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**GOVERNMENT GAZETTE**  
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The following Act was passed by Parliament on 30th June 2003 and assented to by the President on 19th July 2003:—

**REPUBLIC OF SINGAPORE**

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**No. 11 of 2003.**

I assent.

(LS)

S R NATHAN,  
*President.*  
*19th July 2003.*

An Act to amend the Street Works Act (Chapter 320A of the 1996 Revised Edition) and to make consequential amendments to certain other written laws.

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 Street Works (Amendment) Act 2003 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

**Repeal and re-enactment of long title**

2. The long title to the Street Works Act (referred to in this Act as the principal Act) is repealed and the following long title substituted therefor:

“An Act relating to the construction, improvement, repair, maintenance and management of streets and back-lanes and other matters connected therewith, and the prevention of obstruction of five-footways and private footways.”.

**Amendment of section 2**

3. Section 2 of the principal Act is amended —

- (a) by deleting the words “authenticated under section 15” in the penultimate line of the definition of “owner” and substituting the words “prepared under section 10”;
- (b) by inserting, immediately after the definition of “premises”, the following definition:

“ “private footway” means any footway that is not vested in the Government and that —

(a) is intended pursuant to a planning or conservation permission granted by the competent authority under the Planning Act (Cap. 232) to be used mainly for the movement or passage of people on foot, and is used or intended to be used —

- (i) as a link either underground or at the second or upper storey level between 2 developments across their common boundary;
- (ii) as a link either underground or at the second or upper storey level between a development and a station of the rapid

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- transit system, a bus terminal or a bus interchange; or
- (iii) as a link over or underneath a public street between 2 developments or parts of the same development;
- (b) is connected to a station of the rapid transit system, a bus terminal or a bus interchange and is used or intended to be used as a means of access between such station, bus terminal or bus interchange and a public street;
- (c) is on a bridge or underpass directly connected to and is over or underneath a public street; or
- (d) is located in a single holding and fronting, adjoining or abutting a public street;”;
- (c) by deleting the definition of “public street” and substituting the following definition:
- ““public street” means any street over which the public has a right of way and which has become vested in the Government under this Act or the repealed Act, or in any other manner;”; and
- (d) by deleting the definitions of “road related facility” and “road structure” and substituting the following definitions:
- ““road related facility” includes any traffic sign, directional sign, street name sign, traffic light, bus shelter, railing, lighting apparatus and any optical, electronic, communication, monitoring or computerised equipment necessary for the control and management of traffic, and any other road related structure and facility maintained by the Authority;
- “road structure” includes any bridge, underpass, tunnel, earth retaining wall and ancillary buildings;”.

## **New section 8A**

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

**“Carrying out of engineering works within road structure safety zone**

**8A.**—(1) No person shall carry out any engineering works within the road structure safety zone unless he has obtained the prior approval of the Authority.

(2) An application to the Authority for its approval under subsection (1) —

- (a) shall be made in writing and shall be accompanied by an engineering plan, showing the location affected by the engineering works to be carried out; and
- (b) may be granted by the Authority subject to such conditions as the Authority thinks fit.

(3) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 and, in the case of a continuing offence, to a further fine not exceeding \$100 for every day or part thereof during which the offence continues after conviction.

(4) In this section —

“engineering plan”, in relation to engineering works, includes detailed plans of the engineering works, monitoring equipment and instrumentation and other relevant information proposed for use to monitor the structural integrity of the road structure;

“engineering works” means any kind of construction work that is likely to affect the structural integrity of any road structure and the safety of its operations, and includes —

- (a) excavations for basements and other building structures under land;
- (b) installations of foundation piles, sheet piles, bore holes, wells, ground anchors and tie backs; and
- (c) the operation of any crane, hoist or heavy equipment;

“road structure safety zone” means that part of the land or area which is 20 metres from the outermost edge of any part of a road structure.”.

