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Notification No. B 25 — The Public Transport Council (Amendment) Bill is hereby published for general information. It was introduced in Parliament on the 19th day of September 2005.

Public Transport Council (Amendment) Bill

Bill No. 25/2005.

Read the first time on 19th September 2005.

A BILL

i n t i t u l e d

An Act to amend the Public Transport Council Act (Chapter 259B of the 2000 Revised Edition) and to make a consequential amendment 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 Public Transport Council (Amendment) Act 2005 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of long title

2. The long title to the Public Transport Council Act (referred to in this Act as the principal Act) is amended by deleting the words “to license bus services and approve bus, taxi and rapid transit system fares” and substituting the words “to provide for the licensing of bus services, bus service operators and ticket payment services, to regulate bus, taxi and rapid transit system fares”.

Amendment of section 2

3. Section 2 of the principal Act is amended —

(a) by deleting the definitions of “bus” and “bus service licence” and substituting the following definitions:

“bus” means any motor vehicle registered as a bus under the Road Traffic Act (Cap. 276);

“bus service” means a service that is provided to any person upon the payment of a fare using one or more buses operating on pre-determined timetables and routes;

“bus service licence” means a bus service licence granted under Part IV;

“bus service operator” means any person who operates 10 or more bus services;

“bus service operator’s licence” means a bus service operator’s licence granted under Part IVA;

“Chairman” means the Chairman of the Council and includes any temporary Chairman of the Council;

“clearing”, in relation to a ticket payment service, means any arrangement, process, mechanism or facility provided by a person in respect of ticket transactions, by which —

(a) information relating to the terms of those transactions are verified by such person with a view to confirming the authenticity of those transactions; or

5 (b) the amount payable to the parties under those transactions is calculated and verified;”;

(b) by inserting, immediately after the definition of “fare”, the following definitions:

10 ““licensee” means a person to whom any licence has been granted under this Act;

“limited liability partnership” has the same meaning given to it by section 4(1) of the Limited Liability Partnerships Act 2005 (Act 5 of 2005);

“manager” —

15 (a) in relation to a company, means the principal executive officer of the company for the time being by whatever name called and whether or not he is a director thereof; and

20 (b) in relation to a limited liability partnership, has the same meaning as in section 2(1) of the Limited Liability Partnerships Act 2005;”;

(c) by deleting the definition of “public service vehicle” and substituting the following definitions:

25 ““public service vehicle” has the same meaning as in the Road Traffic Act (Cap. 276);

“public transport official” means a person appointed by the Council as a public transport official under section 24A;”;

30 (d) by deleting the full-stop at the end of the definition of “taxi” and substituting a semi-colon, and by inserting immediately thereafter the following definitions:

35 ““ticket” means any form of authorisation, issued for the conveyance of any passenger on a rapid transit system or on any bus operated by a bus service operator, or both;

“ticket payment service” means —

(a) a service for —

(i) the clearing of any ticket transaction; or

(ii) the sale, topping-up, replacement of, or
refund or management of the use of a mode
of payment for, tickets; or

(b) such other services as the Council may, by order in
the *Gazette*, prescribe;

“ticket payment service licence” means a licence granted
under Part IVB;

“ticket transaction” means any record of a fare deduction
created by the use of a mode of payment for tickets.”.

Amendment of section 3

4. Section 3 of the principal Act is amended by deleting subsections (1)
and (2) and substituting the following subsection:

“(1) There is hereby established a council to be called the Public
Transport Council which shall consist of the following members:

(a) a Chairman; and

(b) such other members as the Minister may determine.”.

Amendment of section 4

5. Section 4 of the principal Act is amended —

(a) by deleting paragraph (a) and substituting the following
paragraph:

“(a) to receive and consider applications for the grant of
bus service licences, bus service operator’s licences
and ticket payment service licences;”; and

(b) by deleting paragraph (c) and substituting the following
paragraph:

“(c) to regulate bus services, bus service operators, ticket
payment services and bus, taxi and rapid transit
system fares; and”.

Amendment of section 5

6. Section 5 of the principal Act is amended by deleting paragraph (a) and substituting the following paragraphs:

“(a) approve new bus services and adjust or cancel bus services;

5 (aa) grant bus service operator’s licences and ticket payment service licences and supervise and enforce compliance with the provisions of such licences; and”.

Amendment of section 7

7. Section 7 of the principal Act is amended by inserting, immediately
10 after the word “Council”, the words “and every public transport official”.

Repeal of sections 12 and 13 and re-enactment of section 12

8. Sections 12 and 13 of the principal Act are repealed and the following section substituted therefor:

“Bus service licences

15 **12.**—(1) No person shall operate any bus service without a bus service licence.

(2) An application for the grant or renewal of a bus service licence shall be made to the Council in such form or manner as the Council may require and shall be accompanied by such particulars,
20 information and documents as may be specified by the Council.

(3) Upon receipt of an application under subsection (2), the Council may —

(a) grant or renew the licence permitting the applicant to provide a bus service on such terms and conditions as the
25 Council thinks fit; or

(b) refuse to grant or renew the licence.

(4) A bus service licence shall be for a period not exceeding 5 years and the fee to be paid by the person to whom any such licence is granted shall be in accordance with a scale of fees to be prescribed by
30 the Council.”.

Amendment of section 14

9. Section 14 of the principal Act is amended —

- 5 (a) by deleting the words “to grant or refuse a bus service licence in respect of any route or routes and its discretion to attach conditions to any such licence, the Council shall generally have regard to” and substituting the words “to grant, renew or refuse to grant or renew a bus service licence under section 12 and the terms and conditions to impose thereon, the Council shall have regard to”;
- 10 (b) by deleting the words “and, if the applicant is a company, the fact that its articles of association contain provisions to ensure that its board of directors shall at all times consist only of persons approved by the Council” in paragraph (a);
- 15 (c) by deleting the word “traffic” in paragraph (e) and substituting the words “passenger demand”; and
- (d) by inserting, immediately after the word “Council” in the section heading, the words “in granting or renewing bus service licences”.

Amendment of section 15

20 **10.** Section 15 of the principal Act is amended —

- 25 (a) by deleting the words “In granting a bus service licence, the Council may impose such conditions as it thinks fit, and may, in particular” in subsection (1) and substituting the words “Without prejudice to the generality of section 12(3), the Council may, in granting or renewing a bus service licence”;
- (b) by deleting the word “and” at the end of subsection (1)(d);
- (c) by deleting the full-stop at the end of paragraph (e) of subsection (1) and substituting a semi-colon, and by inserting immediately thereafter the following paragraphs:
 - 30 “(f) the general level of services to be provided by the licensee to members of the public;
 - (g) the use or installation of integrated ticketing and information systems; and
 - (h) the provision of route information.”;

- (d) by deleting subsection (2); and
- (e) by deleting the word “licence” in the section heading and substituting the words “bus service licence”.

