

Point-to-Point Passenger Transport Industry Bill

Bill No. 14/2019.

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POINT-TO-POINT PASSENGER TRANSPORT INDUSTRY ACT 2019

(No. of 2019)

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A BILL

intituled

An Act with respect to point-to-point passenger transport services, to make related amendments to the Public Transport Council Act (Chapter 259B of the 2012 Revised Edition) concerning passenger transport service fares, to repeal the Third-Party Taxi Booking Service Providers Act 2015 (Act 17 of 2015) and to make consequential and related amendments to certain other Acts.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

PART 1
PRELIMINARY

Short title and commencement

5 **1.** This Act is the Point-to-Point Passenger Transport Industry Act 2019 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

General interpretation

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

“applicant” means an applicant for or to renew a licence;

10 “authorised driver” means an individual —

 (a) with a relevant vocational driving authorisation who drives a public service vehicle to transport passengers for hire or reward in the provision of a passenger transport service; or

15 (b) who is exempt under section 142 of the Road Traffic Act (Cap. 276) from requiring a relevant vocational driving authorisation to drive a public service vehicle to transport passengers for hire or reward;

20 “authorised officer”, for any provision of this Act, means an officer or employee of the LTA who is appointed as an authorised officer under section 8 for the purposes of that provision;

25 “business” includes any business, whether or not carried on for profit and whether or not its primary function is connected with point-to-point passenger transport services;

“chief executive officer”, in relation to a licensee, means an individual (by whatever name described) who —

 (a) is in the direct employment of, or acting for or by arrangement with, the licensee; and

(b) is principally responsible for the management and conduct of the business of the licensee insofar as it relates to providing a street-hail service or a ride-hail service, as the case may be,

and includes an individual for the time being performing all or any of the functions or duties of a chief executive officer; 5

“code of practice” means a code of practice issued or approved by the LTA under section 30, and includes any such code of practice as amended from time to time under that section;

“corporation” means any body corporate formed or incorporated or existing in Singapore or outside Singapore and includes any foreign company within the meaning of the Companies Act (Cap. 50); 10

“director” has the meaning given by section 4(1) of the Companies Act; 15

“emergency directive” means a directive given under section 32;

“exempt ride-hail operator order” means an order made under section 24, and as varied under section 26;

“exempt ride-hail service operator” means a person to which an exempt ride-hail operator order applies; 20

“fare” means the consideration paid or given for the use of a passenger transport service, whether or not it is paid or given to the provider of a ride-hail service or street-hail service, a driver or any other person;

Examples 25

(a) The price payable for the passenger transport service.

(b) A discount, concession, allowance, rebate or credit applying in relation to the price payable for that service.

(c) A booking fee for a ride-hail service.

“granted” or “grant”, for a licence, includes granted or grant on renewal and deemed granted; 30

“hirer” includes a prospective hirer of a motor vehicle;

“individual with disability” means an individual who has a mental disability, an impairment of hearing or sight, or an impairment which limits his or her ability to walk or restricts him or her to using a wheelchair;

5 “licence” means a licence granted under this Act;

“licensee” means a person to whom a licence is granted under this Act;

“limited liability partnership” has the meaning given by the Limited Liability Partnerships Act (Cap. 163A);

10 “LTA” means the Land Transport Authority of Singapore established under the Land Transport Authority of Singapore Act (Cap. 158A);

15 “modification” or “modify”, in relation to the conditions of a licence, includes deleting or varying and substituting a condition, and adding a condition;

20 “motor vehicle” means a vehicle that is built to be propelled on a road wholly or in part by a motor that forms part of the vehicle, but does not include a mobility scooter, motorised wheelchair, power-assisted bicycle or personal mobility device within the respective meanings given by the Active Mobility Act 2017 (Act 3 of 2017);

“officer”, in relation to an applicant or exempt ride-hail service operator or a licensee, means —

25 (a) where the applicant, operator or licensee is a body corporate, an individual for the time being holding the office of chairperson, director, chief executive officer or company secretary (as the case may be) of the body or any position analogous to any of those offices;

30 (b) where the applicant, operator or licensee is a partnership (including a limited partnership), a partner of the partnership; or

(c) where the applicant, operator or licensee is an unincorporated association, an individual for the

time being holding the office of president, secretary or treasurer (as the case may be) of the committee of the unincorporated association, or any position analogous to any of those offices,

and includes any person carrying out the duties of any such office referred to in paragraph (a), (b) or (c) if the office is vacant; 5

“partner”, in relation to a limited partnership, includes a limited partner in the limited partnership;

“passenger” includes a prospective passenger; 10

“passenger transport service” means a service involving the transport by a motor vehicle of passengers within, or partly within, Singapore for hire or reward, but does not include a service that provides transport by a motor vehicle that is generally conducted on land that is not a road; 15

“point-to-point passenger transport service” means —

(a) a ride-hail service; or

(b) a street-hail service;

“premises” means a building or structure (whether permanent or temporary) or part of such a building or structure, and includes any immediately adjoining space or land necessary for access to, or the enjoyment of occupants of, the building or structure; 20

“provide a point-to-point passenger transport service” means providing in the course of business a point-to-point passenger transport service; 25

“provider”, in relation to a point-to-point passenger transport service, means the person who provides the service;

“public service motor vehicle” means a public service vehicle which is a motor vehicle; 30

“public service vehicle” has the meaning given by the Road Traffic Act;

“Public Transport Council” or “PTC” means the Public Transport Council established under the Public Transport Council Act (Cap. 259B);

“Regulations” means any regulations made under section 53;

5 “regulatory action”, for a licensee, means any action in section 35(1) or (2) that may be taken by the LTA against a licensee;

10 “relevant vocational driving authorisation” means a vocational licence granted under section 110 of the Road Traffic Act authorising the holder to drive one or more of the following classes of public service motor vehicles for the purpose of transporting passengers for hire or reward:

(a) a taxi;

15 (b) a private hire car (within the meaning given by the Road Traffic Act) which is hired, or made available for hire, under a contract (express or implied) for use as a whole with a driver for the purpose of conveying one or more passengers (if any) in that car;

20 (c) a motor vehicle within a class allowed under section 101 of the Road Traffic Act to be used as a public service vehicle;

25 “representative”, for an exempt ride-hail service operator or a licensee who is a provider of a ride-hail service or street-hail service, means an individual (whether or not an employee or officer of the operator or licensee) who —

(a) is directly involved in the day-to-day management of the provision of that service;

(b) has the capacity, on behalf (as the case may be) of —

30 (i) the provider of the ride-hail service, to influence the safety of drivers who provide, and the motor vehicles driven in providing, the on-demand passenger transport service to which the ride-hail service relates; or

(ii) the provider of the street-hail service, to influence the safety of drivers who provide, and the motor vehicles driven in providing, the street-hail service;

(c) has access to and is authorised to provide any information relating to the ride-hail service or street-hail service (as the case may be) that is required by or under this Act; and 5

(d) is authorised to represent for the purposes of this Act the provider of the ride-hail service or street-hail service (as the case may be) in providing that service; 10

“ride-hail service licence” means a licence granted under Part 4;

“road” has the meaning given by section 2(1) of the Road Traffic Act;

“safety incident”, in relation to a point-to-point passenger transport service, means — 15

(a) an occurrence associated with the driving of a motor vehicle used in providing that service, where the vehicle is destroyed or damaged, abandoned or disabled, stranded or missing in operation; 20

(b) any situation where an individual —

(i) dies as a result of an occurrence associated with the driving of a motor vehicle used in the provision of that service; or

(ii) is injured or incapacitated as a result of an occurrence associated with the driving of a motor vehicle used in the provision of that service; or 25

(c) any situation where any property is damaged as a result of an occurrence associated with the driving of a motor vehicle used in the provision of that service, 30

and “occurrence” includes an accident or a near accident;

“street-hail service licence” means a licence granted under Part 3;

“taxi” means a public service vehicle which is classified as a taxi under the Second Schedule to the Road Traffic Act;

5 “unincorporated association” means a society or body unincorporate which, under any written law, may sue or be sued, or hold property, in the name of an officer of the society or body duly appointed for that purpose.

Meaning of “street-hail service” and associated terms

10 **3.** In this Act, unless the context otherwise requires —

“provide a street-hail service” means providing a street-hail service in the course of business;

15 “related driver”, in relation to a licensee of a street-hail service licence, means an authorised driver with whom the licensee has a related driver agreement;

20 “related driver agreement”, in relation to a licensee of a street-hail service licence, means an agreement or arrangement between the licensee and an authorised driver of a motor vehicle under which the driver is entitled to drive the motor vehicle to transport passengers for hire or reward as part of the street-hail service authorised by the licence, and it does not matter —

(a) whether or not the authorised driver is an employee or agent of the licensee; and

25 (b) whether the motor vehicle is hired from the licensee;

“street-hail service” means a passenger transport service —

(a) provided using motor vehicles which are taxis, 2 or more of which at any time in a year are taxis owned by the provider of that service; and

30 (b) under which any individual can hail or hire on-demand such a motor vehicle when it is —

(i) standing or plying for hire on a road; and

- (ii) authorised under this Act or the Road Traffic Act to stand or ply for hire on a road (whether or not the motor vehicle is hired by other means for the purposes of providing that passenger transport service).

5

Meaning of “ride-hail service” and associated terms

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

“bookable vehicle” means any of the following motor vehicles:

- (a) a taxi;
- (b) a private hire car (within the meaning given by the Road Traffic Act) which is hired, or made available for hire, under a contract (express or implied) for use as a whole with a driver for the purpose of conveying one or more passengers (if any) in that car; 10
- (c) a motor vehicle that is within a class allowed under section 101 of the Road Traffic Act to be used as a public service vehicle, and is prescribed as permissible for the purposes of this definition; 15

“booking”, in relation to a ride-hail service, means a booking for a motor vehicle to be used in providing an on-demand passenger transport service taken or facilitated by the provider of the ride-hail service; 20

“on-demand passenger transport service” means a passenger transport service —

- (a) provided using bookable vehicles; 25
- (b) in which the passenger or hirer determines or substantially determines the locations for the beginning and end of the journey and the time of travel; and
- (c) which does not involve a street-hail service; 30

“on-demand ride booking service” means —

(a) a service that involves —

(i) taking or facilitating bookings for bookable vehicles made available, or to be made available, in providing on-demand passenger transport services (whether immediately or at a later time); and

(ii) communicating the bookings to —

(A) providers of on-demand passenger transport services;

(B) other providers of on-demand ride booking services; or

(C) drivers of bookable vehicles made available, or to be made available, to carry out the on-demand passenger transport services;

(b) a service that involves taking or facilitating bookings for bookable vehicles made available, or to be made available, in providing on-demand passenger transport services (whether immediately or at a later time), where the person who takes or facilitates the bookings is an authorised driver carrying out the service;

(c) a service that involves the provision of passenger transport services by bookable vehicles for hire or reward where the passengers are transported under a vehicle pooling arrangement as prescribed; or

(d) a service that the Regulations prescribe is an on-demand ride booking service,

but excludes any service of a kind that the Regulations prescribe is not an on-demand ride booking service;

“participating bookable driver”, in relation to a provider of a ride-hail service, means an authorised driver who has a participating driver agreement with the provider;

“participating driver agreement”, in relation to a provider of a ride-hail service, means an agreement or arrangement between the provider of a ride-hail service and a driver of a bookable vehicle under which —

(a) the provider agrees to —

(i) take or facilitate any booking by or on behalf of a passenger for bookable vehicles made available, or to be made available, in providing on-demand passenger transport services (whether immediately or at a later time) to the passenger; and

(ii) communicate the booking to participating bookable drivers; and

(b) the driver agrees to carry out the on-demand passenger transport service in the booking by transporting the passenger for hire or reward, using a bookable vehicle,

and it does not matter whether or not the driver is an employee or agent of the provider of the ride-hail service or whether the vehicle is hired from that provider;

“provide a ride-hail service” means providing in the course of business a ride-hail service;

“ride-hail service” means —

(a) an on-demand passenger transport service; or

(b) an on-demand ride booking service.

(2) For the purpose of determining whether a person provides a ride-hail service in Singapore, it does not matter —

(a) that a booking is obtained or communicated remotely by means of an electronic device or other means not directly provided by the person who provides the service; or

(b) that the provider of the ride-hail service is located outside Singapore, if the on-demand passenger transport service to

which the ride-hail service relates is provided wholly or partly within Singapore.

(3) To avoid doubt, a person provides —

5 (a) an on-demand ride booking service if the person contracts with, or arranges for, other persons to provide the on-demand passenger transport service booked through the ride booking service unless excluded by the Regulations; or

10 (b) a ride-hail service if the person provides an on-demand passenger transport service and takes bookings for that on-demand passenger transport service.

(4) However, in this Act, a person is not to be regarded as providing an on-demand passenger transport service solely because the person drives a public service motor vehicle for use in carrying out that service.

(5) For the purposes of this Act, an on-demand passenger transport service relates to a ride-hail service if the on-demand passenger transport service is or is to be carried out as a result of a booking taken or facilitated by —

20 (a) a provider of an on-demand ride booking service comprised in the ride-hail service; or

(b) a provider of the ride-hail service.

Purposes of Act

5. The purposes of this Act are to regulate the provision of point-to-point passenger transport services so as —

(a) to facilitate the delivery of safe, reliable, efficient and customer-focused point-to-point passenger transport services in Singapore; and

30 (b) to enable the development and operation of innovative and accessible point-to-point passenger transport services which contribute to the mobility and safety of people in Singapore.

Application of Act

6.—(1) This Act extends to any conduct outside Singapore, or partly inside or partly outside Singapore, that results in the provision of any point-to-point passenger transport service for journeys by motor vehicles within, or partly within, Singapore. 5

(2) This Act binds the Government, but nothing in this Act renders the Government liable to prosecution for an offence under this Act.

(3) To avoid doubt, no person is immune from prosecution for any offence under this Act by reason only that the person is engaged to provide services to the Government or is acting in any other similar capacity for, or on behalf of, the Government. 10

(4) Nothing in this Act requires the LTA and the PTC, respectively, to hold a licence in order to discharge their respective functions or exercise their respective powers under any Act.

Administration of Act

7.—(1) It is the function of the LTA to exercise licensing and regulatory functions in accordance with this Act with respect to the provision in Singapore of point-to-point passenger transport services, and to otherwise administer this Act. 15

(2) In discharging the functions and duties imposed on it by subsection (1), the LTA must have regard to the need — 20

- (a) for reliable, safe and convenient passenger travel on motor vehicles and other forms of land transport in Singapore;
- (b) for ensuring that any person licensed or otherwise authorised under this Act to provide in Singapore point-to-point passenger transport services is able to do so efficiently; and 25
- (c) for sustainability, adequacy and optimisation of capacity across the network of public passenger transport services on land for journeys within Singapore. 30

(3) No liability shall lie personally against any member, officer or employee of the LTA or any other person acting under the direction of the LTA for anything done or intended to be done in good faith and

with reasonable care in the execution or purported execution of this Act.

Authorised officers

5 **8.**—(1) The LTA may, in relation to any provision of this Act or the Regulations, appoint any of its officers or employees to be an authorised officer for the purposes of that provision, either generally or in a particular case.

10 (2) The LTA may delegate the exercise of all or any of the powers conferred or duties imposed upon it by any provision of this Act or the Regulations (except the power of delegation conferred by this subsection) to any authorised officer, subject to such conditions or limitations as the LTA may specify; and any reference in that provision of this Act or the Regulations to the LTA includes a reference to such an authorised officer.

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PART 2

UNAUTHORISED ACTIVITIES

Unauthorised provision of street-hail services

9.—(1) A person commits an offence if the person provides in Singapore a street-hail service when the person —

20 (a) is not authorised to do so by a street-hail service licence; and

(b) is not exempt from this section by an order under section 52 in relation to that service.

(2) The offence under subsection (1) is a strict liability offence.

25 (3) A person who is guilty of an offence under subsection (1) shall be liable on conviction to a fine not exceeding \$10,000 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 \$500 for every day or part of a day during which the offence continues after
30 conviction.

(4) For the purposes of this section, a licensee of a street-hail service licence is not authorised by its licence to provide a street-hail service during the period the licence is suspended.

Unauthorised provision of ride-hail services

10.—(1) A person commits an offence if the person provides in Singapore a ride-hail service — 5

(a) when the person is not authorised to do so by a ride-hail service licence and is not authorised to do so as an exempt ride-hail service operator; and

(b) when the person is not exempt from this section by an order under section 52 in relation to that service. 10

(2) The offence under subsection (1) is a strict liability offence.

(3) A person who is guilty of an offence under subsection (1) shall be liable on conviction to a fine not exceeding \$10,000 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 \$500 for every day or part of a day during which the offence continues after conviction. 15

(4) For the purposes of this section, a licensee of a ride-hail service licence is not authorised by its licence to provide a ride-hail service during the period the licence is suspended. 20

Accepting booking from unauthorised ride-hail service provider

11.—(1) A driver who drives a motor vehicle used in carrying out any on-demand passenger transport service related to a ride-hail service commits an offence if — 25

(a) the driver intentionally takes one or more bookings for that on-demand passenger transport service from the provider of the ride-hail service;

(b) the provider of the ride-hail service — 30

(i) is not authorised to provide that ride-hail service by a ride-hail service licence;

(ii) is not authorised to provide that ride-hail service as an exempt ride-hail service operator; and

(iii) is not exempt from section 10(1), by an order under section 52, in relation to the provision of that ride-hail service; and

(c) the driver knows that, or is reckless as to whether, the provider of the ride-hail service is not authorised to provide that ride-hail service as described in paragraph (b) and is not exempt from section 10(1) as described in that paragraph.

(2) A driver who is guilty of an offence under subsection (1) shall be liable on conviction as follows:

(a) to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 3 months or to both;

(b) in the case of a second or subsequent conviction, to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

PART 3

STREET-HAIL SERVICES

Application for or to renew street-hail service licences

12.—(1) An application for or to renew a street-hail service licence must be made to the LTA in accordance with this section.

(2) An application for or to renew a street-hail service licence must —

(a) be in the form and manner the LTA specifies;

(b) be accompanied by an application fee, if prescribed;

(c) contain —

(i) an address in Singapore at which notices and other documents under this Act for the applicant may be served; or

- (ii) the name and address of one or more persons in Singapore authorised by the applicant to accept on the applicant's behalf service of notices and other documents under this Act;
 - (d) state the construction or type of taxi used or to be used in the provision of the service; and 5
 - (e) be accompanied by the prescribed information, and any other additional information that the LTA requires to decide on the application.
- (3) The LTA may refuse to consider an application for or to renew a street-hail service licence that is incomplete or not made in accordance with this section. 10
- (4) Upon receiving an application for or to renew a street-hail service licence, the LTA may carry out, or arrange to be carried out by any authorised officer, such investigations and inquiries in relation to the application as the LTA considers necessary for a proper consideration of the application. 15
- (5) A person commits an offence if the person, being an applicant for the grant of a street-hail service licence —
- (a) provides, or causes or permits to be provided, any document or information in connection with the application which is false in a material particular; and 20
 - (b) knows or ought reasonably to know that, or is reckless as to whether, it is false or misleading in a material particular.
- (6) A person who is guilty of an offence under subsection (5) shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both. 25

Grant of street-hail service licences

13.—(1) After considering any application under section 12 for or to renew a street-hail service licence, the LTA may — 30

(a) on payment of —

(i) the applicable licence fee (if prescribed), grant the applicant a licence authorising the applicant to provide a street-hail service; or

5 (ii) a renewal fee or late renewal fee (if prescribed), renew the licence; or

(b) refuse to grant or renew the street-hail service licence, as the case may be.

