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TRANSPORT SAFETY INVESTIGATIONS ACT 2018

TRANSPORT SAFETY INVESTIGATIONS (RESPONSIBLE PERSONS — EXEMPTION) ORDER 2023

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In exercise of the powers conferred by section 47 of the Transport Safety Investigations Act 2018, the Minister for Transport makes the following Order:

Citation and commencement

1. This Order is the Transport Safety Investigations (Responsible Persons — Exemption) Order 2023 and comes into operation on 1 January 2024.

Definitions

2. In this Order —

“appropriate foreign authority” has the meaning given by —

- (a) the Transport Safety Investigations (Aviation Occurrences) Regulations 2023 (G.N. No. S 870/2023); or

(b) the Transport Safety Investigations (Marine Occurrences) Regulations 2023 (G.N. No. S 871/2023);

“aviation ordinary reportable matter” means an aviation occurrence that is prescribed an ordinary reportable matter by regulation 8 of the Transport Safety Investigations (Aviation Occurrences) Regulations 2023;

“defined ship” means —

(a) a single-hulled pleasure craft with an overall length equal to or less than 6 metres and without any motorised means of propulsion on board, commonly called a sailing dinghy;

(b) a pleasure craft with an overall length of less than 4 metres, which —

(i) uses an inboard motor having a water jet pump as its primary source of propulsion; and

(ii) is designed to be operated by a person sitting, standing or kneeling within the confines of a hull,

and includes a device commonly called a jet ski;

(c) a kayak, canoe or raft which is propelled solely by paddle or oars;

(d) a paddle board, including a stand-up paddle board;

(e) a dragon boat; or

(f) a ship which is designed or constructed to navigate only in inland waters and to collect and remove refuse or waste from those inland waters and to transport the refuse or waste for recycling or waste disposal;

“inland waters” has the meaning given by regulation 6(2) of the Transport Safety Investigations (Marine Occurrences) Regulations 2023;

“marine reportable matter” means a marine occurrence that is prescribed a reportable matter by regulation 7 or 9 of the Transport Safety Investigations (Marine Occurrences) Regulations 2023;

“pleasure craft” means any craft which is intended for use within the port exclusively for sport or for pleasure purposes, but does not include any craft which is used to carry passengers on sightseeing tours within the port for which each such passenger is charged a separate and distinct fare;

“Singapore Flight Information Region” means the area within which air navigation services are provided by the CAAS in accordance with the International Civil Aviation Organisation Asia/Pacific Regional Air Navigation Plan;

“Singapore operator” means an operator whose principal place of business is located, or whose permanent residence is, in Singapore.

Exemption from being responsible person for aviation ordinary reportable matters

3. Where an aviation ordinary reportable matter happens within the Singapore Flight Information Region or on or adjacent to an aerodrome in Singapore, the owner, operator and pilot-in-command of any aircraft involved in that matter is exempt from sections 12(2) and 13 of the Act unless the aircraft is —

- (a) a Singapore aircraft; or
- (b) an aircraft operated by a Singapore operator.

Exemption from being responsible person for marine incidents involving defined ships

4. Where a marine reportable matter happens —

- (a) within or adjacent to any inland waters of Singapore; and
- (b) involving —
 - (i) only a defined ship or ships; or

(ii) any defined ship and any other ship,
the owner, master and person-in-charge of the defined ship or ships
are exempt from sections 12 and 13 of the Act.

Exemption for appropriate foreign authorities

5. Section 12(4) of the Act does not apply to any appropriate
foreign authority.

Made on 14 December 2023.

LOH NGAI SENG
*Permanent Secretary,
Ministry of Transport,
Singapore.*

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(To be presented to Parliament under section 50 of the Transport
Safety Investigations Act 2018).