scheme for a transfer for the purposes of section 27G;
- (b) regulations providing any supplemental, consequential and transitional provisions for the purposes of, or in connection with, a scheme for a transfer mentioned in section 27G;
- (c) regulations governing the transfer of property, rights and liabilities of or in relation to a relevant entity mentioned in section 27H(1)(a) and matters consequential or related to such transfer; and
- (d) if a special administration order is made, regulations for applying, omitting or modifying the provisions of Parts 7 and 9 of the Insolvency, Restructuring and Dissolution Act 2018.

[Act 20 of 2024 wef 01/04/2025]

PART 5
APPEALS

Appeal to Minister

28.—(1) Any licensee aggrieved by any of the following matters may appeal to the Minister:

- (a) any condition imposed by the Authority under section 15(1)(f) or (g) or (2);
- (b) any addition, deletion or modification of the terms or conditions of its licence under section 16;
- (c) any code of practice as issued, approved or modified by the Authority under section 17;
- (d) any direction given by the Authority under section 18 or 18A;
- (e) any decision made by the Authority under section 19(1)(i), (j) or (k);
- (f) any confirmed provisional order under section 19A;
- (g) the refusal of the Authority to renew its licence.

(2) Any person who is aggrieved by any of the following decisions of the Authority may appeal to the Minister against the decision:

- (a) any decision to designate an entity under section 21E;
- (b) any refusal to grant an approval required under section 21G, 21H or 21I;
- (c) any decision to impose, add to or vary any condition under section 21G, 21H or 21I;
- (d) any decision to issue a direction under section 21M, 21O or 21P or to vary a direction under section 21Q(2).

(3) An appeal under this section must be in writing and specify the grounds on which it is made, and be made within the prescribed period after the date of receipt of the notice relating to the matter or decision to which the appeal relates.

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

(5) After consideration of an appeal, 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 including, in the case of an appeal by a licensee under subsection (1), by amending any licence condition, code of practice or direction affecting the licensee.

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

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

[Act 20 of 2024 wef 01/04/2025]

Effect of pending appeal to Minister

29.—(1) Except as provided in subsection (2) or section 16(5) or unless the Minister otherwise directs —

- (a) an appeal under section 28 against the Authority's decision does not affect the operation of any licence term or condition, code of practice, direction, decision or confirmed provisional order being appealed against or prevent the taking of action to implement the licence term or condition, code of practice, direction, decision or confirmed provisional order; and
- (b) the licence term or condition, code of practice, direction, decision or confirmed provisional order appealed against must be complied with by the appellant until the determination of the appeal.

(2) If any appeal under section 28(1) is made in relation to a notice under section 19(1)(k) requiring the payment of a financial penalty and the financial penalty would have been payable before the time when the appeal is determined, it need not be paid until that time.

[Act 20 of 2024 wef 01/04/2025]

Designation of others to hear appeals

30. The Minister may designate any Minister of State, Senior Minister of State, Parliamentary Secretary or Senior Parliamentary Secretary for his or her Ministry, to hear and determine, in the Minister's place, any appeals or a specific appeal under section 28; and any reference in that section to the Minister includes a reference to the Minister of State, Senior Minister of State, Parliamentary Secretary or Senior Parliamentary Secretary so designated for that appeal.

[Act 20 of 2024 wef 01/04/2025]

31. to 35. *[Omitted as spent]*

PART 6**MISCELLANEOUS****No remedy except under Land Transport Authority of Singapore Act 1995**

36. No action, claim or proceedings shall lie or be brought against the Authority or any other person —

- (a) to restrain the doing of anything which is authorised by or under this Act or to compel the doing of anything which may be omitted to be done thereunder; or
- (b) to recover damages, compensation or costs for —
 - (i) damage or disturbance to or loss of or in the value of any land, chattel, trade or business;
 - (ii) personal disturbance or inconvenience;
 - (iii) extinguishment, modification or restriction of rights; or
 - (iv) effecting or complying with any requirement or condition imposed by the Authority,

which is authorised by or under this Act or arises from any act or omission so authorised, except pursuant to one of the rights to compensation provided for in the Land Transport Authority of Singapore Act 1995.

