

# **Rapid Transit Systems (Amendment) Bill**

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**Bill No: 33/2002**

***Read the first time: 1st October 2002***

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## **Rapid Transit Systems (Amendment) Bill**

**Bill No. 33/2002**

*Read the first time on 1st October 2002.*

An Act to amend the Rapid Transit Systems Act (Chapter 263A of the 1996 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 may be cited as the Rapid Transit Systems (Amendment) Act 2002 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

### **Amendment of section 15**

2. Section 15 of the Rapid Transit Systems Act is amended —

(a) by deleting paragraph (d) and substituting the following paragraph:

“(d) the approval by the Authority of the appointment, re-appointment or removal of any person as the chairman or as a director of the licensee;” and

(b) by deleting the full-stop at the end of paragraph (e) and substituting a semi-colon, and by inserting immediately thereafter the following paragraphs:

“(f) the control and restriction, directly or indirectly, on the creation, holding or disposal of shares in the licensee or its shareholders, or of interests in the undertaking of the licensee or any part thereof;

(g) the restriction on the carrying on by the licensee of any trade or business not related to the activity which the licensee is authorised by its licence to carry on; and

(h) the standards of performance to be complied by the licensee in the maintenance or operation of the rapid transit system or the provision of rapid transit system services.”.

### **New sections 15A, 15B and 15C, and repeal and re-enactment of sections 16 and 17**

3. Sections 16 and 17 of the Rapid Transit Systems Act are repealed and the following sections substituted therefor:

#### **“Modification of terms and conditions of licence**

**15A.**—(1) Subject to this section, the Authority may add to, delete or modify the terms or conditions of a licence granted under section 13.

(2) Before making any addition, deletion or modification to the terms or conditions of a licence under subsection (1), the Authority shall give notice to the licensee —

- (a) stating that it proposes to make the addition, deletion or modification in the manner as specified in the notice; and
  - (b) specifying the time (not being less than 28 days from the date of service of notice on such licensee) within which the licensee may make written representations to the Authority with respect to the proposed addition, deletion or modification.
- (3) Upon receipt of any written representation referred to in subsection (2)(b), the Authority shall consider such representation and may —
  - (a) reject the representation;
  - (b) amend the proposed addition, deletion or modification in such manner as it thinks fit having regard to the representation; or
  - (c) withdraw the proposed addition, deletion or modification.
- (4) Where the Authority rejects any written representation under subsection (3)(a) or amends any proposed addition, deletion or modification to the terms or conditions of a licence under subsection (3)(b), the Authority shall issue a direction in writing to the licensee requiring the licensee, within the time specified by the Authority, to give effect to the addition, deletion or modification as specified in the notice or as amended by the Authority, as the case may be.
- (5) The Authority shall not enforce its direction —
  - (a) during the period referred to in section 17(1); and
  - (b) whilst the appeal of the licensee is under consideration by the Minister.
- (6) If no written representation is received by the Authority within the time specified in subsection (2)(b) or if any written representation made under that subsection is subsequently withdrawn, the Authority may forthwith carry out the addition, deletion or modification to the terms or conditions of the licence as specified in the notice given to the licensee under subsection (2).

### **Codes of practice**

**15B.**—(1) The Authority may issue or approve and from time to time modify codes of practice in connection with —

- (a) the maintenance or operation of rapid transit systems and any equipment relating thereto;

- (b) the provision of rapid transit system services;
- (c) the conduct of licensees; and
- (d) the safety of persons who use or who are engaged in any work on the rapid transit system.

(2) Every licensee shall comply with any code of practice issued or approved by the Authority under subsection (1), except that if any provision in any such code of practice is inconsistent with this Act, that provision shall not have effect to the extent of the inconsistency.

(3) The Authority may, if the circumstances so warrant, exempt any licensee from any provision in any code of practice, whether unconditionally or subject to such conditions as the Authority thinks fit to impose, and whether permanently or for such time as the Authority may specify.

(4) Any code of practice issued or approved by the Authority shall be deemed not to be subsidiary legislation.

### **Directions affecting licensees**

**15C.**—(1) The Authority may give directions to be observed by licensees for or in respect of the following matters:

- (a) the extent, hours and general level of the services to be provided by licensees;
- (b) the extension of the operating hours of the services provided by the licensees;
- (c) the maintenance and operation of the rapid transit system;
- (d) the safety of persons who use or who are engaged in any work on the rapid transit system; and
- (e) any other matters affecting the interests of the public in connection with the services provided by licensees.

(2) Any direction given under subsection (1) —

- (a) may require the licensee concerned (according to the circumstances of the case) to do, or to refrain from doing, such things as are specified in the direction or are of a description as specified therein;
- (b) shall take effect at such time, being the earliest practicable time, as is determined by or under that direction; and