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POINT-TO-POINT PASSENGER TRANSPORT INDUSTRY ACT 2019 (ACT 20 OF 2019)

POINT-TO-POINT PASSENGER TRANSPORT INDUSTRY REGULATIONS 2020

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In exercise of the powers conferred by section 53 of the Point-to-Point Passenger Transport Industry Act 2019, the Land Transport Authority of Singapore, with the approval of the Minister for Transport, makes the following Regulations:

PART 1

PRELIMINARY

Citation and commencement

1. These Regulations are the Point-to-Point Passenger Transport Industry Regulations 2020 and come into operation on 29 May 2020.

Definition

2. In these Regulations, “licence expiry date”, for a renewed licence, means the date of expiry of the licence if not for its renewal.

PART 2

TERMS ASSOCIATED WITH RIDE-HAIL SERVICE

Declared permissible vehicle as bookable vehicle

3. A motor car registered in the name of an individual, that is used —

- (a) by the individual, a member of the individual’s family, or any other person with the individual’s authority without reward or expectation of reward;
- (b) for the carriage of passengers only either for —
 - (i) social or domestic purposes; or
 - (ii) the individual’s business; and

- (c) without involving the participation of anyone in an instructional driving course for reward or expectation of reward,

is prescribed as permissible for the purposes of paragraph (c) of the definition of “bookable vehicle” in section 4(1) of the Act.

Vehicle pooling arrangement prescribed as “on-demand ride booking service”

4.—(1) A vehicle pooling arrangement that meets the description as follows is prescribed for the purposes of paragraph (c) of the definition of “on-demand ride booking service” in section 4(1) of the Act:

- (a) the vehicle pooling arrangement involves only bookable vehicles described in regulation 3;
- (b) the vehicle pooling arrangement is for the provision of a passenger transport service for a journey or part of a journey that a driver would be undertaking in any event;
- (c) the vehicle pooling arrangement involves directly matching —
- (i) drivers of such bookable vehicles who make available the booking of their vehicles to provide a passenger transport service for a journey or part of a journey mentioned in sub-paragraph (b); with
 - (ii) prospective passengers seeking to book a passenger transport service for a journey or part of a journey mentioned in sub-paragraph (b),

and communicating the booking, or facilitating the prospective passenger to communicate his or her booking, to the driver of such a bookable vehicle to provide that passenger transport service;

- (d) the passenger transport service provided under the vehicle pooling arrangement is not a result of standing or plying for hire on a road by the driver of the vehicle or any other person;

- (e) a payment by a passenger for the passenger transport service is substantially limited to making a contribution to the costs incurred by the driver in making the journey.

Example

A service called “GrabHitch”.

(2) However, paragraph (1) does not include a vehicle pooling arrangement whereby —

- (a) several individuals travel together in a bookable vehicle on a journey on the basis that they will share the transport costs or driving duties or both; or
- (b) several individuals agree to transport one another in each other’s motor car in turns over a fixed period, correspondingly apportioning transport costs, for the purpose of commuting to work or to a regular sporting, recreational or other activity of their common interest.

Service prescribed as “on-demand ride booking service”

5. For the purposes of paragraph (d) of the definition of “on-demand ride booking service” in section 4(1) of the Act, a service provided as follows in the course of business is prescribed an on-demand ride booking service:

- (a) a service that involves matching a prospective passenger, or facilitating a prospective passenger communicating, with a driver who provides a passenger transport service, in order for a booking of that driver to provide a passenger transport service;

Example

A service called “Call the Driver”.

- (b) a service provided through an online location or electronic media application, that involves —

- (i) drivers of bookable vehicles making available the booking of their bookable vehicles to provide a

passenger transport service for a journey offered by the driver;

- (ii) prospective passengers seeking to book a passenger transport service for a journey or part of a journey mentioned in sub-paragraph (i); and
- (iii) communicating the booking by the prospective passenger to the driver to provide that passenger transport service using a bookable vehicle;

Example

A service called “Driver Initiates”.