Advisory guidelines

36A.—(1) The Authority may make guidelines with a view to providing guidance or certainty in respect of any one or more of the provisions in this Act.

(2) Advisory guidelines, for example, may be made about —

- (a) what amounts to a material function of a designated operating entity for the purposes of section 21J(1)(a); or
- (b) the relevant principles to consider in determining what amounts to a material impediment to or impairment of the operations of a designated operating entity for the purposes of section 21J(3)(a).

(3) The Authority may make different advisory guidelines under subsection (1) in respect of different persons or entities or different classes of persons or entities.

(4) The Authority must —

- (a) give a copy of each advisory guideline it makes to the Minister; and
- (b) publish each advisory guideline (in any way that the Authority thinks fit), send each advisory guideline to each person or entity to whom the guideline applies (by any mode the Authority thinks fit), or both.

(5) Despite subsection (4)(b), the Authority must publish each advisory guideline (in any way that the Authority thinks fit) if the advisory guideline has any effect on the rights of any person or entity other than the person or entity to which the advisory guideline applies.

(6) The failure to comply with subsection (4) or (5) in respect of any advisory guidelines does not invalidate the advisory guidelines.

[Act 20 of 2024 wef 01/04/2025]

Service of documents

37.—(1) A document that is permitted or required by or under this Act, or any regulations made under this Act, to be served on a person may be served as described in this section.

[38/2018]

(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 address 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;
- (f) by sending it by email to the individual's email address;
- (g) by giving an electronic notice to the individual by the individual's chosen means of notification, stating that the document is available and how the individual may use the individual's chosen means of access to access the document's contents; or
- (h) by any other method authorised by regulations made under section 45 for the service of documents of that kind if the individual consents (expressly or impliedly) to service of a document of that kind in that way.

[38/2018]

(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;
- (d) by sending it by email to the partnership's email address;
- (e) by giving an electronic notice to the partnership by the partnership's chosen means of notification, stating that the document is available and how the partnership may use the partnership's chosen means of access to access the document's contents; or
- (f) by any other method authorised by regulations made under section 45 for the service of documents of that kind if the partnership consents (expressly or impliedly) to service of a document of that kind in that way.

[38/2018]

(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;
- (d) by sending it by email to the body corporate's or unincorporated association's email address;
- (e) by giving an electronic notice to the body corporate or unincorporated association by the body corporate's or unincorporated association's chosen means of notification, stating that the document is available and how the body

corporate or unincorporated association (as the case may be) may use its chosen means of access to access the document's contents; or

- (f) by any other method authorised by regulations made under section 45 for the service of documents of that kind if the body corporate or unincorporated association (as the case may be) consents (expressly or impliedly) to service of a document of that kind in that way.

[38/2018]

(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).

[38/2018]

(6) However, service of any document under this Act, or any regulations made under this Act, on a person by email or by an electronic notice at the person's chosen means of notification may be effected only with the person's prior consent (express or implied) to service in that way.

[38/2018]

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

[38/2018]

(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;

“chosen means of access”, for an addressee on whom is or is to be served a document permitted or required by this Act, or any regulations made under this Act, means an electronic means the addressee agrees with the person giving or serving the document as the means by which the addressee may access that document's contents;

“chosen means of notification”, for an addressee on whom is or is to be served a document permitted or required by this Act, or any regulations made under this Act, means an electronic means that the addressee nominates to the person giving or serving the document as the means by which the addressee may be notified that such a document has been served on the addressee;

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

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

[38/2018]

Certain statements to be conclusive

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

Power to require evidence of identity in certain cases

39.—(1) Any police officer or employee of the Authority who reasonably believes that any person has committed an offence under this Act may require the person to furnish evidence of his or her

identity and the person must then furnish such evidence of his or her identity as may be required by the police officer or employee of the Authority.

(2) Any person who refuses to furnish any information required of the person by any police officer or any employee of the Authority under subsection (1) or wilfully misstates that information shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500.

Powers of arrest

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

(2) A person arrested under subsection (1) must not be detained longer than is necessary for bringing the person before a court unless the order of court for the person's continued detention is obtained.

