

Rapid Transit Systems (Amendment) Bill

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Bill No: 16/2010

Read the first time: 19th July 2010

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Rapid Transit Systems (Amendment) Bill

Bill No. 16/2010

Read the first time on 19th July 2010.

An Act to amend the Rapid Transit Systems Act (Chapter 263A of the 2004 Revised Edition) and to make related amendments to the Land Transport Authority of Singapore Act (Chapter 158A 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 2010 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2 of the Rapid Transit Systems Act (referred to in this Act as the principal

Act) is amended —

- (a) by inserting, immediately after the definition of “licensee”, the following definition:

“ “maintenance” includes the detection and rectification of any faults;”; and

- (b) by deleting the words “any one of the railways or any part thereof” in the definition of “rapid transit system” and substituting the words “any railway line, or a combination of 2 or more railway lines, and any part thereof comprised in that line or those lines”.

New section 11A

3. The principal Act is amended by inserting, immediately before section 12 in Part III, the following section:

“General considerations

11A. In the exercise of its functions and powers under this Part, the Authority shall have regard for the need —

- (a) for an integrated public transport system in Singapore, including the integration of the rapid transit systems with other modes of transport and surrounding developments;
- (b) for reliable, seamless and convenient travel within the public transport system and enhanced passenger services;
- (c) for network-wide efficient and co-ordinated movements of passengers on rapid transit systems;
- (d) for sustainability, adequacy and optimisation of capacity across the network of rapid transit systems; and
- (e) for safety and security of life and property on the rapid transit systems.”.

New section 13A

4. The principal Act is amended by inserting, immediately after section 13, the following section:

“Licence charge

13A.—(1) In addition to the licence fee payable under section 13(3), a charge shall be payable by every person who is granted a licence on or after the date of commencement of section 4 of the Rapid Transit Systems (Amendment) Act 2010,

which shall be such amount as is determined by the Authority and specified in the licence, after taking into account —

- (a) the relative viability of operating and maintaining that rapid transit system in the network of rapid transit systems;
- (b) the long-term operational and maintenance needs of the railway network and the long-term sustainability of each rapid transit system comprised in the network of rapid transit systems; and
- (c) the benefits and burdens that the operation and maintenance of that rapid transit system is likely to bring to and impose on the network of rapid transit systems.

(2) A person who is to be granted a licence on or after the date of commencement of section 4 of the Rapid Transit Systems (Amendment) Act 2010 shall ordinarily be selected by the Authority from among those who submit tenders in response to an invitation to tender under this section for the right to operate (or to secure that a wholly-owned subsidiary thereof operates) a rapid transit system under that licence.

(3) Any such invitation to tender must specify that an applicant who tenders for a licence must state the amount (by reference to quantity or method or otherwise) that the applicant (or a wholly-owned subsidiary thereof) is willing to pay for the grant of a licence (referred to in this Part as a cash-bid), in addition to the charge determined under subsection (1); and that cash-bid shall be payable, together with the charge determined under subsection (1), by the applicant or its wholly-owned subsidiary if the applicant or its wholly-owned subsidiary, as the case may be, is granted a licence.”.

Amendment of section 15

5. Section 15 of the principal Act is amended —

- (a) by deleting the words “the safety” in paragraph (b) and substituting the words “the security and safety”;
- (b) by deleting the words “as the chairman or as a director of the licensee” in paragraph (d) and substituting the words “as the licensee’s chief executive officer, the chairman of the licensee’s board of directors or any of its directors”; and
- (c) by renumbering the section as subsection (1) of that section, and by inserting immediately thereafter the following subsections:

“(2) Without prejudice to the generality of subsection (1),

conditions included in a licence to operate a rapid transit system —

- (a) may require the licensee to enter into any agreement with any person for such purposes as may be specified in the conditions of the licence, such as but not limited to any matter which is dealt with (whether in the same or different manner) by an access contract;
- (b) may include provision for determining the terms on which such agreements are to be entered into, which may be such conditions as may be agreed to by the licensee and such other persons or, in default of agreement, as may be determined by the Authority;
- (c) may include conditions which must be complied with before the licence can be transferred or assigned;
- (d) may require the licensee —
 - (i) to comply with any requirements from time to time imposed by the Authority (or a person nominated by the Authority for this purpose) with respect to such matters concerning the operation or maintenance of the rapid transit system as are specified in the licence or are of a description so specified;
 - (ii) except in so far as the Authority (or a person nominated by the Authority for this purpose) consents to the licensee doing or not doing them, to do, or not to do, such things as are specified in the licence or are of a description so specified;
 - (iii) to refer for determination by a person nominated by the Authority for this purpose such questions arising under the licence as are specified in the licence or are of a description so specified; or
 - (iv) to furnish to the Authority (or a person