

PART I PRELIMINARY

PART I

PRELIMINARY

1 Short title

Short title

1.

This Act may be cited as the Central Provident Fund Act.

2 Interpretation

Interpretation

2.

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

"additional interest" means the interest referred to in section 6 (4B);

"Board" means the Central Provident Fund Board constituted under section 3;

"contract" means any contract, whether written or oral, and whether express or implied;

"employed" means engaged under a contract of service or apprenticeship or in an employment in respect of which contributions are payable under regulations made under section 77;

"employee" means any person who —

(a) is employed in Singapore by an employer otherwise than as a master, seaman or apprentice in any vessel; or

(b) being a citizen of Singapore is employed —

(i) as a master, seaman or apprentice in any vessel, the owners of which have not been exempted from the provisions of this Act; and

(ii) under a contract of service or other agreement entered into in Singapore;

"employer" means —

(a) any person, company, association or body of persons, whether or not incorporated, by whom an employee is employed;

(b) the owners of any vessel on which an employee is employed;

(c) any manager, agent or person responsible for the payment of wages to an employee on behalf of an employer; and

(d) the Government and Her Majesty's Government in the United Kingdom in respect of such categories, classes or descriptions of officers or employees of such Government as may from time to time be declared by the President by notification in the *Gazette* to be employees for the purposes of this Act;

"flat" means a horizontal stratum of any building or part thereof, whether the stratum or part is on one or more levels or is partially or wholly below the surface of the ground;

"Fund" means the Central Provident Fund established under section 6;

"immovable property" includes —

(a) any estate or interest in land comprising a building or flat which is erected or to be erected on the land;

(b) any undivided share in any estate or interest in land comprising several flats erected or to be erected thereon;

"inspector" means an inspector appointed under section 5 (1);

"interest in land" means any interest in land recognised as such by law, and includes an estate in land;

"land" includes land, freehold or leasehold, or of whatever tenure, whether or not held apart from the surface, and buildings or parts thereof (whether completed or otherwise and whether divided horizontally, vertically or in any other manner), and tenements and hereditaments, corporeal or incorporeal;

“master” and “seaman” have the same meanings respectively assigned to them in the Merchant Shipping Act (Cap. 179);

"medisave account" means a medisave account maintained under section 13;

“member of the Fund” or “member” means any person to whose credit any amount is standing in the Fund and includes a person who contributes to the Fund voluntarily in accordance with section 13B;

"minimum sum" means the sum referred to in section 15 (6) (a);

"ordinary account" means an ordinary account maintained under section 13;

"retirement account" means a retirement account maintained —

(a) for the purposes of sections 15 (2A) (a), (6C), (7B) (a) and (8A) (a) and 18 (1) (c); and

(b) for the crediting of such contribution (including any amount which is deemed to be a contribution for the purposes of this Act) and interest as the Minister may direct;

"special account" means a special account maintained under section 13;

"wages" means the remuneration in money, including any bonus, due or granted to a person in respect of his employment but does not include such payments as the Minister may, by notification in the *Gazette*, specify.

[19/83; 32/84; 16/86; 5/87; 10/94; 30/98; 39/2000]

(2) No officer or employee employed by or on behalf of the Government or Her Majesty's Government in the United Kingdom shall be personally liable for anything done or omitted to be done by him as an officer or employee of such Government in good faith.

3 Establishment and constitution of Central Provident Fund Board

Establishment and constitution of Central Provident Fund Board

3.

— (1) For the purposes of this Act, there shall be a Board, called the Central

Provident Fund Board, consisting of —

- (a) a Chairman appointed under section 4 (1);
- (b) a Deputy Chairman appointed under section 4 (2); and
- (c) such other members as may be appointed under section 4 (4).

[27/92]

(2) The Board shall be a body corporate with perpetual succession and shall have a common seal and may sue and be sued in its corporate name.

(3) All deeds, documents and other instruments requiring the common seal of the Board shall be sealed with the common seal of the Board.

(3A) All instruments to which the common seal is affixed shall be signed by any 2 officers of the Board generally or specially authorised by the Board for the purpose.

(4) The Board may by resolution or otherwise appoint an officer of the Board or any other agent either generally or in a particular case to execute or sign on behalf of the Board any agreement or other instrument not under seal in relation to any matter coming within the powers of the Board.

(5) Section 11 of the Registration of Deeds Act (Cap. 269) shall not apply to any instrument purporting to have been executed under subsection (3).

(6) The Board shall have such powers and shall perform such duties as are given or imposed by this Act or as may be prescribed by the Minister and the Minister or the Board may by instrument in writing delegate to any person all or any of those powers and duties.

4 Membership of Board

Membership of Board

4.

— (1) The Minister, with the President's concurrence under Article 22A (1) (b) of the Constitution, shall appoint a Chairman of the Board for a term of 3 years, or for such shorter term as the Minister may determine, and the Chairman shall be eligible for reappointment.

[11/91]

(2) The Minister, with the President' s concurrence under Article 22A (1) (b) of the Constitution, may appoint a Deputy Chairman of the Board for a term of 3 years, or for such shorter term as the Minister may determine, and the Deputy Chairman shall be eligible for reappointment.

[27/92]

(3) The Deputy Chairman may, subject to such directions as may be given by the Chairman, exercise all or any of the powers exercisable by the Chairman under this Act.

[27/92]

(3A) The Minister, with the President' s concurrence under Article 22A (1) (b) of the Constitution, may appoint any member of the Board to be a temporary Chairman or temporary Deputy Chairman during the temporary incapacity from illness or otherwise, or during the temporary absence from Singapore, of the Chairman or Deputy Chairman, as the case may be.

[39/2000]

(4) The other members of the Board shall be appointed by the Minister with the President' s concurrence under Article 22A (1) (b) of the Constitution and shall consist of the following persons:

(a) 2 persons holding office of emolument under the Government;

(b) 2 persons representing employers;

(c) 2 persons representing employees; and

(d) such other persons, not being more than 7, as the Minister may from time to time determine.

[11/91]

(4A) The Minister, with the President' s concurrence under Article 22A (1) (b) of the Constitution, may appoint the chief executive officer to be a member of the Board.

(5) The quorum of the Board shall be 5.

(6) The Deputy Chairman shall, in the absence of the Chairman, preside at a meeting of the Board and, in the absence of both the Chairman and the Deputy Chairman, such member as the members present may elect shall preside at the meeting.

[27/92]

(7) The members of the Board shall be paid such allowances as may be fixed by the Minister.

(8) The appointment of members of the Board, other than the Chairman and the Deputy Chairman, shall be liable to be revoked at any time by the Minister but the members shall, unless their appointment is so revoked or they resign in

the meantime, hold office for a term of 3 years or for such shorter period as the Minister may in any case determine.

[27/92]

(9) No revocation of the appointment of the Chairman, the Deputy Chairman or any other member of the Board shall be made without the President's concurrence under Article 22A (1) (b) of the Constitution.

[11/91; 27/92]

(10) Any person who is a Member of Parliament shall be disqualified from being appointed to or remaining a member of the Board.

(11) The Chairman may, by instrument in writing, authorise any member of the Board to exercise any power or perform any function conferred on the Chairman by or under this Act.

[39/2000]

4A Appointment of officers and employees

Appointment of officers and employees

4A.

— (1) The Board shall, with the President's concurrence under Article 22A (1) (b) of the Constitution, appoint a chief executive officer on such terms and conditions as the Board may determine.

(1A) The chief executive officer shall be —

(a) known by such designation as the Board may determine; and

(b) responsible to the Board for the proper administration and management of its functions and affairs in accordance with all policies laid down by the Board.

(2) The Board shall have power to engage a staff consisting of such officers and employees as are in the opinion of the Board necessary for the purpose of carrying out the provisions of this Act.

(3) The members and employees of the Board shall be deemed to be public servants within the meaning of the Penal Code (Cap. 224).

(4) The Board may make rules for all or any of the purposes of this section and section 4 and, in particular, may make rules —

(a) for the conduct of its proceedings; and

(b) for the appointment, promotion, dismissal, termination of service and disciplinary control of all persons employed by the Board.

PART II CONTRIBUTIONS TO FUND

PART II

CONTRIBUTIONS TO FUND

6 Establishment of Central Provident Fund

Establishment of Central Provident Fund

6.

— (1) For the purposes of this Act, there shall be established a fund to be called the Central Provident Fund into which shall be paid all contributions authorised under this Act and out of which shall be met all payments authorised to be paid under this Act.

(2) The Board shall be the trustee of the Fund and all moneys belonging to the Fund may be —

(a) deposited in a bank or banks approved by the Board;

(b) invested in accordance with the standard investment power of statutory bodies as defined in section 33A of the Interpretation Act (Cap.1); or

(c) used for the purchase of any property and for the construction of buildings for the purposes of the Board or for letting to derive income therefrom and the Board may dispose of all or any part of the property or buildings.

(3) The land situate at 79 Robinson Road, Singapore, acquired by the Board and the building constructed thereon prior to 15th May 1980 shall be deemed to have been purchased and constructed by the Board in pursuance of the powers conferred upon the Board by subsection (2) (c).

(4) The Board shall pay to a member of the Fund interest —

(a) at such intervals, and on the amount standing to the credit of the member in the Fund at such time, as the Board may determine; and

(b) at such rate per annum as the Board may from time to time declare by notification published in the *Gazette*, being a rate of interest which —

(i) is not less than 2.5% per annum; and

(ii) may exceed 2.5% per annum if the Minister for Finance so approves.

(4A) For the purposes of subsection (4), the Board may declare different rates of interest for different parts of the amount standing to the credit of a member in the Fund.

(4B) The Board may, in its discretion, pay to a member of the Fund interest in addition to that referred to in subsection (4) —

(a) at such intervals, and on the whole or such part of the amount standing to the credit of the member in the Fund at such time, as the Board may determine; and

(b) at such rate per annum, and subject to such terms and conditions, as the Board may, with the approval of the Minister for Finance, determine.

(5) If the Board is at any time unable to pay any sum which the Fund is required to pay under this Act, the sum required to be so paid shall be charged on and advanced to the Board from the Consolidated Fund and the Board shall as soon as practicable repay to the Government the sum so advanced.

7 Rates of contributions

Rates of contributions

7.

— (1) Subject to section 69 and any regulations made under section 77, every employer of an employee shall pay to the Fund monthly in respect of each employee contributions at the appropriate rates set out in the First Schedule.

(1A) The Board may, in its discretion and on such terms and conditions as the Board may impose, authorise an employer or a class or classes of employers to pay those contributions at other intervals not exceeding 6 months.

[27/92]

(2) Notwithstanding the provisions of any written law or any contract to the contrary, an employer shall be entitled to recover from the monthly wages of an employee the amount shown in the First Schedule as so recoverable from the employee.

[27/92]

(3) Where any employer who has recovered any amount from the monthly wages of an employee in accordance with subsection (2) fails to pay the contributions to the Fund within such time as may be prescribed, he 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 7 years or to both.

(4) Without prejudice to subsections (1) and (2) and the First Schedule —

(a) an employee may at any time contribute voluntarily to the Fund a sum additional to that shown in the First Schedule as payable by the employer;

(b) an employee who desires to have contributions in excess of the appropriate rate deducted from his monthly wages by his employer may give to his employer written notice to that effect, and thereafter, so long as he is employed by that employer, the employer shall make the deductions from his wages for each month until such time, not being less than 6 months from the giving of the previous notice, as he gives further written notice to his employer of his desire to cease to have the excess monthly contributions deducted from his wages and the employer shall pay the amount of the excess deductions to the Fund in addition to the appropriate monthly contributions; or

(c) an employer may at any time pay to the Fund contributions in respect of any of his employees at a rate in excess of the appropriate rate set out in the First Schedule.

[27/92]

(5) Notwithstanding any contract to the contrary, an employer shall not be entitled to recover in any way from an employee in respect of contributions payable under this Act any sum in excess of that permitted to be recovered under subsection (2) together with any sum contributed voluntarily by the employee under subsection (4) and any employer who recovers or attempts to recover any greater sum shall be guilty of an offence.