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**Amendment of section 9**

5. Section 9 of the principal Act is amended by deleting subsection (1) and substituting the following subsection:

“(1) The Authority or any person authorised by the Authority shall have the right to enter upon and take possession of any land or part thereof not being State land —

(a) to construct or improve any street; and

(b) to construct, install, improve or remove any road structure or road related facility,

in, under or over the land, and to do all things as are reasonably necessary in connection therewith.”.

**Amendment of section 10**

6. Section 10 of the principal Act is amended —

(a) by deleting the words “the maintenance of any road structure or road related facility” in the 5th and 6th lines of subsection (1) and substituting the words “the maintenance of any street or the operation or maintenance of any road structure or road related facility”; and

(b) by deleting subsection (3) and substituting the following subsection:

“(3) Any right referred to in a notice of creation of a right under this section shall be limited to a right conferring such rights and powers as are necessary or convenient for the maintenance of the street or the operation or maintenance of the road structure or road related facility (as the case may be) and for all purposes connected with or incidental to such operation or maintenance.”.

**New section 10A**

7. The principal Act is amended by inserting, immediately after section 10, the following section:

**“Power to tap utilities for operation and maintenance of road related facility**

**10A.**—(1) Where the Authority or any person authorised by the Authority (referred to in this section as the authorised person) has constructed, installed or improved any road related facility in, under or over any State land under section 7, the Authority or authorised person, after giving 21 days’ notice to the occupier of, or to every person having any estate, right, share or interest in, any land adjoining such State land, may install such meter boards, electrical meters and other accessories as may be necessary on the land and tap utilities for the purpose of and incidental to the operation and maintenance of the road related facility.

(2) Where the Authority or an authorised person has constructed, installed or improved any road related facility in, under or over any land or part thereof not being State land under section 9, the Authority or authorised person, after giving 21 days’ notice to the occupier of, or to every person having any estate, right, share or interest in, such land, may install such meter boards, electrical meters and other accessories as may be necessary on the land and tap utilities for the purpose of and incidental to the operation and maintenance of the road related facility.

(3) Every meter board, electrical meter and other accessory installed under this section shall comply with such standards as are determined by the Energy Market Authority of Singapore established under section 3 of the Energy Market Authority of Singapore Act (Cap. 92B).

(4) The Authority shall pay the electricity supplier such amount as may be indicated on the electrical meters installed under this section.

(5) Notwithstanding subsections (1), (2) and (4), if no meter board, electrical meter or other accessory is installed on any land or part thereof that is not State land, the Authority shall, on a monthly basis, pay the electricity supplier such amount as is determined in accordance with the formula

$$P \times R \times 24 \text{ hours} \times 30 \text{ days}$$

where  $P$  is the power rating of equipment; and  
 $R$  is the rate from the electricity supplier.

(6) Any person who is dissatisfied with the decision of the Authority under subsection (1) or (2) may, within 14 days of the notice, appeal to the Minister whose decision shall be final.

(7) In this section, “electricity supplier” means a person who is licensed to supply electricity under any written law for the time being relating to the supply of electricity.”.

### **Amendment of section 11**

8. Section 11(1) of the principal Act is amended by deleting the words “the proposed construction of road structures and road related facilities” in the 4th, penultimate and last lines and substituting the words “the proposed construction or improvement of streets or the proposed construction, installation, improvement or removal of road structures or road related facilities (as the case may be)”.

### **Amendment of section 12**

9. Section 12 of the principal Act is amended —

- (a) by deleting the words “the construction of any road structure or road related facility” in the 3rd and 4th lines of subsection (1)(a) and substituting the words “the construction or improvement of any street or the construction, installation, improvement or removal of any road structure or road related facility (as the case may be)”;
- (b) by deleting paragraph (b) of subsection (1) and substituting the following paragraph:

“(b) any inspection or maintenance of —

- (i) any street which has been constructed or improved; or
- (ii) any road structure or road related facility which has been constructed, installed or improved,

by the Authority on, under or over the land or building and to carry out any work and do all things necessary

for the purpose of maintaining the street or maintaining or operating the road structure or road related facility, as the case may be.”; and

- (c) by deleting subsection (4) and substituting the following subsection:

“(4) In subsection (1), “work of a preventive or remedial nature” means the underpinning or strengthening of any land or building and any other work thereon that is intended to render it reasonably safe or to repair or detect damage caused in the course of the construction or improvement of any street or the construction, installation, improvement or removal of any road structure or road related facility, as the case may be.”.