10 (2) In deciding whether an applicant should be granted a street-hail service licence, or the applicant's street-hail service licence should be renewed, and the conditions to impose or modify, the LTA must have regard to, and give such weight as the LTA considers appropriate to, all of the following matters:

(a) whether the applicant is or is not —

15 (i) intending to provide any other point-to-point passenger transport services;

(ii) a holder of another street-hail service licence or a ride-hail service licence; or

(iii) an exempt ride-hail service operator;

20 (b) whether the applicant does or does not have (or is likely or unlikely to have) the financial capacity and ability to provide the street-hail service in the application safely and efficiently;

25 (c) the applicant's capacity to deliver the street-hail service in the application according to the applicable codes of practice;

(d) the demand for the street-hail service in the application;

30 (e) whether the applicant is a corporation, partnership or limited liability partnership, or an unincorporated association;

(f) whether the applicant and where necessary, whether every officer of the applicant is a suitable person to be involved

in the management of providing the street-hail service in the application;

- (g) whether the applicant has nominated or will nominate at least one individual who satisfies the prescribed qualifications as a representative if a licence is granted; 5
- (h) whether it is otherwise contrary to the public interest for the street-hail service licence to be granted to the applicant.

(3) For the purpose of determining whether or not a person or an individual referred to in subsection (2)(f) is a suitable person to be involved in the management of providing a street-hail service, the LTA must have regard, and give such weight as the LTA considers appropriate, to all of the following matters: 10

- (a) the person's or individual's relevant knowledge, competency and experience in matters connected with providing such a service; 15
- (b) any evidence of the exercise of any power under section 35 —
 - (i) in relation to the person or individual for committing an offence under this Act, or for contravening any direction given under this Act; or 20
 - (ii) in relation to a licensee holding, or a former licensee which held, a street-hail service licence of which the individual is or was an officer when the power was exercised;
- (c) any evidence of the exercise of any power under section 111H of the Road Traffic Act (as in force before the date of commencement of section 63(3)) in relation to a person holding a taxi service operator licence of which the individual is or was an officer when that power was exercised; 25
- (d) any prior conviction for committing (whether before, on or after the date of commencement of this Part) any of the following offences: 30

- (i) an offence under Part V of the Road Traffic Act (or any rules made under that Part) in relation to taxis, private hire cars, private hire car booking service operators or taxi service operators;
- 5 (ii) an offence under Part VA of the Road Traffic Act (or any rules made under that Part) in relation to taxis or taxi service operators as in force before the date of commencement of section 63(3);
- (iii) an offence under the Public Transport Council Act in relation to taxis;
- 10 (iv) an offence under the Third-Party Taxi Booking Service Providers Act 2015;
- (v) any offence involving fraud or dishonesty, whether or not the conviction was in a Singapore court;
- 15 (vi) an offence under this Act;
- (vii) any relevant offence under any written law;
- (e) any previous occasion where the person or individual accepted any composition sum offered under any written law for an offence mentioned in paragraph (d);
- 20 (f) the person's or individual's present or previous involvement, or proposed involvement, in the public transport system in Singapore.

(4) To avoid doubt, the LTA is not confined to consideration of the matters specified in subsections (2) and (3) and may take into account such other matters and evidence as may be relevant.

(5) Without affecting subsection (1), the LTA may grant a renewal of a street-hail service licence (of any class) with or without modifying the conditions of the licence, but section 16(2), (3) and (4) does not apply to or in relation to granting a renewal of a street-hail service licence with modifications to the conditions of the licence.

(6) The LTA may subdivide any class of street-hail service licence it grants under this section into subclasses, such as according to any of the following, and may grant the licence accordingly:

- (a) the construction or type of taxi driven or intended to be driven in providing the street-hail service authorised by the licence;
- (b) the type of street-hail service;
- (c) the number of taxis driven or intended to be driven in providing the street-hail service authorised by the licence; 5
- (d) the number of related drivers made available in providing the street-hail service authorised by the licence.

Periodic fee for licence and licence validity

14.—(1) Every street-hail service licence granted under this Part is valid for the period specified in the licence and is in force unless the licence is earlier revoked or suspended under section 35. 10

(2) For every period prescribed (which must not exceed the validity of a street-hail service licence), a licensee of the street-hail service licence must pay to the LTA, not later than the date prescribed, a periodic fee prescribed for that licence. 15

(3) If a licensee of a street-hail service licence fails to pay the periodic fee in accordance with subsection (2), the LTA may, by written notice, require the licensee to make good the default.

(4) Every street-hail service licence must be in the form the LTA determines. 20

Conditions of street-hail service licences

15.—(1) In granting a street-hail service licence to any person, the LTA may impose such conditions as the LTA considers requisite or expedient having regard to the purposes of this Act. 25

(2) In particular, in granting a street-hail service licence to a provider of the street-hail service, the LTA may impose conditions —

- (a) fixing the construction or type of taxi which may be made available by the licensee to provide the street-hail service authorised by the licence; 30

(b) fixing all or any of the following:

5 (i) the maximum or minimum number, or both, of authorised drivers with whom the licensee, during the validity period of the licence or any part of that period, may have a related driver agreement to transport passengers for hire or reward as part of the street-hail service authorised by the licence;

10 (ii) the maximum or minimum number, or both, of taxis or type of taxis which the licensee, during the validity period of the licence or any part of that period, may make available to transport passengers for hire or reward as part of the street-hail service authorised by the licence;

(c) requiring the licensee —

15 (i) to appoint, and ensure that at all times there is appointed, one or more persons in Singapore authorised by the licensee to accept on the licensee's behalf service of notices and other documents under this Act; and

20 (ii) to provide the name, address and contact details of the person or persons appointed as required by sub-paragraph (i);

(d) requiring the licensee —

25 (i) to nominate, and ensure that at all times there is nominated, one or more representatives each of whom satisfy the prescribed qualifications; and

(ii) to provide the name, address and contact details of the representative or representatives so nominated;

30 (e) requiring the provision of a performance bond, guarantee or any other form of security of such amount and on such terms and conditions as the LTA may determine —

(i) to secure compliance by the licensee with any condition attached to the licence or any code of practice applicable to the licensee; or

- (ii) to meet any financial penalty arising out of any regulatory action started or likely to start against the licensee, or both;
 - (f) requiring the licensee to undergo (at its own cost) such audit as the LTA may require to ascertain the licensee's compliance with — 5
 - (i) the provisions of the Act or a code of practice applicable to the licensee;
 - (ii) the conditions of the street-hail service licence granted to that licensee; or 10
 - (iii) a direction given under this Act or an emergency directive;
 - (g) requiring the licensee to comply with applicable codes of practice;
 - (h) relating to the basic terms that must be in a related driver agreement between the licensee and an authorised driver with whom the licensee has to provide the street-hail service authorised by the licence, including a term for payment, within a maximum period prescribed, to that authorised driver the fares or reward for carrying out the street-hail service; 15
 - (i) concerning insurance requirements relating to the provision of the street-hail service by the licensee; or
 - (j) controlling and restricting, directly or indirectly, the creation, holding or disposal of shares in the licensee, or of interests in the undertaking of the licensee or any part of the undertaking. 25
- (3) An audit mentioned in subsection (2)(f) must be carried out by authorised officers, other officers of the LTA or such qualified individuals approved by the LTA for that purpose. 30

Modifying conditions of street-hail service licence

16.—(1) Subject to this section, it is lawful for the LTA to modify the conditions of a street-hail service licence without compensating the licensee concerned.

5 (2) Before modifying any condition of a street-hail service licence, the LTA must give notice to the licensee holding that licence —

(a) stating that the LTA proposes to make the modification in the manner as specified in the notice; and

10 (b) specifying the time (being not less than 14 days after the date of service of notice on the licensee) within which the licensee may make written representations to the LTA with respect to the proposed modification.

15 (3) Upon receiving any written representation mentioned in subsection (2)(b), the LTA must consider that representation and may —

(a) reject the representation;

(b) amend the proposed modification in such manner as the LTA thinks fit having regard to the representation; or

(c) withdraw the proposed modification.

20 (4) Where —

(a) the LTA rejects any written representation under subsection (3)(a);

(b) the LTA amends any proposed modification to the conditions of the licence under subsection (3)(b); or

25 (c) no written representation is received by the LTA within the time specified in subsection (2)(b), or any written representation made under subsection (2)(b) is subsequently withdrawn,

30 the LTA must issue a direction in writing to the licensee in question requiring the licensee, within the time specified by the LTA, to give effect to the modification as specified in the notice under subsection (2) or as amended by the LTA, as the case may be.

Restriction on transfer and surrender of street-hail service licence

17.—(1) A street-hail service licence, and any rights, benefits or privileges under the licence, are not transferable or assignable to any other person unless — 5

(a) the licence contains a condition authorising the transfer or assignment; and

(b) the LTA consents in writing to the transfer or assignment.

(2) Any consent under subsection (1) may be given subject to compliance with such conditions as the LTA thinks fit to impose, which may include conditions modifying, or requiring or otherwise providing for the making of modifications to, the conditions of the licence; but section 16(2), (3) and (4) does not apply to or in relation to these modifications to the conditions of the licence. 10

(3) A transfer or an assignment, or a purported transfer or assignment, of a street-hail service licence, or of any rights, benefits or privileges under the licence, is void and of no effect — 15

(a) if the licence is not capable of transfer or assignment;

(b) if the transfer or assignment, or purported transfer or assignment, is in breach of a condition of the licence; or 20

(c) if there has, before the transfer or assignment or purported transfer or assignment, been a contravention of a condition subject to compliance with which the consent required by subsection (1) is given.

(4) Every street-hail service licence is not capable of being surrendered without the written consent of the LTA, and any surrender or purported surrender of a licence is void if it is without such consent. 25

PART 4

RIDE-HAIL SERVICES

*Division 1 — Licensed ride-hail service provider***Application for or to renew ride-hail service licence**

5 **18.**—(1) An application for or to renew a ride-hail service licence must be made to the LTA in accordance with this section.

(2) An application for or to renew a ride-hail service licence must —

(a) be in the form and manner the LTA specifies;

10 (b) be accompanied by an application fee, if prescribed;

(c) contain —

(i) an address in Singapore at which notices and other documents under this Act for the applicant may be served; or

15 (ii) the name and address of one or more persons in Singapore authorised by the applicant to accept on the applicant's behalf service of notices and other documents under this Act;

(d) state the construction or type of bookable vehicle used or to be used in the provision of the service; and

20 (e) be accompanied by the prescribed information, and any other additional information that the LTA requires to decide on the application.

(3) The LTA may refuse to consider an application for or to renew a ride-hail service licence that is incomplete or not made in accordance with this section.

25 (4) Upon receiving an application for or to renew a ride-hail service licence, the LTA may carry out, or arrange to be carried out by any authorised officer, such investigations and inquiries in relation to the application as the LTA considers necessary for a proper consideration of the application.

30

(5) A person commits an offence if the person, being an applicant for the grant of a ride-hail service licence —

- (a) provides, or causes or permits to be provided, any document or information in connection with the application which is false in a material particular; and
- (b) knows or ought reasonably to know that, or is reckless as to whether, it is false or misleading in a material particular.

(6) A person who is guilty of an offence under subsection (5) shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Grant of ride-hail service licence

19.—(1) After considering any application under section 18 for or to renew a ride-hail service licence, the LTA may —

- (a) on payment of —
 - (i) the applicable licence fee (if prescribed), grant the applicant a licence authorising the applicant to provide a ride-hail service; or
 - (ii) a renewal fee or late renewal fee (if prescribed), renew the licence; or
- (b) refuse to grant or renew the ride-hail service licence, as the case may be.

(2) In deciding whether an applicant should be granted a ride-hail service licence, or the applicant's ride-hail service licence should be renewed, and the conditions to impose or modify, the LTA must have regard, and give such weight as the LTA considers appropriate, to all of the following matters:

- (a) whether the applicant is or is not —
 - (i) intending to provide any other point-to-point passenger transport services;
 - (ii) a holder of another ride-hail service licence or a street-hail service licence; or
 - (iii) an exempt ride-hail service operator;

(b) whether the applicant does or does not have (or is likely or unlikely to have) the financial capacity and ability to provide the ride-hail service in the application safely and efficiently;

5 (c) the applicant's capacity to deliver the ride-hail service in the application according to the applicable codes of practice;

(d) the demand for the ride-hail service in the application;

10 (e) whether the applicant is a corporation, partnership or limited liability partnership, or an unincorporated association;

15 (f) whether the applicant and where necessary, whether every officer of the applicant is a suitable person to be involved in the management of providing the ride-hail service in the application;

(g) whether the applicant has nominated or will nominate at least one individual who satisfies the prescribed qualifications as a representative if a licence is granted;

20 (h) whether it is otherwise contrary to the public interest for the ride-hail service licence to be granted to the applicant.

(3) For the purpose of determining whether or not a person or an individual referred to in subsection (2)(f) is a suitable person to be involved in the management of providing a ride-hail service, the LTA must have regard, and give such weight as the LTA considers
25 appropriate, to all of the following matters:

(a) the person's or individual's relevant knowledge, competency and experience in matters connected with providing a ride-hail service;

30 (b) any evidence of the exercise of any power under section 35 —

(i) in relation to the person or individual for committing an offence under this Act, or for contravening any direction given under this Act; or

- (ii) in relation to a licensee holding, or a former licensee which held, a ride-hail service licence of which the individual is or was an officer when the power was exercised;
- (c) any evidence of non-compliance with, or revocation of, an exempt ride-hail operator order in relation to an exempt ride-hail service operator or a former exempt ride-hail service operator (as the case may be) of which the individual is or was an officer when the power was exercised;
- (d) any evidence of the exercise of any power —
 - (i) under section 111H of the Road Traffic Act (as in force before the date of commencement of section 63(3)) in relation to a person holding a taxi service operator licence of which the individual is or was an officer when that power was exercised; or
 - (ii) under section 20 of the Third-Party Taxi Booking Service Providers Act 2015 in relation to a person registered under that Act of which the individual is or was an officer when that power was exercised;
- (e) any prior conviction for committing (whether before, on or after the date of commencement of this Part) any of the following offences:
 - (i) an offence under Part V of the Road Traffic Act (or any rules made under that Part) in relation to taxis, private hire cars, private hire car booking service operators or taxi service operators;
 - (ii) an offence under Part VA of the Road Traffic Act (or any rules made under that Part) in relation to taxis or taxi service operators as in force before the date of commencement of section 63(3);
 - (iii) an offence under the Public Transport Council Act in relation to taxis;

(iv) an offence under the Third-Party Taxi Booking Service Providers Act 2015;

(v) any other offence involving fraud or dishonesty, whether or not the conviction was in a Singapore court;

(vi) an offence under this Act;

(vii) any relevant offence under any written law;

(f) any previous occasion where the person or individual accepted any composition sum offered under any written law for an offence mentioned in paragraph (e);

(g) the person's or individual's present or previous involvement, or proposed involvement, in the public transport system in Singapore.

(4) To avoid doubt, the LTA is not confined to consideration of the matters specified in subsections (2) and (3) and may take into account such other matters and evidence as may be relevant.

(5) Without affecting subsection (1), the LTA may grant a renewal of a ride-hail service licence (of any class) with or without modifying the conditions of the licence, but section 22(2), (3) and (4) does not apply to or in relation to granting a renewal of a ride-hail service licence with modifications to the conditions of the licence.

(6) The LTA may subdivide any class of ride-hail service licence it grants under this section into subclasses, such as according to any of the following, and may grant the licence accordingly:

(a) the construction or type of bookable vehicle driven or intended to be driven in carrying out the on-demand passenger transport services to which the ride-hail service authorised by the licence relates;

(b) the type of ride-hail service;

(c) the number of motor vehicles driven or intended to be driven in carrying out the on-demand passenger transport services to which the ride-hail service authorised by the licence relates;

- (d) the number of participating bookable drivers made available in providing the on-demand passenger transport services to which the ride-hail service authorised by the licence relates.

Periodic fee for licence and licence validity

5

20.—(1) Every ride-hail service licence granted under this Part is valid for the period specified in the licence and is in force unless the licence is earlier revoked or suspended under section 35.

(2) For every period prescribed (which must not exceed the validity of a ride-hail service licence), a licensee of the ride-hail service licence must pay to the LTA, not later than the date prescribed, a periodic fee prescribed for that licence.

10

(3) If a licensee of a ride-hail service licence fails to pay the periodic fee in accordance with subsection (2), the LTA may, by written notice, require the licensee to make good the default.

15

(4) Every ride-hail service licence must be in the form the LTA determines.

Conditions of ride-hail service licences

21.—(1) In granting a ride-hail service licence to any person, the LTA may impose such conditions as the LTA considers requisite or expedient having regard to the purposes of this Act.

20

(2) In particular, in granting a ride-hail service licence to a provider of the ride-hail service, the LTA may impose conditions —

- (a) fixing the construction or type of motor vehicles which may be made available, through the ride-hail service authorised by the licence, to carry out any on-demand passenger transport service related to the ride-hail service;
- (b) fixing the maximum or minimum number, or both, of authorised drivers with whom the licensee, during the validity period of the licence or any part of that period, may have a participating driver agreement;

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30

(c) requiring the licensee —

(i) to appoint, and ensure that at all times there is appointed, one or more persons in Singapore authorised by the licensee to accept on the licensee's behalf service of notices and other documents under this Act; and

(ii) to provide the name, address and contact details of the person or persons appointed as required by sub-paragraph (i);

(d) requiring the licensee —

(i) to nominate, and ensure that at all times there is nominated, one or more representatives each of whom satisfy the prescribed qualifications; and

(ii) to provide the name, address and contact details of the representative or representatives so nominated;

(e) requiring the provision of a performance bond, guarantee or any other form of security of such amount and on such terms and conditions as the LTA may determine —

(i) to secure compliance by the licensee with any condition attached to the licence or any code of practice applicable to the licensee; or

(ii) to meet any financial penalty arising out of any regulatory action started or likely to start against the licensee, or both;

(f) requiring the licensee to undergo (at its own cost) such audit as the LTA may require to ascertain the licensee's compliance with —

(i) the provisions of the Act or a code of practice applicable to the licensee;

(ii) the conditions of the ride-hail service licence granted to that licensee; or

(iii) a direction given under this Act or an emergency directive;

- (g) requiring the licensee to comply with applicable codes of practice;
- (h) relating to the basic terms that must be in a participating driver agreement between the licensee and an authorised driver with whom the licensee has to provide the ride-hail service authorised by the licence, including a term for payment, within a maximum period prescribed, to that authorised driver the fares or reward for carrying out the on-demand passenger transport services to which the ride-hail service relates;
- (i) concerning insurance requirements relating to the provision of the ride-hail service by the licensee; or
- (j) controlling and restricting, directly or indirectly, the creation, holding or disposal of shares in the licensee, or of interests in the undertaking of the licensee or any part of the undertaking.

(3) An audit mentioned in subsection (2)(f) must be carried out by authorised officers, other officers of the LTA or such qualified individuals approved by the LTA for that purpose.

Modifying conditions of ride-hail service licence

22.—(1) Subject to this section, it is lawful for the LTA to modify the conditions of a ride-hail service licence without compensating the licensee concerned.

(2) Before modifying any condition of a ride-hail service licence, the LTA must give notice to the licensee holding that licence —

- (a) stating that the LTA proposes to make the modification in the manner as specified in the notice; and
- (b) specifying the time (being not less than 14 days after the date of service of notice on the licensee) within which the licensee may make written representations to the LTA with respect to the proposed modification.

(3) Upon receiving any written representation mentioned in subsection (2)(b), the LTA must consider that representation and may —

- (a) reject the representation;
- (b) amend the proposed modification in such manner as the LTA thinks fit having regard to the representation; or
- (c) withdraw the proposed modification.

