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Land Transport Authority of Singapore (Amendment) Bill

Bill No. 41/2018.

Read the first time on 1 October 2018.

A BILL

i n t i t u l e d

An Act to amend 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 is the Land Transport Authority of Singapore (Amendment) Act 2018 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

5 Amendment of section 2

2. Section 2 of the Land Transport Authority of Singapore Act (called in this Act the principal Act) is amended by inserting, immediately after the definition of “President”, the following definition:

10 ““Rail Infrastructure Fund” means the fund of that name established under section 13C;”.

Amendment of section 5

3. Section 5(1) of the principal Act is amended by deleting the words “nor more than 14” in paragraph (b).

15 Amendment of section 6

4. Section 6 of the principal Act is amended —

(a) by inserting, immediately after paragraph (u) of subsection (1), the following paragraph:

20 “(ua) to manage and administer the Rail Infrastructure Fund in accordance with this Act subject to the directions of the Minister;”; and

(b) by inserting, immediately after the words “may assign to the Authority” in subsection (3), the words
25 “, by notification in the *Gazette*,”.

Amendment of section 13A

5. Section 13A of the principal Act is amended —

- (a) by deleting the words “to meet all expenditure —” in subsection (2)(a) and substituting the words “to meet any of the following expenditure to the extent not expressly provided as may be met from the Rail Infrastructure Fund:”; 5
- (b) by deleting the word “or” at the end of subsection (2)(a)(i);
- (c) by inserting, immediately after paragraph (d) of subsection (2), the following paragraph: 10
 - “(da) to refund any sums collected as charges or cash-bids that are in excess of what is payable under section 13A of the Rapid Transit Systems Act;”; and
- (d) by deleting the words “investments or moneys” in subsection (3) and substituting the words “investments of moneys”. 15

New sections 13C and 13D

6. The principal Act is amended by inserting, immediately after section 13B, the following sections: 20

“Rail Infrastructure Fund

13C.—(1) The Rail Infrastructure Fund is established consisting of —

- (a) all moneys from time to time appropriated from the Consolidated Fund or Development Fund and authorised to be paid into the Rail Infrastructure Fund by Supply law; 25
- (b) all moneys authorised by or under any other written law to be paid into the Rail Infrastructure Fund;
- (c) any gifts or donations made by any person for the purposes of the Rail Infrastructure Fund; and 30

- (d) all investments of moneys in the Rail Infrastructure Fund authorised to be made by this Act and the proceeds of any such investment, including the net income from such investments.

(2) Upon the date of commencement of section 6 of the Land Transport Authority of Singapore (Amendment) Act 2018, the Government must pay into the Rail Infrastructure Fund such sum as the Minister for Finance may determine out of moneys to be provided by Parliament for the Rail Infrastructure Fund.

(3) For the purposes of subsection (1)(d), the net income from investments is the amount ascertained by adding to, or deducting from, the income received from investments of moneys in the Rail Infrastructure Fund, any gain derived or loss sustained, realised or unrealised (as the case may be) from such investments.

(4) Upon the dissolution of the Rail Infrastructure Fund during any term of office of the Government (within the meaning of the Constitution), the balance then remaining in that Fund must be transferred to the Consolidated Fund and added to the reserves of the Government not accumulated by it during that term of office.

Purposes of Rail Infrastructure Fund

13D.—(1) The moneys in the Rail Infrastructure Fund may be withdrawn by the Authority only for the following purposes:

- (a) for the Authority to carry on any construction, improvement or extension, or any demolition and replacement, of any railway (in whole or part), the operation of which is or is to be subject to the Rapid Transit Systems Act;
- (b) for the acquisition by the Authority of capital machinery or equipment required for or in connection with the start of operations of —
 - (i) a railway (or a part of a railway) the construction, or demolition and replacement,

of which (as the case may be) was paid for with money from the Rail Infrastructure Fund; or