- (c) a service provided through an online location or electronic media application, that involves —
 - (i) prospective passengers seeking to book a passenger transport service for a journey starting at a location and time fixed by the respective prospective passengers;
 - (ii) drivers of bookable vehicles offering to provide a passenger transport service for a journey starting at the same location and time mentioned in sub-paragraph (i);
 - (iii) collating the supply of drivers of bookable vehicles and the demand by prospective passengers for passenger transport services using bookable vehicles starting at the same location and time mentioned in sub-paragraph (i); and

- (iv) communicating to the adequate number of drivers of bookable vehicles to provide that passenger transport service starting at the same location and time mentioned in sub-paragraph (i) and requiring them to accept the bookings.

Examples

1. A service called “Uber Pin”.
2. A service called “Waiting Limousine”.

Services prescribed as not “on-demand ride booking service”

6. A service provided as follows in the course of business is prescribed, for the purposes of paragraph (d) of the definition of “on-demand ride booking service” in section 4(1) of the Act, as not an on-demand ride booking service:

- (a) a service provided in the course of carrying on business as a travel agent that is incidental to, and not the main part of, that business;
- (b) a hotel concierge service provided in the course of carrying on business as a hotel that is incidental to, and not the main part of, that business;
- (c) a communication or technology service that facilitates or enables the taking or communication of bookings if that service is provided for or in connection with a licensee;
- (d) administrative services, or the provision of safety management systems or regulatory compliance services, for or in connection with a licensee or an exempt ride-hail service operator;

(e) a service of aggregating and publishing online offers and bookings of bookable vehicles and by passengers or prospective passengers or both in respect of on-demand passenger transport services to allow drivers of those vehicles, passengers and prospective passengers to compare and rate offers or bookings, but without matching any of them in connection with the provision of a passenger transport service;

Examples

1. Google Maps.
2. Fully Integrated Commuter Multihoming App.
3. The services called “Price List for Drivers” and “Mystro”.

(f) a service of aggregating particulars and publishing online information about different public passenger transport services so as to allow viewers to compare and rate the provision of such services for planning of journeys within or partly within Singapore, but without any matching any of the viewers with drivers of bookable vehicles offering to provide a passenger transport service.

PART 3

LICENCE APPLICATIONS AND LICENCES

Time to make licence renewal application

7. For the purposes of sections 12(2) and 18(2) of the Act, an application to renew a licence must be made not more than the following period before the licence expiry date for that licence:

- (a) one year, for a street-hail service licence;
- (b) 6 months, for a ride-hail service licence.

Information required for licence application

8.—(1) For the purposes of sections 12(2)(e) and 18(2)(e) of the Act, an application for or to renew a street-hail service licence or a

ride-hail service licence must be accompanied by the following information:

- (a) the name of the applicant and whether the applicant is a sole proprietor, corporation, partnership or limited liability partnership or an unincorporated association;
- (b) in the case where the applicant is a corporation —
 - (i) its place of incorporation and the particulars of that incorporation;
 - (ii) its substantial shareholders and their shareholdings;
 - (iii) its officers;
 - (iv) its principal business;
 - (v) all the corporations in which the applicant has a substantial shareholding, and the holding company of the applicant, if applicable; and
 - (vi) whether it has issued shares which are listed on a securities exchange established in or outside Singapore;
- (c) in the case where the applicant is not a corporation —
 - (i) its place of formation and the particulars of that formation;
 - (ii) its officers; and
 - (iii) its principal business;
- (d) for every individual who is the applicant's officer —
 - (i) the name and residential address of the individual;
 - (ii) the individual's qualifications and experience in matters relevant to providing a street-hail service or ride-hail service that is the subject of the application; and
 - (iii) the individual's suitability (having regard to section 13(3) or 19(3) of the Act) to be involved in the management of providing a street-hail service or ride-hail service that is the subject of the application;

- (e) the person's or individual's relevant knowledge, competency and experience in matters connected with providing such a service;
 - (f) the name, address and contact details of one or more persons in Singapore who is authorised by the applicant to accept on the applicant's behalf (when a licensee) service of notices and other documents under the Act;
 - (g) the name, address and contact details of one or more persons in Singapore who is nominated by the applicant as representative of the applicant (when a licensee);
 - (h) whether the applicant and any person authorised or nominated in sub-paragraph (f) or (g) is granted a licence or had been granted a licence or is or was an officer of another licensee;
 - (i) documents and other evidence of the information mentioned in sub-paragraphs (a), (b), (c), (d), (e) and (h).
- (2) However, the LTA may in any particular case and if satisfied that it is just and equitable waive any requirement in paragraph (1).