(6) The portion of any contribution recoverable under the First Schedule from the wages of an employee in accordance with subsections (2) and (4) shall be recovered by the employer from the wages in respect of which the contribution is payable at the time of payment of those wages and not otherwise.

(6A) Subject to such conditions as may be prescribed by the Board, where an

employer has, by error not occasioned by that employer's negligence, omitted to recover from the wages paid to an employee any amount or part of any amount that he would otherwise have been entitled to recover at the time of payment of the wages, the amount or part thereof may be recovered from the wages payable by the employer to the employee not later than 6 months from the date of the payment of the wages in respect of which the amount or part thereof was omitted to be recovered.

[27/92]

(7) Notwithstanding subsection (6), where wages are payable at intervals of less than one month, if in any month it appears to the employer that the wages of any employee for that month are likely to exceed \$500, the employer —

(a) may deduct from the employee's wages at the time of each payment in the month the appropriate proportion of such sum as would be recoverable from the employee in accordance with the First Schedule in respect of the wages if paid at the same rate throughout the month; and

(b) shall make such adjustment as may be necessary on the occasion of the last payment in that month, but if the wages do not actually exceed \$500 for that month, he shall forthwith refund to the employee the amount of the deductions.

[27/92]

(8) The Minister may, by notification in the *Gazette*, amend the First Schedule and may prescribe in the First Schedule —

(a) different rates of contributions payable in respect of different types of wages; and

(b) the payment of contributions on such additional wages as may be specified in the First Schedule to be based on the wages of an employee for the preceding year and to be adjusted at the end of the year or in the last month of his employment with the employer based on his actual wages for the year.

[22/90; 27/92]

(9) Notwithstanding subsection (6), where an employer is required to pay to the Fund any additional contributions on additional wages and is entitled to recover such contributions from the wages of the employee in accordance with the First Schedule, the employer may recover such contributions from the wages payable by him to the employee not later than 6 months from the end of the year in which the additional contributions are payable.

[22/90; 27/92]

(10) Notwithstanding subsection (5), if it appears to the employer at the time when additional wages as specified in the First Schedule are payable to the employee that additional contributions in respect of such additional wages are likely to arise at the end of the year due to the recomputation of additional wages on which contributions are payable in accordance with the First Schedule, the employer may —

(a) contribute to the Fund a sum additional to that shown in the First Schedule as payable by the employer; and

(b) notwithstanding subsection (6), recover the appropriate proportion of such sum in accordance with the First Schedule from the additional wages of the employee.

[22/90; 27/92]

(11) Where an employer is required to pay to the Fund any additional contributions and is entitled to recover such contributions from the wages of the employee in accordance with the First Schedule, the Board may, notwithstanding subsection (1), if it is satisfied that the employer is unable to recover in full or in part from the wages of the employee and that the employee is no longer in the employment of the employer, waive the payment of that portion of the additional contributions that the employer is unable to so recover.

[22/90; 27/92]

8 Agreement by statutory body to pay excess contributions deemed void

Agreement by statutory body to pay excess contributions deemed void

8.

Any agreement made between any statutory body specified in the First Schedule and any of its employees under which that body is liable to pay any contribution to the Fund in respect of that employee in excess of the amount prescribed as payable for that employee shall, in so far as it relates to such liability, be void and of no effect.

[32/84; 27/92]

9 Payment of interest on contributions in arrears

Payment of interest on contributions in arrears

9.

— (1) Where the amount of the contributions which an employer is liable to pay under section 7 in respect of any month is not paid within such period as may be prescribed, the employer shall be liable to pay interest on the amount for

every day the amount remains unpaid commencing from the first day of the month succeeding the month in respect of which the amount is payable and the interest shall be calculated at the rate of 1 1/2% per month or the sum of \$5, whichever is the greater.

(2) Where the amount of the contributions a person is liable to pay under any regulations made under section 77 (1) (e) is not paid within the time prescribed for payment, that person shall be liable to pay interest on that amount for every day the amount remains unpaid at such rate and commencing from such date as may be prescribed.

[27/92]

(3) The Board may, in any case in which it thinks fit, waive the payment of the whole or part of, or remit in whole or in part, any interest due or paid under subsection (1) or (2).

[27/92]

10 Expenses

Expenses

10.

All expenses incurred by the Board including the cost of auditing the accounts of the Fund as provided for in the Second Schedule shall be defrayed out of the moneys of the Fund.

[27/92]

11 Financial provisions

Financial provisions

11.

The financial provisions set out in the Second Schedule shall apply to the Board.

[27/92]

12 Contributions to be paid into Fund

Contributions to be paid into Fund

12.

—(1) All sums recovered or collected on account of contributions to the Fund under this Act shall be paid into or carried to the Fund in such manner as may be prescribed.

(2) The Board shall cause to be credited to each member of the Fund —

(a) the amount of every contribution paid to the Fund for him;

(b) the interest payable to him under section 6 (4); and

(c) any additional interest payable to him under section 6 (4B).

13 Crediting of contributions and interest into subsidiary accounts etc.

Crediting of contributions and interest into subsidiary accounts, etc.

13.

—(1) Subject to subsection (5), there shall be maintained for each member in respect of the money standing to his credit in the Fund the following subsidiary accounts:

(a) an ordinary account from which, apart from subsection (7) and sections 15 (2), (3), (4) and (5), 18, 18A, 18B, 18C, 22, 27B, 32 and 45 but subject to sections 14, 14A and 15A, withdrawals may be made in accordance with any regulations made under section 51 (b) or 77 (1) (h), (i), (n) or (r);

(b) a medisave account from which, apart from subsection (6) and sections 15 (2), (3), (4) and (5), 16A, 27B and 54, withdrawals may be made in accordance with any regulations made under section 77 (1) (j) and (k); and

(c) a special account from which no withdrawal may be made except under subsection (7) or section 15 (2), (3), (4) or (5), 17, 18, 18A, 18C, 27B or 45 or in accordance with any regulations made under section 77 (1) (n) or (oa).

[32/84; 16/86; 5/87; 23/89; 30/89; 27/92; 10/94; 12/99; 39/2000]

(2) Every ordinary account, medisave account and special account which was maintained by the Board for a member before 28th September 1984 shall be deemed to have been validly maintained.

[32/84]

(3) All moneys standing to the credit of a member in his special account as at 1st April 1984 shall be deemed to have been transferred to his medisave account except where the member is entitled at that date to withdraw such money under section 15.

[32/84]

(4) The Board shall credit to the accounts of a member specified in subsection (1), in such manner as the Minister may direct, every contribution paid into the Fund for the member under —

(a) section 7;

(b) any regulations made under section 77 (1) (e); or

(c) such other provision as the Minister may prescribe.

(4A) The Minister may give different directions in respect of different classes of members under subsection (4).

(5) The Board shall credit to each account of a member the interest referred to in section 6 (4) on the amount standing to the credit of the member in that account.

(5A) Where any additional interest is payable to a member under section 6 (4B) —

(a) the Board shall credit the additional interest into one or more of the member's ordinary account, medisave account, special account and retirement account (if any) in such manner as the Board may determine; and

(b) the Board may make different determinations under paragraph (a) in respect of different classes of members.

(6) The Board shall transfer to one or more designated accounts of a member, in accordance with any regulations made under section 77 (1) (ka), any amount standing to his credit in his medisave account which is in excess of such amount as the Minister may from time to time direct.

[16/86]

(7) Where there is no balance in the medisave account of a member, the Board may, upon application by the member and with the approval of the Minister, transfer to the medisave account of the member any amount standing to his credit in any designated account which had been transferred from the medisave account, including the whole or such part, as the Board may determine, of any interest that would have been payable thereon if the transfer had not been made.

[27/92]

(8) In this section, “designated account”, in relation to a member, means such ordinary account, special account or retirement account (if any) of the member as may be prescribed by any regulations made under section 77 (1) (ka).

13A Power to impose conditions relating to contributions by self-employed persons

Power to impose conditions relating to contributions by self-employed persons

13A.

— (1) Any power to grant or renew a licence, certificate or permit under any of the Acts specified in the Third Schedule shall include a power to impose conditions relating to the payment of contributions into the Fund, pursuant to any regulations made under section 77 (1) (e), to be credited into the medisave account of the applicant or licensee or as otherwise provided under section 13 (5).

[27/92]

(2) The Minister may, by notification in the *Gazette*, amend the Third Schedule.

[27/92]

13B Voluntary contributions

Voluntary contributions

13B.

— (1) Notwithstanding anything in this Act but subject to any regulations made under section 77 —

(a) a person who is a citizen or permanent resident of Singapore in respect of whom no contribution is required to be paid under this Act may contribute voluntarily to the Fund in such manner and at such rate as the Minister may direct; and

(b) the Board shall credit every contribution received under paragraph (a) into an ordinary account, a medisave account or a special account, for the purposes specified in section 13 (1), in such manner as the Minister may direct, and the Minister may give different directions in respect of different

classes of members.

[30/98]

(2) The amount which a person may contribute voluntarily under subsection (1) or section 7 (4) shall not exceed the sum of \$28,800 in any year or such other sum as the Minister may, from time to time, prescribe by notification in the *Gazette*.

(3) For the purpose of computing the sum referred to in subsection (2) in any year —

(a) the following amounts shall be included:

(i) the amount contributed by a person in that year which is obligatory under this Act;

(ii) subject to paragraph (b) (ii), any voluntary contribution paid by the employer of that person under section 7 (4) (c) in that year; and

(iii) subject to subsections (4) and (5), any amount paid in that year by that person's spouse or sibling into that person's special account under section 18 (3) (b); and

(b) the following amounts shall be excluded:

(i) any contribution made by a person in that year under sections 73 and 79;

(i a) any amount paid in that year by that person into the special account of his spouse or sibling under section 18 (3) (b);

(ii) any voluntary contribution made in that year by the employer of that person under section 7 (4) (c) specifically for the purposes of that person's medisave account, where such voluntary contribution does not exceed \$1,500; and

(iii) any contribution made in that year by that person or any other person under section 27B, 27C, 27D, 27E or 27F or under any regulations referred to in section 27G or 27H.

(4) Where, in any year, the total of the amounts under subsection (3) (a) (i) and (ii) to be included for the purpose of computing the sum referred to in subsection (2) exceeds that sum —

(a) the amount referred to in subsection (3) (a) (iii) shall not be included for that purpose; and

(b) the Board may refund the whole or any part of the amount referred to in subsection (3) (a) (iii) to the person or persons who contributed to that amount, in the proportion in which each such person contributed to that amount.

(5) Where, in any year, the total of the amounts under subsection (3) (a) (i) and (ii) to be included for the purpose of computing the sum referred to in subsection (2) does not exceed that sum, but the total of the amounts under subsection (3) (a) (i), (ii) and (iii) exceeds that sum —

(a) there shall be included for that purpose only such part of the amount referred to in subsection (3) (a) (iii) which is equal in quantum to the difference between that sum and the total of the amounts referred to in subsection (3) (a) (i) and (ii); and

(b) the Board may refund the whole or any part of the remainder of the amount referred to in subsection (3) (a) (iii) to the person or persons who contributed to that amount, in the proportion in which each such person contributed to that amount.

14 Payment of cash grant by Government into Fund

Payment of cash grant by Government into Fund

14.

— (1) The Board may after 1st June 1984 accept any cash grant made by the Government for the benefit of any person who qualifies for such grant under any approved scheme, and the Board shall credit the cash grant into such account of that person as the Minister may direct.

[32/84; 31/95]

(2) Any cash grant paid into the Fund under subsection (1) shall be deemed to be contributions for the purposes of this Act and such cash grant or interest thereon may be withdrawn under the provisions of this Act for such purposes and in such manner as may be prescribed by the regulations.

[31/95]

(3) Notwithstanding anything in this Act, the Board shall be entitled to recover on behalf of the Government any cash grant paid into the Fund for the benefit of any person, together with any interest which he is liable to pay the Government under the terms of the cash grant, from any money standing to the credit of that person in the Fund if he —

(a) has obtained the cash grant by means of any false or misleading statement or any document that is false or misleading in any particular; or

(b) has committed a breach of any of the terms and conditions of the cash grant.

