

Parks and Trees Bill

Table of Contents

Bill No: 18/1975

Read the first time: 17th March 1975

Long Title

Enacting Formula

1 Short title and commencement

2 Interpretation

3 Appointment of Commissioner and other officers

4 Public parks, aquariums, recreation grounds and gardens, etc.

5 Restriction on felling or cutting of any tree having a girth of more than one metre

6 Application for written permission to fell or cut trees

7 Notice to plant or replant trees

8 Power of Commissioner to take measures in default of notice and to recover costs and expenses

9 Trees and plants planted pursuant to sections 7 and 8 not to be damaged or removed

10 Prevention of grass fires and other dangers or obstructions

11 Commissioner may take deposit

12 Commissioner may cause trees to be properly planted, etc.

13 Refund of deposit on completion of works

14 Refund of deposit when building works are not commenced

15 Power of Minister on an appeal under section 6, 7 or 11

16 Power to compound

17 Authority to be produced

18 Powers of arrest, etc.

19 Protection from liability for bona fide acts

20 Act not to affect liability of occupier

21 Rules for public parks, etc.

22 Repeal

23 Transitional provisions

Explanatory Statement

Expenditure of Public Money

Table of Derivations

Parks and Trees Bill

Bill No. 18/1975

Read the first time on 17th March 1975.

An Act to provide for the development, protection and regulation of public parks and gardens and for the preservation and growing of trees and plants and for matters connected therewith; and to repeal the Botanic Gardens Act (Chapter 300 of the Revised Edition), the Trees and Plants (Preservation and Improvement of Amenities) Act, 1970 (No. 59 of 1970) and section 79 and Part V of the Local Government Integration Act (Chapter 210 of the 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 Parks and Trees Act, 1975 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Interpretation

2.—(1) In this Act, unless the context otherwise requires —

“Botanic Gardens” means all that piece of land comprised in Lot 97 of Mukim No. 11 in the district of Tanglin in Singapore, known as the Botanic Gardens of Singapore containing an area of approximately thirty-two hectares (eighty acres two roods and thirty poles) the boundaries of which are more particularly delineated and edged in a neutral tint on certified plan No. 10226 filed in the office of the Chief Surveyor;

“Chief Surveyor” has the same meaning as in the Land Surveyors Act (Cap. 216);

“Commissioner” means the Commissioner of Parks and Recreation and includes a Deputy or Assistant Commissioner of Parks and Recreation and a curator appointed under section 3;

“competent authority” means any one or more Government or statutory authorities empowered by any written law to approve plans for the development or subdivision of any land or plans relating to the construction of buildings;

“curator” means a person appointed as a curator under section 3 to manage and supervise a park;

“felling” includes wilfully destroying by any means;

“occupier”, in relation to any land, means any person in actual occupation of the land, and includes the owner of the land and any other person in receipt of the rents or profits thereof, and any agent or trustee of an occupier of the land;

“plants” includes shrubs, climbers, creepers, hedges, ferns, flowers and lawn-

grasses;

“private street” means any street not being a public street;

“public park” includes the Botanic Gardens and any walk, recreation ground, playground, open space, traffic island, side table or garden maintained by the Commissioner;

“public street” means any street over which the public has a right of way which has been transferred to or has become vested in the Government under the Local Government Integration Act (Cap. 210) or in any other manner;

“street” includes any road, square, footway or passage, whether a thoroughfare or not, over which the public has a right of way, and also the way over any public bridge, and also includes any road, footway or passage, open court or open alley, used or intended to be used as a means of access to two or more holdings, whether the public has a right of way thereover or not; and all channels, drains, ditches, reserves and side tables at the side of any street shall be deemed to be part of the street;

“vacant land” means any side table, or land which has not been developed for residential or industrial purposes, and includes any land on which any building or structure has been erected in contravention of any written law or in respect of which a temporary permit has been issued by the Assistant Director of Public Works attached to the Building Control Division of the Public Works Department;

“vehicle” means a vehicle whether mechanically propelled or otherwise except a perambulator or an invalid carriage the weight of which unladen does not exceed two hundred and fifty-four kilogrammes (five hundredweight) and which is specially designed and constructed and not merely adapted for the use of a person suffering from some physical defect or disability and is used solely by such person.

(2) Where references to units of measurement are expressed in both Imperial and Metric units, the Metric units shall prevail.

Appointment of Commissioner and other officers

3.—(1) The Minister shall appoint a Commissioner of Parks and Recreation who shall be responsible for the performance of the duties and functions assigned to the Commissioner under this Act.

(2) The Minister may appoint such numbers of Deputy and Assistant Commissioners of Parks and Recreation, curators and other officers as may be necessary for the purpose of administering and carrying out the provisions of this Act.

(3) The Commissioner and all other officers appointed under the provisions of subsection (2) shall be deemed to be public servants within the meaning of the Penal Code (Cap. 103).

(4) The Minister may, by notification in the *Gazette*, authorise any officer appointed under subsection (1) or (2), as the case may be, to exercise within any public park all the powers of a police officer.

Public parks, aquariums, recreation grounds and gardens, etc.

4.—(1) The Commissioner may, so far as the funds at his disposal shall permit, lay out, construct, plant, improve, equip, maintain, supervise and control lands set apart or acquired for the purpose of being used as public parks, aquariums, walks, recreation or pleasure grounds, swimming pools or gardens and may —

- (a) erect thereon any pavilion, recreation room, outhouse or other building and charge for admission thereto;
- (b) provide entertainment or any amenity thereon or therein;
- (c) set apart any part of such land for the purpose of any game or recreation and exclude the public from the part set apart while it is in actual use for that purpose;
- (d) provide any apparatus for games and recreation and facilities for boating, and charge for the use thereof;
- (e) place, or authorise any person to place, chairs or seats on such land and charge for, or authorise any person to charge for, the use thereof;
- (f) provide and maintain refreshment stalls, food-stalls and restaurants on any such land and either manage them himself or, if he thinks fit, let them to any person on such conditions as he may determine; and
- (g) plant trees and vegetation in or about any public street.

Restriction on felling or cutting of any tree having a girth of more than one metre

5.—(1) Subject to the provisions of this Act, no person shall, without the written permission of the Commissioner, fell or cut any tree, with a girth exceeding one metre (three feet and four inches), growing on any vacant land or such other land as the Minister may, by order published in the *Gazette*, designate except where —

- (a) the felling or cutting is for the prevention of imminent danger; or
- (b) the felling or cutting is in compliance with any obligation imposed by or under any written law.