

1 Short title

Short title

1.

This Act may be cited as the Parking Places Act.

2 Interpretation

Interpretation

2.

In this Act, unless the context otherwise requires —

"Authority" means the Land Transport Authority of Singapore established under the Land Transport Authority of Singapore Act;

"driver" includes the person for the time being in charge or control of a vehicle, and "drive" shall be construed accordingly;

"heavy vehicle" means —

(a) any heavy goods vehicle or concrete mixer, the maximum laden weight of which exceeds 5,000 kilograms;

(b) any bus with a seating capacity of more than 15 persons, not inclusive of the driver;

(c) any trailer, container trailer, low loader or flat-bed trailer, the maximum laden weight of which exceeds 5,000 kilograms; and

(d) any mobile crane or recovery vehicle the unladen weight of which exceeds 2,500 kilograms;

"licence" means a licence to maintain or operate any private parking place for the parking or housing of one or more heavy vehicles granted under this Act;

"licensee" means the holder of a valid licence;

"motor vehicle" means a mechanically propelled vehicle intended or adapted for

use on roads;

"officer" means a public officer or an employee of a statutory body;

"park" , with its grammatical variations, means, in respect of a vehicle, to bring the vehicle to a stationary position and cause it to wait for any purpose;

"parking place" means any part of a road or any other place on or in which the parking of vehicles is authorised under section 4;

"private parking place" means any land or premises or part thereof owned or occupied by any person other than the Government and used for the parking or housing of —

(a) one or more motor vehicles other than heavy vehicles; or

(b) one or more heavy vehicles, whether or not in addition to any motor vehicle which is not a heavy vehicle,

but does not include any parking place provided under section 4;

"Superintendent" means the Superintendent of Car Parks or a Deputy or an Assistant Superintendent of Car Parks appointed under section 3;

"trailer" means a vehicle drawn by a motor vehicle.

10/82. 6/91. 34/93. 28/95. Cap. 158A.

3 Administration of this Act

Administration of this Act

3.

— (1) The Authority shall be responsible for the general administration of this Act.

28/95.

(2) The Authority shall appoint one of its officers as the Superintendent of Car Parks who shall carry out such duties as may be assigned to him by the Authority under this Act and any rules made thereunder.

28/95.

(3) The Authority may appoint public officers and officers employed by other statutory bodies as Deputy Superintendents and Assistant Superintendents of Car Parks for the purposes of this Act.

4 Authority may provide parking places

Authority may provide parking places

4.

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

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

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

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

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

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

5 Use of property as private parking place

Use of property as private parking place

5.

— (1) No person shall maintain or operate any private parking place for the parking or housing of one or more heavy vehicles unless he is a holder of a valid licence.

10/82.

(2) The Authority may, by order published in the *Gazette* —

(a) permit the use as a private parking place of any land or premises with respect to which an agreement has been made between the Superintendent and the owner or the occupier thereof for the use of the land or premises as a private parking place; and

(b) prescribe the manner in which a licensee shall maintain or operate a licensed private parking place.

(3) The Superintendent or any person authorised by him may manage and superintend any private parking place referred to in subsection (2) (a).

(4) Deleted by Act 9 of 2005, wef 01/04/2005.

6 Adaptation of land for use as parking place

Adaptation of land for use as parking place

6.

The Authority may take such steps as may be necessary to adapt for use as a parking place any land not being part of a road which it may utilise for that purpose under this Act.

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7 Authority not liable for loss or damage

Authority not liable for loss or damage

7.

The exercise by the Authority or the Superintendent of its or his powers under this Act with respect to the use as a parking place or otherwise of any part of a road or any other place shall not render the Government, the Authority or

the Superintendent subject to any liability in respect of —

- (a) loss or damage to any vehicle or the fittings or contents of any vehicle parked in such parking place or otherwise; or
- (b) any injury or death suffered by any person in such parking place or otherwise.

28/95.

8 Rules

Rules

8.

— (1) The Authority, with the approval of the Minister, may make rules —

- (a) as to the use of parking places and private parking places and in particular as to the vehicles or class of vehicles which are entitled to use any such parking places and private parking places and as to the conditions upon and the times during which the parking places and private parking places may be used;
- (b) as to the number of parking places and spaces therein for vehicles to park in to be provided on any class of land or buildings, the minimum dimensions and area of such parking places and spaces therein and the arrangement of such spaces, and the conditions (including the payment of moneys or giving of security to the Authority) under which a waiver of these requirements relating to parking places may be granted by the Authority;
- (c) for the control, regulation or supervision by registration, licensing or otherwise of private parking places, garages and places kept or used for the housing or parking of vehicles except garages or places used in connection with private dwelling-houses for housing or parking vehicles kept for private use only; and
- (d) the control and regulation of the parking of heavy vehicles by the issue of vehicle parking certificates or such other documents in such form (including electronic form) as the Superintendent may determine and for any matter connected therewith.