[32/84]

(4) Any money recovered by the Board from any person under subsection (3) shall be refunded forthwith to the Government.

[32/84]

(5) In this section —

"approved scheme" means a scheme approved by the Minister;

"cash grant" means a cash grant made by the Government under any approved scheme.

14A Loan by Government to member

Loan by Government to member

14A.

— (1) The Board may, from time to time, accept moneys lent by the Government to any member of the Fund pursuant to any approved loan scheme.

[12/99]

(2) The Board shall credit the moneys lent to any member under subsection (1) into the ordinary account of that member.

[12/99]

(3) Any moneys paid into the Fund under subsection (2) shall be deemed to be contributions for the purposes of this Act and those moneys or interest thereon may be withdrawn under the provisions of any regulations made under this Act for such purposes and in such manner as may be prescribed by the regulations.

[12/99]

(4) Notwithstanding anything in this Act, the Board may allow a member who has taken a loan from the Government pursuant to an approved loan scheme to withdraw any part of the contributions and interest standing to his credit in the Fund for the repayment of the loan and the payment of any interest or other charges which the member may from time to time be liable to pay to the Government under the terms and conditions of that loan.

[12/99]

(5) The Board shall be entitled to receive any repayment and payment under

subsection (4) on behalf of the Government.

[12/99]

(6) Notwithstanding anything in this Act, the Board shall be entitled to recover on behalf of the Government any moneys lent to a member pursuant to any approved loan scheme and which have been paid into the Fund for the benefit of the member under subsection (2), together with any interest and other charges which the member is liable to pay to the Government under the terms and conditions of the loan from any money standing to the credit of the member's accounts in the Fund if the member —

(a) fails to pay any sum under the loan when due; or

(b) is in breach of any other term or condition of the loan.

[12/99]

(7) Any moneys received or recovered by the Board from any member under subsection (5) or (6) shall be refunded immediately to the Government.

[12/99]

(8) In this section, “approved loan scheme” means a loan scheme approved by the Minister.

[12/99]

PART III WITHDRAWAL OF CONTRIBUTIONS

PART III

WITHDRAWAL OF CONTRIBUTIONS

15 Authorisation and conditions for withdrawal from Fund

Authorisation and conditions for withdrawal from Fund

15.

— (1) No sum of money standing to the credit of a member of the Fund may be withdrawn from the Fund except with the authority of the Board.

(1A) Subject to sections 14, 14A, 15A and 25 (2) and (3) and any regulations and rules made under section 77, the authority under subsection (1) shall not be given except on the application of a person entitled to withdraw the money

from the Fund under subsections (2) and (3).

[12/99]

(2) Subject to this section, a member of the Fund, or a committee of his person or of his estate appointed under the provisions of the Mental Disorders and Treatment Act (Cap. 178), shall be entitled to withdraw the sum standing to the credit of the member in the Fund at any time after the Board is satisfied that the member —

(a) has attained the age of 55 years;

(b) not being a citizen of Singapore, has left or is about to leave Singapore and the States of Malaya permanently with no intention to return thereto;

(c) being a citizen of Malaysia has left or is about to leave Singapore permanently for the States of Malaya in such circumstances as the Minister may approve;

(d) is physically or mentally incapacitated —

(i) from ever continuing in any employment; or

(ii) in such other manner as the Minister may approve;

(e) is of unsound mind;

(f) is suffering from a medical condition leading to a severely impaired life expectancy; or

(g) is suffering from a terminal illness or disease.

(2A) A member of the Fund who is entitled under subsection (2) (d), (e) or (f) to withdraw the sum standing to his credit in the Fund shall, at the time of the withdrawal and in accordance with such directions as the Minister may give in any particular case —

(a) set aside or top-up in his retirement account such amount as the Minister may specify; and

(b) set aside or top-up in his medisave account the prescribed amount referred to in section 16.

(2B) The amount referred to in subsection (2A) (a) may be withdrawn by the member in accordance with such terms and conditions as the Minister may from time to time impose.

(3) Subject to subsection (6), a member of the Fund who has withdrawn any money from the Fund on the ground that he has attained the age of 55 years shall be entitled to make one further withdrawal of the sum standing to his credit in the Fund on or after every first anniversary of his date of birth after he has attained the age of 55 years or such other period as the Minister may direct.

[5/87]

(4) Notwithstanding subsection (3) but subject to subsection (6), the Board may at any time allow a member who has attained the age of 55 years to withdraw the sum standing to his credit in the Fund if the member satisfies the Board that he has been unemployed throughout the period of 6 months immediately preceding the date on which he makes an application for the withdrawal of any sum of money standing to his credit in the Fund.

[5/87]

(5) After the death of a member of the Fund, a person nominated by that member in accordance with section 25 (1) shall be entitled to withdraw, from the balance standing to the credit of that member in the Fund after deducting —

(a) any sum withdrawn, or to be withdrawn, under section 16A;

(b) any sum credited, or to be credited, to the account of another person under section 19 (2) or 19A (2); and

(c) any sum transferred or paid, or to be transferred or paid, to another person under section 27B,

such portion of that balance as is set out in the memorandum executed in accordance with section 25 (1).

(6) Subject to subsections (6A), (8) and (8A), a member of the Fund who is entitled under subsection (2) (a), (3) or (4) to withdraw the sum standing to his credit in the Fund shall, at the time of withdrawal and in accordance with any regulations made under this Act —

(a) set aside or top-up a prescribed sum (referred to in this Act as the minimum sum); and

(b) unless the Board otherwise allows, set aside or top-up in his medisave account a sum of up to \$2,500 or such other amount as may be specified under subsection (6D) in respect of any class of persons.

(6A) Where 2 members of the Fund are parties to a marriage, the Board may, on their joint application, permit them to set aside jointly an amount which is less than 2 times the minimum sum if each member has executed a memorandum

under section 25 (1) nominating the other member to receive, on his death, an amount belonging to him which is not less than such amount as the Board may specify.

(6B) Any memorandum executed under subsection (6A) by 2 members of the Fund who are parties to a marriage —

(a) shall not be revocable during the subsistence of the marriage unless the Board is satisfied that either or both of the members are —

(i) physically or mentally incapacitated —

(A) from ever continuing in any employment; or

(B) in such other manner as the Minister may approve;

(ii) of unsound mind;

(iii) suffering from a medical condition leading to a severely impaired life expectancy; or

(iv) suffering from a terminal illness or disease; and

(b) shall, where the marriage has been dissolved (otherwise than by death) or has been annulled, be revoked upon the Board being notified of the dissolution or annulment of the marriage.

(6C) The minimum sum may be deposited with an approved bank or in a retirement account or used to purchase an approved annuity from an insurer.

[10/94]

(6D) The Minister may, by order published in the *Gazette* —

(a) substitute the amount of \$2,500 in subsection (6) (b) with such other amount as he thinks fit; and

(b) specify any other amount as he thinks fit in respect of any class of persons for the purposes of subsection (6) (b).

(7) A member who has attained the age of 60 years or such other age as the Minister may prescribe shall be entitled to withdraw from the minimum sum deposited with an approved bank or in a retirement account and any interest accruing thereon in accordance with any regulations made under this Act.

[10/94]

(7A) A member who has attained the age of 55 years but has not attained the age of 60 years or such other age as the Minister may prescribe shall be

entitled to withdraw the minimum sum or such part thereof as the Board may determine from his account with an approved bank or his retirement account or surrender his approved annuity from an insurer if the Board is satisfied that the member is —

(a) physically or mentally incapacitated —

(i) from ever continuing in any employment; or

(ii) in such other manner as the Minister may approve;

(b) of unsound mind;

(ba) suffering from a medical condition leading to a severely impaired life expectancy;

(c) suffering from a terminal illness or disease; or

(d) receiving a pension, annuity or other benefit as may be approved which will provide him with a monthly income of not less in value than the amount prescribed by the Minister.

[10/94]

(7B) A member of the Fund who is entitled under subsection (7A) (a), (b) or (ba) to withdraw the minimum sum or any part thereof from his account with an approved bank or his retirement account or surrender his approved annuity from an insurer shall, at the time of the withdrawal or surrender, as the case may be, and in accordance with such directions as the Minister may give in any particular case —

(a) set aside or top-up in his retirement account such amount as the Minister may specify; and

(b) set aside or top-up in his medisave account the prescribed amount referred to in section 16.

(7C) The amount referred to in subsection (7B) (a) may be withdrawn by the member in accordance with such terms and conditions as the Minister may from time to time impose.

(8) A member need not deposit the minimum sum with an approved bank or in his retirement account, or use the minimum sum to purchase an approved annuity from an insurer, if the Board is satisfied that the member —

(a) is physically or mentally incapacitated —

- (i) from ever continuing in any employment; or
- (ii) in such other manner as the Minister may approve;
- (b) is of unsound mind;
- (c) is suffering from a medical condition leading to a severely impaired life expectancy;
- (d) is suffering from a terminal illness or disease;
- (e) on his retirement will receive such pension, annuity or other benefit as may be approved which will provide him with a monthly income of not less in value than the amount prescribed by the Minister; or
- (f) has attained the age of 55 years before 1st January 1987.

(8A) A member of the Fund who is entitled under subsection (2) (a), (3) or (4) to withdraw the sum standing to his credit in the Fund and who, under subsection (8) (a), (b) or (c), need not deposit the minimum sum with an approved bank or in his retirement account or use the minimum sum to purchase an approved annuity from an insurer shall, at the time of the withdrawal and in accordance with such directions as the Minister may give in any particular case —

- (a) set aside or top-up in his retirement account such amount as the Minister may specify; and
- (b) set aside or top-up in his medisave account the prescribed amount referred to in section 16.

(8B) The amount referred to in subsection (8A) (a) may be withdrawn by the member in accordance with such terms and conditions as the Minister may from time to time impose.

(9) Where a member or his spouse owns any immovable property of a value equal to or exceeding the minimum sum, the Board may permit the member —

- (a) to withdraw the minimum sum or part thereof from his account with an approved bank or his retirement account; or
- (b) to surrender his approved annuity,

if the member or his spouse, as the case may be, agrees to the creation of a

charge on the immovable property owned by him or his spouse, to secure the payment to the Board of the minimum sum for any of the purposes mentioned in subsection (6).

[5/87; 39/2000]

(9A) Where a member and one or more related persons jointly own any immovable property of a value equal to or exceeding the minimum sum, the Board may permit the member —

(a) to withdraw the minimum sum or part thereof from his account with an approved bank or his retirement account; or

(b) to surrender his approved annuity,

if the member and the related person or persons, as the case may be, agree to the creation of a charge on the immovable property owned by them to secure the payment to the Board of the minimum sum for any of the purposes mentioned in subsection (6).

[39/2000]

(10) Where a member or his spouse or both of them jointly own any immovable property sold by an approved developer, by a Housing Authority or by a lessee of a Housing Authority, the Board may permit the member —

(a) to withdraw the minimum sum or part thereof from his account with an approved bank or his retirement account; or

(b) to surrender his approved annuity,

if the member or his spouse (or both of them), as the case may be, gives an undertaking to refund to the Board an amount equal to the minimum sum or part thereof which he is required to set aside for the purposes of subsection (6) in the event the property is sold or otherwise disposed of.

[5/87]

(10A) Where a member and one or more persons jointly own any immovable property sold by an approved developer, by a Housing Authority or by a lessee of a Housing Authority, the Board may permit the member —

(a) to withdraw the minimum sum or part thereof from his account with an approved bank or his retirement account; or

(b) to surrender his approved annuity,

if the member and the person or persons, as the case may be, give an undertaking to refund to the Board an amount equal to the minimum sum or part thereof which the member is required to set aside for any of the purposes mentioned in subsection (6) in the event the property is sold or otherwise

disposed of.

[39/2000]

(10B) The Board shall not enforce any undertaking under subsection (10) or (10A) if the Board is satisfied of the occurrence of any of the events mentioned in subsection (15) (e).