5 (4) Where —

- (a) the LTA rejects any written representation under subsection (3)(a);
- (b) the LTA amends any proposed modification to the conditions of the licence under subsection (3)(b); or
- 10 (c) no written representation is received by the LTA within the time specified in subsection (2)(b), or any written representation made under subsection (2)(b) is subsequently withdrawn,

15 the LTA must issue a direction in writing to the licensee in question requiring the licensee, within the time specified by the LTA, to give effect to the modification as specified in the notice under subsection (2) or as amended by the LTA, as the case may be.

Restriction on transfer and surrender of ride-hail service licence

20 **23.—**(1) A ride-hail service licence, and any rights, benefits or privileges under the licence, are not transferable or assignable to any other person unless —

- (a) the licence contains a condition authorising the transfer or assignment; and
- 25 (b) the LTA consents in writing to the transfer or assignment.

(2) Any consent under subsection (1) may be given subject to compliance with such conditions as the LTA thinks fit to impose, which may include conditions modifying, or requiring or otherwise providing for the making of modifications to, the conditions of the licence; but section 22(2), (3) and (4) does not apply to or in relation to these modifications to the conditions of the licence.

30

(3) A transfer or an assignment, or a purported transfer or assignment, of a ride-hail service licence, or of any rights, benefits or privileges under the licence, is void and of no effect —

- (a) if the licence is not capable of transfer or assignment;
- (b) if the transfer or assignment, or purported transfer or assignment, is in breach of a condition of the licence; or
- (c) if there has, before the transfer or assignment or purported transfer or assignment, been a contravention of a condition subject to compliance with which the consent required by subsection (1) is given.

(4) Every ride-hail service licence is not capable of being surrendered without the consent in writing of the LTA, and any surrender or purported surrender of a licence is void if it is without such consent.

Division 2 — Exempt ride-hail service operator

Exempt ride-hail service operator does not need licence

24.—(1) The LTA may, with the approval of the Minister, by order published in the *Gazette*, authorise any provider of a ride-hail service to which the order applies as exempt from requiring a ride-hail service licence for a specified period or indefinitely or to such an extent as may be specified in the order, and subject to such conditions as may be specified in that order.

(2) An order under subsection (1) continues in force, unless it is revoked, for such period as may be specified in the order.

(3) The provision of a ride-hail service by any person to which an order under subsection (1) applies is deemed authorised by this Act if it is done in accordance with the conditions of the order.

Conditions applicable to exempt ride-hail service operator

25. Without limiting section 24(1), the conditions subject to which an exempt ride-hail service operator may provide a ride-hail service without a ride-hail service licence may include any of the following requirements:

- (a) to do or not to do such things as are specified in the order under section 24(1) or are of a description so specified, except insofar as the LTA consents to the operator doing or not doing them;
- 5 (b) to refer for determination by the LTA such questions arising under the exemption as are specified in the order under section 24(1) or are of a description so specified;
- (c) to take reasonable steps to ensure that each of the drivers with whom the operator has a participating driver agreement is an authorised driver;
- 10 (d) to provide information and reports to the LTA about the operator, its participating bookable drivers and the ride-hail service it provides;
- (e) to provide the LTA —
- 15 (i) an address in Singapore at which notices and other documents under this Act for the operator may be served; or
- (ii) the name and address of one or more persons in Singapore authorised by the operator to accept on the operator's behalf service of notices and other documents under this Act;
- 20 (f) to nominate, and ensure that at all times there is nominated, one or more representatives each of whom satisfy the prescribed qualifications, and to provide the LTA the name, address and contact details of the representative or representatives so nominated.
- 25

Variation and revocation of order

26.—(1) Subject to this section, the LTA may, with the approval of the Minister and by order published in the *Gazette* —

- 30 (a) revoke an exempt ride-hail operator order; or
- (b) vary an exempt ride-hail operator order by —
- (i) varying or cancelling any condition specified in the order; or

(ii) specifying additional conditions in the order.

(2) Before varying an order made under section 24(1) or revoking such an order, the LTA must, unless it considers it impractical or undesirable in the circumstances of the case, cause to be published, in accordance with subsection (3), a written notice that —

(a) states that the LTA proposes to vary the order, or to end the order;

(b) describes the proposed variation or ending; and

(c) invites interested persons to make representations about the proposed variation or ending by a specified date that is at least 14 days after the date of publication of the notice.

(3) A notice under subsection (2) must be published on the LTA's website or in one or more other forms that are readily accessible by the public.

(4) The LTA must, before varying an order under subsection (1) or revoking such an order, give due consideration to any representations made to the LTA pursuant to the notice given in accordance with subsection (2).

PART 5

BUSINESS OPERATION REQUIREMENTS

Division 1 — Management controls and record keeping

Change in management of licensee

27.—(1) It is a condition of every licence that the licensee to whom the licence is granted must notify the LTA of, where the licensee is a corporation, partnership, limited liability partnership or an unincorporated association —

(a) the resignation or removal of any officer of the corporation, partnership, limited liability partnership or unincorporated association (as the case may be) within the prescribed period after the date of resignation or removal, as the case may be; or

(b) the death of any of its officers within the prescribed period after the date the licensee becomes aware of that death.

(2) To avoid doubt, this section applies even though a licence is suspended pursuant to section 35.

5 **Accounts and statements**

28.—(1) Subject to subsection (4), a licensee holding a street-hail service licence or ride-hail service licence must —

10 (a) in respect of the whole or part (as the case may be) of every financial year, prepare such accounts and statements as are specified in, or ascertained in accordance with, the Regulations;

(b) retain the accounts and statements prepared in accordance with paragraph (a) for 5 years after the end of the period to which they relate;

15 (c) within the prescribed period after the close of a financial year of the licensee, give to the LTA those accounts and statements duly audited by an auditor approved by the LTA; and

20 (d) keep and retain records, where the records are relevant to the preparation of the accounts and statements of the licensee mentioned in paragraph (a), for such period and in such manner as prescribed in the Regulations.

(2) A licensee must not prepare any such accounts or statements in such a way that they do not correctly record and explain the matters or things to which they relate.

(3) A person —

(a) who is subject to any requirement under subsection (1) or (2); and

- (b) who intentionally or negligently contravenes the requirement,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000.

(4) The LTA may on application waive any requirement under subsection (1) in any particular case. 5

(5) Regulations may be made to vary the period mentioned in subsection (1)(b).

Record keeping and giving information

29.—(1) A licensee of a street-hail service licence must — 10

(a) keep and retain, for such period as may be prescribed, records, where the records are relevant to monitoring or evaluating, under this Act, an aspect of the street-hail service as specified in the licence; and

(b) give to the LTA, within the period and in the manner specified in the licence, information that is relevant to monitoring or evaluating, under this Act, an aspect of the street-hail service as specified in the licence. 15

(2) A licensee of a ride-hail service licence must, with respect to any ride-hail service provided by the licensee — 20

(a) keep and retain, for such period as may be prescribed, records, where the records are relevant to monitoring or evaluating, under this Act, an aspect of the ride-hail service as specified in the licence; and

(b) give to the LTA, within the period and in the manner specified in the licence, information that is relevant to monitoring or evaluating, under this Act, an aspect of the ride-hail service as specified in the licence. 25

(3) An exempt ride-hail service operator providing a ride-hail service to which an exempt ride-hail operator order applies must — 30

(a) keep and retain, for such period as may be prescribed, records, where the records are relevant to monitoring or

evaluating, under this Act, an aspect of the ride-hail service as specified in the order; and

(b) give to the LTA, within the period and in the manner prescribed, information that is relevant to monitoring or evaluating, under this Act, an aspect of the ride-hail service as specified in the order.

(4) A person who is subject to a requirement under subsection (1), (2) or (3) to keep and retain or give any record or information commits an offence if the person —

(a) intentionally or negligently contravenes the requirement under subsection (1), (2) or (3) to keep and retain or give;

(b) intentionally alters, suppresses or destroys any record or information which the person is required under subsection (1), (2) or (3) to keep, retain or give; or

(c) who, in keeping, retaining or giving the record or information required under subsection (1), (2) or (3), makes any statement which the person knows to be false in a material particular, or recklessly makes such a statement.

(5) A person who is guilty of an offence under subsection (4) shall be liable on conviction to a fine not exceeding \$10,000.

Division 2 — Codes of practice and Directions

Codes of practice for licensees

30.—(1) The LTA may, from time to time —

(a) issue one or more codes of practice applicable to licensees or specified types of licensees;

(b) approve as a code of practice applicable to licensees or specified types of licensees any document prepared by a person other than the LTA if the LTA considers the document as suitable for this purpose; or

- (c) amend or revoke any code of practice issued under paragraph (a) or approved under paragraph (b),

with respect to all or any of the matters in subsection (2) or (3), as the case may be.

(2) In the case of a code of practice applicable to a licensee holding a street-hail service licence, the matters for the purposes of subsection (1) include any of the following: 5

- (a) the condition, maintenance, construction, use and deployment of the taxis owned or made available by the licensee in providing the street-hail service; 10

- (b) measures directed towards ensuring the security and safety of any of the following:

(i) passengers of taxis used in the provision of the street-hail service;

(ii) related drivers of the licensee while they are engaged in carrying out the street-hail service; 15

- (c) relating to the conduct of the employees and agents of the licensee, and individuals who are related drivers of the licensee, in connection with the provision of the street-hail service; 20

- (d) measures to deal with customer complaints and lost property found in taxis made available by the licensee in providing the street-hail service, and the processes to handle and dispose of such complaints and property;

- (e) measures to deal with relevant offences, safety incidents and accidents involving the following, and reporting to the LTA those safety incidents and accidents: 25

(i) taxis made available by the licensee to provide the street-hail service;

(ii) related drivers of the licensee; 30

- (f) measures to facilitate the access to, and use of, the street-hail service by individuals with disabilities;

- (g) advance reporting to the LTA of related drivers of the licensee and taxis withdrawn from engagement or use in providing the street-hail service;
- (h) measures necessary for licensees to deal with any plague, epidemic, fire, flood, earthquake or disaster (natural or otherwise) or any public emergency;
- (i) performance standards relating to the provision of street-hail services and the quality of other aspects of the provision of the street-hail service, such as —
 - (i) minimum service levels determined according to such things as the specified periods of time during which the street-hail service is to be provided, the extent of the service and the frequency of operation of that service during specified periods; and
 - (ii) performance outcomes for frequency, regularity, punctuality and accessibility of the street-hail service, and of customer information and service;
- (j) relating to the provision of estimates, publication and display of fares (including payment surcharges, and charges on transactions involving payment of a street-hail fare) for or in connection with the provision of the street-hail service, including the following:
 - (i) prepayment, collection, the requirements for receipts and the information to be included in receipts;
 - (ii) processes for calculating fares for the provision of street-hail services, including the transparency and availability of those services;
- (k) the advertising of street-hail services and street-hail fares;
- (l) relating to the expansion of the street-hail service by reference to a maximum rate of increase in the number of taxis that may be owned by a street-hail service licensee during the validity period of the licence to provide the service or any other suitable factor;

(m) other performance standards relating to street-hail services.

(3) In the case of a code of practice applicable to a licensee holding a ride-hail service licence, the matters for the purposes of subsection (1) include any of the following: 5

(a) the condition, maintenance, construction, use and deployment of the bookable vehicles made available through the ride-hail service to carry out the on-demand passenger transport service related to the ride-hail service;

(b) measures directed towards ensuring the security and safety of any of the following: 10

(i) passengers of bookable vehicles made available through the ride-hail service to carry out the on-demand passenger transport service relating to the ride-hail service; 15

(ii) participating bookable drivers of those bookable vehicles while they are engaged in carrying out the on-demand passenger transport service relating to the ride-hail service;

(c) relating to the conduct of the employees and agents of the licensee, and individuals who are participating bookable drivers of the licensee, in connection with the provision of the on-demand passenger transport service related to the ride-hail service; 20

(d) measures to deal with customer complaints and lost property found in bookable vehicles made available through the ride-hail service, and the processes to handle and dispose of such complaints and property; 25

(e) measures to deal with relevant offences, safety incidents and accidents involving the following, and reporting to the LTA those safety incidents and accidents: 30

(i) bookable vehicles made available through the ride-hail service to carry out the on-demand

passenger transport service related to the ride-hail service;

(ii) participating bookable drivers of the licensee;

5 (f) measures to facilitate the access to, and use of, the ride-hail service by individuals with disabilities;

10 (g) advance reporting to the LTA of participating bookable drivers of the licensee and bookable vehicles withdrawn from engagement or use in providing the on-demand passenger transport service made available through the ride-hail service;

(h) measures necessary for licensees to deal with any plague, epidemic, fire, flood, earthquake or disaster (natural or otherwise) or any public emergency;

15 (i) performance standards relating to the provision of ride-hail services and the quality of other aspects of the provision of the ride-hail service, such as —

20 (i) minimum service levels determined according to such things as the specified periods of time during which the ride-hail service is to be provided, the extent of the service and the frequency of operation of that service during specified periods; and

(ii) performance outcomes for frequency, regularity, punctuality and accessibility of the ride-hail service, and of customer information and service;

25 (j) relating to the provision of estimates, publication and display of fares (including payment surcharges, and charges on transactions involving payment of a ride-hail fare) for or in connection with the provision of the ride-hail service, including the following:

30 (i) prepayment, collection, the requirements for receipts and the information to be included in receipts;

(ii) processes for calculating fares for the provision of ride-hail services, including the transparency and availability of those services;

- (k) the advertising of ride-hail services and ride-hail fares;
- (l) other performance standards relating to ride-hail services.

(4) A code of practice may, in particular, specify the duties and obligations of any licensee in relation to its business operation insofar as it relates to the provision of point-to-point passenger transport services in Singapore. 5

(5) If any provision in any code of practice is inconsistent with any provision of this Act or the Regulations, that provision, to the extent of the inconsistency —

- (a) is to have effect subject to this Act and the Regulations; or 10
- (b) having regard to this Act and the Regulations, is not to have effect.

(6) Where a code of practice is issued, approved, amended or revoked by the LTA under subsection (1), the LTA must —

- (a) give notice of the issue, approval, amendment or revocation (as the case may be) of the code of practice to every licensee to whom the code of practice applies; 15
- (b) specify in the notice mentioned in paragraph (a) the date of issue, approval, amendment or revocation, as the case may be; and 20
- (c) ensure that, so long as the code of practice remains in force, copies of that code of practice, and of all amendments to that code of practice, are available for inspection, free of charge, by the licensees to whom the code of practice applies. 25

(7) No code of practice, no amendment to such a code of practice, and no revocation of any such code of practice, has any force or effect until the notice relating to that is given in accordance with subsection (6).

(8) A code of practice issued or approved under this section does not have legislative effect. 30

(9) Subject to subsection (10), every licensee must comply with the codes of practice applicable to the licensee.

(10) The LTA may, for such time as the LTA may specify, waive the application of any code of practice or part of a code of practice, issued or approved under this section to any particular licensee.

(11) For the purposes of subsections (2)(e) and (3)(e), “relevant offence” means any of the following offences committed on or after the date of commencement of this section:

- (a) an offence under the Road Traffic Act or any subsidiary legislation made under that Act;
- (b) an offence under section 3 of the Motor Vehicles (Third-Party Risks and Compensation) Act (Cap. 189);
- (c) an offence under section 23 of the Public Transport Council Act;
- (d) an offence under this Act or the Regulations.

Directions affecting licensees

31.—(1) The LTA may give a direction to a licensee for or in respect of any matter affecting the interests of the public in connection with the point-to-point passenger transport service provided by the licensee, after considering the following matters with respect to all or any of the point-to-point passenger transport services provided in Singapore:

- (a) the development of innovative and accessible point-to-point passenger transport services which contribute to the mobility and safety of people in Singapore;
- (b) the arrangements between the licensees and the arrangements supporting the provision of point-to-point passenger transport services;
- (c) the related driver agreements and participating driver agreements between authorised drivers and the respective licensees;
- (d) the social impact of the direction;
- (e) the impact of the direction on the use of other public passenger transport in Singapore;

- (f) standards of quality, reliability and safety of those services (whether those standards are specified by legislation, licence conditions, agreement or otherwise);
 - (g) any other matter the LTA considers relevant having regard to the purposes of this Act. 5
- (2) A direction given under subsection (1) —
- (a) may require the licensee concerned (according to the circumstances of the case) to do, or to refrain from doing, for a specified period, the things specified in the direction or the things that are of a description specified in the direction; 10
 - (b) takes 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 LTA.
- (3) Without limiting subsection (2), a direction under subsection (1) so as to alleviate or minimise any risk of obstructing any measures taken to reduce the impact of any serious public passenger transport incident in Singapore or a part of Singapore, may require the licensee concerned to stop providing point-to-point passenger transport services specified in the direction to hirers in any part of Singapore, for a period not exceeding 24 hours, or any further periods not exceeding 24 hours each. 15
- (4) A direction under this section continues in force until the earlier of the following occurs:
- (a) the expiry date (if any) stated in the direction is reached; 25
 - (b) the LTA revokes the direction.
- (5) Before exercising any power under subsection (1), the LTA must, unless the LTA in respect of any particular direction considers that it is not practicable or desirable, give written notice to the licensee concerned — 30
- (a) stating that the LTA intends to give a direction to the licensee under this section and the nature of the direction; and

(b) specifying the time (being not less than 14 days after the date of service of the notice on the licensee) within which written representations may be made to the LTA with respect to the proposed direction.

5 (6) The LTA may, after considering any written representation under subsection (5)(b), decide to give or not to give, or to modify, the direction as the LTA considers appropriate.

(7) The LTA must serve on the licensee concerned a notice of its decision under subsection (6).

10 (8) Every licensee must comply with every direction given under this section to the licensee as soon as it takes effect.

(9) However, nothing in this section authorises the LTA to give any direction with regard to fares which are regulated by the PTC under the Public Transport Council Act.

15 (10) In this section, “serious public passenger transport incident” includes any of the following:

(a) a stoppage or disruption of more than one regular route services (within the meaning of the Bus Services Industry Act 2015 (Act 30 of 2015)) in Singapore or any part of Singapore;

(b) a large-scale disruption of services on one or more rapid transit systems within the meaning of the Rapid Transit Systems Act (Cap. 263A).

Division 3 — Emergency directives

25 **Emergency directives**

32.—(1) Subject to subsection (2), the LTA may, and in accordance with subsections (3), (4), (5) and (6), give such emergency directives as may be necessary to alleviate or minimise any risk —

30 (a) of death of, or a serious injury to, any individual from the provision of any point-to-point passenger transport service; or

(b) of damage to any property from the provision of any point-to-point passenger transport service.

(2) The LTA must not make any emergency directive unless it is impracticable in the circumstances of the particular case for the LTA to make or amend any Regulations to effectively alleviate or minimise the risk concerned. 5

(3) The LTA may give an emergency directive made under this section to all or any of the following, individually or as a class:

(a) a licensee;

(b) an exempt ride-hail service operator; 10

(c) a provider of a street-hail service or ride-hail service which is exempt from section 9(1) or 10(1) (as the case may be) by an order under section 52.

(4) In making an emergency directive under this section, it is not necessary for the LTA to give any person who may be affected by the directive a chance to be heard before the directive is given. 15

(5) An emergency directive may be in force for a period not exceeding 6 months unless earlier revoked under subsection (6), and may be renewed by the LTA once only for a further period not exceeding 6 months. 20

(6) The LTA may, at any time when any emergency directive is in force, revoke the emergency directive by giving notice of that revocation in the same manner as the directive was given.