34/93. 28/95.

(2) Rules made under subsection (1) may —

34/93.

(a) prescribe the fees to be paid for the grant or renewal of any licence and the issue, renewal or replacement of any vehicle parking certificate or other document in connection with the regulation and control of the parking of heavy vehicles;

(b) prescribe the time within which charges prescribed by section 9 shall be paid and prescribe surcharges to be paid by any person who failed to pay the charges prescribed by that section within the prescribed time; and

(c) prescribe the manner and means by which charges prescribed under section 9 (1) may be paid and collected, including the use of such electronic or computerised facilities, devices and appurtenances as may be installed by the Superintendent for the purpose.

9 Minister may prescribe charges

Minister may prescribe charges

9.

—(1) The Minister may by order prescribe charges to be paid in connection with the use of any parking place.

(2) An order made under this section shall be published in the *Gazette* and shall come into operation on the date of its publication or at such later date as may be prescribed therein.

10 Plying for hire prohibited within parking place

Plying for hire prohibited within parking place

10.

—(1) While any vehicle is within a parking place which has not been appointed a public stand under section 109 of the Road Traffic Act, it shall not be lawful for the driver or conductor of the vehicle or for any person employed in connection therewith to ply for hire or to accept passengers for hire.

Cap. 276.

(2) Any person who acts in contravention of this section shall be guilty of an offence.

11 Parking places to be indicated by traffic signs

Parking places to be indicated by traffic signs

11.

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

(2) In this section, “traffic signs” shall have the meaning assigned to it by section 119 of the Road Traffic Act.

12 Composition of offences

Composition of offences

12.

The Superintendent may accept from any person who is reasonably suspected of having committed an offence under this Act or any rules made thereunder a sum not exceeding \$400 by way of composition for the offence which may have been committed.

6/91.

13 Duty to give information

Duty to give information

13.

—(1) Where the driver or the conductor of a motor vehicle is alleged or is suspected to be guilty of an offence under this Act or any rules made thereunder —

(a) the owner of the motor vehicle shall furnish such information as may be required by the Superintendent or an officer authorised by the Superintendent to act in that behalf as to the identity and address of the person who was the driver or conductor of that motor vehicle at or about the time of the alleged offence, and as to the driving licence held by that person (if necessary); and

(b) any other person who was or should have been in charge of the motor vehicle shall, if so required under paragraph (a), give any information which it is in his power to give, and which may lead to the identification of the driver.

(2) Any owner of a motor vehicle or any other person who fails to furnish the information required from him under subsection (1) (a) or (b), as the case may be, within 7 days of the date on which the information was required from him shall be guilty of an offence unless he proves, to the satisfaction of the court, that he did not know and could not with reasonable diligence have ascertained the information required.

(3) Any person who wilfully furnishes any false or misleading information under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 months or to both.

6/91.

(4) The Superintendent or any officer authorised by the Superintendent to act in that behalf may require any information to be furnished under subsection (1) to be in writing signed by the person required to furnish the information.

(5) Notwithstanding any other written law to the contrary, any information given under this section by any person charged with an offence under this Act or any rules made thereunder or an offence in connection with the driving of a motor vehicle may be used as evidence without proof of signature at the hearing of the charge.

(6) Notwithstanding any other written law to the contrary, any statement made by any person to the Superintendent or any officer authorised by the Superintendent under this section that a motor vehicle was on a particular occasion being driven by or belonged to that person or that it belonged to a firm in which that person also stated that he was a partner or to a corporation of which that person stated that he was a director, an officer or an employee shall be admissible in evidence without proof of signature for the purpose of determining by whom the motor vehicle was on that occasion being driven or who was in charge of it or to whom it belonged.

14 Liability of owner of vehicles for parking offences

Liability of owner of vehicles for parking offences

14.

— (1) When a parking offence is committed, the person who, at the time of the commission of the offence, is the owner of the vehicle in respect of which the offence is committed shall be guilty of an offence under the rules made under this Act in all respects as if he were the actual offender guilty of the parking offence unless —

10/82.

(a) he satisfies the Superintendent that the vehicle was at the relevant time a stolen vehicle or a vehicle illegally taken or used; or

(b) the court is satisfied that the vehicle was at the relevant time a stolen vehicle or a vehicle illegally taken or used.

(2) Nothing in this section shall affect the liability of the actual offender except that where a penalty has been imposed on or recovered from a person in relation to any parking offence no further penalty shall be imposed on or recovered from any other person in relation thereto.