Authorised employees of licensee, etc., to exercise certain powers of Authority's employees

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

[38/2018]

(2) This section does not affect the operation of sections 11 and 11A of the Land Transport Authority of Singapore Act 1995, and the authorisation under those sections of outsourced enforcement officers to exercise all or any of the powers of an employee of the Authority under this Act (but not powers under section 23B).

[38/2018]

Protection from personal liability

41A. No liability shall lie against any member, officer or employee of the Authority or any other person acting under the direction of the

Authority for anything done or intended to be done with reasonable care and in good faith in the execution or purported execution of this Act.

[38/2018]

Jurisdiction of courts

42. Despite the provisions of any written law to the contrary, a District Court or a Magistrate's Court has jurisdiction to try any offence under this Act and award the full punishment for such offence.

Offences by bodies corporate, etc.

43.—(1) Where an offence under this Act committed by a body corporate is proved —

(a) to have been committed with the consent or connivance of an officer of the body corporate; or

(b) to be attributable to any neglect on the officer's part,

the officer as well as the body corporate shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with the member's functions of management as if the member were a director of the body corporate.

(3) Where an offence under this Act committed by a partnership is proved —

(a) to have been committed with the consent or connivance of a partner; or

(b) to be attributable to any neglect on the partner's part,

the partner as well as the partnership shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(4) Where an offence under this Act committed by an unincorporated association (other than a partnership) is proved —

- (a) to have been committed with the consent or connivance of an officer of the unincorporated association or a member of its governing body; or
- (b) to be attributable to any neglect on the part of such an officer or a member,

the officer or member as well as the unincorporated association shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(5) In this section —

“body corporate” includes a limited liability partnership;

“officer” —

- (a) in relation to a body corporate — means any director, partner, member of the committee of management, chief executive, manager, secretary or other similar officer of the body corporate and includes any person purporting to act in any such capacity; or
- (b) 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, or any person holding a position analogous to that of president, secretary or member of such a committee and includes any person purporting to act in any such capacity;

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

(6) The Minister may make regulations to provide for the application of any provision of this section, with any modifications that the Minister considers appropriate, to any body corporate or unincorporated association formed or recognised under the law of a territory outside Singapore.

[Act 20 of 2024 wef 01/04/2025]

Composition of offences

44.—(1) The Chief Executive, or any officer of the Authority who is authorised by the Chief Executive, may compound any offence under this Act which is prescribed as a compoundable offence by

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

- (a) one half of the amount of the maximum fine that is prescribed for the offence;
- (b) \$5,000.

[21/2010]

(2) On payment of the sum of money, no further proceedings are to be taken against that person in respect of the offence.

[21/2010]

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

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

[25/2020]

Power to amend Schedule

44A. The Minister may, by order in the *Gazette*, amend the Schedule.

[Act 20 of 2024 wef 01/04/2025]

Regulations

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

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

- (a) controlling and regulating —
 - (i) the maintenance and operation of any railway;
 - (ii) the work and conduct of the employees of the Authority;
 - (iii) the conduct of members of the public using a railway or on railway premises;
 - (iv) a system for evidencing (whether by the issue of tickets or otherwise) the payment of fares on a

railway and any contract of carriage of passengers thereon;

- (v) advertising on railway premises;
 - (vi) the custody and disposal of property found on railway premises; and
 - (vii) any activity which may damage a railway or railway premises or may endanger the safety of any person travelling on or upon the railway or railway premises;
- (b) providing for the safety of persons using or engaged in work on any railway;
- (c) prescribing the terms and conditions relating to the use of railway premises;
- (d) protecting the property of the Authority on railway premises;
- (da) *[Deleted by Act 20 of 2024 wef 01/04/2025]*
- (e) reporting to the Authority of accidents on any part of a railway operated by a licensee, and investigating into such accidents;

[Act 36 of 2018 wef 01/01/2024]

- (f) prescribing the powers and duties of inspectors appointed for the purposes of Part 4 for the administration and enforcement of that Part; and
- (g) prescribing the fees to be paid in connection with the administration of this Act, and the waiver, reduction or refund of fees charged.

[21/2010; 38/2018]

(3) In subsection (2)(a)(iii), (v), (vi) and (vii), (c) and (d), “railway premises” includes a bicycle parking facility or vehicle set down facility adjoining those railway premises.