(11) Where a member has withdrawn any money from the Fund for the purchase of an immovable property from an approved developer, from a Housing Authority or from a lessee of a Housing Authority pursuant to any regulations made under section 77 and the sum standing to the credit of the member in the Fund at the time he attains the age of 55 years is less than the minimum sum, the member shall, in the event the property is sold or otherwise disposed of, refund to the Board from the proceeds of sale or other disposition, an amount sufficient to cover the deficiency in the minimum sum.

[5/87]

(12) No moneys deposited in an account with an approved bank or in a retirement account under subsection (6C) and no withdrawals made by a member from that account with an approved bank or from a retirement account and no payments received by a member from an approved annuity purchased with the minimum sum shall be liable to be attached, sequestered or levied upon for or in respect of any debt or claim, or be subject to any right of set-off by the approved bank for any debt owing by the member to the approved bank.

(13) Such moneys, withdrawals and payments mentioned in subsection (12) shall not pass to the Official Assignee on the bankruptcy of the member.

(14) If the member is adjudicated a bankrupt or is declared insolvent by a court, such moneys, withdrawals and payments shall be deemed not to form part of his after-acquired property.

[5/87; 10/94]

(15) The following provisions shall apply to a charge created over any immovable property under subsection (9) or (9A):

(a) the charge shall be subject to all prior statutory rights and charges of any public authority over the immovable property and to all encumbrances registered or notified prior to the date of the notification of the charge;

(b) upon lodgment by the Board with the Registrar of an instrument (which shall be in such form as the Registrar may require) for the purpose of registering or notifying the charge and the acceptance of the instrument by the Registrar, the Board shall have —

(i) the power of sale and all other powers relating or incidental thereto as if the Board is a registered mortgagee; and

(ii) the power to sell, assign and dispose of all rights, benefits and interests under the agreement for the sale and purchase of the immovable property;

(c) the charge shall extend to all the rights, benefits and interests of the member or his spouse, or the member and the related person or persons, as the case may be, under his or their agreement for sale and purchase of the immovable property;

(d) the Registrar shall not be concerned to enquire into the regularity or validity of the charge, and shall, on acceptance of the instrument to register or notify the charge, register or notify the charge in the appropriate register maintained by the Registrar under the Land Titles Act (Cap. 157), the Land Titles (Strata) Act (Cap. 158) or the Registration of Deeds Act (Cap. 269), as the case may be;

(e) the charge shall on the application of the member or any other person having an interest in the property be cancelled if the Board is satisfied of the occurrence of any one of the following events:

(i) the death of the member;

(ii) the member is suffering from a terminal illness or disease;

(iii) the member has complied with the requirements of subsection (2A), (6), (7B) or (8A);

(iv) the minimum sum set aside by the member under subsection (6) has been exhausted on account of withdrawals made by him under subsection (7); or

(v) the member satisfies any of the grounds for withdrawals under subsection (2) (b) or (c).

[5/87; 39/2000]

(16) In this section and section 15B —

"approved" , in relation to a bank or an annuity from an insurer, means approved by the Board for the purposes of this section;

"approved developer" means an approved developer under Part IVB of the Housing and Development Act (Cap. 129);

"Housing Authority" has the same meaning as in section 28;

"related person" , in relation to a member, means —

- (a) his spouse;
- (b) a child of the member, including an adopted child and a step-child;
- (c) a father or mother of the member;
- (d) a brother or sister of the member;
- (e) a grandchild of the member;
- (f) a grandparent of the member; or
- (g) any other person who in the opinion of the Board should be regarded as a related person for the purposes of this section.

[39/2000]

15A Restrictions on withdrawals to ensure repayment of approved loan

Restrictions on withdrawals to ensure repayment of approved loan

15A.

Notwithstanding anything in section 15, a member of the Fund shall not be entitled to withdraw from the Fund any sum standing to his credit under section 15 (2) (b), (c), (d), (e), (f) or (g) unless the Board is satisfied that all moneys lent to the member pursuant to any approved loan scheme within the meaning of section 14A and which have been paid into the Fund under section 14A (2) for the benefit of the member, together with any interest and other charges which the member is liable to pay to the Government under the terms and conditions of the loan, have been repaid to the Government.

[12/99]

15B Setting aside additional sum

Setting aside additional sum

15B.

— (1) A member who is entitled to withdraw the sum standing to his credit in the Fund under section 15 (2) (a), (3) or (4) may, in addition to the minimum

sum that the member is required to set aside under section 15, set aside in accordance with regulations made under this Act, the balance or any part of the balance of the sum which the member is entitled to withdraw under section 15 (2) (a), (3) or (4) (referred to in this section as the additional sum).

[39/2000]

(2) The additional sum set aside under subsection (1) may be deposited with an approved bank or used to purchase an approved annuity from an insurer.

[39/2000]

(3) Section 25 shall not apply to the additional sum set aside under subsection (1).

[39/2000]

16 Restrictions on withdrawal from medisave account

Restrictions on withdrawal from medisave account

16.

— (1) Notwithstanding anything in section 15, a member of the Fund, or a committee of his person or of his estate appointed under the Mental Disorders and Treatment Act (Cap. 178), shall not be entitled to withdraw any sum standing to the member's credit in the medisave account under section 15 (2) (a), (d), (e), (f) or (g), (3) or (4) if the amount in his medisave account does not exceed the prescribed amount.

[32/84]

(2) Where the amount in a member's medisave account exceeds the prescribed amount —

(a) if the member is required to top-up the minimum sum under section 15 (6) (a), the amount in excess of the prescribed amount (referred to in this subsection as the excess amount) shall be applied to meet any shortfall in the minimum sum, and any balance of the excess amount may be withdrawn under section 15 (3) or (4);

(b) if the member is required to set aside or top-up in his retirement account the amount referred to in section 15 (2A) (a), the excess amount shall be applied to meet any shortfall in that amount, and any balance of the excess amount may be withdrawn under section 15 (2) (d), (e) or (f);

(c) if the member is required to set aside or top-up in his retirement account the amount referred to in section 15 (7B) (a) or (8A) (a), the excess amount shall be applied to meet any shortfall in that amount, and any balance of the excess amount may be withdrawn under section 15 (2) (a), (3) or (4); or

(d) in any other case, the excess amount may be withdrawn under section 15 (2) (a) or (g), (3) or (4).

(3) In this section, “prescribed amount” means such amount as may be prescribed by the Minister from time to time by regulations made under section 77.

[32/84]

16A Withdrawal from medisave account of deceased member for payment of his medical expenses

Withdrawal from medisave account of deceased member for payment of his medical expenses

16A.

— (1) Notwithstanding section 24 (3A), on or after the death of a member of the Fund, the Board may, subject to such conditions as the Minister may from time to time impose, permit the withdrawal of the whole or any part of the sum standing to his credit in his medisave account, in accordance with any regulations made under section 77(1), for the payment of expenses for medical treatment received by him, if that withdrawal had been authorised —

(a) before his death, by him or, if he was unable to give the authorisation, by a prescribed person; or

(b) on or after his death, by a prescribed person.

(2) Where the Board has permitted the withdrawal of any money under subsection (1), section 24 (3A) shall not apply to that money.

(3) In subsection (1), “prescribed person” means such person or committee as may be prescribed by any regulations made under section 77 (1).

17 Withdrawal from special account for loan etc.

Withdrawal from special account for loan, etc.

17.

The Board may allow a member to withdraw the whole or part of the moneys standing to his credit in his special account for all or any of the following purposes:

(a) for the payment of any loan taken by him for the purchase of any immovable property by the member in accordance with any regulations made under section 77;

(b) for the payment of improvement contributions due to the Housing and Development Board in respect of upgrading works carried out under Part IVA of the Housing and Development Act (Cap. 129), or any improvement contribution due to a Town Council in respect of lift upgrading works carried out under Part IVA of the Town Councils Act (Cap. 329A), including the payment of such costs, fees or other incidental expenses arising from the upgrading works as are authorised by any regulations made under section 77.

[12/99]

18 Transfer or payment of moneys to parent' s grandparent' s spouse' s or sibling' s retirement account or to spouse' s or sibling' s special account and voluntary maintenance of sum in retirement account

Transfer or payment of moneys to parent' s, grandparent' s, spouse' s or sibling' s retirement account, or to spouse' s or sibling' s special account, and voluntary maintenance of sum in retirement account

18.

—(1) The Board may, for any of the purposes mentioned in section 15 (6C), and subject to any regulations made under section 77 (1) (o) and such terms and conditions as the Board may impose, permit —

(a) a member whose parent, grandparent, spouse or sibling has attained the age of 55 years to transfer such portion of the sum standing to his credit in the Fund as may be prescribed to the retirement account of the parent, grandparent, spouse or sibling, as the case may be;

(b) any person whose parent, grandparent, spouse or sibling has attained the age of 55 years to pay money into the retirement account of the parent, grandparent, spouse or sibling, as the case may be; or

(c) any person to voluntarily maintain, in a retirement account with the Board

(i) a minimum sum; or

(ii) any other sum that the Board may allow, being a sum not exceeding such sum as may for the time being be specified by the Minister by notification in the *Gazette* under section 18B (3) (b).

(1A) All moneys transferred to or paid into a retirement account under subsection (1) (a) or (b) shall be applied in accordance with any regulations made under section 77 (1) (o) and such terms and conditions as the Board may impose.

(2) The Board may, for any of the purposes mentioned in section 15 (2A) (a), (7B) (a) and (8A) (a) and subject to such terms and conditions as it may impose, permit —

(a) a member to transfer such portion of the sum standing to his credit in the Fund as the Board may determine to the retirement account of his parent, grandparent, spouse or sibling; or

(b) any person to pay money into the retirement account of his parent, grandparent, spouse or sibling.

(3) The Board may, subject to any regulations made under section 77 (1) (oa) and such terms and conditions as it may impose, permit —

(a) a member whose spouse or sibling has not attained the age of 55 years to transfer such portion of the sum standing to his credit in the Fund as may be prescribed to the special account of the spouse or sibling; or

(b) any person whose spouse or sibling has not attained the age of 55 years to pay money into the special account of the spouse or sibling.

(4) Subject to subsection (6) —

(a) any moneys transferred by a member to his spouse' s or sibling' s special account under subsection (3) (a); and

(b) any interest that would have accrued thereto,

shall be transferred by the Board to the spouse' s or sibling' s retirement account when the spouse or sibling attains the age of 55 years.

(5) Subject to subsection (6) and section 13B (4) and (5) —

(a) any moneys paid by any person into his spouse' s or sibling' s special account under subsection (3) (b); and

(b) any interest that would have accrued thereto,

shall be transferred by the Board to the spouse' s or sibling' s retirement account when the spouse or sibling attains the age of 55 years.

(6) The total amount to be transferred by the Board under subsections (4) and (5) shall not exceed the minimum sum applicable to the spouse or sibling.

(7) All moneys transferred to or paid into a special account under subsection (3) shall be applied in accordance with any regulations made under section 77 (1) (oa) and such terms and conditions as the Board may impose.

18A Transfer of member' s moneys in ordinary account or special account to retirement account

Transfer of member' s moneys in ordinary account or special account to retirement account

18A.

— (1) The Board may, subject to such terms and conditions as it may impose, permit a member who has less than the prescribed amount standing to his credit in his retirement account to transfer a sum standing to his credit in his ordinary account or special account, or in both accounts, to his retirement account, being a sum not exceeding the difference between —

(a) the prescribed amount; and

(b) the sum standing to his credit in his retirement account.

(2) In this section, “prescribed amount” means such sum as may for the time being be specified by the Minister by notification in the *Gazette* under section 18B (3) (b).

18B Transfer of member' s moneys in ordinary account

to special account

Transfer of member' s moneys in ordinary account to special account

18B.

— (1) Subject to subsection (2), a member who has less than the prescribed amount standing to his credit in his special account may apply to the Board to transfer to his special account a sum standing to his credit in his ordinary account, being a sum not exceeding the difference between —

(a) the prescribed amount; and

(b) the aggregate of —

(i) the amount standing to his credit in his special account; and

(ii) any amount withdrawn from his special account for the making of investments under any scheme in accordance with any regulations made under section 77 (1) (n).

(2) An application by a member to transfer the sum standing to his credit in his ordinary account to his special account under subsection (1) shall be irrevocable and the transfer shall be subject to such terms and conditions as the Board may determine.