Repeal of sections 16 to 22 and new Parts IVA to IVD

- 5 **11.** Sections 16 to 22 of the principal Act are repealed and the following Parts substituted therefor:

“PART IVA

LICENSING OF BUS SERVICE OPERATORS

Bus service operator’s licences

- 10 **16.**—(1) No person shall operate 10 or more bus services without a bus service operator’s licence.

- (2) An application for the grant or renewal of a bus service operator’s licence shall be made to the Council in such form or manner as the Council may require and shall be accompanied by such particulars, information and documents as may be specified by the Council.

- (3) Subject to section 22C, upon receipt of an application under subsection (2), the Council may —

- 20 (a) grant or renew the licence permitting the applicant to operate any bus service for such period and on such terms and conditions as the Council thinks fit; or
- (b) refuse to grant or renew the licence.

Matters to be considered by Council in granting or renewing bus service operator’s licences

- 25 **17.** In exercising its discretion to grant, renew or refuse to grant or renew a bus service operator’s licence under section 16 and the terms and conditions to impose thereon, the Council shall have regard to —

- (a) the financial standing of the applicant;
- (b) the ability of the applicant to provide a satisfactory bus service to members of the public in relation to safety,

continuity, hours of operation, frequency, reliability, passenger capacity, vehicle quality and general efficiency;

- (c) the existence of other bus services;
- (d) the demand for bus services; and
- (e) any other matter which the Council thinks relevant.

Conditions of bus service operator's licence

18.—(1) Without prejudice to the generality of section 16(3), the Council may, in granting or renewing a bus service operator's licence, impose conditions —

- (a) requiring the payment to the Council of a fee on the grant or renewal of the licence or periodic fees for the duration of the licence, or both, of such amount as may be prescribed by the Council;
- (b) requiring the payment to the Council of a security deposit or performance bond on the grant of the licence, of such amount as may be determined by the Council;
- (c) relating to the provision of integrated service information or ticketing systems;
- (d) requiring the licensee to do, or not to do, such things as are specified or described in the licence;
- (e) relating to the extent, hours and general level of services to be provided by the licensee to members of the public;
- (f) relating to the condition and use of the buses managed by the licensee in operating the bus service;
- (g) relating to the conduct of the employees, agents and contractors of the licensee;
- (h) relating to the forfeiture of security deposit or performance bond for any breach of licence conditions;
- (i) if the licensee is a company, requiring the approval of the Council for the appointment, reappointment or removal of any person as the chairman of the board of directors of that company; and

(j) requiring the licensee to submit such data and undergo and pass such audit as the Council may determine for compliance with —

(i) the relevant provisions of this Act;

5 (ii) the terms and conditions of the licence;

(iii) the codes of practice issued, approved or modified by the Council under section 22E; and

(iv) any direction given by the Council under section 22F.

(2) For the purpose of subsection (1)(j) —

10 (a) the audit shall be conducted by —

(i) officers of the Council who have been duly designated by the Council for the purpose; or

(ii) a qualified independent audit team approved by the Council for the purpose;

15 (b) the Council may require the licensee —

(i) to submit to the Council or to the persons conducting the audit such information as the Council may specify which pertains to the operation of any bus service by the licensee; and

20 (ii) to allow the persons conducting the audit to carry out on-site collection or verification of any information which pertains to the operation of any bus service by the licensee;

25 (c) any sample size used by the persons conducting the audit shall be deemed to be reasonable; and

(d) the costs of and incidental to the conduct of the audit shall be borne by the licensee.

PART IVB

LICENSING OF TICKET PAYMENT SERVICES

Ticket payment service licences

5 **19.**—(1) No person shall provide or cause to be provided any ticket payment service without a ticket payment service licence.

10 (2) An application for the grant or renewal of a ticket payment service licence shall be made to the Council in such form or manner as the Council may require and shall be accompanied by such particulars, information and documents as may be specified by the Council.

 (3) Subject to section 22C, upon receipt of an application under subsection (2), the Council may —

15 (a) grant or renew the licence permitting the applicant to provide a ticket payment service for such period and on such terms and conditions as the Council thinks fit; or

 (b) refuse to grant or renew the licence.

Matters to be considered by Council in granting or renewing ticket payment service licences

20 **20.** In exercising its discretion to grant, renew or refuse to grant or renew a ticket payment service licence under section 19 and the terms and conditions to impose thereon, the Council shall have regard to the financial standing of the applicant and his ability to maintain an adequate, satisfactory, secure and efficient ticket payment service.

Conditions of ticket payment service licence

25 **21.**—(1) Without prejudice to the generality of section 19(3), the Council may, in granting or renewing a ticket payment service licence, impose conditions —

30 (a) requiring the payment to the Council of a fee on the grant or renewal of the licence or periodic fees for the duration of the licence, or both, of such amount as may be prescribed by the Council;

- (b) requiring the payment to the Council of a security deposit or performance bond on the grant of the licence, of such amount as may be determined by the Council;
- (c) relating to any fee or charges imposed by the licensee;
- 5 (d) relating to the provision or operation of any ticket payment service;
- (e) relating to the standards of performance to be complied by the licensee in connection with the provision or operation of ticket payment services;
- 10 (f) relating to competition and the abuse of dominant position with respect to the provision or operation of any ticket payment service;
- (g) requiring the licensee to furnish information with respect to his ticket payment service to the Council or any agent appointed by the Council in such manner and at such times as the Council may require;
- 15 (h) requiring the licensee to seek the approval of the Council before making any material change to any operating rule or activity of his ticket payment service;
- 20 (i) if the licensee is a company, requiring the approval of the Council for the appointment, reappointment or removal of any person as the chairman of the board of directors of that company; and
- (j) requiring the licensee to undergo and pass such audit as the Council may determine for compliance with —
- 25 (i) the relevant provisions of this Act;
- (ii) the terms and conditions of the licence;
- (iii) the codes of practice issued, approved or modified by the Council under section 22E;
- 30 (iv) any direction given by the Council under section 22F; and
- (v) the standards of performance issued by the Council under paragraph (e).

