

Parking Places (Amendment) Bill

Bill No. 37/99.

Read the first time on 11th October 1999.

A BILL

intituled

An Act to amend the Parking Places Act (Chapter 214 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 Parking Places (Amendment) Act
5 1999 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Repeal and re-enactment of section 4

2. Section 4 of the Parking Places Act (referred to in this Act as the principal Act) is repealed and the following section substituted therefor:

“Authority may provide parking places

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4.—(1) Where it appears to the Authority to be necessary to provide suitable parking places for vehicles, the Authority may provide such parking places in accordance with the provisions of this Act and such general or specific directions as the Minister may give, and for that purpose may —

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(a) utilise any land or premises which may lawfully be acquired or appropriated;

(b) utilise any land or premises owned or occupied by any statutory body upon such terms and conditions as may be agreed upon between the Minister and the statutory body; or

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(c) permit any part of a road to be used as a parking place.

(2) The Authority shall not permit any part of a road to be used as a parking place under subsection (1) (c) if the use of such part of the road as a parking place will unreasonably prevent access to any premises adjoining the road or to the use of the road by any person entitled to the use thereof, or will cause a nuisance to any person.

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(3) The certificate of the Superintendent stating to the effect that any parking place named or described in the certificate is a parking place within the meaning of this Act shall be prima facie evidence for the purpose of any prosecution under this Act.”.

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Amendment of section 5

3. Section 5 (2) of the principal Act is amended —

(a) by deleting the word “Minister” in the 1st line and substituting the word “Authority”; and

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(b) by deleting the word “authorise” in the 1st line of paragraph (a) and substituting the word “permit”.

Amendment of section 6

4. Section 6 of the principal Act is amended —

- (a) by deleting the word “Minister” in the 1st line and substituting the word “Authority”; and
- (b) by deleting the word “he” in the 3rd line and substituting the word “it”.

Amendment of section 7

5. Section 7 of the principal Act is amended —

- (a) by deleting the words “The exercise by the Authority of its powers” in the 1st line and substituting the words “The exercise by the Authority or the Superintendent of its or his powers”; and
- (b) by deleting the words “or the Authority” in the 4th line and substituting the words “, the Authority or the Superintendent”.

Amendment of section 8

6. Section 8 of the principal Act is amended —

- (a) by deleting the words “The Minister” in the 1st line of subsection (1) and substituting the words “The Authority, with the approval of the Minister,”;
- (b) by deleting the word “and” at the end of subsection (2) (a); and
- (c) by deleting the full-stop at the end of paragraph (b) of subsection (2) and substituting the word “; and”, and by inserting immediately thereafter the following paragraph:
 - “(c) prescribe the manner and means by which charges prescribed under section 9 (1) may be paid and collected, including the use of such electronic or computerised facilities, devices and appurtenances as may be installed by the Authority for the purpose.”.

Amendment of section 11

7. Section 11 of the principal Act is amended by deleting subsection (1) and substituting the following subsection:

“(1) When the Authority permits any part of a road to be used as a parking place, the Authority shall cause the parking place to be indicated by means of traffic signs.”. 5

Amendment of section 15

8. Section 15 of the principal Act is amended —

(a) by deleting the word “or” at the end of paragraph (a) of subsection (1); 10

(b) by deleting the comma at the end of paragraph (b) of subsection (1) and substituting the word “; or”, and by inserting immediately thereafter the following paragraph:

“(c) being owned by a person against whom a warrant of arrest is in force, is parked in a parking place,”; 15

(c) by inserting, immediately after subsection (3), the following subsection:

“(3A) Where, pursuant to subsection (1) (c), the Superintendent has removed a vehicle to a place of safety or any other place or fixed an immobilisation device to a vehicle, the Superintendent may refuse to release the vehicle unless he is satisfied that the owner of the vehicle has been arrested or has surrendered himself to a police officer or the warrant of arrest in force against him has been cancelled by a court.”; and 20 25

(d) by deleting subsection (9) and substituting the following subsection:

“(9) In this section —

“immobilisation device” means any device or appliance designed or adapted to be fixed to any part of a vehicle for the purpose of preventing the vehicle from being driven or otherwise put in motion, being a device or appliance of a type approved by the Superintendent for use for that purpose in accordance with this section; 30 35

“owner”, in relation to a vehicle, has the same meaning as in section 14, and “owned” shall be construed accordingly;

5 “warrant of arrest” means a warrant of arrest issued by a court against a person in connection with any offence committed by him under —

- (a) this Act or any rules made thereunder; or
- (b) the Road Traffic Act (Cap. 276) or the rules.”.

10 **Amendment of section 18**

9. Section 18 of the principal Act is amended by deleting subsection (1) and substituting the following subsection:

15 “(1) Every summons, notice, order or document required or authorised by this Act or any rules made thereunder to be served on any person may be served —

- (a) by delivering it to the person or to some adult member or employee of his family at his usual or last known place of residence;
 - 20 (b) by leaving it at the usual or last known place of residence or business of the person in a cover addressed to him;
 - (c) by sending it by registered post in a prepaid letter addressed to the person at his usual or last known place of residence or business or any address furnished by him; or
 - 25 (d) in the case of a notice to be served on a person whose usual or last known place of residence or business cannot, with reasonable diligence, be ascertained, by publication of such notice in the *Gazette*.”.
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EXPLANATORY STATEMENT

This Bill seeks to amend the Parking Places Act (Cap. 214).

Clause 1 relates to the short title and commencement.

Clause 2 repeals and re-enacts section 4 for the purpose of transferring from the Minister to the Land Transport Authority of Singapore (referred to as the Authority) the power to provide suitable parking places for vehicles.

Clauses 3 and 4 make consequential amendments to sections 5 (2) and 6 respectively arising from the repeal and re-enactment of section 4.

Clause 5 amends section 7 to confer on the Superintendent (as defined in section 2 of the Act) protection from liability for the loss of or any damage to any vehicle parked in any parking place, or for any injury or death suffered by any person in any parking place. (Currently the protection extends only to the Authority and the Government).

Clause 6 amends section 8 —

- (a) to transfer the power to make rules from the Minister to the Authority (which is to exercise such power with the Minister's approval); and
- (b) to empower the Authority, with the approval of the Minister, to make rules to prescribe the means by which charges prescribed by the Minister under section 9 (1) for the use of any parking place are to be paid.

Clause 7 makes a consequential amendment to section 11 (1) arising from the repeal and re-enactment of section 4. The amendment brings the wording of section 11 (1) in line with the wording of the new section 4 (1) (c).

Clause 8 amends section 15 to empower the Superintendent —

- (a) to immobilise or remove and detain any vehicle which is being parked in a parking place and which is owned by a person against whom a warrant of arrest is still in force in connection with an offence under the Act or any rules made thereunder or under the Road Traffic Act (Cap. 276) or the rules; and
- (b) to refuse to release such vehicle unless he is satisfied that the owner of the vehicle has been arrested or has surrendered himself to a police officer or that the warrant of arrest in force against him has been cancelled by the court.

Clause 9 amends section 18 (1) to provide that a notice which is required to be served under the Act or any rules made thereunder on a person whose usual or last known place of residence or business cannot, with reasonable diligence, be ascertained, may be served on him by way of publication in the *Gazette*. (Only paragraph (d) of the new section 18 (1) is new; the rest of the paragraphs contain the provisions of the existing section 18 (1) (a) to (c) with some minor re-organisation).

EXPENDITURE OF PUBLIC MONEY

This Bill will not involve the Government in any extra financial expenditure.