[30/98]

(3) In this section, “prescribed amount” means —

(a) \$65,000, where no other sum is specified under paragraph (b); or

(b) where a sum is specified under this paragraph by the Minister for the purposes of this section by notification in the *Gazette*, such sum as may for the time being be so specified.

[30/98; 39/2000]

[See S 320/2002 wef 01/07/2002; S395/2004 wef 1st July 2004]

18C Transfer of member' s moneys in ordinary or special account to medisave account

Transfer of member' s moneys in ordinary or special account to medisave account

18C.

—(1) Subject to subsection (2), a member who has less than the requisite amount standing to his credit in his medisave account may apply to the Board to transfer any sum standing to his credit in his ordinary or special account, or in both accounts, to his medisave account.

(2) An application by a member to transfer any sum standing to his credit in his ordinary or special account, or in both accounts, under subsection (1) shall be irrevocable and any transfer shall be subject to such terms and conditions as the Board may determine.

(3) In this section, “requisite amount” means the amount as directed by the Minister under section 13 (6).

19 Provisions relating to moneys transferred or paid to parent’ s grandparent’ s spouse’ s or sibling’ s retirement account on death

Provisions relating to moneys transferred or paid to parent’ s, grandparent’ s, spouse’ s or sibling’ s retirement account on death

19.

—(1) Any moneys —

(a) transferred by a member to his parent’ s, grandparent’ s, spouse’ s or sibling’ s retirement account under section 18 (1) (a) or (2) (a); or

(b) paid by any person into his parent’ s, grandparent’ s, spouse’ s or sibling’ s retirement account under section 18 (1) (b) or (2) (b),

shall be deemed to be contributions for the purposes of this Act, and shall not form part of the moneys payable out of the Fund on the death of the parent, grandparent, spouse or sibling, as the case may be.

(2) Subject to subsections (3) and (4), on the death of the parent, grandparent, spouse or sibling, the moneys transferred or paid under section 18 (1) or (2), or the balance thereof, shall be credited to the account from which it was transferred or to the account of the person who made the payment,

as the case may be.

(3) Where any moneys transferred or paid by a member to the retirement account of his parent, grandparent, spouse or sibling under section 18 (1) or (2) are transferred or paid to any person under section 27B —

(a) subsection (2) shall not apply to those moneys; and

(b) the person to whom those moneys have been transferred or paid under section 27B shall be entitled to retain those moneys on the death of the parent, grandparent, spouse or sibling, as the case may be.

(4) Where the Board has received notice, in accordance with any regulations made under section 77 (1), that any moneys transferred or paid by a member to the retirement account of his parent, grandparent, spouse or sibling under section 18 (1) or (2) are to be transferred or paid to any person under section 27B, and the Board has not, at the time of receipt of the notice, credited those moneys to the account of the member under subsection (2) —

(a) subsection (2) shall not apply to those moneys; and

(b) the person to whom those moneys are to be transferred or paid under section 27B shall be entitled to those moneys.

19A Provisions relating to moneys transferred or paid to spouse' s or sibling' s special account on death

Provisions relating to moneys transferred or paid to spouse' s or sibling' s special account on death

19A.

— (1) Any moneys —

(a) transferred by a member to his spouse' s or sibling' s special account under section 18 (3) (a); or

(b) paid by any person into his spouse' s or sibling' s special account under section 18 (3) (b),

shall be deemed to be contributions for the purposes of this Act, and shall not form part of the moneys payable out of the Fund on the death of the spouse or sibling, as the case may be.

(2) Subject to subsections (3) and (4), on the death of the spouse or sibling, the moneys transferred or paid under section 18 (3), or the balance thereof, shall be credited to the account from which it was transferred or to the account of the person who made the payment, as the case may be.

(3) Where any moneys transferred or paid by a member to the special account of his spouse or sibling under section 18 (3) are transferred or paid to any person under section 27B —

(a) subsection (2) shall not apply to those moneys; and

(b) the person to whom those moneys have been transferred or paid under section 27B shall be entitled to retain those moneys on the death of the spouse or sibling, as the case may be.

(4) Where the Board has received notice, in accordance with any regulations made under section 77 (1), that any moneys transferred or paid by a member to the special account of his spouse or sibling under section 18 (3) are to be transferred or paid to any person under section 27B, and the Board has not, at the time of receipt of the notice, credited those moneys to the account of the member under subsection (2) —

(a) subsection (2) shall not apply to those moneys; and

(b) the person to whom those moneys are to be transferred or paid under section 27B shall be entitled to those moneys.

20 Withdrawals

Withdrawals

20.

—(1) Upon an application for the withdrawal of the sum of money standing to the credit of a member of the Fund by a person entitled thereto under section 15, the Board may authorise the payment to the applicant of such sum as the member is entitled to withdraw from the Fund and any interest calculated in accordance with section 6 (4) and (4B) up to the date of the authorisation or,

if the applicant is a nominee appointed in accordance with section 25 (1), such portion of the sum as he is nominated to receive.

(2) When any contributions are due to be paid for a member of the Fund in respect of any period ending not later than the last day of the month next following the date on which the withdrawal of the sum of money standing to his credit in the Fund is authorised and the contributions are not paid to the Fund until after the date of authorisation, those contributions may in the discretion of the Board be treated as if they had been included in the amount standing to the credit of the member at the date of authorisation of withdrawal and paid to the applicant accordingly.

[5/87]

(3) All applications for withdrawal shall be supported by such evidence as may be prescribed and by such further evidence as the Board may reasonably require.

21 Charge on immovable property to secure repayment of withdrawals from Fund

Charge on immovable property to secure repayment of withdrawals from Fund

21.

— (1) Where in accordance with any regulations made under section 77, a member of the Fund has on or after 1st June 1981 withdrawn any money standing to his credit in the Fund for all or any of the following purposes:

(a) to make payment, either full or partial, towards the purchase or acquisition of an immovable property;

(b) to repay or to make periodic payments towards the repayment of any loan taken by the member to finance or re-finance the purchase or acquisition of an immovable property;

(c) to repay any loan or to reimburse any cost, fee or other expense pursuant to regulations made under section 77 (1) (i);

(ca) to pay any improvement contribution due —

(i) to the Housing and Development Board constituted under the Housing and Development Act (Cap. 129) in respect of upgrading works carried out under Part IVA of that Act; or

(ii) to a Town Council constituted under the Town Councils Act (Cap. 329A) in respect of upgrading works carried out under Part IVA of that Act,

including costs, fees or other incidental expenses arising from such works;

(d) to pay any costs, fees or other expenses incurred —

(i) for the purchase or acquisition of an immovable property;

(ii) for obtaining a loan to finance or re-finance such purchase or acquisition; and

(iii) in connection with withdrawals of any money from the Fund,

there shall be a charge on the member's estate or interest in the immovable property to secure the repayment of the money withdrawn from the Fund including the whole or such part, as the Board may determine, of the interest that would have been payable thereon if the withdrawal had not been made and to secure the payment of the minimum sum into the member's retirement account.

(1A) Where the immovable property is purchased, acquired or owned by the member as a co-purchaser, joint-tenant or tenant-in-common, as the case may be, with one or more persons, the charge shall, with the prior written consent of all the co-purchasers or co-owners, extend to all their respective estates or interests in the immovable property.

[19/83; 16/86; 5/87; 29/93]

(2) A charge under subsection (1) shall extend to all the rights, benefits and interests of the member or the co-purchasers or co-owners, as the case may be, under his or their agreement for sale and purchase of the immovable property.

[19/83; 16/86]

(3) Any charge created over any immovable property under subsection (1) from 1st June 1981 to 31st December 1986 (both dates inclusive) shall unless the Board otherwise decides be deemed to have secured the payment of the minimum sum into a member's retirement account.

[5/87]

(4) Upon lodgment by the Board with the Registrar of an instrument (which shall be in such form as the Registrar may require) for the purpose of registering or notifying any charge under subsection (1) and the acceptance of the instrument by the Registrar, the Board shall have —

(a) the power of sale and all other powers relating or incidental thereto as if the Board is a registered mortgagee; and

(b) the power to sell, assign and dispose of all rights, benefits and interests under the agreement for the sale and purchase of the immovable property.

[19/83; 16/86]

(5) The Registrar shall not be concerned to enquire into the regularity or validity of a charge under subsection (1), and shall, on acceptance of the instrument to register or notify the charge, register or notify the charge in the appropriate register maintained by the Registrar under the Land Titles Act (Cap. 157), the Land Titles (Strata) Act (Cap. 158) or the Registration of Deeds Act (Cap. 269), as the case may be.

[19/83]

(6) Any charge under subsection (1) shall be subject to all statutory rights and charges of any public authority over the immovable property and, in the absence of any agreement giving priority to the Board, to all encumbrances registered or notified prior to the date of acceptance by the Registrar of the instrument to register or notify the charge.

[19/83; 16/86]

(7) The repayment of the minimum sum to the Board, if it is secured by a charge on the member's estate or interest on the immovable property under subsection (1), shall rank after the claims of a mortgagee or chargee other than the Board prior to the date when the member is required to deposit a prescribed sum in accordance with section 15 (6).

[5/87]

(8) Notwithstanding section 80 of the Land Titles Act (Cap. 157) and section 15 of the Registration of Deeds Act (Cap. 269) —

(a) where further withdrawals from the Fund are authorised by the Board after the registration or notification of any mortgage or charge created in favour of the Board at any time after the acceptance by the Registrar of the instrument lodged under subsection (4) for the purpose of registering or notifying a charge under subsection (1), all such withdrawals shall rank in priority to any other claims as if the withdrawals were made at the date of the creation of the mortgage or charge in favour of the Board; and

(b) where any further advances have been made by a prior mortgagee or chargee after the Board has given notice in writing of the charge under subsection (1) to the prior mortgagee or chargee or after the acceptance by the Registrar of the instrument to register or notify the charge under subsection (4), such further advances shall not rank in priority to the Board's charge under subsection (1).

[19/83; S227/95]

(9) Notwithstanding subsections (1) and (8), advances, interest and other moneys secured by a mortgage or charge on an immovable property may, with the agreement of the Board and subject to such conditions as the Board may impose,

rank in priority or in pari passu to the Board' s charge under subsection (1) or any mortgage or charge created in favour of the Board.

[19/83; 16/86]

(10) A charge under subsection (1) shall continue in force until —

(a) all moneys secured by the charge —

(i) have been repaid to the Fund; or

(ii) are no longer required by any regulations made under section 77 (1) to be repaid to the Fund; or

(b) the Board is satisfied of the occurrence of any of the events mentioned in section 15 (15) (e),

in which event the member or any other person having an interest in the immovable property shall be entitled to have the charge cancelled.

(11) Subsections (4), (9) and (10) shall apply to all charges under subsection (1) securing the repayment of moneys withdrawn from the Fund pursuant to any regulations made under section 77.

[19/83]

(12) In this section and sections 15, 21A and 21B —

"public authority" means the Government, the Collector of Land Revenue, the Comptroller of Property Tax, and any other person, corporation or body, authorised or empowered by any written law to attach, sell or acquire land compulsorily;

"Registrar" means —

(a) the Registrar of Titles, a Deputy Registrar of Titles or an Assistant Registrar of Titles appointed under the Land Titles Act (Cap. 157); and

(b) where the occasion requires, the Registrar of Deeds or a Deputy Registrar of Deeds appointed under the Registration of Deeds Act (Cap. 269).

[19/83; 5/87; 27/95]

(13) This section shall not apply to any immovable property or class of immovable properties which the Minister may, by notification in the *Gazette*, specify.

[19/83; 16/86]

21A Registration of charge on immovable property to secure repayment of withdrawals from Fund before 1st

June 1981

Registration of charge on immovable property to secure repayment of withdrawals from Fund before 1st June 1981

21A.