(3) Notwithstanding subsection (1), no owner of a vehicle shall, by virtue of this section, be guilty of an offence if he —

(a) within 7 days after service on him of a notice alleging that he has been guilty of the offence, furnishes by statutory declaration to the Superintendent the name and address of the person who was in charge of the vehicle at all relevant times relating to the parking offence concerned;

(b) satisfies the Superintendent that he did not know and could not with reasonable diligence have ascertained such name and address; or

(c) satisfies the court that he did not know and could not with reasonable diligence have ascertained such name and address.

(4) A statutory declaration made under subsection (3) (a) if produced in any proceedings against the person named therein and in respect of the parking offence concerned shall be prima facie evidence that the person was in charge of the vehicle at all relevant times relating to such parking offence.

(5) A statutory declaration which relates to more than one parking offence shall not be regarded as a statutory declaration under, or for the purposes of, subsection (3) (a).

(6) In this section —

"owner" in relation to a vehicle, includes —

(a) every person who is the joint owner or part owner of the vehicle and any person who has the use of the vehicle under a hire-purchase agreement but not the owner under any such agreement;

(b) the person in whose name the vehicle is registered except where the person has sold or otherwise disposed of the vehicle and has complied with the provisions of the rules applicable to him in regard to such sale or disposal; and

(c) in the case of a vehicle in respect of which a general licence is issued under section 28 of the Road Traffic Act, the person to whom the general licence is issued;

Cap. 276.

"parking offence" means an offence of parking a vehicle or causing or permitting a vehicle to stand, wait or be parked in contravention of any rules made under this Act.

15 Removal and detention etc. of abandoned or illegally parked vehicles

Removal and detention, etc., of abandoned or illegally parked vehicles

15.

— (1) Where a vehicle —

34/93.

(a) has been permitted to remain at rest in a parking place in such a position or in such condition or circumstances as to appear to the Superintendent to have been abandoned without lawful authority;

(b) is parked in a parking place in contravention of any provision of this Act or any rules made thereunder; or

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

the Superintendent may, in his discretion and by himself or any person authorised by him in that behalf —

(i) remove the vehicle to a place of safety or any other place and detain it thereat; or

(ii) prevent the removal of the vehicle from the parking place without his consent by fixing an immobilisation device to the vehicle.

(2) Where the Superintendent has removed any vehicle to a place of safety or any other place pursuant to subsection (1) (i) or fixed an immobilisation device to the vehicle pursuant to subsection (1) (ii), the Superintendent shall, with all reasonable despatch, give notice in writing to the owner of the vehicle as to the procedure by which he may secure the release of the vehicle, and such notice shall be served on the owner of the vehicle —

34/93.

(a) in the case where the Superintendent has removed the vehicle to a place of safety or any other place, in accordance with section 18; or

(b) in the case where the Superintendent has fixed an immobilisation device to the vehicle, by affixing the notice onto the windscreen or any other conspicuous part of the vehicle.

34/93.

(3) No vehicle which has been removed and detained by the Superintendent or to which an immobilisation device has been fixed in accordance with this section shall be released to the owner of the vehicle except —

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(a) by or under the direction of the Superintendent or an officer authorised by him; and

(b) upon the owner of the vehicle having paid all expenses incurred by the Superintendent or the authorised officer in that behalf, and such other charges as may be imposed under this Act or any rules made thereunder,

and the vehicle shall remain at the risk of the owner of the vehicle until all such expenses and charges have been paid.

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

(4) Any person who, without the authority of the Superintendent, removes or tampers with any notice affixed to a vehicle under subsection (2) (b) shall be guilty of an offence.

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(5) Any person who, without being authorised to do so in accordance with this

section, removes or attempts to remove —

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(a) any vehicle from any place at which it is being detained under this section; or

(b) an immobilisation device fixed to a vehicle in accordance with this section,

shall be guilty of an offence.

(6) Where any vehicle which has been removed and detained by the Superintendent or to which an immobilisation device has been fixed in accordance with this section is not claimed by its owner within one month of the date of its detention or immobilisation, the Superintendent may, after giving one month's notice in the *Gazette* of his intention to do so, sell the vehicle by public auction or otherwise dispose of the vehicle in any manner as he thinks fit.

34/93.

(7) Where a vehicle has been sold or otherwise disposed of under subsection (6), the proceeds of the sale or disposal of the vehicle shall be applied in payment of any expenses incurred in carrying out the provisions of this section and thereafter shall be applied in payment of all charges and fines payable under this Act and any rules made thereunder and the surplus, if any, shall be paid to the owner of the vehicle, or if not claimed by the owner of the vehicle within 12 months of the date of the sale or disposal, shall be forfeited to the Authority.

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(8) The Authority or the Superintendent shall not be liable for any damage to or loss of the vehicle or the contents thereof not caused wilfully or negligently by the Authority or the Superintendent or any of its or his employees or agents in the exercise of their powers under this section.

