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No. S 138

ROAD TRAFFIC ACT (CHAPTER 276)

ROAD TRAFFIC (CARRIAGE OF PERSONS IN GOODS VEHICLES IN CONNECTION WITH ELECTIONS) (EXEMPTION) ORDER 2011

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In exercise of the powers conferred by section 142 of the Road Traffic Act, the Minister for Transport hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Road Traffic (Carriage of Persons in Goods Vehicles in Connection With Elections) (Exemption) Order 2011 and shall come into operation on 14th March 2011.

Definitions

2. In this Order, unless the context otherwise requires —
“candidate” means an individual who —

- (a) is nominated in accordance with the provisions of the Parliamentary Elections Act (Cap. 218) for election as a Member of Parliament for an electoral division; or

(b) is nominated in accordance with the provisions of the Presidential Elections Act (Cap. 240A) for election as the President;

“parliamentary election” means a by-election in an electoral division, or an election in an electoral division during a general election, under the Parliamentary Elections Act (Cap. 218);

“permit” means a permit granted under section 7 of the Public Order Act 2009 (Act 15 of 2009) in respect of a public procession within the meaning of that Act;

“political party” means a political party which is registered under the Societies Act (Cap. 311);

“presidential election” means an election under the Presidential Elections Act;

“Returning Officer” means the Returning Officer appointed under section 3 of the Parliamentary Elections Act or section 3 of the Presidential Elections Act, as the case may be.

Meaning of “post-election period”

3.—(1) For the purposes of this Order, the post-election period of a presidential election means —

- (a) a period of 7 days after nomination day in an election under the Presidential Elections Act if the election is uncontested; or
- (b) if the election is contested, a period of 7 days —
 - (i) after polling day if the Returning Officer declares under section 32(8) or (8D)(a) of the Presidential Elections Act a candidate to be elected; or
 - (ii) after the day the Returning Officer declares under section 32A(5) of that Act a candidate to be elected following the counting of the votes of overseas electors.

(2) For the purposes of this Order, the post-election period of a parliamentary election that is a by-election in an electoral division under the Parliamentary Elections Act means —

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- (a) a period of 7 days after nomination day in the by-election if that by-election is uncontested; or
- (b) if the by-election is contested, a period of 7 days —
- (i) after polling day if the Returning Officer declares under section 49(8D)(a) of the Parliamentary Elections Act a candidate or group of candidates, as the case may be, to be elected as a Member or Members of Parliament for that electoral division; or
 - (ii) after the day the Returning Officer declares under section 49A(5) of that Act a candidate or group of candidates, as the case may be, to be elected as a Member or Members of Parliament for that electoral division following the counting of the votes of overseas electors.
- (3) For the purposes of this Order, the post-election period of a parliamentary election in an electoral division at a general election under the Parliamentary Elections Act (Cap. 218) means —
- (a) a period of 7 days after nomination day at the general election if the parliamentary election in the electoral division is uncontested; or
- (b) if the parliamentary election in the electoral division is contested, a period of 7 days —
- (i) after polling day at the general election if the Returning Officer declares under section 49(8D)(a) of the Parliamentary Elections Act a candidate or group of candidates, as the case may be, to be elected as a Member or Members of Parliament for that electoral division; or
 - (ii) after the day the Returning Officer declares under section 49A(5) of that Act a candidate or group of candidates, as the case may be, to be elected as a Member or Members of Parliament for that electoral division following the counting of the votes of overseas electors.

Exemption after presidential election

4. Subject to the conditions in paragraph 6, the written laws set out in the Schedule shall not apply to or in relation to the use of any goods vehicle on any road in connection with a public procession that is held —

- (a) during the post-election period of a presidential election;
- (b) for the purpose of showing appreciation to voters or celebrating any victory at the presidential election;
- (c) by or with the authorisation of any candidate at that presidential election; and
- (d) in accordance with a permit.

Exemption after general election or by-election

5. Subject to the conditions in paragraph 6, the written laws set out in the Schedule shall not apply to or in relation to the use of a goods vehicle on any road within an electoral division in connection with a public procession that is held —

- (a) during the post-election period of a parliamentary election in that electoral division;
- (b) for the purpose of showing appreciation to voters or celebrating any victory at any such election;
- (c) by or with the authorisation of any candidate at that parliamentary election, or any political party whose candidates are nominated for such election, as the case may be; and
- (d) in accordance with a permit.

Conditions of exemption

6. The conditions that apply for the purposes of paragraphs 4 and 5 are as follows:

- (a) the goods vehicle shall be driven in a safe manner having regard to the safety of all passengers on the vehicle;

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- (b) the goods vehicle shall not be driven at a speed which exceeds 15 km/h when it is carrying any person who is not in a sitting position on the deck of the vehicle; and
 - (c) there shall be in force at all times when the goods vehicle is being used for the purposes referred to in paragraph 4 or 5 a policy of insurance relating to the vehicle with respect of any death of, or bodily injury to, any person caused by or arising out of the use of the vehicle on a road.

Non-derogation from other laws

- 7. Nothing in this Order shall derogate from the effect of —
 - (a) the provisions of the Parliamentary Elections Act (Cap. 218) or the Presidential Elections Act (Cap. 240A) restricting or prohibiting the use of vehicles in respect of an election under either Act; or
 - (b) any other written law for the time being in force.

THE SCHEDULE

Paragraphs 4 and 5

WRITTEN LAWS IN RESPECT OF WHICH EXEMPTION IS GRANTED

- 1. Section 126 of the Road Traffic Act (Cap. 276).
- 2. Road Traffic (Carriage of Persons in Goods Vehicles) Rules 2010 (G.N. No. S 663/2010).
- 3. Rules 50 and 51 of the Road Traffic (Motor Vehicles, Construction and Use) Rules (R 9).

Made this 28th day of February 2011.

CHOI SHING KWOK
*Permanent Secretary,
Ministry of Transport,
Singapore.*

[LTA/RT/AD/IE/01/ERV_Order 2011; AG/LLRD/SL/276/2010/32
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