(2) For the purpose of subsection (1)(j) —

(a) the audit shall be conducted by —

(i) officers of the Council who have been duly designated by the Council for the purpose; or

5 (ii) a qualified independent audit team approved by the Council for the purpose;

(b) the Council may require the licensee —

10 (i) to submit to the Council or to the persons conducting the audit such information as the Council may specify which pertains to the provision or operation of any ticket payment service by the licensee; and

15 (ii) to allow the persons conducting the audit to carry out on-site collection or verification of any information which pertains to the provision or operation of any ticket payment service by the licensee;

(c) any sample size used by the persons conducting the audit shall be deemed to be reasonable; and

(d) the costs of and incidental to the conduct of the audit shall be borne by the licensee.

20 **Council may provide ticket payment service**

25 **22.** If there is for any reason no person providing any ticket payment service for the land transport system in Singapore or any part thereof, the Council may provide or cause to be provided a ticket payment service having regard to the reasonable requirements of the system in Singapore or part thereof.

PART IVC

FUEL EQUALISATION FUND

Establishment of Fuel Equalisation Fund

30 **22A.**—(1) Every person to whom a bus service operator's licence or a licence under Part III of the Rapid Transit Systems Act (Cap. 263A) has been granted shall —

(a) establish and maintain a Fuel Equalisation Fund (referred to in this Part as the Fund) for the purpose of mitigating the effects of any increase in fuel price and electricity tariff; and

5 (b) pay into the Fund an annual contribution of such amount as the Council may, from time to time, determine.

(2) No person referred to in subsection (1) shall withdraw any sum of money from the Fund except with the approval of the Council.

10 (3) An application to withdraw any sum of money from the Fund shall be made to the Council in such form or manner as the Council may require.

(4) Upon receiving an application under subsection (3), the Council may —

15 (a) grant the application to withdraw the sum of money from the Fund in full or in part, subject to such conditions as the Council thinks fit; or

(b) reject the application.

Contravention of section 22A

20 **22B.**—(1) If the Council is satisfied that any person referred to in section 22A(1) has contravened section 22A(1) or (2) or any condition imposed under section 22A(4), the Council may, by notice in writing, require that person to pay to the Council a financial penalty in respect of the contravention of an amount not exceeding \$100,000.

25 (2) Unless otherwise directed by the Minister, the financial penalty payable by the person under subsection (1) shall not absolve the person —

(a) from his compliance with section 22A(1); and

30 (b) if the Council requires him to do so, from paying into the Fund such sum of money withdrawn by him from the Fund without the approval of the Council.

(3) The Council shall, in any notice requiring the payment of a financial penalty, specify the date before which the financial penalty is to be paid, being a date not earlier than the end of the period within

which an appeal against the decision may be brought under section 22I.

(4) Any financial penalty payable by any person under subsection (1) shall be recoverable as a debt due to the Council from that person, and the person's liability to pay such penalty shall not be affected by his licence ceasing (for any reason) to be in force.

PART IVD

GENERAL PROVISIONS RELATING TO LICENCES

Constitution of partnership or company to be licensed

22C.—(1) If the applicant for a licence under Part IVA or IVB is a partnership, all the partners of the partnership must be approved by the Council before the licence may be granted or renewed.

(2) If the applicant for a licence under Part IVA or IVB is a limited liability partnership —

- (a) all the partners of the limited liability partnership must be approved by the Council; and
- (b) where any partner is a company, all the directors of that company must be approved by the Council,

before the licence may be granted or renewed.

(3) If the applicant for a licence under Part IVA or IVB is a company, all the directors of the company must be approved by the Council before the licence may be granted or renewed.

(4) No person shall be appointed to be a new partner or director of a licensee unless such person is approved by the Council.

(5) Every licensee to whom a licence has been granted under Part IVA or IVB shall inform the Council of —

- (a) if the licensee is a partnership, the withdrawal by, or the expulsion of, any partner from the partnership;
- (b) if the licensee is a limited liability partnership, the withdrawal by, or the expulsion of, any partner from the limited liability partnership and, where any partner is a

company, the resignation or removal of any director of that company;

(c) if the licensee is a company, the resignation or removal of any director of the company; and

5 (d) if the licensee is a partnership, limited liability partnership or company, the death of any partner or director.

Licensee to submit accounts

22D.—(1) Every licensee to whom a licence has been granted under Part IVA or IVB shall submit —

10 (a) a copy of the balance-sheet and of the profit and loss account for the financial year which have been respectively audited by the licensee's auditors (including every document required by law to be annexed or attached thereto) and certified to be a true copy by —

15 (i) the licensee;

(ii) if the licensee is a partnership, a partner of the partnership;

(iii) if the licensee is a limited liability partnership, a partner or manager of the limited liability partnership, as the case may be; or

20 (iv) if the licensee is a company, a director or the manager or the secretary of the company, as the case may be; and

(b) a certified copy of the report of the auditors thereon,
25 within 3 months after the close of each financial year of the licensee's undertaking or within such extended period as the Council may approve.

(2) If the balance-sheet or profit and loss account is in a language other than English, there must also be annexed to it a translation in English certified to be a correct translation.

30 (3) If the balance-sheet or profit and loss account did not comply with the requirements of the law in force at the date of the audit, there shall be made such additions to and corrections in the copy in order to

make it comply with the requirements, and the fact that the copy has been so amended shall be stated thereon.

(4) The licensee shall cause to be attached to the profit and loss account a statement or statements of the total revenue and expenditure of the licensee for the financial year containing such particulars and in such form as the Council may direct.

(5) The statement or statements referred to in subsection (4) shall be duly audited and signed by —

- (a) the licensee;
- (b) if the licensee is a partnership, a partner of the partnership;
- (c) if the licensee is a limited liability partnership, a partner or manager of the partnership, as the case may be; or
- (d) if the licensee is a company, not less than 2 of the directors of the company.

Codes of practice, etc.

22E.—(1) The Council may issue or approve and, from time to time, modify codes of practice in connection with —

- (a) the operation or provision of any bus service or ticket payment service by licensees;
- (b) the conduct of licensees; and
- (c) the preservation and promotion of fair competition amongst operators of bus services or providers of ticket payment services.

(2) Every licensee shall comply with any code of practice issued, approved or modified by the Council under subsection (1), except that if any provision in any such code of practice is inconsistent with this Act, that provision shall not have effect to the extent of the inconsistency.

(3) The Council may, if the circumstances so warrant, exempt any licensee from any provision in any code of practice, whether unconditionally or subject to such conditions as the Council thinks fit to impose, and whether permanently or for such time as the Council may specify.

