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ACTS SUPPLEMENT

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The following Act was passed by Parliament on 7 November 2017 and assented to by the President on 7 December 2017:—

REPUBLIC OF SINGAPORE

No. 47 of 2017.

I assent.

HALIMAH YACOB,
President.
7 December 2017.



An Act to amend the Travel Agents Act (Chapter 334 of the 1998 Revised Edition) and to make a related amendment to the Singapore Tourism Board Act (Chapter 305B of the 1997 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act is the Travel Agents (Amendment) Act 2017 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 2

2. Section 2 of the Travel Agents Act (called in this Act the principal Act) is amended by deleting the definitions of “licence” and “licensee” and substituting the following definitions:

““code of conduct” means a code of conduct mentioned in section 28(1)(ga)(ii);

“licence” means a licence granted or renewed under section 7;

“licensee” means any person who holds a licence;

“regulations” means regulations made under this Act;

“relevant individual”, in relation to an applicant for a licence or to a licensee, means —

(a) where the applicant or licensee is an individual, the applicant or licensee, as the case may be;

(b) where the applicant or licensee is a partnership, a partner of the partnership;

(c) where the applicant or licensee is an unincorporated association, a member of the governing body of the unincorporated association; and

(d) where the applicant or licensee is a company or other body corporate, any director of the company or officer holding a similar managerial or executive position in the body corporate;

“supply”, in relation to a travel product, includes the sale, or arranging for the provision, of the travel product;

“tour” means a visit to one or more places or points of interest, whether in Singapore or elsewhere, in which the participant or participants in the visit is or are, for any part of the visit, accompanied by an individual who is not a participant of the visit;

“travel product” means any goods or services described in section 4(1).”.

Amendment of section 3

3. Section 3 of the principal Act is amended by inserting, immediately after subsection (4), the following subsection:

“(5) This Act does not apply to the Government, or a body established by or under a public Act for a public purpose.”.

Repeal and re-enactment of section 4

4. Section 4 of the principal Act is repealed and the following section substituted therefor:

“Business of travel agent

4.—(1) Subject to this section, a person carries on the business of a travel agent if the person carries on, or advertises or holds himself out as carrying on, a business of any one or more of the following:

- (a) supplying any person a right to travel on any conveyance;
- (b) supplying any person —
 - (i) a right to travel on any conveyance to; and
 - (ii) a right of accommodation at a hotel or similar boarding premises at,
one or more places, whether in Singapore or elsewhere;
- (c) purchasing, or reserving, for resale to a person a right to travel on any conveyance;

(d) supplying any tour (whether or not organised by the person) to any other person;

(e) such other similar activity as may be prescribed.

(2) An individual who is employed by a licensee or who is an agent of a licensee does not carry on the business of a travel agent by reason only of carrying on in the course of the individual's employment or agency, as the case may be, any activity mentioned in subsection (1).

(3) However, a person does not carry on the business of a travel agent if —

(a) for the activity mentioned in subsection (1)(a), the person carries on the activity only in respect of a conveyance the person owns;

(b) for the activity mentioned in subsection (1)(a) or (c), the person carries on the activity only in respect of a conveyance —

(i) used for a regular route service within the meaning of the Bus Services Industry Act 2015 (Act 30 of 2015);

(ii) used for a community bus service or courtesy bus service, within the meaning of the Bus Services Industry Act 2015, and that travels only within Singapore; or

(iii) used for a train service within the meaning of the Public Transport Council Act (Cap. 259B);

(c) for the activity mentioned in subsection (1)(b), the person carries on the activity only in respect of —

(i) a conveyance the person owns; and

(ii) a hotel or similar boarding premises the person owns or operates; or

(d) for the activity mentioned in subsection (1)(d), the person carries on the activity only in respect of any

place or point of interest that the person owns or operates.”.

Amendment of section 6

5. Section 6 of the principal Act is amended —

(a) by deleting subsection (1) and substituting the following subsection:

“(1) A person must not carry on the business of a travel agent unless the person is authorised to do so by a licence.”; and

(b) by deleting “\$10,000” in subsection (2) and substituting “\$25,000”.

Repeal and re-enactment of section 7 and new section 7A

6. Section 7 of the principal Act is repealed and the following sections substituted therefor:

“Application for licence or renewal of licence

7.—(1) Any person who desires to obtain or renew a licence must make an application to the Board in the form the Board requires.

(2) Upon receiving an application under subsection (1), the Board must consider the application and may —

(a) grant or renew a licence for such duration as the Board may specify in the licence; or

(b) refuse the application.

(3) The Board may refuse to grant or renew a licence if —

(a) the applicant or a relevant individual of the applicant is not a suitable person to be involved in the management or operation of the business of a travel agent;

(b) the applicant is unable to meet or continue to meet such minimum financial requirements as may be prescribed;