Classes of ride-hail service licences

9. The following are the classes of ride-hail service licences:
- (a) a Class 1 ride-hail service licence, which authorises the licensee granted this licence to provide in Singapore an on-demand ride booking service, a vehicle pooling arrangement and any other ride-hail services;
 - (b) a Class 2 ride-hail service licence, which authorises a licensee deemed granted a ride-hail service licence by reason of paragraph 1(2) of the Schedule to the Act, to provide in Singapore an on-demand ride booking service using taxis only;
 - (c) a Class 3 ride-hail service licence, which authorises the licensee granted this licence to provide in Singapore a passenger transport service by bookable vehicles for hire or reward where passengers are transported under a vehicle pooling arrangement prescribed under regulation 4.

PART 4
FEES

Application fee

10. For the purposes of sections 12(2)(b) and 18(2)(b) of the Act, an application fee of \$2,500 must accompany every application as follows:

- (a) an application for or to renew a street-hail service licence;
- (b) an application for or to renew a ride-hail service licence.

Periodic fee for licence, etc.

11.—(1) For the purposes of sections 14(2) and 20(2) of the Act, the period for which a licensee must pay to the LTA a periodic fee is any of the following periods falling within the validity of the licensee's street-hail service licence or ride-hail service licence, as the case may be:

- (a) the period starting the day the licence is granted and ending on (and including) the last day of the licensee's financial year within which the day the period starts falls;
- (b) every subsequent financial year or part of a financial year of the licensee.

(2) For the purposes of sections 14(2) and 20(2) of the Act, the date a licensee must pay to the LTA a periodic fee for a financial year or part of a financial year mentioned in paragraph (1) is —

- (a) where an external auditor has, within 6 months after the last date of the financial year in paragraph (1) or part of a financial year in paragraph (1), audited the licensee's accounts for that financial year or part of a financial year and given the audited accounts to the licensee — any time within one month after the date the audited accounts are so given;
- (b) where the licence is revoked before the end of the financial year — any time within one month after the last date the licence is in force; or

- (c) in any other case — any time within 6 months after the last date of the financial year or part of a financial year, as the case may be.
- (3) The periodic fee payable by a licensee for a financial year mentioned in paragraph (1) is —
- (a) for a licensee granted a street-hail service licence — 0.3% of the licensee's gross revenue accruing in that financial year or part of a financial year from the provision of the street-hail service authorised by that licence; or
 - (b) for a licensee granted a ride-hail service licence — 0.6% of the licensee's gross revenue accruing in that financial year or part of a financial year from the provision of the ride-hail service authorised by that licence.
- (4) However, where only part of a financial year falls within the validity of the licensee's street-hail service licence or ride-hail service licence, the periodic fee payable for that part of a financial year is an amount of the periodic fee payable for the financial year computed on a pro-rata basis, based on the proportion that the number of whole months of that part of the financial year bears to that whole financial year.
- (5) In this regulation, "external auditor", in relation to a licensee, means —
- (a) a company, firm or limited liability partnership approved as an accounting corporation, accounting firm or accounting limited liability partnership, respectively, under the Accountants Act (Cap. 2); or
 - (b) a person, not being an employee of the licensee, who is registered or deemed to be registered as a public accountant under the Accountants Act.

Waiver, refund, etc., of fees

12. The LTA may in any particular case —

- (a) refund, in whole or part, any fee mentioned in these Regulations; or

- (b) waive or reduce, in whole or part, any fee mentioned in these Regulations.

Interest on late payments

13.—(1) For the purposes of section 47(1) of the Act, interest on any outstanding amount of any fee or penalty mentioned in that section accrues daily at the rate of 2% above the average prime lending rate on the outstanding amount —

- (a) starting the first day that fee or penalty or part of it is in arrears; and
- (b) ending the day that fee or penalty or part of it in arrears is paid in full to the LTA.

(2) In paragraph (1), “average prime lending rate”, in relation to any period in any year in which a fee or penalty mentioned in section 47(1) of the Act (or part of it) is outstanding, means the average of the prime lending rates for the months of October, November and December of the preceding year of the DBS Bank Ltd, United Overseas Bank Ltd and Oversea-Chinese Banking Corporation Ltd, rounded to the nearest 0.5%.

Made on 29 May 2020.

CHAN HENG LOON ALAN
Chairman,
Land Transport Authority of
Singapore.

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