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(9) In this section —

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

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

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

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

15A Power to require information

Power to require information

15A.

The Authority or the Superintendent may require any owner or occupier of a private parking place to furnish such information relating to the private parking place as the Authority or the Superintendent considers necessary or expedient for the performance of its or his functions or duties under this Act.

15B Power of entry

Power of entry

15B.

— (1) The Superintendent or any person authorised by the Authority or the Superintendent (referred to in this section as an authorised person) may —

- (a) for the purpose of ascertaining whether there is or has been a contravention of any provision of this Act or any rules made thereunder; or
- (b) for such other purpose incidental to or in connection with the performance of the functions or duties of the Authority or the Superintendent under this Act,

enter any private parking place between the hours of 8 a.m. and 6 p.m. to make any survey or inspection without being liable to any legal proceedings or molestation on account of such entry or any thing done in such private parking place.

(2) No person shall, except with the consent of the owner or occupier of a private parking place, enter the parking place by virtue of the powers conferred by subsection (1) without at least 6 hours' previous notice being given to the owner or occupier of the private parking place, if any.

(3) Notwithstanding subsection (1), where it is necessary or expedient to make any survey or inspection outside the hours specified in subsection (1), the Superintendent or any authorised person may enter any private parking place by giving at least 6 hours' previous notice to the owner or occupier of the private parking place.

16 Penalty

Penalty

16.

Any person who contravenes or fails to comply with any of the provisions of this Act or any rules or orders made thereunder shall be guilty of an offence and shall be liable on conviction, where no special penalty is provided, to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$500 for every day or part thereof during which the offence continues after conviction.

6/91.

17 Offences by corporations

Offences by corporations

17.

Where an offence under this Act has been committed by a body corporate and is found to have been committed with the consent or connivance of or to be attributable to any act or default on the part of any director, manager, secretary or other officer of the body corporate, that director, manager, secretary or other officer as well as the body corporate shall be guilty of an offence.

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18 Service of summons etc.

Service of summons, etc.

18.

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

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

(b) by leaving it at the usual or last known place of residence or business of the person in a cover addressed to him;

(c) by sending it by registered post in a prepaid letter addressed to the person at his usual or last known place of residence or business or any address furnished by him; or

(d) in the case of a notice to be served on a person whose usual or last known place of residence or business cannot, with reasonable diligence, be ascertained, by publication of such notice in the *Gazette*.

(2) Where any summons, notice, order or document is served on any person by registered post, it shall be deemed to have been served within such time as it would take to arrive in the ordinary course of transmission and in proving service of the same it shall be sufficient to prove that the envelope containing the summons, notice, order or document was properly addressed, stamped and posted by registered post.

(3) All notices, orders, receipts and other documents which the Superintendent is empowered to give by this Act or any rules made thereunder may be given by any officer duly authorised by the Superintendent.

(4) Where any such notice, order or document requires authentication, the signature or a facsimile thereof of the Superintendent or any officer duly authorised by the Superintendent affixed thereto shall be sufficient authentication.

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19 Obstruction of Authority Superintendent etc.

Obstruction of Authority, Superintendent, etc.

19.

Any person who obstructs or hinders the Authority, the Superintendent or any person acting in the discharge of his duty under this Act or any rules made thereunder shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 months or to both.

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20 Payment of charges

Payment of charges

20.

Subject to any agreement made between the Minister and any statutory body or to any direction by the Minister, all charges collected in any parking place maintained or operated by any statutory body under the provisions of this Act and all fines imposed for an offence under this Act or any rules made thereunder shall be paid to that statutory body.

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6/91.

21 Power to exempt

Power to exempt

21.

The Minister may exempt any private parking place or class of private parking places or any person or class of persons from the provisions of this Act or any rules made thereunder.

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10/82.

LEGISLATION HISTORY

(1. Act 5 of 1974 — Parking Places Act 1974)

Date of First Reading : 14.3.74 (Bill No. 10/74 published on 15.3.74)
Date of Second Readings : 27.3.74
Date of commencement : 3.5.74

(2. Act 10 of 1982 — Parking Places (Amendment) Act 1982)

Date of First Reading : 22.12.81 (Bill No. 34/81 published on 30.12.81)
Date of Second and Third Readings : 3.3.82
Date of commencement : 1.8.82

(3. Act 6 of 1991 — Parking Places (Amendment) Act 1991)

Date of First Reading : 20.12.90 (Bill No. 35/90 published on 21.12.90)
Date of Second and Third Readings : 3.1.91
Date of commencement : 1.4.91

(4. Act 34 of 1993 — Parking Places (Amendment) Act 1993)

Date of First Reading : 30.8.93 (Bill No. 28/93 published on 8.7.95)
Date of Second and Third Reading : 12.10.93
Date of commencement : 1.1.94

(5. Act 28 of 1995 — Land Transport Authority of Singapore Act 1995
(Consequential amendments made by))

Date of First Reading : 7.7.95 (Bill No. 24/95 published on 8.7.95)
Date of Second and Third Reading : 7.8.95
Date of commencement : 1.9.95

Short title

1.