[38/2018]

(4) The Authority may, in making any regulations, provide that any contravention of, or failure or neglect to comply with, any regulations shall be an offence and may prescribe the fine with which such

offence shall be punishable but so that no such fine shall exceed for any one offence the sum of \$5,000 and, in the case of a continuing offence, a further sum of \$100 for every day or part of a day during which the offence continues after conviction.

Exemption

45A. The Authority may, with the approval of the Minister, by order in the *Gazette*, exempt any person from all or any of the provisions (or any part of any provision) of this Act.

[21/2010]

[Act 20 of 2024 wef 01/04/2025]

Transitional provisions

46. Any railway set up under the repealed Act is deemed to constitute or form part of a rapid transit system set up under this Act.

[47]

THE SCHEDULE

Sections 2 and 44A

SERVICES FOR PURPOSES OF PARAGRAPH (b) OF DEFINITION OF “ESSENTIAL TRANSPORT SERVICE”

1. Monitoring and management of any rapid transit system.

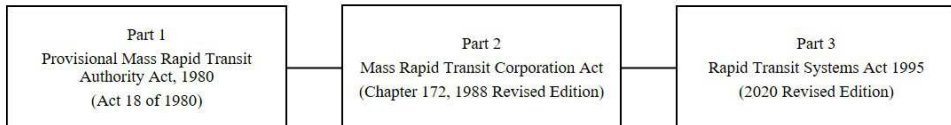
[Act 20 of 2024 wef 01/04/2025]

LEGISLATIVE HISTORY

RAPID TRANSIT SYSTEMS ACT 1995

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

PICTORIAL OVERVIEW OF PREDECESSOR ACTS



LEGISLATIVE HISTORY DETAILS

PART 1

PROVISIONAL MASS RAPID TRANSIT AUTHORITY ACT, 1980 (ACT 18 OF 1980)

1. Act 18 of 1980 — Provisional Mass Rapid Transit Authority Act, 1980

| | | |
|---------------------------|---|---------------|
| Bill | : | 9/1980 |
| First Reading | : | 5 March 1980 |
| Second and Third Readings | : | 25 March 1980 |
| Commencement | : | 25 July 1980 |

PART 2

MASS RAPID TRANSIT CORPORATION ACT (CHAPTER 172, 1988 REVISED EDITION)

2. Act 13 of 1983 — Mass Rapid Transit Corporation Act 1983

| | | |
|---------------------------|---|-----------------|
| Bill | : | 7/1983 |
| First Reading | : | 23 March 1983 |
| Second and Third Readings | : | 30 August 1983 |
| Commencement | : | 14 October 1983 |

3. Act 2 of 1986 — Statute Law Revision Act 1986

(Amendments made by section 2 read with the First Schedule to the above Act)

| | | |
|---------------|---|-----------------|
| Bill | : | 12/1985 |
| First Reading | : | 31 October 1985 |

| | | |
|---------------------------|---|--|
| Second and Third Readings | : | 10 January 1986 |
| Commencement | : | 31 January 1986 (section 2 read with the First Schedule) |

4. Act 7 of 1986 — Mass Rapid Transit Corporation (Amendment) Act 1986

| | | |
|---------------------------|---|-----------------|
| Bill | : | 11/1985 |
| First Reading | : | 31 October 1985 |
| Second and Third Readings | : | 10 January 1986 |
| Commencement | : | 31 January 1986 |

5. 1985 Revised Edition — Mass Rapid Transit Corporation Act (Chapter 172)

| | | |
|-----------|---|---------------|
| Operation | : | 30 March 1987 |
|-----------|---|---------------|

6. Act 17 of 1987 — Mass Rapid Transit Corporation (Amendment) Act 1987

| | | |
|---------------------------|---|----------------|
| Bill | : | 10/1987 |
| First Reading | : | 20 May 1987 |
| Second and Third Readings | : | 28 July 1987 |
| Commencement | : | 14 August 1987 |

7. 1988 Revised Edition — Mass Rapid Transit Corporation Act (Chapter 172)

| | | |
|-----------|---|---------------|
| Operation | : | 30 April 1988 |
|-----------|---|---------------|