(4) Any code of practice issued, approved or modified by the Council shall be deemed not to be subsidiary legislation.

Directions affecting licensee

22F.—(1) The Council may give directions to be observed by licensees for or in respect of the following matters:

- (a) the extent, hours and general level of bus services or ticket payment services to be operated or provided by licensees;
- (b) the operation or provision of bus services or ticket payment services by licensees;
- (c) the preservation and promotion of fair competition amongst operators of bus services or providers of ticket payment services; and
- (d) any other matters affecting the interests of the public in connection with the services provided by licensees.

(2) Any direction given under subsection (1) —

- (a) may require the licensee concerned to do or to refrain from doing, as the case may be, such things as are specified in the direction or described therein;
- (b) shall take effect at such time, being the earliest practicable time, as is determined by or under that direction; and
- (c) may be revoked at any time by the Council.

(3) Before giving any direction to any licensee under subsection (1), the Council —

- (a) shall give notice to the licensee —
 - (i) informing the licensee of the proposed direction and setting out its effect; and
 - (ii) specifying the time within which representations or objections to the proposed direction may be made by the licensee in connection with the proposed direction,
 unless the Council, in respect of any particular direction, considers that it is not practicable or desirable that such notice be given; and

(b) shall consider any representation or objection which is duly made by the licensee in accordance with paragraph (a)(ii).

(4) Every licensee shall comply with every direction given to him by the Council under this section.

5 **Modification of licence conditions**

22G.—(1) Subject to this section, the Council may, without any compensation, add to, delete or modify the conditions of a licence imposed under this Act.

10 (2) Before making any addition to or deletion or modification of the conditions of a licence under subsection (1), the Council shall give notice to the licensee —

(a) stating that it proposes to make the addition, deletion or modification in the manner specified in the notice; and

15 (b) specifying the time (not being less than 28 days from the date of service of the notice on such licensee) within which the licensee may make written representations to the Council with respect to the proposed addition, deletion or modification.

20 (3) Upon receipt of any written representation referred to in subsection (2)(b), the Council shall consider such representation and may —

(a) reject the representation;

25 (b) amend the proposed addition, deletion or modification in such manner as it thinks fit having regard to the representation; or

(c) withdraw the proposed addition, deletion or modification.

(4) Where the Council —

(a) rejects any written representation under subsection (3)(a); or

30 (b) amends any proposed addition, deletion or modification under subsection (3)(b),

the Council shall issue a direction in writing to the licensee requiring the licensee, within the time specified by the Council, to give effect to the addition, deletion or modification as specified in the notice or as amended by the Council, as the case may be.

(5) The Council shall not enforce its direction —

- (a) during the period referred to in section 22I(1); and
- (b) whilst the appeal of the licensee is under consideration by the Minister.

5 (6) If no written representation is received by the Council within the time specified in subsection (2)(b) or if any written representation made under that subsection is subsequently withdrawn, the Council may immediately carry out the addition to or deletion or modification of the conditions of the licence as specified in the notice given to the
10 licensee under subsection (2).

Suspension or cancellation of licence, etc.

22H.—(1) Subject to subsection (2), if any licensee —

- (a) contravenes or fails to secure the compliance by his employees, agents or contractors with —

- 15 (i) any condition of a bus service licence or bus service operator's licence;
- (ii) any condition of a ticket payment service licence; or
- (iii) any provision of this Act;

- 20 (b) in the opinion of the Council, fails or is likely to fail to provide and maintain —

- (i) an adequate and satisfactory bus service; or
- (ii) an adequate, satisfactory, secure and efficient ticket payment service;

- 25 (c) goes into compulsory or voluntary liquidation other than for the purpose of reconstruction or amalgamation;

- (d) makes any assignment to, or composition with, his creditors;

- (e) fails to comply with any code of practice issued, approved or modified under section 22E; or

- (f) fails to comply with any direction given under section 22F,

30 the Council may, by notice in writing and without any compensation, do all or any of the following:

- (A) suspend or cancel the licence of the licensee;

(B) forfeit the whole or any part of any security deposit or performance bond paid to the Council by the licensee or by his bank pursuant to a bank guarantee;

5 (C) require the licensee to pay, within a specified period, a financial penalty of such amount not exceeding \$100,000 for each contravention or breach as the Council thinks fit.

10 (2) The Council shall not impose any financial penalty under subsection (1)(C) on any licensee by reason only that under subsection (1)(b) the Council is of the opinion that the licensee is likely to fail to provide and maintain an adequate and satisfactory bus service or an adequate, satisfactory, secure and efficient ticket payment service, as the case may be.

Appeal to Minister

22I.—(1) Any licensee aggrieved by —

15 (a) any refusal by the Council to renew a licence under section 16(3) or 19(3);

(b) any condition imposed by the Council under section 21(1)(e);

20 (c) any decision of the Council made under section 22A(4), 22B(1) or 22H(1)(A), (B) or (C);

(d) anything contained in any code of practice issued, approved or modified by the Council under section 22E; or

(e) any direction given by the Council under section 22F or issued by the Council under section 22G(4),

25 may, within 14 days of the receipt of the notice relating to the relevant matter, appeal to the Minister.

(2) Unless otherwise provided, where an appeal is lodged under this section, the decision, direction or other thing appealed against shall be complied with until the determination of the appeal.

30 (3) The Minister may determine an appeal under this section by confirming, varying or reversing any decision or direction of the Council or by amending any condition imposed or code of practice issued, approved or modified by the Council.

(4) The decision of the Minister in any appeal shall be final.”.

Amendment of section 23

12. Section 23 of the principal Act is amended —

(a) by deleting “\$1,000” in subsection (4) and substituting “\$2,000”;
and

5 (b) by deleting subsection (5).

Amendment of section 24

13. Section 24 of the principal Act is amended by inserting, immediately after subsection (2), the following subsections:

“(3) The Council may —

- 10 (a) reject the application;
- (b) approve the application, subject to such conditions as the Council thinks fit; or
- (c) at any time, revise any bus or rapid transit system fare in accordance with the fare adjustment formula set out in the
15 Third Schedule.

(4) The Council may revoke any approval granted under subsection (3)(b) if the Council is satisfied that the applicant has failed to comply with any condition imposed thereunder.”.

New Parts VA and VB

20 **14.** The principal Act is amended by inserting, immediately after section 24, the following Parts:

“PART VA

PUBLIC TRANSPORT OFFICIALS

Appointment of public transport officials

25 **24A.**—(1) The Council may, with the approval of the Minister, in writing appoint any person or class of persons to be public transport officials for the purposes of this Part.