— (1) Where in accordance with any regulations made under section 77 a member of the Fund has before 1st June 1981 withdrawn any money standing to his credit in the Fund —

(a) to make payment, either full or partial, towards the purchase or acquisition of an immovable property;

(b) to repay or to make periodic payments towards the repayment of any loan taken by the member to finance or re-finance the purchase or acquisition of an immovable property; or

(c) to pay any costs, fees or other expenses incurred —

(i) for the purchase or acquisition of an immovable property;

(ii) for obtaining a loan to finance or re-finance such purchase or acquisition; and

(iii) in connection with withdrawals of any money from the Fund,

the Board may register or notify, in the appropriate register maintained by the Registrar under the Land Titles Act, the Land Titles (Strata) Act (Cap. 158) or the Registration of Deeds Act, a charge on the member's estate or interest in the immovable property to secure the repayment of the money withdrawn from the Fund including the whole or such part, as the Board may determine, of the interest that would have been payable thereon if the withdrawal had not been made and to secure the payment of the minimum sum into the member's retirement account.

(1A) Where the immovable property is purchased, acquired or owned by the member as a co-purchaser, joint-tenant or tenant-in-common, as the case may be, with one or more persons, the charge shall, with the prior written consent of all the co-purchasers or co-owners, extend to all their respective estates or interests in the immovable property.

[27/95]

(2) A charge under subsection (1) shall extend to all the rights, benefits and interests of the member or the co-purchasers or co-owners, as the case may be, under his or their agreement for sale and purchase of the immovable property.

[27/95]

(3) Upon lodgment by the Board with the Registrar of an instrument (which shall be in such form as the Registrar may require) for the purpose of registering or notifying any charge under subsection (1) and the acceptance of the instrument by the Registrar, the Board shall have —

(a) the power of sale and all other powers relating or incidental thereto as if the Board is a registered mortgagee; and

(b) the power to sell, assign and dispose of all rights, benefits and interests under the agreement for the sale and purchase of the immovable property.

[27/95]

(4) The Registrar shall not be concerned to enquire into the regularity or validity of a charge under subsection (1) and shall, on acceptance of the instrument to register or notify the charge, register or notify the charge in the appropriate register maintained by the Registrar under the Land Titles Act (Cap. 157), the Land Titles (Strata) Act (Cap. 158) or the Registration of Deeds Act (Cap. 269), as the case may be.

[27/95]

(5) Any charge under subsection (1) shall be subject to all statutory rights and charges of any public authority over the immovable property and, in the absence of any agreement giving priority to the Board, to all encumbrances registered or notified prior to the date of acceptance by the Registrar of the instrument to register or notify the charge.

[27/95]

(6) The repayment of the minimum sum to the Board, if it is secured by a charge on the member's estate or interest on the immovable property under subsection (1), shall rank after the claims of a mortgagee or chargee other than the Board prior to the date when the member is required to deposit a prescribed sum in accordance with section 15 (6).

[27/95]

(7) Notwithstanding section 80 of the Land Titles Act (Cap. 157) and section 15 of the Registration of Deeds Act (Cap. 269) —

(a) where further withdrawals from the Fund are authorised by the Board after the registration or notification of any mortgage or charge created in favour of the Board at any time after the acceptance by the Registrar of the instrument lodged under subsection (3) for the purpose of registering or notifying a charge under subsection (1), all such withdrawals shall rank in priority to any other claims as if the withdrawals were made at the date of the creation of the mortgage or charge in favour of the Board; and

(b) where any further advances have been made by a prior mortgagee or chargee after the Board has given notice in writing of the charge under subsection (1) to the prior mortgagee or chargee or after the acceptance by the Registrar of the instrument to register or notify the charge under subsection (3), such further advances shall not rank in priority to the Board' s charge under subsection (1).

[27/95]

(8) Notwithstanding subsections (1) and (7), advances, interest and other moneys secured by a mortgage or charge on an immovable property may, with the agreement of the Board and subject to such conditions as the Board may impose, rank in priority or in pari passu to the Board' s charge under subsection (1) or any mortgage or charge created in favour of the Board.

[27/95]

(9) A charge under subsection (1) shall continue in force until —

(a) all moneys secured by the charge —

(i) have been repaid to the Fund; or

(ii) are no longer required by any regulations made under section 77 (1) to be repaid to the Fund; or

(b) the Board is satisfied of the occurrence of any of the events mentioned in section 15 (15) (e),

in which event the member or any other person having an interest in the immovable property shall be entitled to have the charge cancelled.

(10) Where costs, fees or other incidental expenses are incurred for the registration or notification of a charge under subsection (1) or section 21 (4) or the discharge thereof, the Board may, subject to such terms and conditions as it may impose, authorise the whole or part of the amount standing to the member' s credit in the Fund to be withdrawn and used to pay such costs, fees and other incidental expenses.

[27/95]

(11) This section shall not apply to any immovable property or class of immovable properties which the Minister may, by notification in the *Gazette*, specify.

[27/95]

21B Charge on HDB flats to secure repayment of withdrawals from Fund

Charge on HDB flats to secure repayment of withdrawals from Fund

21B.

— (1) Where in accordance with any regulations made under section 77, a member of the Fund had or has before, on or after 1st January 2003 withdrawn any money standing to his credit in the Fund —

(a) to make full or partial payment towards the purchase or acquisition of an HDB flat;

(b) to repay or to make periodic payments towards the repayment of any loan taken by the member to finance or re-finance the purchase or acquisition of an HDB flat;

(c) to pay any improvement contribution due to the Housing and Development Board in respect of upgrading works carried out on an HDB flat under Part IVA of the Housing and Development Act (Cap. 129), or any improvement contribution due to a Town Council in respect of lift upgrading works carried out in relation to an HDB flat under Part IVA of the Town Councils Act (Cap. 329A), including the payment of costs, fees or other incidental expenses arising from such works; or

(d) to pay any costs, fees or other expenses incurred —

(i) for the purchase or acquisition of an HDB flat;

(ii) for obtaining a loan to finance or re-finance such purchase or acquisition; and

(iii) in connection with withdrawals of any money from the Fund,

there shall, immediately upon any such withdrawal, be a charge constituted on that HDB flat to secure the repayment of the money withdrawn from the Fund including the whole or such part, as the Board may determine, of the interest that would have been payable thereon if the withdrawal had not been made and to secure the payment of the minimum sum into the member's retirement account.

(2) Upon the constitution of the charge on an HDB flat under subsection (1), the Board shall have the power of sale and all other powers relating or incidental thereto to sell and effectually transfer the title to the HDB flat to any purchaser as if the Board were a registered mortgagee notwithstanding

that the charge is not registered under the Land Titles Act (Cap. 157).

(3) Any charge constituted on an HDB flat under subsection (1) shall be —

(a) subject to all statutory rights and charges of any public authority over the HDB flat;

(b) subject to any resale levy imposed by the Housing and Development Board in respect of the HDB flat except where the person on whom the resale levy is imposed has obtained a loan, whether redeemed or not, from any person other than the Housing and Development Board to finance the purchase or acquisition of the HDB flat;

(c) subject to, in the absence of any agreement giving priority to the Board, all encumbrances registered or notified prior to the date of the constitution of the charge; and

(d) subject to, rank in priority to, or rank equally without preference with, such other encumbrances as may be specified in regulations made under section 77.

(4) The repayment of the minimum sum to the Board, if it is secured by a charge on the HDB flat under subsection (1), shall rank after the claims of a mortgagee or chargee other than the Board before the date the member is required to deposit a prescribed sum under section 15 (6).

(5) If —

(a) moneys secured by any charge constituted on an HDB flat under subsection (1) become due and payable to the Board under any regulations made under section 77; and

(b) such moneys or any part thereof is not paid on the expiry of the period of 60 days from the date they become due and payable,

the Board may, with the prior written approval of the Housing and Development Board, by notice of sale (to be served or published in the manner to be specified in regulations made under section 77) declare its intention of selling the HDB flat.

(6) If, on the expiry of the period of 90 days from the date of the notice of sale, the moneys secured by the charge or any part thereof has not been paid to the Board, the Board may sell the HDB flat.

(7) Where the Board has sold any HDB flat under subsection (6), neither the purchaser of the HDB flat nor the Registrar shall be concerned to inquire into the regularity or validity of the sale or transfer.

(8) For the purpose of registration of a transfer of any HDB flat sold under subsection (6), the Registrar may dispense with the production of the duplicate lease of the HDB flat or the duplicate subsidiary certificate of title in respect of the HDB flat, as the case may be.

(9) The moneys received by the Board in exercise of its power of sale under subsection (6) shall be held by the Board in trust to be applied —

(a) firstly, to discharge any right or charge specified in subsection (3) (a);

(b) secondly, to pay any resale levy specified in subsection (3) (b);

(c) thirdly, to discharge any encumbrance specified in subsection (3) (c);

(d) fourthly, in payment of all costs and expenses properly incurred by the Board as incident to the sale or attempted sale, or otherwise;

(e) fifthly, in payment to the Board of all moneys secured by the charge and in payment to any other party of all moneys to discharge any encumbrance specified in regulations made under section 77 for the purpose of subsection (3) (d), in the order of priority specified in the regulations; and

(f) finally, in payment of moneys in the order of priority specified in regulations made under section 77.

(10) Notwithstanding section 80 of the Land Titles Act (Cap. 157), where further withdrawals from the Fund are authorised by the Board when a charge constituted on an HDB flat under subsection (1) is subsisting, all such withdrawals shall rank in priority to any other claims over the HDB flat as if the withdrawals were made at the date of the constitution of that charge.

(11) Any charge constituted under subsection (1) shall continue in force until —

(a) all moneys secured by the charge —

(i) have been repaid to the Fund; or

(ii) are no longer required by any regulations made under section 77 (1) to be repaid to the Fund; or

(b) the Board is satisfied of the occurrence of any of the events mentioned in section 15 (15) (e).

(12) This section shall not apply to —

(a) any HDB flat in respect of which a charge in favour of the Board has been registered or notified in the appropriate register maintained by the Registrar under the Land Titles Act (Cap. 157);

(b) any HDB flat designated by the Housing and Development Board as an HUDC Phase III or IV flat; or

(c) any HDB flat or class of HDB flats which the Minister may, by notification in the *Gazette*, specify.

(13) Sections 21 and 21A shall not apply to any HDB flat to which this section applies.

(14) In this section —

"HDB flat" means any flat, house or other building sold under Part IV or IVB of the Housing and Development Act (Cap. 129) which has been acquired by the present owner thereof whether directly from the Housing and Development Board or otherwise;

"Housing and Development Board" means the Housing and Development Board constituted under the Housing and Development Act.

22 Withdrawals for payment of tuition fees at approved tertiary institution

Withdrawals for payment of tuition fees at approved tertiary institution

22.

— (1) The Board may, subject to such terms and conditions as it may impose, permit a member of the Fund to withdraw such portion of the sum standing to his credit in the Fund as may be prescribed for the payment of tuition fees payable by that member, his child or such other relative as may be approved by the Board, for a course of study at an approved tertiary institution.

[30/89]

(2) Every application for withdrawal under subsection (1) shall be made to the

Board in such form as may be approved by the Board.

[30/89]

(3) Where a member wishes to make any withdrawals for himself, his child or relative for the purpose of subsection (1), that member, child or relative shall —

(a) give an undertaking to the Board; and

(b) if required by the Board, furnish a guarantee by any person acceptable to the Board,

for the repayment to the Board to the account of that member in the Fund from whose account such withdrawals were made, all sums withdrawn, together with the whole or such part, as the Board may determine, of the interest that would have been payable thereon, in such manner and within such time as may be prescribed.

[30/89]

(4) An undertaking given to the Board by any person under subsection (3) shall be enforceable notwithstanding that the person was a minor at the time the undertaking was given.

[30/89]

(5) Notwithstanding anything in this Act, any sum not returned to the Board to the account of the member in the Fund under subsection (3) shall be deemed to be a debt due to the Board and may be sued for by the Board in any court.

[30/89]

(6) In this section —

"approved tertiary institution" means any tertiary institution in Singapore approved by the Minister;

"relative" means a person who is related to a member and who is dependent on that member for his care and maintenance;

"tuition fees" includes any administrative fees imposed by the Board in respect of any withdrawals made by a member under this section.

[30/89]

23 Regulations for purposes of section 22

Regulations for purposes of section 22

23.