### **Amendment of section 18**

#### **10. Section 18 of the principal Act is amended —**

- (a) by deleting subsection (2) and substituting the following subsection:

“(2) The Authority shall not approve the detailed plans of any new street unless —

- (a) the competent authority has first given written permission for the use of the land for this purpose under the provisions of the Planning Act (Cap. 232);  
or

- (b) the use of the land for this purpose has been authorised under section 21(6) of the Planning Act.”;

- (b) by inserting, immediately after paragraph (g) of subsection (3), the following paragraph:

“(ga) the connection between the new street and other streets;”; and

- (c) by inserting, immediately after subsection (18), the following subsections:

“(19) The Authority may, with the approval of the Minister, by notification in the *Gazette* authorise, either generally or in relation to any specified type of development, the construction

of new streets subject to such conditions as may be specified in the notification.

(20) Any person, who being required by or by virtue of this Act or any regulations made thereunder to make or produce to the Authority any plan, declaration, certificate, report, record, notice or other document, or who, for the purpose of obtaining any licence, permit, waiver or approval from the Authority under this Act or any regulations made thereunder or for the purpose of establishing any fact relevant to the administration of this Act or any regulations made thereunder —

- (a) makes or produces any plan, declaration, certificate, report, record, notice or other document which is false in a material particular; or
- (b) produces any plan, declaration, certificate, report, record, notice or other document which is false in a material particular, or which has not been made by the person by whom it purports to have been made, or which has been in any way altered or tampered with,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.”.

### **Amendment of section 20**

**11.** Section 20 of the principal Act is amended —

- (a) by deleting the words “the amount to be deposited, if any,” in the 3rd and penultimate lines of subsection (1) and substituting the words “the amount, if any, to be deposited or secured to the satisfaction of the Authority”;
- (b) by inserting, immediately after the words “make the deposit” in subsection (2)(b), the words “or furnish the security”;
- (c) by inserting, immediately after the word “deposited” in subsection (2)(i), the words “or secured to the satisfaction of the Authority”;
- (d) by inserting, immediately after the word “deposit” in subsection (2)(ii), the words “or security”;

- (e) by inserting, immediately after the word “deposit” in the 1st line of subsection (4), the words “or security”;
- (f) by deleting the words “no deposit is required to be made” in the 3rd and penultimate lines of subsection (4) and substituting the words “no deposit or security is required to be made or furnished”;
- (g) by inserting, immediately after the word “deposit” in the following subsections, the words “or secure”:
  - subsections (6) (2nd line), (7) (1st line) and (8) (penultimate line);
- (h) by deleting the word “and” at the end of paragraph (a) of subsection (6), and by inserting immediately thereafter the following paragraph:
  - “(b) shall be secured to the satisfaction of the Authority by such time and in such manner as the Authority may by notice in writing specify; and”;
- (i) by re-lettering the existing paragraph (b) of subsection (6) as paragraph (c); and
- (j) by inserting, immediately after the word “deposited” in the marginal note, the words “or secured”.

### **Amendment of section 21**

#### **12. Section 21 of the principal Act is amended —**

- (a) by inserting, immediately after the word “made” in the 3rd line of subsection (1), the words “or security has been furnished”; and
- (b) by inserting, immediately after the word “made” in subsection (2), the words “or the security furnished”.

### **Amendment of section 22**

#### **13. Section 22 of the principal Act is amended —**

- (a) by deleting subsection (1) and substituting the following subsection:
  - “(1) Where a deposit has been made or security has been furnished under section 20(6) and street works have been

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carried out to the satisfaction of the Authority, the Authority may, upon an application in writing, refund the deposit or return the security, in whole or in part, to the person who made the application under section 20(1).”;

- (b) by inserting, immediately after the word “deposit” in the 1st line of subsection (2), the words “or the security”; and
- (c) by inserting, immediately after the word “deposit” in the marginal note, the words “or return of security”.