(2) Any public transport official may do one or more of the following:

- (a) require any person making use of any bus service or rapid transit system service to produce a ticket for inspection;
- 5 (b) subject to any specific or general direction given by the Council, require any person who has made use of any bus service or rapid transit system service without paying the appropriate fare for the distance which he has travelled to pay a penalty fee of such amount as may be prescribed by the Council;
- 10 (c) issue a notice, in such form as may be approved by the Council, to the person referred to in paragraph (b), requiring that person to pay the penalty fee within such time and at such place as may be specified in the notice.

Identification card to be produced

15 **24B.**—(1) Every public transport official when exercising any powers under this Part shall —

- (a) declare his office; and
 - (b) on demand, produce to any person affected by the exercise of those powers such identification card as the Council may direct to be carried by a public transport official.
- 20 (2) It shall not be an offence for any person to refuse to comply with any request, demand or order made or given by any public transport official if the public transport official refuses to declare his office and produce his identification card, on demand being made by the person.

Payment of penalty fee

25 **24C.**—(1) Where a public transport official is satisfied that any person has made use of a bus service or rapid transit system service without paying the appropriate fare for the distance which he has travelled, the public transport official may, subject to any specific or
30 general direction given by the Council, require such person to pay a penalty fee of such amount as may be prescribed by the Council.

(2) Any person who is required by a public transport official to pay a penalty fee under subsection (1) shall pay the penalty fee —

- (a) to that public transport official immediately in such mode of payment as may be determined by the Council; or
- (b) within such time and at such place as may be specified by the public transport official.

5 (3) Upon the payment of the penalty fee under subsection (2), the public transport official shall issue a receipt to the person who paid the penalty fee.

10 (4) Any person who is required by a public transport official to pay a penalty fee under subsection (1) may, if aggrieved by that requirement, appeal within the prescribed period and in accordance with the prescribed procedure to the Council or to an officer authorised by the Council to hear such appeal and the decision of the Council or authorised officer shall be final.

15 (5) Any person who fails or refuses to pay any penalty fee referred to in subsection (1) or, if he has made an appeal under subsection (4), pursuant to an order made by the Council or an authorised officer to pay the penalty fee following the appeal shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 and, in the case of a second or subsequent offence, to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

Failure to pay taxi fare

25 **24D.** Any person who, having made use of a taxi service and without reasonable excuse, fails or refuses to pay the fare as indicated on the taximeter shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 and, in the case of a second or subsequent offence, to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

Power to require evidence of identity

30 **24E.—**(1) Any person who is required by a public transport official to pay a penalty fee shall —

- (a) give his name and address and such other proof of identity; and

(b) furnish such other particulars,

as the public transport official may require, unless he pays, immediately and in such mode of payment as may be determined by the Council, the full amount of the penalty fee to that public transport official.

(2) Any person who refuses to furnish any information required of him by any public transport official under subsection (1) or wilfully misstates such information shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

Powers of arrest

24F.—(1) A public transport official or police officer may arrest without warrant any person whom he has reason to believe has committed an offence under this Part, if the name and address of the person are unknown to him and —

- (a) the person declines to give his name or address; or
- (b) there is reason to doubt the accuracy of the name or address, if given.

(2) A person arrested under subsection (1) may be detained until his name and address are correctly ascertained.

(3) No person arrested under subsection (2) shall be detained longer than is necessary for bringing him before a court.

PART VB

INVESTIGATIONS

Investigation into affairs of licensee

24G.—(1) The Council may appoint one or more inspectors to investigate the affairs of a licensee or such aspects of the affairs of a licensee as are specified in the instrument of appointment.

(2) An inspector appointed by the Council may, and if so directed by the Council shall, make interim reports to the Council and on the conclusion of the investigation the inspector shall report his opinion on or in relation to the affairs that he has been appointed to

investigate together with the facts upon which his opinion is based to the Council.

(3) A copy of the report shall be forwarded by the Council to the registered office of the licensee.

5 (4) The Council may, if it is of the opinion that it is necessary in the public interest to do so, cause the report to be printed and published.

(5) In this Part —

“affairs”, in relation to a licensee, includes —

- 10 (a) the promotion, formation, membership, control, trading, dealings, business and property of the licensee;
- (b) the ownership of shares in, debentures of and interests made available by the licensee;
- 15 (c) the ascertainment of the persons who are or have been financially interested in the success or failure or apparent success or failure of the licensee or are or have been able to control or materially to influence the policy of the licensee; and
- 20 (d) the circumstances under which a person acquired or disposed of or became entitled to acquire or dispose of shares in, debentures of or interests made available by the licensee;

“officer or agent”, in relation to a licensee, includes —

- (a) a director, banker, solicitor or an auditor of the licensee;
- 25 (b) a person who at any time —
 - (i) has been a person referred to in paragraph (a); or
 - (ii) has been otherwise employed or appointed by the licensee;
- (c) a person who —
 - 30 (i) has in his possession any property of the licensee;
 - (ii) is indebted to the licensee; or
 - (iii) is capable of giving information concerning the promotion, formation, trading, dealings, affairs or property of the licensee; and

- (d) where there are reasonable grounds for suspecting or believing that a person is a person referred to in paragraph (c), that person.

Procedure and powers of inspectors

5 **24H.**—(1) If an inspector appointed to investigate the affairs of a licensee which is a company thinks it necessary for the purposes of the investigation to investigate also the affairs of any other company which is or has at any relevant time been deemed to be or have been related to the licensee by virtue of section 6 of the Companies Act
10 (Cap. 50), he shall have power to do so.

(2) The inspector shall report to the Council on the affairs of the other company so far as he thinks the results of the investigation thereof are relevant to the investigation of the affairs of the licensee.

15 (3) The licensee and every officer or agent of the licensee shall, if required by an inspector appointed under this Part, produce to the inspector all books and documents in his custody or power and shall give to the inspector all assistance in connection with the investigation which he is reasonably able to give.

20 (4) An inspector may, by notice in writing, require the licensee and any officer or agent of the licensee to appear for examination on oath or affirmation (which he is hereby authorised to administer) in relation to the business of the licensee.

25 (5) The notice under subsection (4) may require the production of all books and documents in the custody or under the control of a licensee or any officer or agent of the licensee.

(6) An inspector who pursuant to this section requires the production of all books and documents in the custody or power or under the control of an officer or agent of any licensee —

- (a) may take possession of all such books and documents;
- 30 (b) may retain all such books and documents for such time as he considers to be necessary for the purpose of the investigation; and
- (c) shall permit the licensee to have access at all reasonable times to all such books and documents so long as they
35 remain in the inspector's possession.