The Minister may make such regulations as are necessary or expedient for the purpose of carrying out the provisions of section 22 and, in particular, such regulations may —

- (a) prescribe the amount and the manner in which withdrawals may be made by members;
- (b) provide for the manner and time for the repayment of such withdrawals by members and other persons who have utilised the withdrawals;
- (c) provide for such information, evidence and documents that the Board may require from members of the Fund and other persons who have utilised such withdrawals; and
- (d) prescribe anything which may be prescribed by the Minister under section 22.

[30/89]

24 Protection of benefits

Protection of benefits

24.

— (1) Notwithstanding any written or other law but subject to sections 27B, 27C, 27D, 27E, 27F, 27G, 27H and 57C and any regulations made under section 57F or 77 (1) —

(a) no withdrawals made from the Fund under this Act and no rights of any member of the Fund acquired thereunder; and

(b) no moneys repayable to the Fund by any member of the Fund which are secured by —

(i) a charge on his estate or interest in an immovable property under section 21 (1) or 21A (1); or

(ii) a charge constituted on an HDB flat under section 21B (1),

shall be assignable, transferable, attached, sequestered or levied upon for or in respect of any debt or claim, or be subject to any set-off of any nature for any debt owing by the member.

(2) Notwithstanding any written or other law but subject to sections 27G and 27H and any regulations made under section 77 (1), every investment made by a member of the Fund under any scheme in accordance with any regulations made under section 77 (1) (n), and the proceeds and benefits of the investment, shall not be assignable, transferable, attached, sequestered or levied upon for or in respect of any debt or claim, or be subject to any set-off of any nature for any debt owing by the member.

(3) Notwithstanding anything in the Bankruptcy Act (Cap.20), if a member of the Fund is adjudicated a bankrupt by a court, every investment made by the member under any scheme in accordance with any regulations made under section 77 (1) (n) and the proceeds and benefits of the investment —

(a) shall not pass to the Official Assignee on the bankruptcy of the member; and

(b) shall be deemed not to form part of the property of the member.

(3A) Subject to subsection (3B), sections 16A and 57C and any regulations made under section 57F, all moneys paid out of the Fund on the death of any member of the Fund shall be deemed to be impressed with a trust in favour of —

(a) the person or persons nominated under section 25 (1) by the deceased member, if any; or

(b) the person or persons determined by the Public Trustee in accordance with section 25 (2) to be entitled thereto,

but shall, without prejudice to the operation of the Estate Duty Act (Cap. 96), be deemed not to form part of the deceased member' s estate or to be subject to his debts.

(3B) Where any money is payable to the spouse or former spouse of a member of the Fund under section 27B (1), (2) or (3) on the death of the member, subsection (3A) shall not apply to that money.

(4) Subject to section 57C and any regulations made under section 57F, no contribution to the Fund or interest thereon shall be subject to the debts of the member of the Fund, nor shall the contribution or interest pass to the Official Assignee on the bankruptcy of the member.

(5) If the member is adjudicated a bankrupt or is declared insolvent by judgment of the court, the contribution and interest shall be deemed not to form part of the property of the member.

(6) The bankruptcy of an employee shall not affect the payment of contributions from the wages of the employee in accordance with the provisions of this Act, but that payment shall continue to be made notwithstanding the provisions of any written law and the portion of wages so paid shall be deemed not to form part of his after-acquired property.

(7) In this section, "HDB flat" has the same meaning as in section 21B (14).

25 Moneys payable on death of member

Moneys payable on death of member

25.

— (1) Any member of the Fund may by a memorandum executed in the manner prescribed by the Board nominate a person or persons to receive in his or their own right such portions of the amount payable on his death out of the Fund under section 20 (1) or of any shares designated under section 26 (1) as the memorandum shall indicate.

[31/95]

(2) Where, at the time of the death of a member of the Fund, no person has been nominated by him under subsection (1), the total amount payable on his death out of the Fund shall be paid to the Public Trustee for disposal in accordance with —

(a) the Intestate Succession Act (Cap. 146), if the member is not a Muslim at the time of his death; or

(b) section 112 of the Administration of Muslim Law Act (Cap. 3), if the member is a Muslim at the time of his death.

(3) If any person nominated (other than a widow) is below the age of 18 years at the time of payment of the amount payable out of the Fund, his portion of the amount payable shall similarly be paid to the Public Trustee for the benefit of the nominated person.

(4) The receipt of a person or persons nominated under subsection (1) or of the Public Trustee shall be a discharge to the Board for such portions of the moneys payable out of the Fund on the death of a member as are payable to the person or persons or the Public Trustee under subsection (2) or (3).

(5) Any nomination made by a member of the Fund under subsection (1) shall be

revoked —

(a) by his marriage, whether the marriage was contracted before, on or after 15th May 1980; or

(b) in such other circumstances, and in such manner, as the Board may prescribe.

26 Power of Board to distribute and dispose of certain shares on death of member

Power of Board to distribute and dispose of certain shares on death of member

26.

— (1) Upon the death of a member of the Fund who has executed a memorandum under section 25 (1), such shares or class of shares in any approved corporation as the Minister may designate belonging to the member at the time of his death which were purchased from moneys withdrawn under this Act shall, notwithstanding any written or other law, vest in the Board and shall not form part of the estate of the deceased member.

[31/95]

(2) The Board shall, as soon as practicable and subject to such terms and conditions as the Board may impose, transfer the shares vested in the Board under subsection (1) to the person or persons nominated by the deceased member to receive in his or their own right such portions of the shares as indicated in the memorandum executed under section 25 (1) and the receipt of such person or persons shall be a discharge to the Board in respect of the shares.

[31/95]

(3) Where the Board is for any reason not able to transfer any shares to a person who is entitled to receive them under subsection (2), the Board shall sell those shares in such manner and at such time as may be prescribed.

[31/95]

(4) Where the Board has sold any shares under subsection (3), the Board shall as soon as practicable pay the proceeds of sale of the shares to the person referred to in that subsection, and the receipt by such person of those proceeds shall be a discharge to the Board in respect of the shares.

[31/95]

(5) In this section —

"approved corporation" means any corporation approved by the Minister;

"corporation" means —

(a) any company which is incorporated in Singapore and wholly or partly owned by the Government and includes any subsidiary of such a company which is incorporated in Singapore; and

(b) any subsidiary of a statutory board which is incorporated in Singapore;

"shares" includes warrants, transferable subscription rights, options to subscribe for shares, convertibles and other security interests arising from or accruing or attaching to the shares.

(6) A memorandum executed under section 25 (1) by any member of the Fund shall, if valid immediately before 1st January 1996, be deemed to apply to any shares designated under subsection (1).

(7) This section shall not apply to any member of the Fund who died before 1st January 1996.

27 Withdrawals by undischarged bankrupts

Withdrawals by undischarged bankrupts

27.

— (1) Subject to this section or any regulations made under this Act, a member who is an undischarged bankrupt shall not be entitled to make withdrawals from the amount standing to his credit in the Fund.

(2) The Board may, in its discretion but only after the Board is satisfied that all repayments of any loan given to the member by the Government under an approved loan scheme within the meaning of section 14A, together with all interest and other charges which the member is liable to pay to the Government under the terms and conditions of that loan, have been paid, allow a member who is an undischarged bankrupt to withdraw from the amount standing to his credit in the Fund if —

(a) he satisfies any of the grounds for withdrawals specified in section 15

(2) (a), (d), (e), (f) or (g); and

(b) he satisfies such conditions as may be specified by the Minister from time

to time.

(2A) Any moneys paid out of the Fund to that member shall be deemed not to form part of his after-acquired property and shall not be liable to be attached, sequestered or levied upon for or in respect of any debt or claim.

(3) Where withdrawals are made by a member who is an undischarged bankrupt under subsection (2), the Board may impose such condition (including condition as to the amounts that may be withdrawn by the undischarged bankrupt) as it may think fit.

(4) Deleted by Act 31/2003, wef 01/01/2004.

(5) All applications for withdrawals under this section shall be in such form and shall be supported by such evidence as the Board may reasonably require.

PART IIIA DIVISION OF FUND-RELATED ASSETS IN MATRIMONIAL PROCEEDINGS

PART IIIA

DIVISION OF FUND-RELATED ASSETS IN MATRIMONIAL PROCEEDINGS

27A Interpretation of this Part

Interpretation of this Part

27A.

In this Part and section 77 (1) (ra) —

"approved annuity" means an annuity approved by the Board for the purposes of section 15;

"approved bank" means a bank approved by the Board for the purposes of section 15;

"designated account" means such account maintained, or to be maintained, by the Board as may be prescribed by any regulations made under section 77 (1);

"HDB flat" has the same meaning as in section 21B (14);

"order of court" means —

(a) an order made under section 112 of the Women' s Charter (Cap. 353) in proceedings for divorce, judicial separation or nullity of marriage under Part X of the Women' s Charter; or

(b) an order made under section 52 (3) (d), (7) or (9) of the Administration of Muslim Law Act (Cap. 3) in proceedings for divorce or nullity of marriage under Part III of that Act;

"public authority" has the same meaning as in section 21 (12);

"spouse" includes a former spouse.

27B Order of court for transfer or payment of money standing to credit of member

Order of court for transfer or payment of money standing to credit of member

27B.

— (1) Subject to subsections (2), (3) and (5), where, under an order of court, the spouse of a member of the Fund has been awarded any amount to be paid out from the money standing to the credit of the member in the Fund, including any money which is payable or repayable to the Fund to the credit of the member —

(a) if the spouse is a citizen or permanent resident of Singapore, the Board shall, as directed by the order of court —

(i) transfer the amount to one or more designated accounts maintained, or to be maintained, for the spouse in respect of the money standing to the credit of the spouse in the Fund, such transfer —

(A) to take place as soon as practicable after the Board has received a copy of the order of court; and

(B) to be in accordance with any regulations made under section 77 (1) and subject to such terms and conditions as the Board may determine; or

(ii) pay the amount to the spouse, such payment to take place —

(A) after the member has died or become entitled to withdraw the sum standing

to the credit of the member under section 15 (2) or 27, whichever is the earliest in time; and

(B) upon an application by the spouse for the withdrawal of the amount; or

(b) if the spouse is not a citizen or permanent resident of Singapore, the Board shall pay the amount to the spouse, such payment to take place —

(i) after the member has died or become entitled to withdraw the sum standing to the credit of the member under section 15 (2) or 27, whichever is the earliest in time; and

(ii) upon an application by the spouse for the withdrawal of the amount.

(2) Subject to subsection (5), where the amount standing to the credit of a member in the Fund at the time of the transfer under subsection (1) (a) (i) or payment under subsection (1) (b), after deducting —

(a) any amount which the Board is entitled to recover on behalf of the Government under section 14 (3); and

(b) any amount which the Board is entitled to receive or recover on behalf of the Government under section 14A (5) or (6),

is less than the amount awarded under the order of court, the Board shall transfer or pay, as the case may be, the first-mentioned amount instead of the amount awarded under the order of court.

(3) Subject to subsection (5), where the amount standing to the credit of a member in the Fund at the time of the payment under subsection (1) (a) (ii), after deducting —

(a) any amount which the Board is entitled to recover on behalf of the Government under section 14 (3);

(b) any amount which the Board is entitled to receive or recover on behalf of the Government under section 14A (5) or (6);

(c) the amounts which the member is required to set aside under sections 15 and 16; and

(d) any amount which the member may be required to set aside under any condition referred to in section 27 (2) (b) or (3),

is less than the amount awarded under the order of court, the Board shall pay

the first-mentioned amount instead of the amount awarded under the order of court.

(4) A transfer or payment of money by the Board under subsection (2) or (3) —

(a) shall be a good and valid discharge of the Board's obligations under the order of court; but

(b) shall not affect any recourse which the spouse may have against the member for the balance of the amount awarded under the order of court.

(5) Where the order of court requires any amount to be paid or repaid to the Fund to the credit of the member before the Board makes any transfer or payment of money under subsection (1), (2) or (3), the Board shall not make the transfer or payment unless —

(a) that amount has been paid or repaid to the Fund; and

(b) the Board has been notified, in such manner as may be prescribed by any regulations made under section 77 (1), of the payment or repayment of that amount.