8. Act 6 of 1990 — Mass Rapid Transit Corporation (Amendment) Act 1990

| | | |
|---------------------------|---|------------------|
| Bill | : | 4/1990 |
| First Reading | : | 26 February 1990 |
| Second and Third Readings | : | 28 March 1990 |
| Commencement | : | 21 April 1990 |

PART 3
RAPID TRANSIT SYSTEMS ACT 1995
(2020 REVISED EDITION)

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

| | | |
|---------------|---|-------------|
| Bill | : | 25/1995 |
| First Reading | : | 7 July 1995 |

Second and Third Readings : 7 August 1995

Commencement : 1 September 1995

10. 1996 Revised Edition — Rapid Transit Systems Act (Chapter 263A)

Operation : 30 April 1996

11. Act 3 of 1998 — Planning Act 1998

(Amendments made by section 65 read with item (8) of the Second Schedule to the above Act)

Bill : 18/1997

First Reading : 19 November 1997

Second Reading : 14 January 1998

Notice of Amendments : 14 January 1998

Third Reading : 14 January 1998

Commencement : 1 April 1998 (section 65 read with item (8) of the Second Schedule)

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

Bill : 33/2002

First Reading : 1 October 2002

Second and Third Readings : 25 November 2002

Commencement : 13 December 2002

13. 2004 Revised Edition — Rapid Transit Systems Act (Chapter 263A)

Operation : 31 July 2004

14. Act 21 of 2010 — Rapid Transit Systems (Amendment) Act 2010

Bill : 16/2010

First Reading : 19 July 2010

Second and Third Readings : 16 August 2010

Commencement : 13 September 2010

15. Act 9 of 2014 — Rapid Transit Systems (Amendment) Act 2014

Bill : 5/2014

First Reading : 20 January 2014

Second and Third Readings : 17 February 2014

Commencement : 25 March 2014

16. Act 11 of 2015 — State Lands (Amendment) Act 2015

(Amendments made by section 9 of the above Act)

| | | |
|---------------------------|---|------------------------|
| Bill | : | 6/2015 |
| First Reading | : | 12 February 2015 |
| Second and Third Readings | : | 13 March 2015 |
| Commencement | : | 8 May 2015 (section 9) |

17. Act 12 of 2015 — Land Acquisition (Amendment) Act 2015

(Amendments made by section 12 of the above Act)

| | | |
|---------------------------|---|-------------------------|
| Bill | : | 7/2015 |
| First Reading | : | 12 February 2015 |
| Second and Third Readings | : | 13 March 2015 |
| Commencement | : | 8 May 2015 (section 12) |

18. Act 31 of 2015 — Public Transport Council (Amendment) Act 2015

(Amendments made by section 25 of the above Act)

| | | |
|---------------------------|---|---|
| Bill | : | 27/2015 |
| First Reading | : | 13 July 2015 |
| Second and Third Readings | : | 18 August 2015 |
| Commencement | : | 22 January 2016 (section 25(a)) 1 April 2016 (section 25(b)) |

19. Act 38 of 2018 — Land Transport (Enforcement Measures) Act 2018

(Amendments made by Part 5 of the above Act)

| | | |
|---------------------------|---|---|
| Bill | : | 29/2018 |
| First Reading | : | 6 August 2018 |
| Second and Third Readings | : | 10 September 2018 |
| Commencement | : | 2 January 2019 (sections 49, 50, 52, 53, 54) 3 June 2019 (section 51) |

20. Act 40 of 2018 — Insolvency, Restructuring and Dissolution Act 2018

(Amendments made by section 505 of the above Act)

| | | |
|---------------------------|---|----------------------------|
| Bill | : | 32/2018 |
| First Reading | : | 10 September 2018 |
| Second and Third Readings | : | 1 October 2018 |
| Commencement | : | 30 July 2020 (section 505) |

21. Act 21 of 2018 — Cross-Border Railways Act 2018

(Amendments made by section 80 of the above Act)

| | | |
|-------------------------|---|--------------------------------|
| Bill | : | 43/2017 |
| First Reading | : | 3 October 2017 |
| Second Reading | : | 6 November 2017 |
| Select Committee Report | : | Parl. 13 of 2018 |
| Third Reading | : | 19 March 2018 |
| Commencement | : | 14 September 2020 (section 80) |