(7) A licensee or any officer or agent of the licensee who fails to comply with a requirement of any notice issued under subsection (4) or fails or refuses to answer any question which is put to him by an inspector with respect to the affairs of the licensee shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

(8) No person who is or has formerly been an officer or agent of a licensee shall be entitled to refuse to answer any question which is relevant or material to the investigation on the ground that his answer might tend to incriminate him.

(9) If a person referred to in subsection (8) claims that the answer to any question might incriminate him and, but for that subsection, he would have been entitled to refuse to answer the question, the answer to the question shall not be used in any subsequent criminal proceedings except in the case of a charge against him for making a false statement.

(10) Subject to subsection (8), a person shall be entitled to refuse to answer a question on the ground that the answer might tend to incriminate him.

(11) An inspector may cause notes of any examination under this Part to be recorded and reduced to writing, to be read to or by and signed by the person examined.

(12) Any such signed notes may, except in the case of any answer which that person would not have been required to give but for subsection (8), thereafter be used in evidence in any legal proceedings against that person.

Report of inspector to be admissible in evidence

24I. A copy of the report of any inspector appointed under this Part certified as correct by the Council shall be admissible in any legal proceedings as evidence of the opinion of the inspector and of the facts upon which his opinion is based in relation to any matter contained in the report.

Costs of investigations

24J. The expenses of and incidental to an investigation by an inspector appointed under this Part shall be paid out of the funds of the Council.

Penalty for delaying or obstructing investigation

24K.—(1) Any person who with intent to defeat the purposes of this Part, or to delay or obstruct the carrying out of an investigation under this Part —

(a) destroys, conceals or alters any book, document or record of or relating to a licensee; or

(b) sends or attempts to send or conspires with any other person to send out of Singapore any such book, document or record or any property of any description belonging to or in the disposition or under the control of a licensee,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 2 years or to both.

(2) If in any prosecution for an offence under subsection (1) it is proved that the person charged with the offence —

(a) has destroyed, concealed or altered any book, document or record of or relating to the licensee; or

(b) has sent or attempted to send or conspired to send out of Singapore any book, document or record or any property of any description belonging to or in the disposition or under the control of the licensee,

the onus of proving that in so doing he had not acted with intent to defeat the purposes of this Part, or to delay or obstruct the carrying out of an investigation under this Part shall lie on him.”.

New sections 25A, 25B and 25C

15. The principal Act is amended by inserting, immediately after section 25, the following sections:

“Penalty for operation of service without licence

25A. Any person who contravenes section 12(1), 16(1) or 19(1) shall be guilty of an offence and —

(a) in the case of an offence under section 12(1), shall be liable on conviction to a fine not exceeding \$10,000 and, in the case of a continuing offence, to a further fine not exceeding \$500 for every day or part thereof during which the offence continues after conviction; and

(b) in the case of an offence under section 16(1) or 19(1), shall be liable on conviction to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 6 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$5,000 for every day or part thereof during which the offence continues after conviction.

Offences by bodies corporate, etc.

25B.—(1) Where an offence under this Act committed by a body corporate is proved —

(a) to have been committed with the consent or connivance of an officer; or

(b) to be attributable to any neglect on his part,

the officer as well as the body corporate shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

(3) Where an offence under this Act committed by a partnership is proved —

(a) to have been committed with the consent or connivance of a partner; or

(b) to be attributable to any neglect on his part,

the partner as well as the partnership shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(4) Where an offence under this Act committed by an unincorporated association (other than a partnership) is proved —

(a) to have been committed with the consent or connivance of an officer of the unincorporated association or a member of its governing body; or

(b) to be attributable to any neglect on the part of such an officer or member,

the officer or member as well as the unincorporated association shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(5) In this section —

“body corporate” includes a limited liability partnership;

“officer” —

(a) in relation to a body corporate, means any director, partner, member of the committee of management, chief executive, manager, secretary or other similar officer of the body corporate and includes any person purporting to act in any such capacity; or

(b) in relation to an unincorporated association (other than a partnership), means the president, the secretary, or any member of the committee of the unincorporated association, or any person holding a position analogous to that of president, secretary or member of a committee and includes any person purporting to act in any such capacity;

“partner” includes a person purporting to act as a partner.

(6) Regulations may provide for the application of any provision of this section, with such modifications as the Council considers appropriate, to any body corporate or unincorporated association formed or recognised under the law of a territory outside Singapore.

Jurisdiction of court

25C. 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 or punishment in respect of the offence.”.

Amendment of section 26

16. Section 26 of the principal Act is amended —

- 5 (a) by deleting “\$200” in subsection (1) and substituting “\$500”;
 and
- (b) by deleting subsection (2).

New sections 26A and 26B

10 **17.** The principal Act is amended by inserting, immediately after section 26, the following sections:

“Recovery of sums payable

15 **26A.**—(1) Where any fee, contribution, financial penalty or other sum payable under this Act remains due and unpaid by a licensee, the Council may require the licensee to pay interest thereon at the prescribed rate, and any such fee, contribution, financial penalty or other sum, and any interest thereon, may be recovered by the Council in any court of competent jurisdiction as if they were simple contract debts.

20 (2) The licensee’s liability to pay shall not be affected by his licence ceasing (for any reason) to be in force.

Moneys recovered or collected by Council

25 **26B.**—(1) All moneys recovered, and fees, charges, security deposits, performance bonds and composition sums collected under this Act, other than licence fees and financial penalties, shall be paid into and form part of the moneys of the Council.

 (2) All licence fees and financial penalties collected under this Act shall be paid into the Consolidated Fund.”.

New sections 27A and 27B

30 **18.** The principal Act is amended by inserting, immediately after section 27, the following sections:

“Service of documents

27A.—(1) Any notice, order or document required or authorised by this Act or any regulations made thereunder to be served on any person, and any summons issued by a court against any person in connection with any offence under this Act or the regulations may be served on the person —

(a) by delivering it to the person or to some adult member or employee of his family or household at his last known place of residence;

(b) by leaving it at his usual or last known place of residence or place of business in an envelope addressed to the person;

(c) by sending it by registered post addressed to the person at his usual or last known place of residence or place of business; or

(d) in the case of an incorporated company, a partnership or a body of persons —

(i) by delivering it to the secretary or other like officer of the company, partnership or body of persons at its registered office or principal place of business; or

(ii) by sending it by registered post addressed to the company, partnership or body of persons at its registered office or principal place of business.