(7) So far as any emergency directive is inconsistent with the Regulations, the emergency directive prevails. 25

How emergency directive is given

33.—(1) An emergency directive is binding on the person or class of persons to whom it is addressed and given.

(2) An emergency directive that is addressed to a person is sufficiently given if it is served in the manner prescribed in section 51. 30

(3) An emergency directive that is addressed to a class of persons is sufficiently given if it is —

(a) served on each of the persons in the class in the manner prescribed in section 51; or

(b) published both —

(i) in a daily newspaper circulating in Singapore or in any other news media that, in the opinion of the LTA, is most likely to bring the emergency directive to the attention of the persons who belong to the class; and

(ii) on the LTA's official website.

(4) Once such an emergency directive is made and given under this section, the LTA must also publish the making of the directive in a manner that the LTA thinks will secure adequate publicity for the fact of making and giving of the emergency directive.

(5) However, failure to publish an emergency directive under subsection (4) does not invalidate the directive.

(6) An emergency directive that is given —

(a) in accordance with subsection (2) takes effect when it is served;

(b) in accordance with subsection (3)(a) takes effect when it is served on all the persons in the class in question; and

(c) in accordance with subsection (3)(b) takes effect at the beginning of the day after the date on which subsection (3)(b) has been complied with.

General duty to comply with emergency directives

34.—(1) An emergency directive may require the person it binds (according to the circumstances of the case) to do, or to refrain from doing, for a specified period, the things specified in the directive or the things that are of a description specified in the directive, including stopping any point-to-point passenger transport service within any part of Singapore.

(2) A person to whom an emergency directive is given and who is required by the directive to do, or to refrain from doing, for a specified period, the things specified in the directive or the things that are of a description specified in the directive, commits an offence if the person intentionally or negligently fails to comply with the directive. 5

(3) A person who is guilty of an offence under subsection (2) shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both.

PART 6 10

ENFORCEMENT

Division 1 — Regulatory action

Suspension or revocation, etc., of licence

35.—(1) Subject to section 36, if the LTA is satisfied that —

(a) a licensee is contravening or not complying with, or has contravened or failed to comply with — 15

(i) any of the conditions of its licence;

(ii) any provision of this Act or the Regulations applicable to the licensee, contravention of or non-compliance with which is not an offence under this Act; 20

(iii) any provision of a code of practice applicable to the licensee; or

(iv) any direction given to the licensee under section 31 or subsection (2)(c), (d) or (f); 25

(b) the licensee has gone or is likely to go into compulsory or voluntary liquidation other than for the purpose of amalgamation or reconstruction;

(c) the licensee has made any assignment to, or composition with, its creditors or, if a corporation, is unable to pay its debts; 30

- (d) the licensee is not providing an adequate and satisfactory street-hail service or ride-hail service, as the case may be;
- (e) the licensee or an officer of the licensee is convicted of any offence under this Act or the Regulations committed during the term of the licence;
- (f) the licence had been obtained by the licensee by fraud or misrepresentation;
- (g) any part of the periodic licence fee required by section 14 or 20 is in arrears; or
- (h) the public interest of Singapore requires,

the LTA may revoke (without any compensation) the licensee's licence, with or without forfeiting the whole or part of any performance bond, guarantee or other form of security furnished by the licensee under this Act.

(2) However, the LTA may, in lieu of revoking a licensee's licence under subsection (1), do any one or more of the following:

- (a) censure the licensee in writing;
- (b) modify any condition of the licence (sections 16(2) and 22(2) being disapplied);
- (c) direct the furnishing of any performance bond, guarantee or other form of security, or an additional performance bond, guarantee or other form of security, for either or both the following:
 - (i) to secure compliance by the licensee with any condition attached to the licence or any code of practice applicable to the licensee;
 - (ii) for the purpose of meeting any financial penalty arising out of any regulatory action started or likely to start against the licensee;
- (d) direct the licensee to do, or to refrain from doing, such things as are specified in a direction to rectify any contravention or non-compliance mentioned in subsection (1)(a);

(e) suspend the licence without any compensation for not more than 3 months;

(f) direct the licensee to pay, within a period specified in a direction, a financial penalty of such amount as the LTA thinks fit, but not exceeding the maximum specified in subsection (6). 5

(3) Where any financial penalty is imposed on a licensee under subsection (2) for contravening or not complying with any condition in its licence or any code of practice applicable to the licensee, any performance bond, guarantee or other form of security given by the licensee to secure compliance by the licensee with any condition attached to the licence or any code of practice applicable to the licensee must not be forfeited by the LTA for that contravention except to the extent to pay the financial penalty. 10

(4) In taking any regulatory action under this section in relation to the conviction of a licensee or any person for a criminal offence, the LTA may accept the licensee's or the person's conviction as final and conclusive. 15

(5) For the purposes of subsection (1)(c), a corporation is unable to pay its debts if it is a corporation which is deemed to be so unable under section 254(2) or 351(2) (as the case may be) of the Companies Act. 20

(6) The highest of the following is the maximum financial penalty that a licensee holding a street-hail service licence or ride-hail service licence may be directed under subsection (2)(f) to pay at the end of proceedings under this section with a view to regulatory action: 25

(a) \$100,000;

(b) 10% of the annual turnover from the licensee's business of providing a street-hail service or ride-hail service (as the case may be) ascertained from the licensee's latest audited accounts; 30

(c) \$100,000 for each contravention or failure to comply that is the subject of the regulatory action where the ground of the regulatory action is subsection (1)(a);

(d) 10% of the annual turnover from the licensee’s business of providing a street-hail service or ride-hail service (as the case may be) ascertained from the licensee’s latest audited accounts, for each act done or omission made that results in a failure to provide an adequate and satisfactory street-hail service or ride-hail service, where the ground of the regulatory action is subsection (1)(d).

(7) All financial penalties imposed under subsection (2) must be paid into the Consolidated Fund.

Proceedings for regulatory action

36.—(1) Before exercising any powers under section 35(1) or (2) in relation to a licensee, the LTA must give written notice to the licensee concerned —

(a) stating that the LTA intends to take regulatory action against the licensee;

(b) specifying the type of action in section 35(1) or (2) the LTA proposes to take, and each ground and each instance of non-compliance (where applicable), that is the subject of the action; and

(c) specifying the time (being not less than 14 days after the date of service of notice on the licensee) within which written representations may be made to the LTA with respect to the proposed action.

(2) The LTA may, after considering any written representation mentioned in subsection (1)(c), decide to take such regulatory action in section 35(1) or (2) as the LTA considers appropriate.

(3) Where the LTA has made any decision under subsection (2) against any licensee, the LTA must serve on the licensee concerned a notice of its decision.

(4) Subject to section 44, a decision to revoke a licence under section 35(1), or to impose a regulatory action in section 35(2), which is specified in the notice given under subsection (3), takes effect from the date on which that notice is given, or on such other date as may be specified in the notice.

(5) Any suspension or revocation of any licence under section 35 with respect to a licensee does not affect —

- (a) the enforcement by any person of any right or claim against the licensee or the former licensee, as the case may be; or
- (b) the enforcement by the licensee or former licensee (as the case may be) of any right or claim against any person.

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Division 2 — Enforcement powers

Purpose for which enforcement powers are exercisable by authorised officers

37.—(1) An authorised officer may exercise the powers set out in this Division for any of the following purposes:

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- (a) to determine compliance with this Act and the Regulations, including whether an offence under this Act or the Regulations has been committed;
- (b) to determine compliance with any condition of a licence or in an exempt ride-hail operator order with respect to any exempt ride-hail service operator;
- (c) to determine whether information provided to the LTA under a provision of this Act or its subsidiary legislation is correct;
- (d) to investigate whether there are grounds for taking any regulatory action against a licensee.

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(2) To avoid doubt, nothing in this Division limits section 39 of the Land Transport Authority of Singapore Act with respect to an offence under this Act or the Regulations.

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Powers of entry, etc., at premises

38.—(1) An authorised officer may, in accordance with subsection (2), enter any premises occupied by a relevant person which the authorised officer reasonably believes to be used for or in connection with the provision of any point-to-point passenger transport service, and do all or any of the following at the premises:

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- (a) to examine any thing or observe any activity conducted in or on the premises;
- (b) to search the premises and any thing in or on the premises;
- 5 (c) to make a still or moving image or recording of the premises and any thing in or on the premises;
- (d) to inspect any document in the premises and take extracts from, or make copies of, any such document;
- (e) to take into or onto the premises such equipment and materials as the authorised officer requires for the purpose of exercising powers in relation to the premises;
- 10 (f) to operate electronic equipment in or on the premises;
- (g) to secure a thing for a period not exceeding 24 hours if the thing is found in or on the premises, where the authorised officer believes on reasonable grounds that —
 - 15 (i) the thing is evidential material relevant to an offence under this Act or the Regulations, or is used or intended to be used for the purpose of contravening any condition of a licence or in an exempt ride-hail operator order or any code of practice, direction or emergency directive under this Act; and
 - 20 (ii) it is necessary to secure the thing in order to prevent it from being concealed, lost or destroyed before a warrant to seize the thing is obtained;
- (h) to seize any thing found in or on the premises which the authorised officer reasonably suspects is as described in paragraph (g)(i);
- 25 (i) to require any individual found in or on the premises to answer any question (to the best of that individual's knowledge, information and belief) and to provide any document or information that the officer reasonably requires for the purposes of section 37.
- 30

(2) However, an authorised officer is not authorised by subsection (1) —

- (a) to enter any premises except —
 - (i) with the consent of the occupier; or
 - (ii) under a warrant of a Magistrate’s Court or District Court;
 - (b) to search any premises unless the search is made under a warrant of a Magistrate’s Court or District Court; or
 - (c) to seize any thing in or on any premises unless the seizure is made under a warrant of a Magistrate’s Court or District Court.
- (3) A warrant mentioned in subsection (2) may be issued if a Magistrate’s Court or District Court is satisfied that it is necessary for the authorised officer to enter the premises, search the premises or seize any thing (as the case may be) for the purposes of section 37.
- (4) The power under subsection (1)(f) to operate electronic equipment in or on any premises includes the power —
- (a) to use a disk, tape or other storage device that is in or on the premises and can be used with the equipment or in association with the equipment;
 - (b) to operate electronic equipment in or on the premises to put the relevant data in documentary form and remove the documents so produced from the premises; and
 - (c) to operate electronic equipment in or on the premises to transfer the relevant data to a disk, tape or other storage device that —
 - (i) is brought to the premises for the exercise of the power; or

(ii) is in or on the premises and the use of which for that purpose has been agreed in writing by the occupier of the premises,

and to remove the disk, tape or other storage device from those premises.

(5) The power under subsection (1)(g) to secure any thing which is found during the exercise of enforcement powers in or on any premises includes the power —

(a) to secure the thing by locking it up, placing a guard or any other means; and

(b) to prohibit any person from dealing with such thing.

(6) The power to require an individual to provide any document or information under subsection (1)(i) includes the power —

(a) to require that individual to provide an explanation of the document or information;

(b) if the document or information is not provided, to require that individual to state, to the best of the individual's knowledge and belief, where it is; and

(c) if the information is recorded otherwise than in legible form, to require the information to be made available to the authorised officer or the LTA in legible form.

(7) Sections 370, 371 and 372 of the Criminal Procedure Code (Cap. 68) apply, with the necessary modifications, when an authorised officer seizes any thing under this section.

(8) In this section, “relevant person” means —

(a) a person to whom a licence is or was granted;

(b) a person who is or was an exempt ride-hail service operator;

(c) an individual who is or was an officer or a representative of a person mentioned in paragraph (a) or (b);

(d) an individual who is or was an employee of the provider of a point-to-point passenger transport service;

- (e) a person whom an authorised officer suspects on reasonable grounds is or was the provider of any point-to-point passenger transport service, or an agent of such a person; or
- (f) an individual who is or was — 5
 - (i) a related driver of a licensee of a street-hail service licence; or
 - (ii) a participating bookable driver of a licensee of a ride-hail service licence or an exempt ride-hail service operator. 10

Powers in relation to motor vehicles

- 39.**—(1) An authorised officer may do all or any of the following in relation to a motor vehicle which the authorised officer reasonably believes to be used for or in connection with the provision of any point-to-point passenger transport service: 15
- (a) to stop and detain the vehicle for as long as is reasonably necessary for the exercise of any other power of the authorised officer under this section;
 - (b) to inspect the vehicle and any equipment in or on the vehicle; 20
 - (c) to make a still or moving image or recording of the vehicle and any thing in or on the vehicle;
 - (d) to inspect any document in the vehicle and take extracts from, or make copies of, any such document;
 - (e) to operate a computer or other thing in or on the vehicle; 25
 - (f) to require the driver or any passenger of the vehicle, or a person in possession of the vehicle, to answer any question (to the best of that individual's or person's knowledge, information and belief) and to provide any document or information that the officer reasonably requires for the purposes of section 37. 30

(2) The power to require an individual or person to provide any document or information under subsection (1)(f) includes the power —

5 (a) to require that individual or person to provide an explanation of the document or information;

(b) if the document or information is not provided, to require that individual or person to state, to the best of the individual's or person's knowledge and belief, where it is; and

10 (c) if the information is recorded otherwise than in legible form, to require the information to be made available to the authorised officer or the LTA in legible form.

Power to obtain information

15 **40.**—(1) An authorised officer may by written notice require any licensee or exempt ride-hail service operator to provide, within a reasonable period specified in the notice, and in such form and manner as may be specified in the notice, all documents and information which —

20 (a) relate to any matter which the authorised officer considers necessary for the purposes of section 37; and

(b) are —

(i) within the knowledge of that licensee or exempt ride-hail service operator, as the case may be; or

25 (ii) in the custody or under the control of the licensee or exempt ride-hail service operator, as the case may be.

(2) The power to require a licensee or an exempt ride-hail service operator to provide any document or information under subsection (1) includes the power —

30 (a) to require that licensee or exempt ride-hail service operator, or any individual who is or was an officer or agent or a representative of the licensee or exempt ride-hail service operator (as the case may be), to provide an explanation of the document or information;

- (b) if the document or information is not provided, to require that licensee, exempt ride-hail service operator or individual to state, to the best of the knowledge and belief of that licensee, exempt ride-hail service operator or individual (as the case may be), where it is; and 5
- (c) if the information is recorded otherwise than in legible form, to require the information to be made available to the LTA or an authorised officer in legible form.

(3) The LTA is entitled without payment to keep any document or information, or any copy or extract, provided to the LTA or an authorised officer under subsection (1) or section 38(1)(i) or 39(1)(f). 10

Offences

41.—(1) A person who, without reasonable excuse, fails to do anything required of the person by an authorised officer under section 38(1) or 39(1), or by notice under section 40(1), shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000. 15

(2) A person —

- (a) who intentionally alters, suppresses or destroys any document or information which the person has been required by an authorised officer under section 38(1)(i) or 39(1)(f), or by a notice under section 40(1) to provide; or 20
- (b) who, in providing any document or information required by an authorised officer under section 38(1)(i) or 39(1)(f), or by a notice under section 40(1), makes any statement which the person knows or ought reasonably to know that, or is reckless as to whether, it is false or misleading in a material particular, 25

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 12 months or to both. 30

(3) In any proceedings for an offence under subsection (1), it is a defence for the accused to prove, on a balance of probabilities, that the person —

- (a) does not possess the document or information required; or
- (b) has taken all reasonable steps available to the person to obtain the document or information required and has been unable to obtain it.

5 (4) To avoid doubt, for the purposes of subsection (1), it is a reasonable excuse for a person to refuse or fail to provide any information, produce any document or answer any question if doing so might tend to incriminate that person.

Composition of offences

10 **42.**—(1) The LTA or an authorised officer may compound any offence under this Act that is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding the lower of the following:

- 15 (a) one half of the amount of the maximum fine that is prescribed for the offence;
- (b) \$5,000.

(2) On payment of such sum of money, no further proceedings are to be taken against that person in respect of the offence.

20 (3) All sums collected under this section must be paid into the Consolidated Fund.

PART 7 APPEALS

Interpretation of this Part

25 **43.** In this Part, unless the context otherwise requires —

“appealable decision” means any of the following decisions of the LTA:

- (a) a decision refusing the grant of a licence under section 13 or 19;

- (b) any decision under section 15 or 21 imposing a condition in a licensee's licence, as the case may be;
- (c) any modification under section 16 or 22 of a condition in a licensee's licence;
- (d) a refusal of consent under section 17 or 23 to a transfer or assignment of a licence; 5
- (e) a decision under section 35(1) to revoke a licence;
- (f) a decision under section 35(2) to impose a regulatory action against a licensee;
- (g) a direction under section 31, except a direction described in section 31(3); 10

“appellant” means any of the following in relation to the following appealable decisions:

- (a) an applicant for the grant of a licence, where the appealable decision is within paragraph (a) of the definition of “appealable decision”; 15
- (b) a licensee, where the appealable decision is within paragraphs (b), (c), (d), (f) and (g) of the definition of “appealable decision”;
- (c) a licensee or former licensee, where the appealable decision is within paragraph (e) of the definition of “appealable decision”; 20

“Minister of State” means a Minister of State or Senior Minister of State assisting the Minister on matters within the purposes of this Act; 25

“Parliamentary Secretary” includes a Senior Parliamentary Secretary appointed to assist the Minister in the discharge of the Minister's duties and functions under this Act;

“Second Minister” means the Second Minister to the Minister, if any. 30

Appeal to Minister

44.—(1) An appellant who is aggrieved by an appealable decision may appeal to the Minister against the decision in accordance with this section.

5 (2) An appeal under this section must be in writing and specify the grounds on which it is made, and be made —

(a) for an appealable decision under section 16 or 22 about the modification of a condition in a licence, within 28 days after the date the decision appealed against is served; and

10 (b) for any other appealable decision, within 14 days after the date the decision appealed against is served.

(3) The Minister may reject an appeal of an appellant who fails to comply with subsection (2).

(4) After considering an appeal, the Minister may —

15 (a) reject the appeal and confirm the LTA's decision; or

(b) allow the appeal and substitute or vary the LTA's decision.

(5) The Minister's decision on an appeal is final.

(6) Every appellant must be notified of the Minister's decision under subsection (4).

20 (7) An appeal against an appealable decision does not affect the operation of the decision appealed against or prevent the taking of action to implement the decision, and unless otherwise directed by the Minister under this subsection, the decision appealed against must be complied with until the determination of the appeal.

25 Designation of others to hear appeals

45. The Minister may designate a Second Minister, Minister of State or Parliamentary Secretary to hear and determine, in the Minister's place, any appeals or a specific appeal under section 44; and any reference in that section to the Minister includes a reference
30 to the Second Minister, Minister of State or Parliamentary Secretary so designated for that appeal.

PART 8

MISCELLANEOUS

Interface with other laws

46. To avoid doubt, this Act does not affect the operation of the Public Transport Council Act, the Road Traffic Act or the Workplace Safety and Health Act (Cap. 354A). 5

Recovery of fees and penalties

47.—(1) The LTA may impose interest at the prescribed rate on any outstanding amount of —

- (a) any fee payable under section 13 or 19 for the grant of a licence; 10
- (b) any periodic fee payable under section 14 or 20; or
- (c) any financial penalty directed under section 35(2) to be paid.

(2) The following may be recovered by the LTA in any court of competent jurisdiction as if they were simple contract debts: 15

- (a) any fee payable under section 13 or 19 for the grant of a licence;
- (b) any periodic fee payable under section 14 or 20;
- (c) any financial penalty directed under section 35(2) to be paid; 20
- (d) any interest mentioned in subsection (1).

