

Rapid Transit Systems (Railway Protection, Restricted Activities) Regulations

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THE SCHEDULE Restricted Activities

Legislative History

RAPID TRANSIT SYSTEMS ACT (CHAPTER 263A, SECTION 42)

RAPID TRANSIT SYSTEMS (RAILWAY PROTECTION, RESTRICTED ACTIVITIES) REGULATIONS

Rg 3

REVISED EDITION 1997

(15th June 1997)

[29th April 1994]

Citation

1. These Regulations may be cited as the Rapid Transit Systems (Railway Protection, Restricted Activities) Regulations.

Definitions

2. In these Regulations, unless the context otherwise requires —

“authorised person” means any officer, employee or agent of the Authority or of its licensee acting in execution of his duty upon or in connection with the railway;

“contractor” means a person who has entered into a contract for the purpose of carrying out any building operations or works of engineering construction and includes a main contractor and sub-contractor;

“crane” means a machine incorporating an elevated structural member or jib beneath which suspended loads may be moved vertically (whether upwards or downwards) or horizontally or both, either by slewing the machine, derricking the jib or by any other means not solely involving a travelling motion of the crane, and includes a mobile crane and tower crane;

“mobile crane” means a crane mounted on a truck or crawler or on wheels;

“occupier”, in relation to any land, means the person in actual occupation or having the charge, management or control, of the land, either on his own account or as an agent of another person;

“owner”, in relation to any land, means the person for the time being receiving the rent of the land, whether on his own account or as agent or trustee or as receiver, or who would receive the rent if the land, premises or building were let to a tenant;

“railway protection zone” means that part of the land or area which is within 40 metres from the outermost edge of any part of the railway that is on, above or below the ground;

“railway safety zone” means the land delineated as such in plans and maps prepared by the Authority pursuant to regulation 4;

“restricted activity” means any activity specified in the Schedule;

“street” has the same meaning as in the Street Works Act (Cap. 320A);

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“sub-contractor” means a person who has entered into a contract with another contractor for the purpose of carrying out any building operations or works of engineering construction;

“tower crane” means a crane which has a vertical or near-vertical tower designed to be free-standing up to a specified height.

Application

3. These Regulations shall apply only to the lands and areas within the railway safety zone and the railway protection zone.

Railway safety zone

4.—(1) The Authority shall from time to time cause plans and maps to be prepared in such detail and with such markings and endorsements thereon as are sufficient to delineate the railway safety zone and the railway protection zone.

(2) A copy of every plan and map prepared pursuant to paragraph (1) shall be 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) The Authority may from time to time —

(a) amend any plan or map prepared under this regulation or any marking or endorsement thereon; or

(b) replace any plan or map by a substitute plan or map.

(4) Where the Authority has made any amendment or replacement under paragraph (3), the Authority shall as soon as possible cause to be likewise amended, or replaced with the substitute plan or map, every copy referred to in paragraph (2) and certify the amendment or substitution in such manner as the Authority thinks sufficient.

(5) The Authority shall, within 21 days of having —

(a) prepared any plan or map under this regulation;

(b) amended any such plan or map or any marking or endorsement thereon; or

(c) replaced any such plan or map by a substitute plan or map,

cause a notice thereof to be published in the *Gazette* containing —

- (i) a general description of the plan or map or of the nature and extent of the amendment or substitution, as the case may be; and
- (ii) 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 paragraph (2).

No part of crane to encroach within 6 metres from edge of railway

5.—(1) No person shall carry out or cause to be carried out any restricted activity within 6 metres of the outermost edge of any part of the railway (whether on or above the ground) that is alongside or within the railway safety zone or the railway protection zone.

[S 280/2000 wef 01/07/2000]

(2) Any person who contravenes or fails to comply with paragraph (1) shall be guilty of an offence.

Power to require information

6.—(1) Where it appears to the Authority that a restricted activity is being carried out on any land within the railway safety zone or the railway protection zone, the Authority may by notice in writing require the owner or occupier of the land or the contractor carrying out the restricted activity to furnish in writing to the Authority the following information:

- (a) the name and address of the contractor;
- (b) if the contractor is a firm, the name under which it carries on business and the name and address of every partner in the firm;
- (c) if the contractor is a company, the name under which it carries on business and the name and address of every director of the company;
- (d) the name and address of every sub-contractor involved in the building operations or works of engineering construction being carried out on the land;
- (e) the nature of the works being carried out on the land;
- (f) the date on which the works commenced; and
- (g) any other information which the Authority may require.

(2) Any person to whom the Authority has made a request for information under this regulation shall, within the time specified in the notice, furnish in writing to the Authority the information required by the Authority, failing which he shall be guilty of