(2) Any notice, order, document or summons sent by registered post to any person in accordance with subsection (1) shall be deemed to be duly served on the person at the time when the notice, order, document or summons, as the case may be, would in the ordinary course of post be delivered and, in proving service of the notice, order, document or summons, it shall be sufficient to prove that the envelope containing the same was properly addressed, stamped and posted by registered post.

Amendment of Schedule

27B.—(1) The Minister may at any time, by order published in the *Gazette*, amend the Third Schedule.

(2) The Minister may, in any order made under subsection (1), make such incidental, consequential or supplementary provision as may be necessary or expedient.”.

Amendment of section 28

5 **19.** Section 28 of the principal Act is amended —

- (a) by inserting, immediately after the words “bus service licences” in subsection (2)(a) and (b), the words “, bus service operator’s licences and ticket payment service licences”;
- 10 (b) by deleting the full-stop at the end of paragraph (g) of subsection (2) and substituting a semi-colon, and by inserting immediately thereafter the following paragraph:
 - “*(h)* to prescribe anything that is required to be prescribed under this Act.”; and
- (c) by deleting “\$1,000” in subsection (3) and substituting “\$5,000”.

15 **Amendment of First Schedule**

20. The First Schedule to the principal Act is amended —

- (a) by deleting the words “not more than 16 members to be appointed” in paragraph 1 and substituting the words “such members as may be appointed”;
- 20 (b) by deleting the words “for a period of 2 years” in paragraph 5 and substituting the words “for such period as the Minister may determine”;
- (c) by deleting the words “9 members present” in paragraph 8(2) and substituting the words “one half of the number of members”; and
- 25 (d) by deleting sub-paragraph (6) of paragraph 8.

Amendment of Second Schedule

21. Paragraph 3(2) of the Second Schedule to the principal Act is amended by deleting the words “an approved company auditor under the Companies Act (Cap. 50)” and substituting the words “a public
30 accountant who is registered or deemed to be registered under the Accountants Act (Cap. 2)”.

New Third Schedule

22. The principal Act is amended by inserting, immediately after the Second Schedule, the following Schedule:

“THIRD SCHEDULE

5

Section 24(3)(c)

FARE ADJUSTMENT FORMULA

Maximum Fare Adjustment for any year (X) = Price Index for year (X) – 0.3%

where Price Index = 0.5 CPI + 0.5 WI

10

CPI is the change in Consumer Price Index between year (X-1) and year (X-2); and

15

WI is the change in Average Monthly Earnings (Overall Average by Industry) between year (X-1) and year (X-2), adjusted to account for any change in the employer’s Central Provident Fund contribution rate as specified in the Central Provident Fund Act (Cap. 36).”.

Consequential amendment to Land Transport Authority of Singapore Act

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23. Item 7 in the Fifth Schedule to the Land Transport Authority of Singapore Act (Cap. 158A) is deleted and the following item substituted therefor:

“7. Section 23 of the Public Transport Council Act (Cap. 259B).”.

Savings and transitional provisions

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24.—(1) Every bus service licence granted for the purposes of section 13 of the principal Act in force immediately before the appointed day and which has not expired on that day shall continue to be in force and have effect as if it were a bus service licence granted under section 8 of this Act until the date of its expiry or until it is cancelled by the Council, whichever is the earlier.

30

(2) Notwithstanding anything contained in this Act, a person who, immediately before the appointed day, was providing the service of a bus service operator shall be entitled to carry on as such without a bus service operator’s licence —

(a) for a period of 3 months (or such further period as the Minister may determine) beginning from that day; or

(b) if before the expiration of that period such person applies for a bus service operator's licence, until the licence is granted or finally refused or the application is withdrawn.

5

(3) Any fuel equalisation fund which was established before the appointed day by a bus service licensee or a licensee to whom a licence has been granted under the Rapid Transit Systems Act (Cap. 263A) shall continue and deemed to be a Fuel Equalisation Fund established by that licensee under section 22A(1) of the principal Act inserted by section 11 of this Act and all moneys in that fund shall on the appointed day be transferred by that licensee to its Fuel Equalisation Fund.

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(4) In this section, "appointed day" means the date of commencement of this Act.

EXPLANATORY STATEMENT

This Bill seeks to amend the Public Transport Council Act (Cap. 259B) primarily for the following purposes:

- (a) to provide for the regulation and licensing of bus service operators and ticket payment services;
- (b) to provide for the revision of bus and rapid transit system fares;
- (c) to provide for the appointment of public transport officials;
- (d) to require certain licensees to establish a Fuel Equalisation Fund;
- (e) to empower the Public Transport Council (the Council) to prescribe penalty fees and criminalise the failure to pay such penalty fees; and
- (f) to make certain technical amendments to the Act.

The Bill also makes a consequential amendment to the Land Transport Authority of Singapore Act (Cap. 158A).

Clause 1 relates to the short title and commencement.

Clause 2 amends the long title to reflect that the Council will license bus services, bus service operators and ticket payment services and regulate bus, taxi and rapid transit system fares.

Clause 3 amends section 2 to define or re-define certain terms used in the Act.

Clause 4 amends section 3 to provide for the constitution of the Council.

Clauses 5 and 6 make technical amendments to sections 4 and 5, respectively, consequential to the regulation and licensing of bus service operators and ticket payment services.

Clause 7 amends section 7 to deem all public transport officials as public servants within the meaning of the Penal Code (Cap. 224).

Clause 8 repeals sections 12 and 13 and re-enacts section 12 to provide for the licensing of bus services and set out the requirements for an application for the grant or renewal of a bus service licence.

Clause 9 amends section 14 —

- (a) to remove the requirement that the Council must generally have regard, in deciding whether to grant a bus service licence to an applicant which is a company, to the fact that its articles of association contain provisions to ensure that its board of directors consists only of persons approved by the Council; and
- (b) to provide that the Council must generally take into account the needs of an area in relation to passenger demand in determining whether to grant, renew or refuse to grant or renew a licence under new section 12.

Clause 10 amends section 15 to give the Council further powers, in granting or renewing bus service licences, to impose conditions in relation to —

- (a) the general level of services provided by a bus service licensee;
- (b) the use or installation of integrated ticketing and information systems; and
- (c) the provision of route information.

Clause 11 repeals sections 16 to 22 and inserts new Parts IVA to IVD.

The new Part IVA (comprising new sections 16, 17 and 18) provides for the licensing of bus service operators.