This Act may be cited as the Parking Places Act.

Interpretation

2.

In this Act, unless the context otherwise requires —

"Authority" means the Land Transport Authority of Singapore established under the Land Transport Authority of Singapore Act;

"driver" includes the person for the time being in charge or control of a vehicle, and "drive" shall be construed accordingly;

"heavy vehicle" means —

(a) any heavy goods vehicle or concrete mixer, the maximum laden weight of which exceeds 5,000 kilograms;

(b) any bus with a seating capacity of more than 15 persons, not inclusive of the driver;

(c) any trailer, container trailer, low loader or flat-bed trailer, the maximum laden weight of which exceeds 5,000 kilograms; and

(d) any mobile crane or recovery vehicle the unladen weight of which exceeds 2,500 kilograms;

"licence" means a licence to maintain or operate any private parking place for the parking or housing of one or more heavy vehicles granted under this Act;

"licensee" means the holder of a valid licence;

"motor vehicle" means a mechanically propelled vehicle intended or adapted for use on roads;

"officer" means a public officer or an employee of a statutory body;

"park" , with its grammatical variations, means, in respect of a vehicle, to bring the vehicle to a stationary position and cause it to wait for any purpose;

"parking place" means any part of a road or any other place on or in which the parking of vehicles is authorised under section 4;

"private parking place" means any land or premises or part thereof owned or occupied by any person other than the Government and used for the parking or housing of —

(a) one or more motor vehicles other than heavy vehicles; or

(b) one or more heavy vehicles, whether or not in addition to any motor vehicle which is not a heavy vehicle,

but does not include any parking place provided under section 4;

"Superintendent" means the Superintendent of Car Parks or a Deputy or an Assistant Superintendent of Car Parks appointed under section 3;

"trailer" means a vehicle drawn by a motor vehicle.

10/82. 6/91. 34/93. 28/95. Cap. 158A.

Administration of this Act

3.

— (1) The Authority shall be responsible for the general administration of this Act.

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(2) The Authority shall appoint one of its officers as the Superintendent of Car Parks who shall carry out such duties as may be assigned to him by the Authority under this Act and any rules made thereunder.

28/95.

(3) The Authority may appoint public officers and officers employed by other statutory bodies as Deputy Superintendents and Assistant Superintendents of Car Parks for the purposes of this Act.

[2A

28/95.

Authority may provide parking places

4.

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

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

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

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

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

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

Use of property as private parking place

5.

— (1) No person shall maintain or operate any private parking place for the parking or housing of one or more heavy vehicles unless he is a holder of a valid licence.

10/82.

(2) The Authority may, by order published in the *Gazette* —

(a) permit the use as a private parking place of any land or premises with respect to which an agreement has been made between the Superintendent and the owner or the occupier thereof for the use of the land or premises as a private parking place; and

(b) prescribe the manner in which a licensee shall maintain or operate a licensed private parking place.

(3) The Superintendent or any person authorised by him may manage and superintend any private parking place referred to in subsection (2) (a).

(4) *Deleted by Act 9 of 2005, wef 01/04/2005.*

Adaptation of land for use as parking place

6.

The Authority may take such steps as may be necessary to adapt for use as a parking place any land not being part of a road which it may utilise for that purpose under this Act.

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Authority not liable for loss or damage

7.

The exercise by the Authority or the Superintendent of its or his powers under this Act with respect to the use as a parking place or otherwise of any part of a road or any other place shall not render the Government, the Authority or the Superintendent subject to any liability in respect of —

(a) loss or damage to any vehicle or the fittings or contents of any vehicle parked in such parking place or otherwise; or

(b) any injury or death suffered by any person in such parking place or otherwise.

28/95.

Rules

8.

— (1) The Authority, with the approval of the Minister, may make rules —

(a) as to the use of parking places and private parking places and in particular as to the vehicles or class of vehicles which are entitled to use any such parking places and private parking places and as to the conditions upon and the times during which the parking places and private parking places may be used;

(b) as to the number of parking places and spaces therein for vehicles to park in to be provided on any class of land or buildings, the minimum dimensions and area of such parking places and spaces therein and the arrangement of such spaces, and the conditions (including the payment of moneys or giving of security to the Authority) under which a waiver of these requirements relating to parking places may be granted by the Authority;

(c) for the control, regulation or supervision by registration, licensing or otherwise of private parking places, garages and places kept or used for the

housing or parking of vehicles except garages or places used in connection with private dwelling-houses for housing or parking vehicles kept for private use only; and

(d) the control and regulation of the parking of heavy vehicles by the issue of vehicle parking certificates or such other documents in such form (including electronic form) as the Superintendent may determine and for any matter connected therewith.

