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ACTS SUPPLEMENT

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The following Act was passed by Parliament on 2 October 2017 and assented to by the President on 23 October 2017:—

REPUBLIC OF SINGAPORE

No. 40 of 2017.

I assent.

HALIMAH YACOB,

President.

23 October 2017.



An Act to amend the Maritime and Port Authority of Singapore Act (Chapter 170A of the 1997 Revised Edition) and to make related amendments to the Public Utilities Act (Chapter 261 of the 2002 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 Maritime and Port Authority of Singapore (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 Maritime and Port Authority of Singapore Act (called in this Act the principal Act) is amended —

(a) by inserting, immediately before the definition of “authorised pilot”, the following definition:

“ “appointed officer” means a person authorised or appointed as an appointed officer under section 89A(1);”;

(b) by inserting, immediately after the definition of “harbour craft”, the following definition:

“ “inland craft” —

(a) means any ship, boat or air-cushioned vehicle or similar craft used in any reservoir or waterway, however moved or propelled; but

(b) excludes any floating rig or platform that is not a barge;”;

(c) by deleting the definition of “master” and substituting the following definition:

“ “master” —

(a) in relation to a vessel, includes every person (except a pilot) having charge or command of the vessel; and

(b) in relation to an inland craft, includes every person having charge of the inland craft;”;

(d) by deleting the definition of “owner” and substituting the following definition:

““owner”, in relation to a vessel or inland craft, includes any part-owner, charterer, operator, consignee or mortgagee in possession of the vessel or inland craft, as the case may be, or any duly authorised agent of any such person;”;

- (e) by inserting, immediately after the definition of “public licence”, the following definition:

““Public Utilities Board” means the Public Utilities Board continued under section 3 of the Public Utilities Act (Cap. 261);”;

- (f) by inserting, immediately after the definition of “regulations”, the following definition:

““reservoir” means a body of water maintained as a reservoir by the Public Utilities Board in the following areas as defined in regulations made under section 72 of the Public Utilities Act:

(a) a Catchment Area Park;

(b) the Central Water Catchment Area;”;

- (g) by deleting the words “or any other description of vessel” in the definition of “vessel”; and

- (h) by inserting, immediately after the definition of “vessel”, the following definition:

““waterway” has the same meaning as in section 2 of the Public Utilities Act;”.

Amendment of section 6

3. Section 6(1) of the principal Act is amended by deleting the words “not less than 2 nor more than 13” in paragraph (b) and substituting the words “not fewer than 3”.

Amendment of section 7**4. Section 7 of the principal Act is amended —**

(a) by deleting the word “and” at the end of paragraph (p) of subsection (1), and by inserting immediately thereafter the following paragraph:

“(pa) to regulate the operation and safety of inland craft in reservoirs and waterways; and”;

(b) by inserting, immediately after the words “in the port” in subsection (2)(d), the words “and in reservoirs and waterways”.

Repeal and re-enactment of section 18

5. Section 18 of the principal Act is repealed and the following section substituted therefor:

“Protection from personal liability

18. No liability shall lie personally against any member, officer or employee of the Authority, any appointed officer or any other person acting under the direction of the Authority who, acting in good faith and with reasonable care, does or omits to do anything in the execution or purported execution of this Act.”.

Repeal and re-enactment of section 19

6. Section 19 of the principal Act is repealed and the following section substituted therefor:

“Public servants

19.—(1) All members, officers and employees of the Authority, all appointed officers, and all members of the Pilotage Committee, are taken to be public servants for the purposes of the Penal Code (Cap. 224).

(2) Every employee or officer of the Authority and every appointed officer is, in relation to his administration, assessment, collection and enforcement of payment of any composition sum under section 102, taken to be a public officer for the purposes of

the Financial Procedure Act (Cap. 109); and section 20 of that Act applies to each of these persons even though he is not or was not in the employment of the Government.”.

Amendment of section 84

7. Section 84(1) of the principal Act is amended by inserting, immediately after the words “has gone” in paragraph (b), the words “or is likely to go”.

New Part XIIA

8. The principal Act is amended by inserting, immediately after section 86, the following Part:

“PART XIIA

CONTROL OF DESIGNATED PUBLIC LICENSEES, DESIGNATED BUSINESS TRUSTS AND DESIGNATED EQUITY INTEREST HOLDERS

Interpretation of this Part

86A.—(1) In this Part, unless the context otherwise requires —

“5% controller”, in relation to a designated public licensee, designated business trust or designated equity interest holder, means a person who, alone or together with the person’s associates —

(a) holds 5% or more, but less than 25%, of the total equity interests in; or

(b) is in a position to control 5% or more, but less than 25%, of the voting power in,

the designated public licensee, designated business trust or designated equity interest holder, as the case may be;

“25% controller”, in relation to a designated public licensee, designated business trust or designated equity interest holder, means a person who, alone or together with the person’s associates —

(a) holds 25% or more, but less than 50%, of the total equity interests in; or