Offences by corporations

48.—(1) Where, in a proceeding for an offence under this Act, it is necessary to prove the state of mind of a corporation in relation to a particular conduct, evidence that — 25

- (a) an officer, employee or agent of the corporation engaged in that conduct within the scope of his or her actual or apparent authority; and

(b) the officer, employee or agent had that state of mind,
is evidence that the corporation had that state of mind.

(2) Where a corporation commits an offence under this Act, a
person —

5 (a) who is —

- (i) an officer of the corporation; or
- (ii) an individual involved in the management of the
corporation and in a position to influence the conduct
of the corporation in relation to the commission of
10 the offence; and

(b) who —

- (i) consented or connived, or conspired with others, to
effect the commission of the offence;
- (ii) is in any other way, whether by act or omission,
15 knowingly concerned in, or is party to, the
commission of the offence by the corporation; or
- (iii) knew or ought reasonably to have known that the
offence by the corporation (or an offence of the same
type) would be or is being committed, and failed to
20 take all reasonable steps to prevent or stop the
commission of that offence,

shall be guilty of that same offence as is the corporation, and shall be
liable on conviction to be punished accordingly.

25 (3) A person mentioned in subsection (2) may rely on a defence that
would be available to the corporation if it were charged with the
offence with which the person is charged and, in doing so, the person
bears the same burden of proof that the corporation would bear.

(4) To avoid doubt, this section does not affect the application of —

- (a) Chapters V and VA of the Penal Code (Cap. 224); or
- 30 (b) the Evidence Act (Cap. 97) or any other law or practice
regarding the admissibility of evidence.

(5) To avoid doubt, subsection (2) also does not affect the liability of the corporation for an offence under this Act, and applies whether or not the corporation is convicted of the offence.

(6) In this section —

“corporation” includes a limited liability partnership; 5

“officer”, in relation to a corporation, means any director, partner, chief executive, manager, secretary or other similar officer of the corporation, and includes —

(a) any person purporting to act in any such capacity; and

(b) for a corporation whose affairs are managed by its members, any of those members as if the member were a director of the corporation; 10

“reasonable steps”, in relation to the commission of an offence, includes, but is not limited to, such action (if any) of the following kinds as is reasonable in all the circumstances: 15

(a) action towards —

(i) assessing the corporation’s compliance with the provision creating the offence; and

(ii) ensuring that the corporation arranged regular professional assessments of its compliance with the provision; 20

(b) action towards ensuring that the corporation’s employees, agents and contractors are provided with information, training, instruction and supervision appropriate to them to enable them to comply with the provision creating the offence so far as the provision is relevant to them; 25

(c) action towards ensuring that —

(i) the equipment and other resources; and

(ii) the structures, work systems and other processes,

relevant to compliance with the provision creating the offence are appropriate in all the circumstances;

5 (d) action towards creating and maintaining a corporate culture that does not direct, encourage, tolerate or lead to non-compliance with the provision creating the offence;

“state of mind” of a person includes —

10 (a) the knowledge, intention, opinion, belief or purpose of the person; and

(b) the person’s reasons for the intention, opinion, belief or purpose.

15 (7) The Minister may make rules to provide for the application of any provision of this section, with such modifications as the Minister considers appropriate, to any corporation formed or recognised under the law of a territory outside Singapore.

Offences by unincorporated associations or partnerships

20 **49.**—(1) Where, in a proceeding for an offence under this Act, it is necessary to prove the state of mind of an unincorporated association or a partnership in relation to a particular conduct, evidence that —

(a) an employee or agent of the unincorporated association or the partnership engaged in that conduct within the scope of his or her actual or apparent authority; and

25 (b) the employee or agent had that state of mind,

is evidence that the unincorporated association or partnership had that state of mind.

(2) Where an unincorporated association or a partnership commits an offence under this Act, a person —

30 (a) who is —

(i) an officer of the unincorporated association or a member of its governing body;

- (ii) a partner in the partnership; or
- (iii) an individual involved in the management of the unincorporated association or partnership and in a position to influence the conduct of the unincorporated association or partnership (as the case may be) in relation to the commission of the offence; and

5

(b) who —

- (i) consented or connived, or conspired with others, to effect the commission of the offence;
- (ii) is in any other way, whether by act or omission, knowingly concerned in, or is party to, the commission of the offence by the unincorporated association or partnership; or
- (iii) knew or ought reasonably to have known that the offence by the unincorporated association or partnership (or an offence of the same type) would be or is being committed, and failed to take all reasonable steps to prevent or stop the commission of that offence,

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shall be guilty of the same offence as is the unincorporated association or partnership (as the case may be), and shall be liable on conviction to be punished accordingly.

(3) A person mentioned in subsection (2) may rely on a defence that would be available to the unincorporated association or partnership if it were charged with the offence with which the person is charged and, in doing so, the person bears the same burden of proof that the unincorporated association or partnership would bear.

25

(4) To avoid doubt, this section does not affect the application of —

- (a) Chapters V and VA of the Penal Code; or
- (b) the Evidence Act or any other law or practice regarding the admissibility of evidence.

30

(5) To avoid doubt, subsection (2) also does not affect the liability of an unincorporated association or a partnership for an offence under

this Act, and applies whether or not the unincorporated association or partnership is convicted of the offence.

(6) In this section —

“officer”, 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, and includes —

(a) any person holding a position analogous to that of president, secretary or member of a committee of the unincorporated association; and

(b) any person purporting to act in any such capacity;

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

“reasonable steps” has the meaning given by section 48(6);

“state of mind” of a person includes —

(a) the knowledge, intention, opinion, belief or purpose of the person; and

(b) the person’s reasons for the intention, opinion, belief or purpose.

(7) The Minister may make rules to provide for the application of any provision of this section, with such modifications as the Minister considers appropriate, to any unincorporated association or partnership formed or recognised under the law of a territory outside Singapore.

Jurisdiction of courts

50. Despite the Criminal Procedure Code (Cap. 68), a District Court or a Magistrate’s Court has jurisdiction to try any offence under this Act and has power to impose the full punishment for any such offence.

Service of documents

51.—(1) A document that is permitted or required by this Act to be served on a person may be served as described in this section.

(2) A document permitted or required by this Act to be served on an individual may be served —

- (a) by giving it to the individual personally;
- (b) by sending it by post to the address specified by the individual for the service of documents or, if no address is so specified, the individual's residential address or business address; 5
- (c) by leaving it at the individual's residential address with an adult apparently resident there, or at the individual's business address with an adult apparently employed there; 10
- (d) by affixing a copy of the document in a conspicuous place at the individual's residential address or business address;
- (e) by sending it by fax to the fax number last known to the person giving or serving the document as the fax number for the service of documents on the individual; or 15
- (f) by sending it by email to the individual's last email address.

(3) A document permitted or required by this Act to be served on a partnership (other than a limited liability partnership) may be served — 20

- (a) by giving it to any partner, secretary or other similar officer of the partnership;
- (b) by leaving it at, or by sending it by post to, the partnership's business address;
- (c) by sending it by fax to the fax number used at the partnership's business address; or 25
- (d) by sending it by email to the partnership's last email address.

(4) A document permitted or required by this Act to be served on a body corporate (including a limited liability partnership) or an unincorporated association may be served — 30

- (a) by giving it to the secretary or other similar officer of the body corporate or unincorporated association, or the limited liability partnership's manager;
- 5 (b) by leaving it at, or by sending it by post to, the registered office or principal office in Singapore of the body corporate or unincorporated association;
- (c) by sending it by fax to the fax number used at the registered office or principal office in Singapore of the body corporate or unincorporated association; or
- 10 (d) by sending it by email to the last email address of the body corporate or unincorporated association.

(5) In addition, a document permitted or required by this Act to be served on an individual, a partnership, a body corporate or an unincorporated association may be served —

- 15 (a) by giving an electronic notice to the individual, partnership, body corporate or unincorporated association (called in this section an addressee) by the addressee's chosen means of notification, stating that the document is available and how the addressee may use the
- 20 addressee's chosen means of access to access the document's contents;
- (b) where by the exercise of reasonable diligence, the name of any individual or a body of persons to whom the document is to be served, or the business address, residential address
- 25 or last email address of the individual or body, cannot be ascertained, by posting it on a website maintained by the LTA and prescribed by the Minister by notification in the *Gazette* for this purpose; or
- (c) by any other method authorised by the Regulations for the
- 30 service of documents of that kind if the addressee consents (expressly or impliedly) to service of a document of that kind in that way.

(6) Service of a document takes effect —

- (a) if the document is sent by fax and a notification of successful transmission is received, on the day of transmission;
- (b) if the document is sent by email, at the time that the email becomes capable of being retrieved by the person to whom it is sent; 5
- (c) if the document is sent by post, 2 days after the day the document was posted (even if it is returned undelivered); and 10
- (d) if the document is posted on a website mentioned in subsection (5)(b), at the beginning of the day after the date on which subsection (5)(b) has been complied with.

(7) However, service of any document under this Act on a person by email or by an electronic notice at the person's chosen means of notification, may be effected only with the person's prior consent (express or implied) to service in that way. 15

(8) In this section, "document" includes a notice or order permitted or required by this Act to be served.

(9) However, this section does not apply to documents to be served in proceedings in court. 20

(10) In this section —

"business address" means —

- (a) in the case of an individual, the individual's usual or last known place of business in Singapore; or 25
- (b) in the case of a partnership (other than a limited liability partnership), the partnership's principal or last known place of business in Singapore;

"chosen means of access", for an addressee on whom is or is to be served a document permitted or required by this Act, means an electronic means the addressee agrees with the person giving or serving the document as the means by which the addressee may access that document's contents; 30

“chosen means of notification”, for an addressee on whom is or is to be served a document permitted or required by this Act, means an electronic means that the addressee nominates to the person giving or serving the document as the means by which the addressee may be notified that such a document has been served on the addressee;

“last email address” means the last email address given by the addressee concerned to the person giving or serving the document as the email address for the service of documents under this Act;

“residential address” means an individual’s usual or last known place of residence in Singapore.

General exemption

52. The Minister may, by order in the *Gazette*, exempt any person or class of persons from all or any of the provisions of this Act, either generally or in a particular case and subject to such conditions as the Minister may impose.

Regulations

53.—(1) The LTA may, with the approval of the Minister, make regulations necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) In particular, the LTA may make regulations for any of the following:

(a) classes of licences;

(b) the form and manner in which, and the time within which, an application for the grant of a licence may be made under this Act;

(c) the carrying out of inquiries of applicants for a licence;

(d) the duties of licensees;

(e) the fees to be paid in respect of applications for the grant of a licence and otherwise in connection with the

administration of this Act, and for the waiver, reduction or refund of fees charged;

- (f) the records that must be kept by licensees and the provision of returns and other information with respect to the provision of point-to-point passenger transport services, including audio and visual records about the provision of the services.

(3) Regulations made under this section may —

- (a) prescribe the offences under this Act which may be compounded;
- (b) provide that any contravention of any provision of the Regulations shall be an offence punishable with a fine not exceeding \$10,000; and
- (c) provide for such saving, transitional, and other consequential, incidental and supplemental provisions as are necessary or expedient for the purposes of this Act.

Presentation to Parliament

54. All subsidiary legislation made under this Act must be presented to Parliament as soon as possible after publication in the *Gazette*.

PART 9

CONSEQUENTIAL AND RELATED AMENDMENTS TO OTHER ACTS

Division 1 — Income Tax Act

Consequential amendments to Income Tax Act

55. Section 19(5) of the Income Tax Act (Cap. 134, 2014 Ed.) is amended —

- (a) by deleting sub-paragraph (i) of paragraph (a) and substituting the following sub-paragraph:

“(i) a person that is not an individual and that holds a street-hail service licence

granted (on renewal or otherwise) or deemed granted under the Point-to-Point Passenger Transport Industry Act 2019 (called in this paragraph a street-hail service licence);”; and

- (b) by deleting the words “a taxi service operator licence” in sub-paragraph (a)(ii) and substituting the words “a street-hail service licence”.

Division 2 — Land Transport Authority of Singapore Act

Consequential and related amendments to Land Transport Authority of Singapore Act

56.—(1) The Land Transport Authority of Singapore Act (Cap. 158A, 1996 Ed.) is amended —

- (a) by deleting the word “and” at the end of section 6(1)(g)(iv);
- (b) by inserting the word “and” at the end of section 6(1)(g)(v);
- (c) by inserting, immediately after sub-paragraph (v) of section 6(1)(g), the following sub-paragraph:

“(vi) to regulate the provision of point-to-point passenger transport services under the Point-to-Point Passenger Transport Industry Act 2019;”;

- (d) by inserting, immediately after the words “the Third-Party Taxi Booking Service Providers Act 2015” in section 6(1)(r)(vi), the words “or the Point-to-Point Passenger Transport Industry Act 2019”;
- (e) by deleting the words “being a written law administered by the Authority,” in sections 39(1) and 40(1);
- (f) by deleting the full-stop at the end of sub-paragraph (b) of paragraph 16 of the Second Schedule and substituting a

semi-colon, and by inserting immediately thereafter the following sub-paragraph:

“(c) a licence under the Point-to-Point Passenger Transport Industry Act 2019.”;

(g) by inserting, immediately after paragraph 24 of the Second Schedule, the following paragraph: 5

“25. All fees prescribed under the Point-to-Point Passenger Transport Industry Act 2019.”; and

(h) by inserting, immediately after item 5 of Part II of the Fifth Schedule, the following item: 10

“6. Parts 3 and 4 of the Point-to-Point Passenger Transport Industry Act 2019 and any subsidiary legislation made under that Act for the purposes of those Parts.”.

(2) The Land Transport Authority of Singapore Act, as amended by subsection (1), is further amended — 15

(a) by inserting the word “and” at the end of section 6(1)(g)(iv);

(b) by deleting sub-paragraphs (v) and (vi) of section 6(1)(g) and substituting the following sub-paragraph:

“(v) to regulate the provision of point-to-point passenger transport services under the Point-to-Point Passenger Transport Industry Act 2019;”;

(c) by deleting the words “the Third-Party Taxi Booking Service Providers Act 2015 or” in section 6(1)(r)(vi); 25

(d) by deleting paragraphs 22 and 23 of the Second Schedule;

(e) by deleting item 2 of Part II of the Fifth Schedule and substituting the following item:

“2. All provisions of the Point-to-Point Passenger Transport Industry Act 2019 and any subsidiary legislation made under that Act.”; and 30

(f) by deleting item 6 of Part II of the Fifth Schedule.

*Division 3 — Motor Vehicles
(Third-Party Risks and Compensation) Act*

Related amendment to Motor Vehicles (Third-Party Risks and Compensation) Act

5 **57.** Section 3(3) of the Motor Vehicles (Third-Party Risks and Compensation) Act (Cap. 189, 2000 Ed.) is amended by inserting, immediately after the words “convicted of an offence under this section”, the words “for driving a motor vehicle in contravention of this section”.

10 *Division 4 — Public Transport Council Act*

Related amendments to Public Transport Council Act

58.—(1) The long title to the Public Transport Council Act (Cap. 259B, 2012 Ed.) is amended by deleting the words “taxi fares” and substituting the words “street-hail fares, ride-hail fares”.

15 (2) Section 2 of the Public Transport Council Act is amended —
 (a) by inserting, immediately before the definition of “bus”, the following definitions:

 ““bookable vehicle” means any of the following
 vehicles used or intended to be used in
 providing an on-demand passenger transport
 service through a booking taken or facilitated
 by a provider of a ride-hail service:

 (a) a taxi;

 (b) a private hire car (within the meaning
 given by the Road Traffic Act
 (Cap. 276)) which is hired, or made
 available for hire, under a contract
 (express or implied) for use as a
 whole with a driver for the purpose
 of conveying one or more passengers
 (if any) in that car;

 “booking”, in relation to a ride-hail service,
 means a booking for a bookable vehicle to be

used in providing an on-demand passenger transport service taken or facilitated by the provider of the ride-hail service;”;

- (b) by deleting the definition of “common pricing scheme”;
- (c) by deleting the definition of “fare” and substituting the following definition: 5
- ““fare” means —
- (a) any bus fare;
- (b) any train fare;
- (c) any ride-hail fare; or 10
- (d) any street-hail fare;”;
- (d) by deleting the word “or” at the end of paragraph (b) of the definition of “licensed”;
- (e) by deleting the words “a taxi service operator or a taxi driver;” in paragraph (c) of the definition of “licensed” and substituting the words “a taxi driver; or”; 15
- (f) by inserting, immediately after paragraph (c) of the definition of “licensed”, the following paragraph:
- “(d) licensed under the Point-to-Point Passenger Transport Industry Act 2019 in the case of a provider of a ride-hail service provided using bookable vehicles, or a street-hail service;”;
- 20
- (g) by inserting, immediately after the definition of “manager”, the following definitions: 25
- ““on-demand passenger transport service” and “on-demand ride booking service” have the meanings given by the Point-to-Point Passenger Transport Industry Act 2019;”;
- 30
- (h) by deleting the words “or taxi” wherever they appear in the definition of “passenger” and in paragraph (a) of the

definition of “price” and substituting in each case the words “, taxi or bookable vehicle”;

(i) by deleting the words “, train service, taxi service” in paragraph (a) of the definition of “price” and substituting the words “or train service, a provider of a street-hail service or ride-hail service”;

(j) by deleting paragraph (c) of the definition of “price” and substituting the following paragraph:

“(c) in the case of a ride-hail fare, includes the amount of a booking fee;”;

(k) by deleting the definition of “registered provider” and substituting the following definitions:

“ride-hail common pricing scheme” means a contract made between the prescribed ride-hail industry participants providing a ride-hail service that provides —

(a) for a common price or price structure for a fare component in relation to that ride-hail service; and

(b) for periodic reviews of that common price or price structure,

and includes any variation of that contract;

“ride-hail fare” means the price paid or given for the use of a ride-hail service, whether or not it is paid or given to the provider of the ride-hail service, a driver or any other person, and includes a booking fee;

“ride-hail industry participant”, for a type of ride-hail service, means any of the following:

(a) a ride-hail service licensee authorised to provide that type of ride-hail service;

- (b) any person or class of persons prescribed for the purposes of this definition either generally, or with respect to that particular type of ride-hail service;

5

“ride-hail service” means —

- (a) an on-demand passenger transport service of any type provided using bookable vehicles; or

- (b) an on-demand ride booking service of any type provided using bookable vehicles;

10

“ride-hail service licensee” means a person to whom a ride-hail service licence to provide a ride-hail service is granted (on renewal or otherwise) or deemed granted under the Point-to-Point Passenger Transport Industry Act 2019;”;

15

- (l) by inserting, immediately after the definition of “smartcard reader”, the following definitions:

20

““street-hail common pricing scheme” means a contract made between the prescribed street-hail industry participants providing a street-hail service that provides —

- (a) for a common price or price structure for a fare component in relation to that street-hail service; and

25

- (b) for periodic reviews of that common price or price structure,

and includes any variation of that contract;

30

“street-hail fare” means the price paid or given for the use of a street-hail service, whether or not it is paid or given to the provider of the street-hail service, a driver or any other

person, but does not include any booking fee for a taxi made available, or to be made available, in providing on-demand passenger transport services;

5 “street-hail industry participant” means any of the following:

- (a) a street-hail service licensee;
- (b) a taxi driver licensed under the Road Traffic Act to drive a taxi not owned by a street-hail service licensee;
- (c) any person or class of persons prescribed for the purposes of this definition either generally, or with respect to a class of street-hail service;

10 “street-hail service” means a service involving the transport by road of passengers within, or partly within, Singapore for hire or reward —

- (a) provided using motor vehicles which are taxis; and
- (b) under which any individual can hail or hire on-demand such a motor vehicle when it is —
 - (i) standing or plying for hire on a road; and
 - (ii) authorised under the Point-to-Point Passenger Transport Industry Act 2019 or the Road Traffic Act to stand or ply for hire on a road;

15 “street-hail service licensee” means a person to whom a street-hail service licence to provide a street-hail service is granted (on renewal or otherwise) or deemed granted under the

Point-to-Point Passenger Transport Industry Act 2019;” and

(m) by deleting the definitions of “taxi booking fee”, “taxi industry participant”, “taxi service” and “taxi service operator”.