34/93.28/95.

(2) Rules made under subsection (1) may —

34/93.

(a) prescribe the fees to be paid for the grant or renewal of any licence and the issue, renewal or replacement of any vehicle parking certificate or other document in connection with the regulation and control of the parking of heavy vehicles;

(b) prescribe the time within which charges prescribed by section 9 shall be paid and prescribe surcharges to be paid by any person who failed to pay the charges prescribed by that section within the prescribed time; and

(c) prescribe the manner and means by which charges prescribed under section 9 (1) may be paid and collected, including the use of such electronic or computerised facilities, devices and appurtenances as may be installed by the Superintendent for the purpose.

Minister may prescribe charges

9.

— (1) The Minister may by order prescribe charges to be paid in connection with the use of any parking place.

(2) An order made under this section shall be published in the *Gazette* and shall come into operation on the date of its publication or at such later date as may be prescribed therein.

Plying for hire prohibited within parking place

10.

— (1) While any vehicle is within a parking place which has not been appointed a public stand under section 109 of the Road Traffic Act, it shall not be lawful for the driver or conductor of the vehicle or for any person employed in connection therewith to ply for hire or to accept passengers for hire.

(2) Any person who acts in contravention of this section shall be guilty of an offence.

Parking places to be indicated by traffic signs

11.

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

(2) In this section, “traffic signs” shall have the meaning assigned to it by section 119 of the Road Traffic Act.

Composition of offences

12.

The Superintendent may accept from any person who is reasonably suspected of having committed an offence under this Act or any rules made thereunder a sum not exceeding \$400 by way of composition for the offence which may have been committed.

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Duty to give information

13.

—(1) Where the driver or the conductor of a motor vehicle is alleged or is suspected to be guilty of an offence under this Act or any rules made thereunder —

(a) the owner of the motor vehicle shall furnish such information as may be required by the Superintendent or an officer authorised by the Superintendent to act in that behalf as to the identity and address of the person who was the driver or conductor of that motor vehicle at or about the time of the alleged offence, and as to the driving licence held by that person (if necessary); and

(b) any other person who was or should have been in charge of the motor vehicle shall, if so required under paragraph (a), give any information which it is in his power to give, and which may lead to the identification of the driver.

(2) Any owner of a motor vehicle or any other person who fails to furnish the information required from him under subsection (1) (a) or (b), as the case may be, within 7 days of the date on which the information was required from him shall be guilty of an offence unless he proves, to the satisfaction of the court, that he did not know and could not with reasonable diligence have ascertained the information required.

(3) Any person who wilfully furnishes any false or misleading information under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 months or to both.

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(4) The Superintendent or any officer authorised by the Superintendent to act in that behalf may require any information to be furnished under subsection (1) to be in writing signed by the person required to furnish the information.

(5) Notwithstanding any other written law to the contrary, any information given under this section by any person charged with an offence under this Act or any rules made thereunder or an offence in connection with the driving of a motor vehicle may be used as evidence without proof of signature at the hearing of the charge.

(6) Notwithstanding any other written law to the contrary, any statement made by any person to the Superintendent or any officer authorised by the Superintendent under this section that a motor vehicle was on a particular occasion being driven by or belonged to that person or that it belonged to a firm in which that person also stated that he was a partner or to a corporation of which that person stated that he was a director, an officer or an employee shall be admissible in evidence without proof of signature for the purpose of determining by whom the motor vehicle was on that occasion being driven or who was in charge of it or to whom it belonged.

Liability of owner of vehicles for parking offences

14.

— (1) When a parking offence is committed, the person who, at the time of the commission of the offence, is the owner of the vehicle in respect of which the offence is committed shall be guilty of an offence under the rules made under this Act in all respects as if he were the actual offender guilty of the parking offence unless —

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(a) he satisfies the Superintendent that the vehicle was at the relevant time a stolen vehicle or a vehicle illegally taken or used; or

(b) the court is satisfied that the vehicle was at the relevant time a stolen vehicle or a vehicle illegally taken or used.

(2) Nothing in this section shall affect the liability of the actual offender except that where a penalty has been imposed on or recovered from a person in relation to any parking offence no further penalty shall be imposed on or recovered from any other person in relation thereto.