22. Act 4 of 2021 — Statute Law Reform Act 2021

(Amendments made by section 15(13) of the above Act)

| | | |
|---------------------------|---|-------------------------------|
| Bill | : | 45/2020 |
| First Reading | : | 3 November 2020 |
| Second and Third Readings | : | 5 January 2021 |
| Commencement | : | 1 March 2021 (section 15(13)) |

23. Act 25 of 2020 — Small Motorised Vehicles (Safety) Act 2020

(Amendments made by section 30 of the above Act)

| | | |
|---------------------------|---|---------------------------|
| Bill | : | 21/2020 |
| First Reading | : | 4 May 2020 |
| Second and Third Readings | : | 26 May 2020 |
| Commencement | : | 1 April 2021 (section 30) |

24. Act 12 of 2021 — Road Traffic (Amendment) Act 2021

(Amendments made by section 31 of the above Act)

| | | |
|---------------------------|---|--------------------------------|
| Bill | : | 8/2021 |
| First Reading | : | 5 April 2021 |
| Second and Third Readings | : | 11 May 2021 |
| Commencement | : | 30 September 2021 (section 31) |

25. 2020 Revised Edition — Rapid Transit Systems Act 1995

| | | |
|-----------|---|------------------|
| Operation | : | 31 December 2021 |
|-----------|---|------------------|

26. Act 36 of 2018 — Transport Safety Investigations Act 2018

| | | |
|---------------|---|--------------|
| Bill | : | 28/2018 |
| First Reading | : | 10 July 2018 |

Second and Third Readings : 6 August 2018

Commencement : 1 January 2024

27. Act 20 of 2024 — Transport Sector (Critical Firms) Act 2024

Bill : 16/2024

First Reading : 25 April 2024

Second and Third Readings : 8 May 2024

Commencement : 1 April 2025

Abbreviations

(updated on 29 August 2022)

| | |
|--------------|--|
| G.N. | Gazette Notification |
| G.N. Sp. | Gazette Notification (Special Supplement) |
| L.A. | Legislative Assembly |
| L.N. | Legal Notification (Federal/Malaysian) |
| M. | Malaya/Malaysia (including Federated Malay States, Malayan Union, Federation of Malaya and Federation of Malaysia) |
| Parl. | Parliament |
| S | Subsidiary Legislation |
| S.I. | Statutory Instrument (United Kingdom) |
| S (N.S.) | Subsidiary Legislation (New Series) |
| S.S.G.G. | Straits Settlements Government Gazette |
| S.S.G.G. (E) | Straits Settlements Government Gazette (Extraordinary) |

COMPARATIVE TABLE

RAPID TRANSIT SYSTEMS ACT 1995

This Act has undergone renumbering in the 2020 Revised Edition. This Comparative Table is provided to help readers locate the corresponding provisions in the last Revised Edition.

| 2020 Ed. | 2004 Ed. |
|-----------------------------|---|
| — | 5—(3) [<i>Deleted by Act 12 of 2015</i>] |
| 5—(3) | (4) |
| (4) | (5) |
| (5) | (5A) |
| (6) | (5B) |
| (7) | (6) |
| 19—(2) | 19—(1A) |
| (3) | (2) |
| (4) | (2A) |
| (5) | (2B) |
| (6) | (3) |
| 20—(3) | 20—(2A) |
| (4) | (3) |
| (5) | (4) |
| 44—(2) | 44—(1A) |
| (3) | (2) |
| (4) | (3) |
| 45—(3) | 45—(2A) |
| (4) | (3) |
| — | 46 [<i>Repealed by Act 21 of 2018</i>] |
| 46 | 47—(1) |
| [<i>Omitted as spent</i>] | (2) |
| [<i>Omitted as spent</i>] | (3) |
| [<i>Omitted as spent</i>] | (4) |

| 2020 Ed. | 2004 Ed. |
|-----------------------------|---|
| — | (5) [<i>Deleted by Act 4 of 2021</i>] |
| [<i>Omitted as spent</i>] | (6) |