5

(3) Section 4(1) of the Public Transport Council Act is amended by deleting the words “and taxi services” wherever they appear in paragraphs (a), (c) and (d) and substituting in each case the words “, street-hail services and ride-hail services”.

(4) Section 21(1) of the Public Transport Council Act is amended by inserting, immediately after the words “fee or charge imposed” in paragraph (c), the words “or collectible”.

10

(5) Part V of the Public Transport Council Act is amended by deleting the words “*Taxi fare*” in the heading of Division 2 and substituting the words “*Street-hail fare*”.

15

Related amendments on fare pricing policies

59.—(1) The Public Transport Council Act is amended —

(a) by deleting the words “TAXI FARE PRICING POLICIES” in the heading of Part V and substituting the words “STREET-HAIL AND RIDE-HAIL FARE PRICING POLICIES”;

20

(b) by deleting subsections (2) and (2A) of section 23 and substituting the following subsections:

“(2) A person must not initiate the collection of, or collect, a street-hail fare for a passenger’s journey in a taxi provided in the course of a street-hail service if the street-hail fare —

25

(a) is inconsistent with any part of the pricing policy set under section 23B for that street-hail service; or

30

(b) is more than the street-hail fare last published by the street-hail service

licensee authorised to provide that street-hail service.

(2A) A person must not initiate the collection of, or collect, a ride-hail fare for a passenger's journey in a bookable vehicle provided in the course of an on-demand passenger transport service relating to a ride-hail service if the ride-hail fare —

- (a) is inconsistent with any part of the pricing policy set under section 23D for that ride-hail service; or
- (b) is more than the ride-hail fare last published by the ride-hail service licensee authorised to provide that ride-hail service.

(2B) A street-hail service licensee or ride-hail service licensee which offers to the public, or any section of the public, as the case may be —

- (a) any street-hail service for any street-hail fare that is inconsistent with any part of the pricing policy set under section 23B for that street-hail service; or
- (b) any ride-hail service for any ride-hail fare that is inconsistent with any part of the pricing policy set under section 23D for that ride-hail service,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 6 months or to both.”;

- (c) by deleting the words “or (2)” in section 23(4) and substituting the words “, (2) or (2A)”;
- (d) by inserting, immediately after subsection (4) of section 23, the following subsection:

“(4A) To avoid doubt, an offence under this section is a strict liability offence.”; and

- (e) by deleting the section heading of section 23 and substituting the following section heading:

“Bus, train, street-hail and ride-hail fares”.

- (2) Section 23A of the Public Transport Council Act is amended —

- (a) by deleting paragraph (c) of subsection (1) and substituting the following paragraph: 5

“(c) any street-hail industry participant or ride-hail industry participant.”; and

- (b) by inserting, immediately after the words “section 23B,” in subsection (2)(a), “23D,”. 10

- (3) Section 23B of the Public Transport Council Act is amended —

- (a) by deleting the words “taxi fare” wherever they appear in subsections (1), (2), (3), (4), (6) and (8) and substituting in each case the words “street-hail fare”;

- (b) by deleting the words “taxi fares for any taxi service” in subsection (1) and substituting the words “street-hail fares for any street-hail service”; 15

- (c) by deleting the words “taxi service” wherever they appear in subsections (2) and (3) and substituting in each case the words “street-hail service”; 20

- (d) by deleting the words “taxi fares” wherever they appear in subsections (2) and (3)(b) and substituting in each case the words “street-hail fares”;

- (e) by deleting the words “common pricing scheme” wherever they appear in subsections (2)(e) and (3)(a) and substituting in each case the words “street-hail common pricing scheme”; 25

- (f) by deleting the word “and” at the end of subsection (2)(f);

- (g) by inserting, immediately after paragraph (f) of subsection (2), the following paragraph: 30

“(fa) regulating or prohibiting payment surcharges and charges on transactions

involving payment of a street-hail fare;
and”;

5 (h) by deleting the words “taxi industry participants” in subsection (3)(a) and (b) and substituting in each case the words “street-hail industry participants”;

(i) by deleting the words “taxi industry participant” wherever they appear in subsection (3)(b) and substituting in each case the words “street-hail industry participant”;

10 (j) by deleting the words “taxi services” in subsection (3)(b) and substituting the words “street-hail services”;

(k) by deleting the words “must consider” in subsection (4) and substituting the words “may consider”;

15 (l) by deleting the words “taxi services” in subsection (4)(a), (b) and (c) and substituting in each case the words “street-hail services and ride-hail services”;

(m) by deleting the words “A taxi fare” in subsection (5) and substituting the words “A street-hail fare”;

(n) by deleting paragraph (b) of subsection (5) and substituting the following paragraph:

20 “(b) may be revoked by the Council with or without making another street-hail fare pricing policy order in replacement.”; and

(o) by deleting the words “Taxi fare” in the section heading and substituting the words “Street-hail fare”.

25 (4) Section 23C of the Public Transport Council Act is amended —

(a) by deleting the words “taxi fare” wherever they appear in subsections (1), (2), (3), (5) and (7) and substituting in each case the words “street-hail fare”;

30 (b) by deleting the words “taxi service” wherever they appear in subsections (1) and (2) and substituting in each case the words “street-hail service”;

- (c) by deleting the words “taxi industry participant” in subsections (1) and (6) and substituting in each case the words “street-hail industry participant”;
- (d) by deleting the words “taxi fares” in subsections (1)(a) and (2)(a) and substituting in each case the words “street-hail fares”;
- (e) by deleting the words “common pricing scheme” wherever they appear in subsections (2), (3), (4), (5), (6) and (7) and substituting in each case the words “street-hail common pricing scheme”;
- (f) by deleting the words “taxi industry participants” in subsections (2), (3) and (5)(b) and substituting in each case the words “street-hail industry participants”;
- (g) by deleting the words “taxi services” wherever they appear in subsection (3) and substituting in each case the words “street-hail services”;
- (h) by deleting the words “licensed taxi service operator” in subsection (4) and substituting the words “street-hail service licensee”; and
- (i) by deleting the words “taxi fares and” in the section heading and substituting the words “street-hail fares and street-hail”.

(5) Part V of the Public Transport Council Act is amended by inserting, immediately after section 23C, the following Division:

“Division 2A — Ride-hail fare pricing policy

Ride-hail fare pricing policy orders

23D.—(1) Subject to subsection (5) and any regulations made under subsection (9), the Council may, by order published in the *Gazette* (called a ride-hail fare pricing policy order), set the pricing policy for ride-hail fares for all types of or any type of ride-hail service.

(2) Different ride-hail fare pricing policy orders may be made under subsection (1) in relation to different types of ride-hail services.

(3) A ride-hail fare pricing policy order for a ride-hail service may set the price fixing factors for ride-hail fares in any manner the Council considers appropriate, including —

5 (a) fixing the components of ride-hail fares for the ride-hail service;

(b) fixing the pricing policy or principles that are to be applied in relation to the ride-hail service provided;

10 (c) specifying a factor or factors to be applied, and the manner in which such a factor is or factors are to be applied, in setting ride-hail fares or terms and conditions for the ride-hail service provided;

15 (d) fixing the basis on which prices of ride-hail fares are to be calculated for different bookable vehicles, for different types of journeys by bookable vehicles, for different passengers or for hiring of bookable vehicles in different circumstances;

(e) fixing a price for components of a ride-hail fare where a ride-hail common pricing scheme is permitted and there is no ride-hail common pricing scheme in effect;

20 (f) fixing a maximum or minimum price or price range, or a maximum rate of increase or decrease or minimum rate of increase or decrease in the price or the maximum and minimum price for ride-hail fares for the ride-hail service provided, or other price control formula;

25 (g) regulating or prohibiting payment surcharges and charges on transactions involving payment of a ride-hail fare; and

(h) any other terms the Council considers appropriate.

30 (4) A ride-hail fare pricing policy order relating to a type of ride-hail service may —

(a) permit the ride-hail industry participants, by a ride-hail common pricing scheme, to vary one or more components of a ride-hail fare for that ride-hail

service set for that component in the ride-hail fare pricing policy order; and

- (b) require a ride-hail industry participant of that type of ride-hail service to provide information to other ride-hail industry participants, passengers, prospective passengers or others, or generally publish, or cause to be published, information relating to its prices of and pricing policies for ride-hail fares for ride-hail services provided by the ride-hail industry participant.

(5) In making a ride-hail fare pricing policy order relating to a type of ride-hail service, the Council may consider the following factors:

- (a) the demand and supply of ride-hail services and street-hail services;
- (b) the standards of quality, reliability and safety of ride-hail services and street-hail services, whether those standards are specified by legislation, agreement or otherwise, and any suggested or actual changes to those standards;
- (c) the need for greater efficiency in providing passengers responsive, safe, competitive, efficient and accessible ride-hail services and street-hail services;
- (d) such other matters as the Council considers relevant.

(6) A ride-hail fare pricing policy order under subsection (1) relating to a type of ride-hail service takes effect on a date specified in the order, and —

- (a) cannot be varied (except as contemplated by the order); and
- (b) may be revoked by the Council with or without making another ride-hail fare pricing policy order in replacement in relation to that same type of ride-hail service.

(7) Before the date a ride-hail fare pricing policy order under subsection (1) relating to a type of ride-hail service comes into effect, the Council must give notice of the making of the order in such manner as will secure adequate publicity for it.

5 (8) However, failure to comply with subsection (7) in respect of any such order under subsection (1) does not in itself invalidate the order.

10 (9) The Minister may make regulations prescribing the content, form and procedure that must be followed by the Council in connection with the preparation and making of a ride-hail fare pricing policy order for the purposes of subsection (1).

Lodgment of ride-hail fares and ride-hail common pricing schemes

15 **23E.**—(1) Within the prescribed period after a ride-hail fare pricing policy order is made for any ride-hail service but before it takes effect for the ride-hail service, every ride-hail industry participant providing that ride-hail service must —

20 (a) determine the prices of ride-hail fares for that ride-hail service if no prices are set by that order; and

(b) lodge with the Council those prices determined unless the nature of the ride-hail fare makes lodgment impracticable, together with any supporting information the Council may require.

25 (2) Where a ride-hail fare pricing policy order for a ride-hail service permits a ride-hail common pricing scheme to vary one or more components of the ride-hail fare in the ride-hail fare pricing policy order, the prescribed ride-hail industry participants for that ride-hail common pricing scheme —

30 (a) may start collective negotiations among themselves to determine the common prices of those components of ride-hail fares to be charged, or to vary those common prices, and the period during which those prices will apply; and

(b) must lodge with the Council the ride-hail common pricing scheme with the common prices determined or varied under that scheme and the effective date of those prices, together with any supporting information the Council may require. 5

(3) The common prices last lodged with the Council under subsection (2)(b) for any component of a ride-hail fare for ride-hail services have the effect of varying, from the date specified in the lodgment, any price set by the Council in the ride-hail fare pricing policy order for that component for those ride-hail services (even though not agreed to by all the prescribed ride-hail industry participants providing those ride-hail services) until the ride-hail common pricing scheme is terminated. 10

(4) To have effect, a ride-hail common pricing scheme for any component of a ride-hail fare — 15

(a) must be in writing;

(b) must be agreed to by the ride-hail industry participants prescribed for that component of the ride-hail fare; 20

(c) must be made after following the procedure (if prescribed) in connection with the preparation and making; and

(d) must state a process for dispute resolution.

(5) A ride-hail industry participant may be party to more than one ride-hail common pricing scheme. 25

(6) For the purposes of the Third Schedule to the Competition Act (Cap. 50B), every ride-hail common pricing scheme permitted by a ride-hail fare pricing policy order is, when made, to be regarded as an agreement made in order to comply with a legal requirement.”. 30

(6) Section 24D of the Public Transport Council Act is repealed and the following section substituted therefor:

“Offence of non-payment of ride-hail fare or street-hail fare

24D.—(1) A passenger of a taxi commits an offence if —

5 (a) the passenger is transported on a journey within or partly within Singapore in the taxi provided in the course of a street-hail service; and

10 (b) the passenger, without reasonable excuse, fails or refuses, at the end of the journey and after a demand by the driver of the taxi, to pay the street-hail fare for the journey which is collectible under this Act.

(2) A passenger of a bookable vehicle commits an offence if —

15 (a) the passenger is transported on a journey within or partly within Singapore in the bookable vehicle provided in the course of an on-demand passenger transport service to which a ride-hail service relates; and

20 (b) the passenger, without reasonable excuse, fails or refuses, at the end of the journey and after a demand by the driver of the bookable vehicle, to pay the ride-hail fare for the journey which is collectible under this Act.

(3) A passenger who is guilty of an offence under subsection (1) or (2) shall be liable on conviction either —

25 (a) to a fine not exceeding \$1,000; or

 (b) where the person is a repeat offender, to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

30 (4) A person is a repeat offender in relation to an offence under subsection (1) if the person who is convicted, or found guilty, of an offence under that provision (called the current offence) has been convicted or found guilty, before the date on which the person is convicted or found guilty of the current offence, of any of the following offences:

- (a) an offence under subsection (1);
- (b) an offence under section 24D as in force before the date of commencement of section 59(6) of the Point-to-Point Passenger Transport Industry Act 2019.

5

(5) A person is a repeat offender in relation to an offence under subsection (2) if the person who is convicted, or found guilty, of an offence under that provision (called the current offence) has been convicted or found guilty, before the date on which the person is convicted or found guilty of the current offence, of any of the following offences:

10

- (a) an offence under subsection (2);
- (b) an offence under section 24D as in force before the date of commencement of section 59(6) of the Point-to-Point Passenger Transport Industry Act 2019.”.

15

Related amendments to penalty fee for bus or train fare evasion

60. The Public Transport Council Act is amended —

- (a) by deleting subsection (5) of section 24C and substituting the following subsection:

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“(5) An individual who is offered by a public transport official an opportunity to pay a penalty fee may accept the offer by paying the penalty fee, or by arranging for another person to pay the penalty fee —

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- (a) to a person directed by the public transport official and authorised by the Council to receive payments of penalty fees; or

(b) to the Council itself,

in the manner and within the time determined by the Council or under subsection (4)(a) if an appeal under subsection (3) is made.”;

5 (b) by deleting the words “subsection (5)(a), the public transport official must give the individual” in section 24C(7) and substituting the words “subsection (5), the Council must give or cause to be given to the individual”; and

10 (c) by deleting the words “, 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” in section 24E(1).

Division 5 — Road Traffic Act

15 **Consequential amendments to Road Traffic Act**

61. Section 2(1) of the Road Traffic Act (Cap. 276, 2004 Ed.) is amended —

(a) by inserting, immediately after the definition of “driving licence”, the following definition:

20 ““exempt ride-hail service operator” has the meaning given by the Point-to-Point Passenger Transport Industry Act 2019;”;

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

25 ““on-demand passenger transport service” and “on-demand ride booking service” have the meanings given by the Point-to-Point Passenger Transport Industry Act 2019;”;

30 (c) by inserting, immediately after the definition of “replacement vehicle”, the following definition:

“ride-hail service” has the meaning given by the Point-to-Point Passenger Transport Industry Act 2019;”; and

- (d) by inserting, immediately after the definition of “security officer”, the following definitions: 5

“street-hail service” has the meaning given by the Point-to-Point Passenger Transport Industry Act 2019;

“street-hail service licence” means a street-hail service licence granted under the Point-to-Point Passenger Transport Industry Act 2019 to provide a street-hail service; 10

“street-hail service licensee” means a person to whom a street-hail service licence is granted (on renewal or otherwise) or deemed granted under the Point-to-Point Passenger Transport Industry Act 2019;”. 15

Related amendments about public service vehicles

62. The Road Traffic Act is amended —

- (a) by deleting the words “motor vehicle, or cause or permit a motor vehicle to be used,” in section 101(1) and substituting the words “motor vehicle which is not a proscribed vehicle, or cause or permit a motor vehicle which is not a proscribed vehicle to be used,”; 20
- (b) by deleting the words “motor vehicle that” in section 101(1A) and substituting the words “motor car that”; 25
- (c) by deleting the words “a ride-sourcing service (within the meaning of section 110A)” in section 101(1A)(a) and substituting the words “an on-demand passenger transport service”; 30
- (d) by deleting paragraph (b) of section 101(1A) and substituting the following paragraph:

“(b) is immediately available to a provider of a ride-hail service to take or facilitate the taking of bookings for an on-demand passenger transport service provided using that vehicle (whether immediately or at a later time).”;

(e) by inserting, immediately after the words “under this Act” in section 101(4), the words “and the Point-to-Point Passenger Transport Industry Act 2019”;

(f) by inserting, immediately after subsection (9) of section 101, the following subsections:

“(10) For the purposes of this section, a proscribed vehicle means a vehicle of the construction, type or description or a class of vehicles declared by the Minister, by order in the *Gazette*, to be proscribed and not likewise declared, by subsequent order in the *Gazette*, to be not proscribed.

(11) An order made under subsection (10) by the Minister may contain such saving, transitional, and other consequential, incidental and supplemental provisions as the Minister considers necessary or expedient for the purposes of this Part.

(12) A person commits an offence if a person uses or causes or permits a proscribed vehicle to be used as a public service vehicle.

(13) A person who is guilty of an offence under subsection (12) shall be liable on conviction to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding 6 months or to both.”; and

(g) by inserting, immediately after paragraph (a) of section 108, the following paragraph:

“(aa) the vehicle in respect of which the licence is issued is proscribed under section 101(10);”.

Related amendments about taxi service operators

63.—(1) Section 103 of the Road Traffic Act is amended —

(a) by deleting the words “taxi service operator” wherever they appear in subsections (3) and (4) and substituting in each case the words “street-hail service licensee”;

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(b) by deleting the words “that operator” in subsection (3) and substituting the words “that licensee”;

(c) by deleting the definition of “service standard condition” in subsection (6) and substituting the following definition:

““service standard condition” means a code of practice about performance standards relating to the provision of street-hail services and the quality of other aspects of the provision of a street-hail service under the Point-to-Point Passenger Transport Industry Act 2019;”;

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15

(d) by deleting the semi-colon at the end of the definition of “taxi licence” in subsection (6) and substituting a full-stop; and

(e) by deleting the definition of “taxi service operator” in subsection (6).

20

(2) Part VA of the Road Traffic Act is amended —

(a) by inserting, immediately after subsection (4) of section 111C, the following subsection:

“(5) Starting on the date of commencement of section 12 of the Point-to-Point Passenger Transport Industry Act 2019, this section ceases to apply to and in relation to any person who operates a taxi service on or after that date without a taxi service operator licence and is not exempt from section 111B by virtue of section 142.”;

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30

(b) by inserting, immediately after subsection (2) of section 111D, the following subsection:

“*(3)* Starting on the date of commencement of section 12 of the Point-to-Point Passenger Transport Industry Act 2019, this section ceases to apply to and in relation to any person who operates a taxi service on or after that date without a taxi service operator licence and is not exempt from section 111B by virtue of section 142.”; and

(c) by inserting, immediately after subsection *(2)* of section 111E, the following subsection:

“*(2A)* Starting on the date of commencement of section 12 of the Point-to-Point Passenger Transport Industry Act 2019, subsections *(1)* and *(2)* cease to apply to and in relation to any person who operates a taxi service on or after that date without a taxi service operator licence and is not exempt from section 111B by virtue of section 142.”.