(3) Notwithstanding subsection (1), no owner of a vehicle shall, by virtue of this section, be guilty of an offence if he —

(a) within 7 days after service on him of a notice alleging that he has been guilty of the offence, furnishes by statutory declaration to the Superintendent the name and address of the person who was in charge of the vehicle at all relevant times relating to the parking offence concerned;

(b) satisfies the Superintendent that he did not know and could not with reasonable diligence have ascertained such name and address; or

(c) satisfies the court that he did not know and could not with reasonable diligence have ascertained such name and address.

(4) A statutory declaration made under subsection (3) (a) if produced in any proceedings against the person named therein and in respect of the parking offence concerned shall be prima facie evidence that the person was in charge of the vehicle at all relevant times relating to such parking offence.

(5) A statutory declaration which relates to more than one parking offence shall not be regarded as a statutory declaration under, or for the purposes of, subsection (3) (a).

(6) In this section —

"owner" in relation to a vehicle, includes —

(a) every person who is the joint owner or part owner of the vehicle and any person who has the use of the vehicle under a hire-purchase agreement but not the owner under any such agreement;

(b) the person in whose name the vehicle is registered except where the person has sold or otherwise disposed of the vehicle and has complied with the provisions of the rules applicable to him in regard to such sale or disposal; and

(c) in the case of a vehicle in respect of which a general licence is issued under section 28 of the Road Traffic Act, the person to whom the general licence is issued;

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"parking offence" means an offence of parking a vehicle or causing or permitting a vehicle to stand, wait or be parked in contravention of any rules made under this Act.

Removal and detention, etc., of abandoned or illegally parked vehicles

15.

—(1) Where a vehicle —

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(a) has been permitted to remain at rest in a parking place in such a position or in such condition or circumstances as to appear to the Superintendent to have been abandoned without lawful authority;

(b) is parked in a parking place in contravention of any provision of this Act or any rules made thereunder; or

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

the Superintendent may, in his discretion and by himself or any person authorised by him in that behalf —

(i) remove the vehicle to a place of safety or any other place and detain it thereat; or

(ii) prevent the removal of the vehicle from the parking place without his consent by fixing an immobilisation device to the vehicle.

(2) Where the Superintendent has removed any vehicle to a place of safety or any other place pursuant to subsection (1) (i) or fixed an immobilisation device to the vehicle pursuant to subsection (1) (ii), the Superintendent shall, with all reasonable despatch, give notice in writing to the owner of the vehicle as to the procedure by which he may secure the release of the vehicle, and such notice shall be served on the owner of the vehicle —

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(a) in the case where the Superintendent has removed the vehicle to a place of safety or any other place, in accordance with section 18; or

(b) in the case where the Superintendent has fixed an immobilisation device to the vehicle, by affixing the notice onto the windscreen or any other

conspicuous part of the vehicle.

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(3) No vehicle which has been removed and detained by the Superintendent or to which an immobilisation device has been fixed in accordance with this section shall be released to the owner of the vehicle except —

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(a) by or under the direction of the Superintendent or an officer authorised by him; and

(b) upon the owner of the vehicle having paid all expenses incurred by the Superintendent or the authorised officer in that behalf, and such other charges as may be imposed under this Act or any rules made thereunder,

and the vehicle shall remain at the risk of the owner of the vehicle until all such expenses and charges have been paid.

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

(4) Any person who, without the authority of the Superintendent, removes or tampers with any notice affixed to a vehicle under subsection (2) (b) shall be guilty of an offence.

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(5) Any person who, without being authorised to do so in accordance with this section, removes or attempts to remove —

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(a) any vehicle from any place at which it is being detained under this section; or

(b) an immobilisation device fixed to a vehicle in accordance with this section,

shall be guilty of an offence.

(6) Where any vehicle which has been removed and detained by the Superintendent or to which an immobilisation device has been fixed in accordance with this section is not claimed by its owner within one month of the date of its detention or immobilisation, the Superintendent may, after giving one month's notice in the *Gazette* of his intention to do so, sell the vehicle by public auction or otherwise dispose of the vehicle in any manner as

he thinks fit.

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(7) Where a vehicle has been sold or otherwise disposed of under subsection (6), the proceeds of the sale or disposal of the vehicle shall be applied in payment of any expenses incurred in carrying out the provisions of this section and thereafter shall be applied in payment of all charges and fines payable under this Act and any rules made thereunder and the surplus, if any, shall be paid to the owner of the vehicle, or if not claimed by the owner of the vehicle within 12 months of the date of the sale or disposal, shall be forfeited to the Authority.

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(8) The Authority or the Superintendent shall not be liable for any damage to or loss of the vehicle or the contents thereof not caused wilfully or negligently by the Authority or the Superintendent or any of its or his employees or agents in the exercise of their powers under this section.

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(9) In this section —

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

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

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

(a) this Act or any rules made thereunder; or

(b) the Road Traffic Act (Cap. 276) or the rules.

Power to require information

15A.