### **Amendment of section 23**

**14.** Section 23 of the principal Act is amended —

- (a) by inserting, immediately after the words “made a deposit” in the 1st line of subsection (1), the words “or furnished any security”;
- (b) by deleting the words “or part thereof” in subsection (2) and substituting the words “or return the security, in whole or in part”; and
- (c) by inserting, immediately after the word “deposit” in the marginal note, the words “or return of security”.

### **Amendment of section 27**

**15.** Section 27 of the principal Act is amended —

- (a) by deleting subsections (1) and (2) and substituting the following subsections:

“(1) The Authority may, where it considers necessary, require the owner of any premises —

- (a) to allow a footway to be constructed within his premises for the use of the public; or
- (b) to allow an existing footway within his premises to be improved for the use of the public.

(2) The construction or improvement of a footway under subsection (1) shall not affect any house within the premises, except that if necessary for this purpose, the Authority may set back any wall, fence, hedge or other similar erection.”;

- (b) by inserting, immediately after the word “new” in the 3rd line of subsection (6), the words “or existing”; and
- (c) by inserting, immediately after the word “construction” in subsection (8)(a), the words “or improvement”.

### **Amendment of section 28**

**16.** Section 28(1) of the principal Act is amended by inserting, immediately after the word “constructed” in the 1st line, the words “or improved”.

### **New section 29A**

**17.** The principal Act is amended by inserting, immediately above section 30 in Part VII, the following section:

**“Authority to manage, maintain and repair back-lanes vested in Government**

**29A.** The Authority shall be responsible for the management, maintenance and repair of back-lanes vested in the Government.”.

### **New section 32A**

**18.** The principal Act is amended by inserting, immediately after section 32, the following section:

**“Obstruction of public streets, five-footways and private footways**

**32A.—**(1) No person shall —

- (a) deposit or cause or allow any article or thing to be deposited on any public street, five-footway or private footway; or
- (b) cause or allow any article or thing to remain on any public street, five-footway or private footway,

so as to create any obstruction or inconvenience to the passage of the public on such public street, five-footway or private footway.

(2) Any person who contravenes subsection (1) shall be guilty of an offence.

(3) Where an employee of the Authority finds on any public street, five-footway or private footway any article or thing which has been

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deposited or left to remain there in contravention of subsection (1), he may, by notice in writing, direct —

- (a) the owner of the article or thing;
- (b) the person who caused the article or thing to be deposited or to remain on the public street, five-footway or private footway; or
- (c) the owner or occupier of any land or building fronting, adjoining or abutting on the public street, five-footway or private footway,

to remove the article or thing within such time as may be specified in the notice.

(4) Where any person on whom a notice under subsection (3) has been served fails, without reasonable excuse, to comply with it —

- (a) he shall be guilty of an offence; and
- (b) an employee of the Authority may remove or cause the article or thing to be removed and detain the article or thing, at the risk of its owner, at such place as the Chief Executive may direct.

(5) Where any article or thing has been removed from a public street, five-footway or private footway under subsection (4)(b), the Authority may recover any costs reasonably incurred by it in connection with such removal from the owner of the article or thing or from the person who caused the article or thing to be deposited or to remain on the public street, five-footway or private footway.

(6) Where an employee of the Authority has removed any article or thing under subsection (4)(b), he shall cause a notice in writing to be sent to the owner of the article or thing to inform such owner of —

- (a) the removal of the article or thing;
- (b) the manner by which and the time within which such owner may procure the release of the article or thing; and
- (c) the consequences that may follow under subsections (7) and (8) if the article or thing is not claimed within the time specified in the notice.

(7) If the article or thing is not claimed by its owner within the time specified in the notice referred to in subsection (6), the Authority may dispose of the article or thing in such manner as it thinks fit (including selling the article or thing).

(8) Where any article or thing has been sold under subsection (7), the proceeds of the sale shall be applied in payment of any expenses incurred in carrying out the provisions of this section and thereafter shall be applied in payment of all charges and fines payable under this Act and any regulations made thereunder and the surplus, if any, shall be paid to the owner of the article or thing, or if not claimed by such owner within 12 months of the date of the sale, shall be forfeited to the Authority.