(3) The Road Traffic Act, as amended by subsection *(2)*, is further amended by repealing Part VA of that Act.

Related amendment about fares of public service vehicles

64. Section 106 of the Road Traffic Act is amended by deleting subsection *(6)* and substituting the following subsection:

“*(6)* This section does not apply to omnibuses, taxis and private hire cars to the extent that fares for the provision of bus services and ride-hail services and street-hail services using such vehicles are regulated by or under the Public Transport Council Act (Cap. 259B).”.

Related amendments about private hire car booking service operators

65.—*(1)* Section 110A of the Road Traffic Act is amended —

(a) by deleting subsection *(1)* and substituting the following subsection:

“*(1)* The Registrar may in the circumstances in subsection *(2)*, by a general suspension order served

on persons mentioned in subsection (3), direct that every bookable vehicle driver who is a participating bookable driver of the same designated exempt ride-hail service operator stop providing, during a blackout period, on-demand passenger transport services the booking of which is taken or facilitated by that designated exempt ride-hail service operator.”;

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(b) by deleting the words “affiliated drivers” in subsection (2)(a) and (b) and in the section heading and substituting in each case the words “participating bookable drivers”;

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(c) by deleting the words “private hire car booking service operator” wherever they appear in subsections (2), (3) and (4) and substituting in each case the words “designated exempt ride-hail service operator”;

15

(d) by deleting the words “an affiliated driver” in subsection (2)(a) and (b) and substituting in each case the words “a participating bookable driver”;

(e) by deleting the words “affiliated driver” in subsection (3)(a) and substituting the words “participating bookable driver”;

20

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

“(9) A participating bookable driver of a designated exempt ride-hail service operator who —

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(a) is in the class of participating bookable drivers served with a general suspension order (in accordance with subsection (7)) directing him to stop providing any on-demand passenger transport service the booking of which is taken or facilitated by that designated exempt ride-hail service operator; and

30

(b) provides any on-demand passenger transport service the booking of which is taken or facilitated by that designated exempt ride-hail service operator during the blackout period for that general suspension order,

shall be guilty of an offence.”; and

(g) by deleting “(2)” in subsection (10) and substituting “(9)”.

(2) Section 110B of the Road Traffic Act is amended —

(a) by deleting the definitions of “affiliated driver”, “affiliated driver agreement”, “bookable vehicle driver” and “ride-sourcing service”;

(b) by deleting the definition of “bookable vehicle” and substituting the following definition:

““bookable vehicle” has the meaning given by section 4(1) of the Point-to-Point Passenger Transport Industry Act 2019;”;

(c) by deleting the definition of “private hire car booking service operator” and substituting the following definitions:

““designated exempt ride-hail service operator” means a person who is an exempt ride-hail service operator and is prescribed by rules under section 111 to be designated by the Authority for the purposes of this definition;

“participating bookable driver”, for a designated exempt ride-hail service operator, means a driver who has a participating driver agreement with the operator, and it is immaterial whether the driver is an employee or agent of the designated exempt ride-hail service operator;

“participating driver agreement”, in relation to a designated exempt ride-hail service operator providing a ride-hail service, means an agreement or arrangement between the designated exempt ride-hail service operator and a driver of a bookable vehicle under which —

5

(a) the designated exempt ride-hail service operator agrees to —

(i) take or facilitate any booking by or on behalf of a passenger for bookable vehicles to be made available in providing on-demand passenger transport services (whether immediately or at a later time) to the passenger; and

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15

(ii) communicate the booking to participating bookable drivers; and

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(b) the driver agrees to carry out the on-demand passenger transport service in the booking by transporting the passenger for hire or reward, using a bookable vehicle,

25

and it does not matter whether or not the driver is an employee or agent of the designated exempt ride-hail service operator providing the ride-hail service or whether the vehicle is hired from that operator;” and

30

(d) by deleting the semi-colon at the end of the definition of “relevant offence” and substituting a full-stop.

(3) Section 111 of the Road Traffic Act is amended by deleting subsection (2) and substituting the following subsection:

“(2) Any rules made under subsection (1) may provide that any contravention of any provision of the rules shall be an offence punishable with a fine not exceeding \$10,000.”.

Related amendments on autonomous motor vehicles

5 **66.** Section 6D of the Road Traffic Act is amended —

(a) by deleting the words “other written law” in subsection (1)(a) and (b) and substituting in each case the words “other applicable written law”; and

10 (b) by inserting, immediately after subsection (4), the following subsection:

“(5) In this section, “other applicable written law” means —

(a) the Bus Services Industry Act 2015;

15 (b) the Motor Vehicles (Third-Party Risks and Compensation) Act (Cap. 189);

(c) the Point-to-Point Passenger Transport Industry Act 2019; or

(d) the Public Transport Council Act (Cap. 259B).”.

20 *Division 6 — Third-Party Taxi Booking
Service Providers Act 2015*

Related amendments and repeal

25 **67.—**(1) The Third-Party Taxi Booking Service Providers Act 2015 is amended by inserting, immediately after section 5, the following section:

“Act stops applying to certain providers

30 **5A.** Starting on the date of commencement of section 18 of the Point-to-Point Passenger Transport Industry Act 2019, sections 8, 9, 10, 11 and 12 of this Act cease to apply to and in relation to any person who provides any third-party taxi booking service for journeys by taxi within, or partly within,

Singapore on or after that date and is not exempt from section 7 by virtue of section 30.”.

(2) The Third-Party Taxi Booking Service Providers Act 2015, as amended by subsection (1), is repealed.

PART 10

5

SAVING AND TRANSITIONAL ARRANGEMENTS

Saving and transitional provisions

68.—(1) This Act applies to and in relation to —

(a) every taxi service operator licence that is granted, before the date of commencement of section 63(3), under Part VA of the Road Traffic Act and is in force immediately before that date; and

10

(b) every registration as a registered provider of a third-party taxi booking service for journeys by taxi within, or partly within, Singapore, under the Third-Party Taxi Booking Service Providers Act 2015 that is in force immediately before the date of commencement of section 67(2),

15

subject to such adaptations provided in the Schedule.

(2) For a period of 2 years after the date of commencement of this section, the Minister may, by order in the *Gazette*, amend the Schedule by prescribing such additional provisions of a saving or transitional nature consequent on the enactment of this section as the Minister may consider necessary or expedient.

20

(3) Nothing in this section or the Schedule affects section 16 of the Interpretation Act (Cap. 1).

25

THE SCHEDULE

Section 68

SAVING AND TRANSITIONAL PROVISIONS

PART 1

TAXI SERVICE OPERATORS

1. —(1) Every taxi service operator licence that —

(a) is granted, before the date of commencement of section 63(3), under Part VA of the Road Traffic Act; and

(b) is in force immediately before that date,

is, so far as it is not inconsistent with the provisions of this Act, to continue as if it is a street-hail service licence granted under Part 3 of this Act until that licence expires or is earlier revoked under section 35.

(2) Every taxi service operator licence that —

(a) is granted, before the date of commencement of section 63(3), under Part VA of the Road Traffic Act and authorising the holder of the licence to provide taxi booking services to individuals driving taxis owned by the holder of that licence; and

(b) is in force immediately before that date,

is, so far as it is not inconsistent with the provisions of this Act, to continue as if it is a ride-hail service licence of the relevant class granted under Part 4 of this Act until that licence expires or is earlier revoked under section 35.

2. Every direction that —

(a) is issued under section 111G of the Road Traffic Act to a licensed taxi service operator, before the date of commencement of section 63(3), under Part VA of the Road Traffic Act; and

(b) is in force immediately before that date,

is, so far as it is not inconsistent with the provisions of this Act, to continue as if it is a direction given by the LTA under section 31.

3. Section 35 does not apply to any proceedings against a taxi service operator —

(a) under section 111H of the Road Traffic Act as in force immediately before the date of commencement of section 63(3); and

THE SCHEDULE — *continued*

(b) that is pending immediately before that date,
and those proceedings may be continued, and any penalty may be imposed under section 111H of the Road Traffic Act, as if section 63(3) had not been enacted.

4. Where an appeal has been made to the Minister — 5

(a) under section 111G or 111H of the Road Traffic Act before the date of commencement of section 63(3); and

(b) the appeal has not been dealt with or disposed of immediately before that date,

the appeal may be dealt with under section 111G or 111H (as the case may be) of the Road Traffic Act as if section 63(3) had not been enacted. 10

PART 2

THIRD-PARTY TAXI BOOKING SERVICE PROVIDERS

1. Every registration that —

(a) is made, before the date of commencement of section 67(2), under the Third-Party Taxi Booking Service Providers Act 2015; and 15

(b) is in force immediately before that date,

lapses on that date.

2. Section 35 does not apply to any proceedings against a registered provider of a third-party taxi booking service — 20

(a) under section 20 of the Third-Party Taxi Booking Service Providers Act 2015 as in force immediately before the date of commencement of section 67(2); and

(b) pending immediately before that date,

and those proceedings may be continued, and any penalty may be imposed under section 20 of the Third-Party Taxi Booking Service Providers Act 2015, as if section 67(2) had not been enacted. 25

3. Where an appeal has been made to the Minister —

(a) under section 22 of the Third-Party Taxi Booking Service Providers Act 2015 before the date of commencement of section 67(2); and 30

THE SCHEDULE — *continued*

(b) the appeal has not been dealt with or disposed of immediately before that date,

5 the appeal may be dealt with under section 22 of the Third-Party Taxi Booking Service Providers Act 2015 as if section 67(2) had not been enacted.

EXPLANATORY STATEMENT

This Bill seeks to regulate the provision of point-to-point passenger transport services in Singapore.

Part 1 introduces the fundamental concepts used in the Bill.

Part 2 sets out the main offences connected with the provision of point-to-point passenger transport services.

Part 3 contains the regulatory framework for providers of street-hail services.

Part 4 contains the regulatory framework for providers of ride-hail services.

Part 5 sets out various business operation requirements for such providers.

Part 6 confers powers of enforcement and regulatory action for the proper administration of the Bill.

Part 7 provides for appeals against certain decisions of the Land Transport Authority of Singapore (LTA).

Part 8 contains a variety of general provisions as well as the power to make regulations.

The Bill also makes consequential and related amendments to the Income Tax Act (Cap. 134), the Land Transport Authority of Singapore Act (Cap. 158A), the Motor Vehicles (Third-Party Risks and Compensation) Act (Cap. 189), the Public Transport Council Act (Cap. 259B), the Third-Party Taxi Booking Service Providers Act 2015 (Act 17 of 2015) and the Road Traffic Act (Cap. 276).

Part 9 sets out the different consequential and related amendments to other Acts, which are staged, and eventually for the repeal of the Third-Party Taxi Booking Service Providers Act 2015.

Part 10 and the Schedule provide for saving and transitional arrangements for existing holders of taxi service operator licences and registered providers of third-party taxi booking services.

PART 1

PRELIMINARY

Clause 1 relates to the short title and commencement.

Clause 2 is a general definition provision. It contains definitions of terms used in several Parts of the Bill.

Clause 2 provides that whether or not a person is providing a ride-hail service or street-hail service in the course of business would generally depend on a range of factors, such as whether the service is provided with the aim of generating revenue through charging of a fare or for other consideration. It does not matter if the person providing the service is doing so for profit, or on a not-for-profit basis.

Clause 3 sets out the definition of “street-hail service” and terms related to that. The expression “street-hail service” corresponds to a taxi service today without the taxi booking service. The booking service is treated as a ride-hail service under the Bill.

Clause 4 sets out the definition of “ride-hail service” and terms related to that.

A “ride-hail service” is defined to mean either an “on-demand passenger transport service” or an “on-demand ride booking service”.

Clause 4(1) defines an “on-demand passenger transport service” to mean a service for the transport of passengers by vehicle for hire or reward, in which the passenger or hirer determines or substantially determines the location for the beginning and end of the journey and time of travel. This captures the domain of most chartered limousine activity or work at present as well as chauffeured services by chauffeured private hire car drivers. This could occur via a booking made in advance of the journey.

Another important term defined is “on-demand ride booking service”. Clause 4(1) defines this to mean a service that involves taking or facilitating bookings for bookable vehicles to be used in providing on-demand passenger transport services (whether immediately or at a later time), and communicating the bookings to participating bookable drivers or to other providers of ride-hail services.

This captures circumstances where the person who takes or facilitates the booking is not the provider of the on-demand passenger transport service but passes it on to a driver, as well as where the person who takes the booking is also the person who provides the on-demand passenger transport service, and passes the booking on to drivers used to carry out the service.

The definition in clause 4(1) also provides that an on-demand ride booking service is a service that involves taking or facilitating bookings for on-demand vehicles to be used in providing on-demand passenger transport services (whether immediately or at a later time), where the person who takes or facilitates the

bookings is the on-demand driver. This part of the definition captures circumstances where the booking is not necessarily passed on to a third party in order for the service to be provided such as where the person who takes or facilitates the booking is the driver of the vehicle that is to be used to provide the service.

The definition also allows for regulations to be made to extend what would be an on-demand ride booking service (and in turn a ride-hail service) or to exclude a service from the scope of the definition. This is because the rapid pace of innovation means that it is difficult for the LTA to foresee all possible permutations of an on-demand ride booking service. This regulation-making power will ensure that the Bill provides flexibility to capture any new services that emerge that are on-demand in nature, but which may fall outside of the existing definition, capturing them in the chain of accountability. This is to avoid the current situation where some new industry participants are unable to be effectively regulated as they fall outside the current scope of existing laws.

Clause 5 sets out the purposes of the Bill.

Clause 6 makes it clear that the Bill extends to any conduct outside Singapore, or partly inside or partly outside Singapore, that results in the provision of any point-to-point passenger transport service for journeys by motor vehicles within, or partly within, Singapore.

Clause 7 provides that the administration of the Bill is the function of the LTA.

Clause 8 empowers the LTA to appoint authorised officers from among its officers and employees to administer and enforce the Bill. The LTA may delegate the exercise of all or any of the powers conferred or duties imposed upon it by any provision of the Bill. However, the LTA cannot delegate its power of delegation conferred by the clause; this is to prevent sub-delegation.

PART 2

UNAUTHORISED ACTIVITIES

Part 2 sets out activities which are offences.

Clause 9 creates an offence of unauthorised provision of street-hail services. A person must not provide in Singapore any street-hail service when the person is not authorised to do so by a street-hail service licence, and is not exempt from this clause under clause 52 in relation to that service. The offence is a strict liability offence.

The punishment is a fine not exceeding \$10,000 or imprisonment for a term not exceeding 6 months or both and, in the case of a continuing offence, a further fine not exceeding \$500 for every day or part of a day during which the offence continues after conviction.

Clause 10 deals with unauthorised provision in Singapore of ride-hail services. The clause makes it an offence for a person to provide in Singapore ride-hail services when the person is not authorised to do so by a ride-hail service licence and the person is not authorised to do so as an exempt ride-hail service operator, and when the person is not exempt from the clause under clause 52 in relation to that service. The offence is a strict liability offence.

The punishment is a fine not exceeding \$10,000 or imprisonment for a term not exceeding 6 months or both and, in the case of a continuing offence, a further fine not exceeding \$500 for every day or part of a day during which the offence continues after conviction.

A bookable vehicle is defined by clause 4 to mean a taxi or a private hire car, that is one which is hired, or made available for hire, under a contract (express or implied) for use as a whole with a driver for the purpose of conveying one or more passengers (if any) in that car.

A bookable vehicle is also defined by clause 4 to mean a motor vehicle that is within a class allowed under section 101 of the Road Traffic Act to be used as a public service vehicle, and which is prescribed as permissible for the purposes of the Bill. This is a subset of public service vehicles which may be licensed under the Road Traffic Act.

The provision of a ride-hail service in Singapore using vehicles which are not bookable vehicles is not unlawful.

Clause 11 deals with the accepting of bookings from unauthorised providers of ride-hail services. A driver who drives a motor vehicle used in carrying out any on-demand passenger transport service related to a ride-hail service commits an offence if the driver intentionally takes one or more bookings for that on-demand passenger transport service from the provider of the ride-hail service and the provider of the ride-hail service is either not authorised to provide that ride-hail service by a ride-hail service licence or is not authorised to provide that ride-hail service as an exempt ride-hail service operator or is not exempt from clause 10(1), by an order under clause 52, in relation to the provision of the ride-hail service. The driver must have a fault element in order to be guilty; that is, the driver knows that, or is reckless as to whether, the provider of the ride-hail service is not authorised to provide that ride-hail service as described.

The punishment is a fine not exceeding \$1,000 or imprisonment for a term not exceeding 3 months or both. In the case of a second or subsequent conviction, the punishment is a fine not exceeding \$2,000 or imprisonment for a term not exceeding 6 months or both.

PART 3

STREET-HAIL SERVICES

Part 3 provides for the licensing of providers of street-hail services which generally correspond to taxi services.

Clause 12 provides for applications for or to renew a street-hail service licence. These must be made to the LTA. The LTA may refuse to consider an application for or to renew a street-hail service licence that is incomplete or not made in accordance with the clause.

Clause 13 deals with matters that the LTA considers when granting or renewing street-hail service licences.

For a street-hail service licence, the suitability of the applicant and its key officers (such as the members of the board of directors or committee or board of trustees or other governing body) to be involved in the management or operation of the street-hail service is also part of the criteria the LTA must take into account.

In assessing a person's suitability, the LTA has to have regard to the degree and nature of the person's proposed involvement in the public transport system in Singapore, and have regard to, and give such weight as the LTA considers appropriate to, the person's relevant knowledge, competency and experience.

The LTA is also to take into account any evidence of the exercise of any regulatory sanction under clause 35 in relation to the person for contravening the Bill or any notice or direction given under, or any provision of, the Bill (which includes its subsidiary legislation), and of previous convictions under the Bill, the Public Transport Council Act or under Part V or VA of the Road Traffic Act or the Third-Party Taxi Booking Service Providers Act 2015 in relation to taxis, private hire cars, private hire car booking service operators or taxi service operators.

A fee may be prescribed by regulations for the issue or renewal of a street-hail service licence.

The LTA may grant a renewal of a street-hail service licence with or without modifying the conditions of the licence. But when it does so, the process for modifying conditions in clause 16 does not apply.

Clause 14 deals with the periodic fee payable for a street-hail service licence which is in addition to the licence fee payable at the grant or renewal. Every street-hail service licence granted or renewed is valid for such period as may be specified in the licence and is in force unless, following regulatory action under clause 35, the licence is earlier revoked or suspended.

Clause 15 empowers the LTA, in granting a street-hail service licence to any person, to impose such conditions as the LTA considers requisite or expedient having regard to the purposes of the Bill.

Clause 16 empowers the LTA to add to, delete or modify the conditions of a licence after observing the process prescribed in the clause.

Clause 17 places restrictions on the transfer and surrender of a street-hail service licence.

A street-hail service licence, and any rights, benefits or privileges under the licence, are not transferable or assignable to any other person unless the licence contains a condition authorising the transfer or assignment, and the LTA consents in writing to the transfer or assignment. The LTA may give consent subject to compliance with such conditions as the LTA thinks fit to impose. These may modify the conditions of the licence, in which case the process in clause 16(2), (3) and (4) does not need to be observed.

A transfer or an assignment, or purported transfer or assignment, of a street-hail service licence, or of any rights, benefits or privileges under the licence, is void and of no effect if the licence is not capable of transfer or assignment, if the transfer or assignment, or purported transfer or assignment, is in breach of a condition of the licence, or if before the transfer or assignment or purported transfer or assignment, there has been a contravention of a condition subject to compliance with which the LTA's consent is given.