The new section 16 provides for the licensing of bus service operators and sets out the requirements for an application for the grant or renewal of a bus service operator's licence.

The new section 17 requires the Council to have regard to certain matters in determining whether to grant, renew or refuse to grant or renew a licence under new section 16.

The new section 18 empowers the Council to impose conditions in relation to bus service operator's licences.

The new Part IVB (comprising new sections 19 to 22) provides for the licensing of ticket payment services.

The new section 19 provides for the licensing of ticket payment services and sets out the requirements for an application for the grant or renewal of a ticket payment service licence.

The new section 20 requires the Council to have regard to the financial standing of the applicant and his ability to maintain an adequate, satisfactory, secure and efficient ticket payment service in deciding whether to grant, renew or refuse to grant or renew a licence under new section 19.

The new section 21 empowers the Council to impose conditions in relation to ticket payment service licences.

The new section 22 allows the Council to provide ticket payment services in the event that no ticket payment service licence is granted.

The new Part IVC (comprising new sections 22A and 22B) provides for the establishment of Fuel Equalisation Funds.

The new section 22A provides that every person to whom a bus service operator's licence or a licence under the Rapid Transit Systems Act (Cap. 263A) has been granted must establish and maintain a Fuel Equalisation Fund (the Fund) for the purpose of mitigating the effects of increase in fuel and electricity tariff. The person must pay into the Fund a yearly contribution of an amount determined by the Council, and must not withdraw any money from the Fund without the approval of the Council.

The new section 22B empowers the Council to impose a financial penalty upon any contravention of new section 22A.

The new Part IVD (comprising new sections 22C to 22I) relates to general provisions with respect to licences.

The new section 22C sets out the conditions for application for a licence under Part IVA or IVB where the applicant is a partnership, limited liability partnership or company.

The new section 22D requires the licensee to whom a licence has been granted under Part IVA or IVB to submit a true copy of the balance-sheet and of the profit and loss account within 3 months after the close of each financial year.

The new section 22E empowers the Council to issue, approve and modify codes of practice for the purposes of the Act and requires every licensee to comply with such codes of practice.

The new section 22F empowers the Council to give directions in relation to certain matters to be observed by licensees.

The new section 22G empowers the Council to modify the conditions of a licence.

The new section 22H empowers the Council to suspend or cancel a licence, to forfeit the whole or any part of any security deposit or performance bond paid to the Council and to require the payment of a financial penalty.

The new section 22I allows a licensee to appeal to the Minister against certain decisions of the Council, any condition imposed under section 21(1)(e), anything in any code of practice issued under new section 22E or any direction given or issued under new section 22F or 22G, respectively.

Clause 12 amends section 23 to increase the penalty for a breach of the provision from a sum of \$1,000 to \$2,000. The clause also deletes subsection (5) which is no longer required.

Clause 13 amends section 24 to allow the Council to revise any bus or rapid transit system fare at any time in accordance with the fare adjustment formula set out in the new Third Schedule (to be inserted by clause 22).

Clause 14 inserts new Parts VA and VB.

The new Part VA (comprising new sections 24A to 24F) relates to the appointment and powers of public transport officials.

The new section 24A empowers the Council to appoint any person or class of persons to be public transport officials for the purposes of Part VA.

The new section 24B requires a public transport official when exercising any powers under Part VA to declare his office and, on demand, produce his identification card.

The new section 24C empowers —

- (a) a public transport official to require any person who has made use of a bus or rapid transport system service without paying the appropriate fare to pay a penalty fee; and
- (b) the Council to prescribe penalty fees.

The section also criminalises the failure to pay penalty fees.

The new section 24D criminalises the failure to pay taxi fares.

The new section 24E allows a public transport official to require from any person who is suspected of having committed an offence under Part VA for proof of his identity and makes it an offence for such person to furnish any false information to the public transport official under the section.

The new section 24F provides that a public transport official or police officer may arrest any person who is reasonably suspected of having committed an offence under Part VA.

The new Part VB (comprising new sections 24G to 24K) provides for investigations into the affairs of licensees.

The new sections 24G and 24H relate to the power of the Council to appoint investigators to investigate into the affairs of a licensee and the procedure and powers of such investigators.

The new section 24I provides for the admissibility as evidence of copies of reports of inspectors appointed by the Council.

The new section 24J provides that the expenses of and incidental to an investigation by an inspector appointed under Part VB will be paid out of the funds of the Council.

The new section 24K makes it an offence for any person to obstruct or delay the carrying out of an investigation under Part VB.

Clause 15 inserts new sections 25A, 25B and 25C.

The new section 25A makes it an offence for any person —

- (a) to provide a bus service or to cause or permit a bus service to be provided in contravention of the Act; or
- (b) to provide a ticket payment service or to cause or permit a ticket payment service to be provided in contravention of the Act.

The new section 25B relates to the liability of officers and partners for any offence under the Act committed by a body corporate, an association or a firm.

The new section 25C confers on a District Court jurisdiction to try any offence under the Act and the power to impose the full penalty or punishment in respect of the offence.

Clause 16 amends section 26 to increase the composition sum from \$200 to \$500. The clause also deletes subsection (2) which is no longer required.

Clause 17 inserts new sections 26A and 26B.

The new section 26A provides for the recovery by the Council of sums due and payable to it by licensees under the Act.

The new section 26B provides that all moneys recovered, and fees, charges, security deposits, performance bonds and composition sums collected under the Act are to be paid into and form part of the moneys of the Council, except that all licence fees and financial penalties collected are to be paid into the Consolidated Fund.

Clause 18 inserts new sections 27A and 27B.

The new section 27A provides for the service of notices, orders and other documents.

The new section 27B empowers the Minister to amend the new Third Schedule by order published in the *Gazette*.

Clause 19 makes technical amendments to section 28 incidental to the regulation of bus service operators and ticket payment services. The clause also amends subsection (3) to increase the penalty for a breach of the provision from a sum of \$1,000 to \$5,000.

Clause 20 makes technical amendments to paragraphs 1, 5 and 8 of the First Schedule.

Clause 21 makes a technical amendment to paragraph 3(2) of the Second Schedule.

Clause 22 inserts a new Third Schedule which sets out the formula for fares adjustment under Part V.

Clause 23 makes a consequential amendment to the Fifth Schedule to the Land Transport Authority of Singapore Act (Cap. 158A).

Clause 24 provides for savings and transitional provisions.

EXPENDITURE OF PUBLIC MONEY

This Bill will involve the Government in extra financial expenditure, the exact amount of which cannot at present be ascertained.