The Authority or the Superintendent may require any owner or occupier of a private parking place to furnish such information relating to the private parking place as the Authority or the Superintendent considers necessary or

expedient for the performance of its or his functions or duties under this Act.

Power of entry

15B.

—(1) The Superintendent or any person authorised by the Authority or the Superintendent (referred to in this section as an authorised person) may —

(a) for the purpose of ascertaining whether there is or has been a contravention of any provision of this Act or any rules made thereunder; or

(b) for such other purpose incidental to or in connection with the performance of the functions or duties of the Authority or the Superintendent under this Act,

enter any private parking place between the hours of 8 a.m. and 6 p.m. to make any survey or inspection without being liable to any legal proceedings or molestation on account of such entry or any thing done in such private parking place.

(2) No person shall, except with the consent of the owner or occupier of a private parking place, enter the parking place by virtue of the powers conferred by subsection (1) without at least 6 hours' previous notice being given to the owner or occupier of the private parking place, if any.

(3) Notwithstanding subsection (1), where it is necessary or expedient to make any survey or inspection outside the hours specified in subsection (1), the Superintendent or any authorised person may enter any private parking place by giving at least 6 hours' previous notice to the owner or occupier of the private parking place.

Penalty

16.

Any person who contravenes or fails to comply with any of the provisions of this Act or any rules or orders made thereunder shall be guilty of an offence and shall be liable on conviction, where no special penalty is provided, to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$500 for every day or part thereof during which the offence

continues after conviction.

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Offences by corporations

17.

Where an offence under this Act has been committed by a body corporate and is found to have been committed with the consent or connivance of or to be attributable to any act or default on the part of any director, manager, secretary or other officer of the body corporate, that director, manager, secretary or other officer as well as the body corporate shall be guilty of an offence.

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Service of summons, etc.

18.

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

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

(b) by leaving it at the usual or last known place of residence or business of the person in a cover addressed to him;

(c) by sending it by registered post in a prepaid letter addressed to the person at his usual or last known place of residence or business or any address furnished by him; or

(d) in the case of a notice to be served on a person whose usual or last known place of residence or business cannot, with reasonable diligence, be ascertained, by publication of such notice in the *Gazette*.

(2) Where any summons, notice, order or document is served on any person by registered post, it shall be deemed to have been served within such time as it would take to arrive in the ordinary course of transmission and in proving service of the same it shall be sufficient to prove that the envelope containing the summons, notice, order or document was properly addressed, stamped and posted by registered post.

(3) All notices, orders, receipts and other documents which the Superintendent is empowered to give by this Act or any rules made thereunder may be given by any officer duly authorised by the Superintendent.

(4) Where any such notice, order or document requires authentication, the signature or a facsimile thereof of the Superintendent or any officer duly authorised by the Superintendent affixed thereto shall be sufficient authentication.

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Obstruction of Authority, Superintendent, etc.

19.

Any person who obstructs or hinders the Authority, the Superintendent or any person acting in the discharge of his duty under this Act or any rules made thereunder shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 months or to both.

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Payment of charges

20.

Subject to any agreement made between the Minister and any statutory body or to any direction by the Minister, all charges collected in any parking place maintained or operated by any statutory body under the provisions of this Act and all fines imposed for an offence under this Act or any rules made thereunder shall be paid to that statutory body.

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Power to exempt

21.

The Minister may exempt any private parking place or class of private parking places or any person or class of persons from the provisions of this Act or any rules made thereunder.

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LEGISLATION HISTORY

(1. Act 5 of 1974 — Parking Places Act 1974)

Date of First Reading : 14.3.74 (Bill No. 10/74 published on 15.3.74)
Date of Second Readings : 27.3.74
Date of commencement : 3.5.74

(2. Act 10 of 1982 — Parking Places (Amendment) Act 1982)

Date of First Reading : 22.12.81 (Bill No. 34/81 published on 30.12.81)
Date of Second and Third Readings : 3.3.82
Date of commencement : 1.8.82

(3. Act 6 of 1991 — Parking Places (Amendment) Act 1991)

Date of First Reading : 20.12.90 (Bill No. 35/90 published on 21.12.90)
Date of Second and Third Readings : 3.1.91
Date of commencement : 1.4.91

(4. Act 34 of 1993 — Parking Places (Amendment) Act 1993)

Date of First Reading : 30.8.93 (Bill No. 28/93 published on 8.7.95)
Date of Second and Third Reading : 12.10.93
Date of commencement : 1.1.94

(5. Act 28 of 1995 — Land Transport Authority of Singapore Act 1995
(Consequential amendments made by))

Date of First Reading : 7.7.95 (Bill No. 24/95 published on 8.7.95)
Date of Second and Third Reading : 7.8.95
Date of commencement : 1.9.95