- (ii) an improved or extended railway (or an improved or extended part of a railway) the improvement or extension of which was paid for with money from the Rail Infrastructure Fund; 5
- (c) for the Authority to carry on any associated design, investigative and engineering studies, survey or research preparatory to the undertaking of any work or acquisition mentioned in paragraph (a) or (b); 10
- (d) to pay any of the following which is incurred or payable (as the case may be) for the purposes of the construction, improvement or extension, or the demolition and replacement (as the case may be) by the Authority of a railway, the operation of which is or is to be subject to the Rapid Transit Systems Act: 15
 - (i) the costs incurred by the Collector of Land Revenue in the acquisition under the Land Acquisition Act (Cap. 152) of any land; 20
 - (ii) the compensation payable for the acquisition under the Land Acquisition Act of any land that is the subject of a notice under section 7 of the Rapid Transit Systems Act;
- (e) to pay insurance premiums on capital equipment or other investments acquired, and land (including structures) acquired and constructed, using money from the Rail Infrastructure Fund; 25
- (f) to pay all amounts relating to the sale, disposal or write-off of any investments paid for with money from the Rail Infrastructure Fund; 30
- (g) to invest in accordance with section 17;
- (h) to pay any expenses properly attributable to the setting up of the Rail Infrastructure Fund and the

administration, management and investment of moneys in that Fund.

5 (2) However, no investment paid for with money from the Rail Infrastructure Fund may be written off by the Authority without the prior approval of the Minister.”.

Amendment of section 17

7. Section 17 of the principal Act is amended by inserting, immediately after the words “Railway Sinking Fund”, the words “, the Rail Infrastructure Fund”.

EXPLANATORY STATEMENT

This Bill seeks to amend the Land Transport Authority of Singapore Act (Cap. 158A) to establish a Rail Infrastructure Fund and to make amendments of a housekeeping nature for the better running of the Land Transport Authority of Singapore (called the LTA).

Clause 1 relates to the short title and commencement.

Clause 2 inserts a new definition of “Rail Infrastructure Fund” in section 2, which refers to the fund set up under the new section 13C.

Clause 3 amends section 5(1) to abolish the maximum number of individuals who may be appointed as members of the LTA.

Clause 4 amends section 6(1) to include as a new function of the LTA that of managing and administering the Rail Infrastructure Fund. An amendment is also made to section 6(3) to reflect the current practice of assigning new functions to the LTA by way of a notification in the *Gazette*.

Clause 5 amends section 13A (which relates to the Railway Sinking Fund) firstly, to clearly demarcate the use of the moneys in this Fund vis-à-vis the Rail Infrastructure Fund with regard to the purchase of trains and rolling stock and like capital equipment. The amendment makes it clear that the Railway Sinking Fund may be used to pay the cost of any capital equipment (including new works, plant, equipment, trains, vessels or appliances) related to the operation and maintenance of the railway network under the Rapid Transit Systems Act (Cap. 263A), except the initial acquisition of capital equipment required in respect of or in connection with the start of operations of a railway paid for with money from the Rail Infrastructure Fund. The procurement of the latter capital equipment is to be met from the Rail Infrastructure Fund.

Clause 6 introduces new sections 13C and 13D.

The new section 13C establishes the Rail Infrastructure Fund, and sets out its source of moneys, which includes moneys which may, from time to time, be appropriated from the Consolidated Fund or Development Fund and authorised to be paid into the Rail Infrastructure Fund by Supply law.

The purposes of the Rail Infrastructure Fund are set out in the new section 13D. The Rail Infrastructure Fund may be used by the LTA primarily as follows:

- (a) for the LTA to carry on any construction, improvement or extension, or any demolition and replacement, of any railway (in whole or part), the operation of which is or is to be subject to the Rapid Transit Systems Act. The work may be ongoing when the Bill comes into force or may be started thereafter;
- (b) for the acquisition by the LTA of capital machinery or equipment required for or in connection with the start of operations of a railway which costs of construction, improvement or extension, or of demolition and replacement (as the case may be) were paid for with money from the Rail Infrastructure Fund. The Rail Infrastructure Fund may, for instance, be used to pay for changes in tracks and signalling systems of an existing railway which is extended using money from that Fund, where the changes are required to start operations on the extension. Other examples of capital equipment are trains, locomotives, rolling stock or maintenance or engineering vehicles for use on a railway, a railway communications system or railway control system, and any equipment associated with the use of such a system.

Clause 7 amends section 17 to extend the standard power of investment for statutory boards to the Rail Infrastructure Fund.

EXPENDITURE OF PUBLIC MONEY

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