Finally, clause 17 also provides that every street-hail service licence is not capable of being surrendered without the consent in writing of the LTA. Any surrender or purported surrender of a street-hail service licence is void if it is without the LTA's consent.

PART 4

RIDE-HAIL SERVICES

Part 4 provides for the licensing of providers of ride-hail services which correspond generally to taxi booking services and services provided by private hire car booking service operators and third-party taxi booking service operators.

Clause 18 provides for applications for or to renew a ride-hail service licence. These must be made to the LTA. The LTA may refuse to consider an application for or to renew a ride-hail service licence that is incomplete or not made in accordance with the clause.

Clause 19 deals with the matters that the LTA considers when granting or renewing ride-hail service licences.

The LTA may grant a renewal of a ride-hail service licence with or without modifying the conditions of the licence. But when it does so, the process for modifying conditions in clause 22 does not apply.

For a ride-hail service licence, the suitability of the applicant and its key officers (such as the members of the board of directors or committee or board of

trustees or other governing body) to be involved in the management or operation of the ride-hail service is also part of the criteria the LTA must take into account.

In assessing a person's suitability, the LTA has to have regard to the degree and nature of the person's proposed involvement in the public transport system in Singapore, and have regard to, and give such weight as the LTA considers appropriate to, the person's relevant knowledge, competency and experience.

The LTA is also to take into account any evidence of the exercise of any regulatory sanction under clause 35 in relation to the person for contravening the Bill or any notice or direction given under, or any provision of, the Bill (which includes its subsidiary legislation), and of previous convictions under the Bill, the Public Transport Council Act or under Part V or VA of the Road Traffic Act or the Third-Party Taxi Booking Service Providers Act 2015 in relation to taxis, private hire cars, private hire car booking service operators, taxi service operators or third-party taxi booking service providers.

A fee may be prescribed by regulations for the issue or renewal of a ride-hail service licence.

Clause 20 deals with the periodic fee payable for a ride-hail service which is in addition to the licence fee payable at the grant or renewal. Every ride-hail service licence granted or renewed is valid for such period as may be specified in the licence and is in force unless, following regulatory action under clause 35, the licence is earlier revoked or suspended.

Clause 21 empowers the LTA, in granting a ride-hail service licence to any person, to impose such conditions as the LTA considers requisite or expedient having regard to the purposes of the Bill.

Clause 22 empowers the LTA to add to, delete or modify the conditions of a licence after observing the process prescribed in the clause.

Clause 23 is similar to clause 17 in that it places restriction on the transfer and surrender of ride-hail service licences.

Clauses 24, 25 and 26 deal with another class of regulated persons but who do not require a licence to provide ride-hail services in Singapore. These are exempt ride-hail service operators, who will be designated, individually or as a class, by the LTA, with the approval of the Minister, by an order in the *Gazette* (called an exempt ride-hail operator order).

The provision of a ride-hail service by any person to which an exempt ride-hail operator order applies is deemed authorised by the Bill if it is done in accordance with the conditions of the order.

Clause 25 allows for conditions to be set out in an exempt ride-hail operator order. These conditions may include a requirement that an exempt ride-hail service operator does or does not do such things as are specified in the order, to

take reasonable steps to ensure that each of the participating bookable drivers with whom the operator has a participating bookable driver agreement is an authorised driver, and to provide information and reports to the LTA about the operator, its participating bookable drivers and the ride-hail service it provides. The latter requirements are similar to those imposed presently on private hire car booking service operators under Part V of the Road Traffic Act.

Clause 26 sets out the due process for varying or revoking an order under clause 24.

PART 5

BUSINESS OPERATION REQUIREMENTS

Part 5 deals with management controls, record keeping, codes of practice and directions which concern the provision of ride-hail services and street-hail services. Most of these apply only to licensees.

Clause 27 provides that it is a condition of every licence that the licensee to whom the licence is granted must notify the LTA of the resignation, removal or death of any officer thereof. Failure to notify is a ground for regulatory sanction under clause 35.

Clause 28 imposes certain duties on licensees to keep and retain accounts and statements.

Clause 29 imposes duties on licensees to keep and retain records that are relevant to monitoring or evaluating an aspect of the street-hail services or ride-hail services covered by the licence, and to give to the LTA those records so kept and retained within periods specified.

Clause 30 empowers the LTA to issue one or more codes of practice applicable to licensees or specified types of licensees, or to approve as a code of practice applicable to licensees or specified types of licensees any document prepared by a person other than the LTA if the LTA considers the document as suitable for this purpose. The LTA is also empowered to amend or revoke any such code of practice issued or approved.

Codes of practice are not subsidiary legislation but non-compliance can give rise to regulatory action being taken under clause 35. Codes of practice can relate to various matters like the condition, maintenance, construction, use and deployment of the vehicles made available by the licensee in providing the street-hail service or ride-hail service and the conduct of the employees and agents of the licensee, and individuals who are related drivers or participating bookable drivers of the licensee, in connection with the provision of the street-hail service or ride-hail service, as the case may be.

Codes of practice can also contain requirements for measures directed towards ensuring the security and safety of passengers of taxis or bookable vehicles used in the provision of the street-hail service or ride-hail service (as the case may be), and the related drivers or participating bookable drivers of the licensee while they are engaged in carrying out the street-hail service or ride-hail service. For example, a code of practice may contain requirements for a licensee to provide a prescribed number, and type, of child seats, or sufficient boot space in their vehicles, and to meet the LTA's accident or offence rate standards.

Codes of practice can also contain measures to deal with customer complaints and lost property, and the processes to handle and dispose of such complaints and lost property, as well as performance standards relating to the provision of street-hail services or ride-hail services and the quality of other aspects of the provision of the service.

Clause 31 empowers the LTA to give directions to licensees for or in respect of any matter affecting the interest of the public in connection with the point-to-point passenger transport service provided by the licensee. The LTA may give such a direction after considering a variety of matters with respect to all or any of the point-to-point passenger transport services provided in Singapore, such as the development of innovative and accessible point-to-point passenger transport services which contribute to the mobility and safety of people in Singapore, the related driver agreements and participating driver agreements between authorised drivers and the respective licensees, and the social impact of the direction.

A direction may require the licensee concerned (according to the circumstances of the case) to do, or to refrain from doing, for a specified period, the things specified in the direction or the things that are of a description specified in the direction.

In particular, the LTA may issue a direction to licensees to alleviate or minimise any risk of obstructing any measures taken to reduce the impact of any serious public passenger transport incident in Singapore or a part of Singapore. This can extend to requiring the licensee concerned to stop providing point-to-point passenger transport services specified in the direction in any part of Singapore, for a period not exceeding 24 hours, or any further periods not exceeding 24 hours each.

A "serious public passenger transport incident" is non-exhaustively defined to include a stoppage or disruption of more than one regular route services (within the meaning of the Bus Services Industry Act 2015 (Act 30 of 2015)) in Singapore or any part of Singapore, or a large-scale disruption of services on one or more rapid transit systems within the meaning of the Rapid Transit Systems Act (Cap. 263A).

Before giving a direction, the LTA has to, unless the LTA in respect of any particular direction considers that it is not practicable or desirable, give written prior notice to the licensee concerned.

A direction continues in force until the expiry date (if any) or the LTA earlier revokes the direction. A direction is given to require the licensee concerned to do, or to refrain from doing, for a specified period, the things specified in the direction or the things that are of a description specified in the direction. The direction can be revoked at any time.

Non-compliance with a direction can give rise to regulatory action under clause 35.

Clause 32 covers emergency directives which the LTA may give where necessary to alleviate or minimise any risk of death of, or a serious injury to, any individual from the provision of any point-to-point passenger transport service, or of damage to any property from the provision of any point-to-point passenger transport service. The LTA cannot make any emergency directive unless it is impracticable in the circumstances of the particular case for the LTA to make or amend the Regulations to effectively alleviate or minimise the risk concerned.

An emergency directive can be given, individually or as a class, to licensees, exempt ride-hail service operators or a provider of a street-hail service or ride-hail service which is exempt under clause 52.

It is not necessary for the LTA to give any person who may be affected by the emergency directive a chance to be heard before the directive is given. However, an emergency directive may be in force for a period not exceeding 6 months unless earlier revoked, and may be renewed by the LTA only once for a further period not exceeding 6 months.

An emergency directive may require the person it binds (according to the circumstances of the case) to do, or to refrain from doing, for a specified period, the things specified in the directive or the things that are of a description specified in the directive, including stopping any point-to-point passenger transport service within any part of Singapore.

Clause 33 describes how an emergency directive is to be given and when it takes effect.

Clause 34 provides that a person to whom an emergency directive is given and who is required by the directive to do, or to refrain from doing, for a specified period, the things specified in the directive or the things that are of a description specified in the directive, commits an offence if the person intentionally or negligently fails to comply with the directive. The punishment is a fine not exceeding \$10,000 or imprisonment for a term not exceeding 6 months or both.

PART 6

ENFORCEMENT

Part 6 provides for the types of regulatory action which may be taken against licensees and the powers of enforcement for the purposes of the Bill.

Clause 35 sets out the various regulatory actions that the LTA can take against a licensee if the LTA is satisfied that the licensee is contravening or not complying with, or has contravened or failed to comply with, any of the conditions of its licence or any code of practice applicable to the licensee, or any provision of the Bill applicable to the licensee, whether or not the licensee has been convicted of an offence for the contravention or non-compliance. There are also other grounds on which the LTA may take regulatory action against licensees.

The LTA may in serious cases, after observing the prescribed process in the clause, revoke a licence. In lieu of revoking the licence, the LTA can impose one or more of the following:

- (a) issue of a letter of censure;
- (b) modify a condition of a licence;
- (c) direct the furnishing of a performance bond, guarantee or other form of security or forfeiting the whole or part of any performance bond, guarantee or other form of security already provided;
- (d) direct the licensee to do, or to refrain from doing, such things as are specified in a direction;
- (e) suspend the licence for not more than 3 months without any compensation;
- (f) direct the licensee to pay a financial penalty.

Clause 36 sets out the processes which must be observed before regulatory action can be taken.

Clause 37 provides that the enforcement powers in clauses 38, 39, 40 and 41 may be exercised by an authorised officer only for purposes defined. These are to determine compliance with the Bill and the Regulations, including whether an offence under the Bill or the Regulations has been committed, to determine compliance with any condition of a licence or in an exempt ride-hail operator order with respect to any exempt ride-hail service operator, or with any code of practice or direction, to determine whether information provided to the LTA under a provision of the Bill or its subsidiary legislation is correct, or to investigate whether there are grounds for taking any regulatory action against a licensee.

The powers in the Bill supplement those in section 39 of the Land Transport Authority of Singapore Act with respect to an offence under the Bill.

Clause 38 deals with powers of entry into premises and the powers of search and seizure and requiring of information. However, an authorised officer is not authorised to search any premises unless the search is made under a warrant of a Magistrate's Court or District Court, or to seize any thing in or on any premises unless the seizure is made under a warrant of a Magistrate's Court or District Court.

Clause 39 deals with powers in relation to motor vehicles which the authorised officer reasonably believes to be used for or in connection with the provision of any point-to-point passenger transport services.

Clause 40 confers on the LTA or an authorised officer power to obtain documents and information from licensees or exempt ride-hail service operators for the proper administration and enforcement of the Bill.

Clause 41 sets out the offences connected with disobeying requirements made by an authorised officer or of giving false information, etc.

Clause 42 empowers the LTA or an authorised officer to compound any offence under the Bill that is prescribed as a compoundable offence. The maximum composition sum that may be collected from the person reasonably suspected of having committed the offence is one half of the amount of the maximum fine that is prescribed for the offence or \$5,000, whichever is the lower.

PART 7

APPEALS

Clause 43 sets out the definitions connected with appeals against decisions of the LTA under the Bill. Only certain decisions of the LTA are defined as appealable.

Clause 44 prescribes an avenue of appeal to the Minister against appealable decisions of the LTA.

Clause 45 allows the Minister to delegate the hearing of appeals to a Second Minister, Minister of State or Parliamentary Secretary in his or her Ministry.

PART 8

MISCELLANEOUS

Clause 46 makes clear the interface of the Bill with other Acts which deal with similar subject matters.

Clause 47 empowers the LTA to impose late payment interest on outstanding sums and for their recovery.

Clauses 48 and 49 are standard provisions providing for the liability of offenders who are corporations or unincorporated associations or partnerships.

Clause 50 confers on a District Court and a Magistrate's Court jurisdiction to try any offence under the Bill and to punish accordingly despite any limits set under any other written law like the Criminal Procedure Code (Cap. 68).

Clause 51 deals with the service of documents permitted or required by the Bill to be served on a person. The clause also provides for special service arrangements for a person whereby the exercise of reasonable diligence, the name of the person to whom the document is to be served, or the business address, residential address or last email address of the person, cannot be ascertained. The document may be served by posting it on a website maintained by the LTA and prescribed by the Minister by notification in the *Gazette* for this purpose.

Clause 51 does not deal with service of court documents like summonses, as these are regulated by Rules of Court or other written laws.

Clause 52 confers the Minister with power to disapply all or any provisions in the Bill to any person or class of persons. The Minister is to do this by an exemption order in the *Gazette*.

Clause 53 confers on the LTA the power to make regulations to give effect to the Bill, subject to the approval of the Minister.

Clause 54 requires all subsidiary legislation made under the Bill, like the Regulations and the order under clause 24 designating exempt ride-hail service operators, to be presented to Parliament as soon as possible after publication in the *Gazette*.

PART 9

CONSEQUENTIAL AND RELATED AMENDMENTS TO OTHER ACTS

Part 9 contains consequential and related amendments to other Acts and is subdivided into Divisions accordingly.

Clause 55 makes consequential amendments to section 19(5)(a) of the Income Tax Act, by replacing the references in that Act to a taxi service operator licensed under the Road Traffic Act with references to a holder of a street-hail service licence granted or deemed granted under the Bill.

Clause 56 makes a mix of consequential and related amendments to the Land Transport Authority of Singapore Act.

Section 6(1) of the Land Transport Authority of Singapore Act is amended to reflect the LTA's new function as administrator of the Bill and regulator of the provision of point-to-point passenger transport services under the Bill. References to the Third-Party Taxi Booking Service Providers Act 2015 are also deleted on account of the repeal of that Act by clause 67(2).

Section 6(1) of, and the Second Schedule to, the Land Transport Authority of Singapore Act are also amended so that all composition sums and financial penalties payable under the Bill are paid into the Consolidated Fund and not the LTA's Land Transport Revenue Account. The fees under the Bill and all forfeited performance bonds, guarantees or other security are however payable into the LTA's Land Transport Revenue Account.

Sections 39(1) and 40(1) of the Land Transport Authority of Singapore Act are amended so that the LTA can continue prosecuting and taking enforcement actions for matters under other Acts which are not administered by the LTA, such as the Public Transport Council Act.

Clause 57 makes a related amendment to section 3(3) of the Motor Vehicles (Third-Party Risks and Compensation) Act to clarify that the disqualification from driving that a court has generally to order upon a conviction of an offence under that section operates where the defendant is convicted for driving the motor vehicle without the requisite policy of insurance or security in respect of third-party risks.

This is to remove the present uncertainty as to whether an entity like a company can be charged with an offence for causing or permitting another person to use a motor vehicle without the requisite policy of insurance or security in respect of third-party risks. The object is to ensure that vehicles used on roads (including public service vehicles used for point-to-point passenger transport services) must be covered by policies of insurance or security in respect of third-party risks.

Clauses 58, 59 and 60 make consequential and related amendments to the Public Transport Council Act mainly to expand the regulatory scope of the Public Transport Council (PTC) to cover ride-hail fares, in addition to the present coverage of bus fares, train fares and taxi fares, and to refine the penalty fee regime for evasion of bus fares and train fares.

Clause 58 changes the reference to "taxi service" to a reference to "street-hail service". However, a "taxi fare" is amended to refer only to the fare chargeable for the journey by a street-hailed taxi and excludes a taxi booking fee. The latter is to continue to be regulated by the PTC as part of a ride-hail fare.

A new definition of "ride-hail fare" is introduced to refer to the price for a journey provided under a ride-hail service involving either taxis or private hire cars. The new definition will include the taxi booking fee presently treated as part of a taxi fare.

Clause 59 amends Part V of the Public Transport Council Act to deal with fare evasion in the context of street-hail services and ride-hail services and provides for the making of fare pricing policies for ride-hail services.

The new sections 23D and 23E empower the PTC to make different ride-hail fare pricing policy orders for different types of ride-hail services. It is thus open

for the PTC to not make any such order for any particular type of ride-hail service, in which case the ride-hail fares for that type of service will not be regulated under the Public Transport Council Act. The new section 23E allows for ride-hail common pricing schemes to be formed through negotiations by prescribed ride-hail industry participants. Different ride-hail industry participants can be prescribed for different types of services.

Clause 60 amends sections 24C and 24E of the Public Transport Council Act in relation to the penalty fee for evasion of bus fares and train fares so that it is no longer necessary for these to be collected on-the-spot.

Clause 61 introduces in the Road Traffic Act definitions which are similar to those in the Bill relating to street-hail services and ride-hail services.

Clause 62 amends sections 101 and 108 of the Road Traffic Act to provide that the Minister may prohibit the use of certain vehicles from being used as a public service vehicle, by proscribing by order in the *Gazette*, and for the Registrar of Vehicles to have the power to revoke a public service vehicle licence if a vehicle subject to such a licence becomes proscribed.

Clause 63 amends section 103 and Part VA of the Road Traffic Act in relation to taxi service operators. Besides the change in nomenclature from taxi service operator to street-hail service licensee, clause 63(2) stops the receipt of applications for and the granting of taxi service operator licences for any person who operates a taxi service on or after the date that clause 12 (relating to applications for street-hail service licences) comes into force and that person does not have by then a taxi service operator licence and is not exempt from the need for such a licence.

Clause 63(3) repeals the whole of Part VA of the Road Traffic Act when the regulatory regime in the Bill for point-to-point passenger transport services comes into force in its entirety.

Clauses 64 and 65 make consequential amendments to sections 106, 110A, 110B and 111 of the Road Traffic Act to reflect the new nomenclature.

Clause 66 amends section 6D of the Road Traffic Act which allows for a “regulatory sandbox” to be established to deal with autonomous vehicles. Section 6D allows for rules made for the purpose of an approved trial or approved special use involving autonomous vehicles, to modify the application of specified provisions of Acts or subsidiary legislation in respect of any of the autonomous vehicles or any of the persons participating in the trial or special use. The amendment limits the power to specific Acts under the administration of the LTA or the PTC.

Clause 67 amends the Third-Party Taxi Booking Service Providers Act 2015 so that no further applications can be made or registration granted to persons who provide any third-party taxi booking service for journeys by taxi within, or partly

within, Singapore, on or after the date of commencement of clause 18 (relating to applications for ride-hail service licences).

Clause 67 also provides for a repeal of the Third-Party Taxi Booking Service Providers Act 2015 when the regulatory regime in the Bill for point-to-point passenger transport services comes into force in its entirety.

PART 10

SAVING AND TRANSITIONAL ARRANGEMENTS

Clause 68 and the Schedule contain saving and transitional provisions. When the Bill comes into force, the Bill will apply to existing taxi service operator licences granted by the LTA under the Road Traffic Act and third-party taxi booking service providers registered by the LTA under the Third-Party Taxi Booking Service Providers Act 2015, respectively, subject to the modifications in the Schedule.

Clause 68 confers power on the Minister to amend the Schedule by prescribing such additional provisions of a saving or transitional nature consequent on the enactment of the clause as the Minister may consider necessary or expedient. The amendment may be done by order in the *Gazette* but within a 2-year time limit.

EXPENDITURE OF PUBLIC MONEY

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