(9) In addition to the methods of service under section 47 —

- (a) a notice referred to in subsection (3) may be served by affixing it to the article or thing in respect of which it applies; and
- (b) a notice referred to in subsection (6) may be served by posting it conspicuously at or near the part of the public street, five-footway or private footway from which the article or thing was removed, if the name and address of the owner of the article or thing are unknown or cannot be ascertained despite reasonable diligence.

(10) Any person who, without the authority of an employee of the Authority, removes or tampers with any notice that has been affixed to any article or thing under subsection (9)(a) or that has been posted at any part of a public street, five-footway or private footway under subsection (9)(b) shall be guilty of an offence.

(11) Any person who is guilty of an offence under subsection (2) or (4)(a) shall be liable on conviction to a fine not exceeding \$2,000 and, in the case of a continuing offence, to a further fine not exceeding \$100 for every day or part thereof during which the offence continues after conviction.”.

#### **New section 49A**

**19.** The principal Act is amended by inserting, immediately after section 49, the following section:

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**“Jurisdiction of District Court**

**49A.** Notwithstanding any provision to the contrary in the Criminal Procedure Code (Cap. 68), a District Court shall have jurisdiction to try any offence under this Act and shall have power to impose the full penalty in respect of the offence.”.

**Amendment of section 54**

**20.** Section 54 of the principal Act is amended by deleting subsection (2).

**Amendment of First Schedule**

**21.** The First Schedule to the principal Act is amended —

(a) by inserting, immediately after paragraph 3, the following paragraph:

“3A. The management, maintenance and repair of back-lanes vested in the Government.”; and

(b) by inserting, immediately after paragraph 8, the following paragraphs:

“8A. The seizure, removal and disposal of articles and things by the Authority under this Act.

8B. The submission of plans for and other documents relating to the carrying out of engineering works within the road structure safety zone.”.

**Repeal of Second Schedule**

**22.** The Second Schedule to the principal Act is repealed.

**Consequential amendments to other written laws**

**23.** The provisions of the Acts specified in the first column of the Schedule are amended in the manner set out in the second column thereof.

**Transfer of moneys**

**24.—(1)** The Municipal Provident Fund shall, on the date of commencement of section 22, be dissolved.

(2) Upon the dissolution of the Municipal Provident Fund —

- (a) the balance of the moneys remaining in that Fund shall be transferred to the Consolidated Fund and, other than the unclaimed moneys, be added to the past reserves of the Government; and
- (b) the unclaimed moneys in that Fund shall be added to the current reserves of the Government.

(3) Any claim to the unclaimed moneys referred to in subsection (2)(b) may be made, at any time, to such public officer or public authority as the Minister may, by notification in the *Gazette*, designate.

(4) If a claim under subsection (3) is established to the satisfaction of the designated public officer or public authority, the amount certified by the officer or authority to be due to the claimant shall be paid to him, without interest, from the Consolidated Fund.

## THE SCHEDULE

Section 23

### CONSEQUENTIAL AMENDMENTS TO OTHER WRITTEN LAWS

<i>First column</i>	<i>Second column</i>
(1) Housing and Development Board Act (Chapter 129, 1997 Ed.)	
(a) Section 2(1)	Delete the definition of “Municipal Provident Fund”.
(b) Sections 43 and 44	Repeal.
(2) Pensions Act (Chapter 225, 1985 Ed.)	
Second Schedule, Part I	<ul style="list-style-type: none"> <li>(i) Delete the words “The Municipal Provident Fund as defined in the Local Government Integration Act.”.</li> <li>(ii) Delete the marginal reference “Cap. 166.”.</li> </ul>

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<i>First column</i>	<i>Second column</i>
(3) Urban Redevelopment Authority Act (Chapter 340, 1990 Ed.)	
(a) Section 2	Delete the definition of “Municipal Provident Fund”.
(b) Section 38	Repeal.

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