(6) The Board shall make a transfer or payment of money standing to the credit of a member of the Fund under subsection (1) (a) (i) or (b) or (2) —

(a) notwithstanding sections 24, 25 and 26 and every restriction on withdrawal from the Fund under section 15, 16 or 27 or any regulations made under section 77(1); and

(b) in priority to —

(i) every withdrawal or transfer of money standing to the credit of the member referred to in section 13 (7), 15B, 16A, 17, 18, 18A, 18B, 18C, 20, 21, 21A, 21B or 22 or any regulations made under section 23 or 77 (1); and

(ii) every deduction which the Board is entitled to make under section 32, 45 or 54 or any regulations made under section 77 (1).

(7) The Board shall make a payment of money standing to the credit of a member of the Fund under subsection (1) (a) (ii) or (3) —

(a) notwithstanding sections 24, 25 and 26 and every restriction on withdrawal from the Fund under any regulations made under section 77 (1); and

(b) in priority to —

(i) every withdrawal or transfer of money standing to the credit of the member referred to in section 13 (7), 15B, 16A, 17, 18, 18A, 18B, 18C, 20, 21, 21A, 21B or 22 or any regulations made under section 23 or 77 (1); and

(ii) every deduction which the Board is entitled to make under section 32, 45 or 54 or any regulations made under section 77 (1).

(8) The money transferred under subsection (1) (a) (i) or (2) and any interest thereon may be withdrawn in accordance with this Act for such purposes and in such manner as may be prescribed by any regulations made under section 77 (1).

27C Order of court for transfer or sale of immovable property in relation to which charge has been created under section 15 (9) or (9A)

Order of court for transfer or sale of immovable property in relation to which charge has been created under section 15 (9) or (9A)

27C.

— (1) Where —

(a) a member of the Fund has withdrawn the minimum sum or part thereof from his account with an approved bank or his retirement account, or has surrendered his approved annuity, under section 15 (9) or (9A);

(b) a charge has been created under section 15 (9) or (9A) on an immovable property wholly owned by the member or jointly owned by the member and one or more other persons, as the case may be, to secure the payment to the Board of the minimum sum which the member is required to set aside;

(c) an order of court is made requiring the transfer (other than by way of sale) of the member's estate or interest in the immovable property to his spouse; and

(d) the spouse is a citizen or permanent resident of Singapore,

then, subject to any regulations made under section 77 (1), the following provisions shall apply:

(i) if the order of court requires any person to pay to the Board any amount towards covering the deficiency in the minimum sum which the member is required to set aside, that person shall pay to the Board that amount;

(ii) the member shall pay to the Board a further amount sufficient to cover the deficiency in the minimum sum which the member is required to set aside;

(iii) if —

(A) the immovable property is subsequently sold or otherwise disposed of; and

(B) at the time of the sale or disposal —

(BA) the spouse has not attained the age of 55 years; or

(BB) where the spouse has attained that age, there is a deficiency in the minimum sum which the spouse is required to set aside,

the spouse shall pay to the Fund such amount as may be determined by the Board in accordance with any regulations made under section 77 (1), and the Board shall credit that amount to one or more designated accounts maintained, or to be maintained, for the spouse;

(iv) notwithstanding section 15 (15) (e), upon the transfer of the member's estate or interest in the immovable property to the spouse, and upon payment in accordance with paragraph (i), if applicable —

(A) the charge referred to in paragraph (b) shall cease to secure the payment to the Board of the minimum sum which the member is required to set aside; and

(B) the member, the spouse or any other person having an interest in the immovable property shall be entitled to have that charge cancelled, in so far as it secures the payment to the Board of the minimum sum which the member is required to set aside;

(v) if, at the time of the transfer of the member's estate or interest in the immovable property to the spouse —

(A) the spouse has not attained the age of 55 years; or

(B) where the spouse has attained that age, there is a deficiency in the minimum sum which the spouse is required to set aside,

there shall be a charge on the spouse's estate or interest in the immovable

property to secure the payment referred to in paragraph (iii), such charge to subsist only until such time as the spouse has set aside the minimum sum which the spouse is required to set aside;

(vi) sections 15 (15) (b) to (e) and 21(12) shall apply, with the necessary modifications, to the charge under paragraph (v), and for the purposes of such application —

(A) any reference to the charge under section 15 (9) or (9A) shall be read as a reference to the charge under paragraph (v); and

(B) any reference to the member shall be read as a reference to the spouse; and

(vii) the charge under paragraph (v) —

(A) shall be subject to all prior statutory rights and charges of any public authority over the immovable property; and

(B) notwithstanding anything in the Land Titles Act (Cap.157) or the Registration of Deeds Act (Cap.269) —

(BA) shall not be subject to any encumbrance registered or notified on or after the date of the notification of the charge referred to in paragraph (b); and

(BB) shall rank equally with the charge referred to in paragraph (b), had it continued or if it continues to be in force, in the order of priority of interests in the immovable property.

(2) Except in a case to which subsection (1) applies, where —

(a) a member of the Fund has withdrawn the minimum sum or part thereof from his account with an approved bank or his retirement account, or has surrendered his approved annuity, under section 15 (9) or (9A);

(b) a charge has been created under section 15 (9) or (9A) on an immovable property wholly owned by the member or jointly owned by the member and one or more other persons, as the case may be, to secure the payment to the Board of the minimum sum which the member is required to set aside; and

(c) an order of court is made requiring the transfer or sale of the member' s estate or interest in the immovable property to any person,

the charge shall continue in force until —

(i) an amount sufficient to cover the deficiency in the minimum sum which the member is required to set aside —

(A) has been paid to the Board; or

(B) is no longer required by any regulations made under section 77 (1) to be paid to the Board; or

(ii) the Board is satisfied of the occurrence of any of the events mentioned in section 15 (15) (e),

in which event the member, the person referred to in paragraph (c) or any other person having an interest in the immovable property shall be entitled to have the charge cancelled.

27D Order of court for transfer or sale of immovable property in relation to which undertaking has been given under section 15 (10) or (10A)

Order of court for transfer or sale of immovable property in relation to which undertaking has been given under section 15 (10) or (10A)

27D.

— (1) Where —

(a) a member of the Fund has withdrawn the minimum sum or part thereof from his account with an approved bank or his retirement account, or has surrendered his approved annuity, under section 15 (10) or (10A);

(b) the member wholly owns, or the member and one or more other persons jointly own, an immovable property;

(c) the member has given an undertaking under section 15 (10), or the member and the other person or persons have given an undertaking under section 15 (10) or (10A), as the case may be, to refund to the Board an amount equal to the minimum sum or part thereof which the member is required to set aside in the event the immovable property is sold or otherwise disposed of;

(d) an order of court is made requiring the transfer (other than by way of

sale) of the member' s estate or interest in the immovable property to his spouse; and

(e) the spouse is a citizen or permanent resident of Singapore,

then, subject to any regulations made under section 77 (1), the following provisions shall apply:

(i) if the order of court requires any person to pay to the Board any amount towards covering the deficiency in the minimum sum which the member is required to set aside, that person shall pay to the Board that amount;

(ii) the member shall pay to the Board a further amount sufficient to cover the deficiency in the minimum sum which the member is required to set aside;

(iii) if —

(A) the immovable property is subsequently sold or otherwise disposed of; and

(B) at the time of the sale or disposal —

(BA) the spouse has not attained the age of 55years; or

(BB) where the spouse has attained that age, there is a deficiency in the minimum sum which the spouse is required to set aside,

the spouse shall pay to the Fund such amount as may be determined by the Board in accordance with any regulations made under section 77 (1), and the Board shall credit that amount to one or more designated accounts maintained, or to be maintained, for the spouse;

(iv) upon the transfer of the member' s estate or interest in the immovable property to the spouse, and upon payment in accordance with paragraph (i), if applicable, the Board shall not enforce the undertaking under section 15 (10) or (10A) against any person who has given that undertaking, in so far as it secures the refund to the Board of the minimum sum or part thereof which the member is required to set aside;

(v) if, at the time of the transfer of the member' s estate or interest in the immovable property to the spouse —

(A) the spouse has not attained the age of 55 years; or

(B) where the spouse has attained that age, there is a deficiency in the minimum sum which the spouse is required to set aside,

the spouse shall give an undertaking to pay to the Board, in the event the property is sold or otherwise disposed of, the amount referred to in paragraph (iii); and

(vi) the Board shall not enforce any undertaking under paragraph (v) if the Board is satisfied of the occurrence of any of the following events:

(A) the death of the spouse;

(B) the spouse is suffering from a terminal illness or disease;

(C) the spouse has complied with the requirements of section 15 (2A), (6), (7B) or (8A);

(D) the minimum sum set aside by the spouse under section 15 (6) has been exhausted on account of withdrawals made by the spouse under section 15 (7);
or

(E) the spouse satisfies any of the grounds for withdrawals under section 15 (2) (b) or (c).

(2) Except in a case to which subsection (1) applies, where —

(a) a member of the Fund has withdrawn the minimum sum or part thereof from his account with an approved bank or his retirement account, or has surrendered his approved annuity, under section 15 (10) or (10A);

(b) the member wholly owns, or the member and one or more other persons jointly own, an immovable property;

(c) the member has given an undertaking under section 15 (10), or the member and the other person or persons have given an undertaking under section 15 (10) or (10A), as the case may be, to refund to the Board an amount equal to the minimum sum or part thereof which the member is required to set aside in the event the immovable property is sold or otherwise disposed of; and

(d) an order of court is made requiring the transfer or sale of the member's estate or interest in the immovable property to any person,

the Board shall be entitled to enforce that undertaking against every person who has given that undertaking, in so far as it secures the refund to the Board of the minimum sum or part thereof which the member is required to set aside, until —

(i) the minimum sum or part thereof which the member is required to set aside

(A) has been refunded to the Board; or

(B) is no longer required by any regulations made under section 77 (1) to be refunded to the Board; or

(ii) the Board is satisfied of the occurrence of any of the events mentioned in section 15 (15) (e),

in which event the Board shall not enforce that undertaking.

27E Order of court for transfer or sale of immovable property in relation to which charge under section 21 (1) or 21A (1) exists

Order of court for transfer or sale of immovable property in relation to which charge under section 21 (1) or 21A (1) exists

27E.

— (1) Where —

(a) a member of the Fund has withdrawn any money standing to his credit in the Fund for all or any of the purposes referred to in section 21 (1) or 21A (1);

(b) the immovable property in relation to which the money was withdrawn is purchased or owned by the member, whether solely or as a co-purchaser, joint-tenant or tenant-in-common, as the case may be, with one or more other persons;

(c) an order of court is made requiring the transfer (other than by way of sale) of the member's estate or interest in the immovable property to his spouse; and

(d) the spouse is a citizen or permanent resident of Singapore,

then, subject to any regulations made under section 77 (1), the following provisions shall apply:

(i) the member or, if the order of court requires any person to do so, that person shall pay to the Fund to the credit of the member —

(A) any amount which the Board is entitled to recover on behalf of the Government under section 14 (3);

(B) any amount which the Board is entitled to receive or recover on behalf of the Government under section 14A (5) or (6); and

(C) such other amount, if any, as the order of court may require to be paid to the Fund to the credit of the member;

(ii) if the immovable property is subsequently sold or otherwise disposed of, the spouse shall pay to the Fund such amount as may be determined by the Board in accordance with any regulations made under section 77 (1), and the Board shall credit that amount to one or more designated accounts maintained, or to be maintained, for the spouse;

(iii) notwithstanding sections 21 (10) and 21A (9), upon the transfer of the member' s estate or interest in the immovable property to his spouse and upon payment in accordance with paragraph (i), if applicable —

(A) any charge under section 21 (1) or 21A (1) on any estate or interest in the immovable property shall cease to secure the repayment of the money withdrawn from the Fund by the member (including the whole or such part, as the Board may determine, of the interest that would have been payable thereon if the withdrawal had not been made) and the payment of the minimum sum into the member' s retirement account; and

(B) the member, the spouse or any other person having an interest in the immovable property shall be entitled to have that charge cancelled, in so far as it secures the repayment of the money withdrawn from the Fund by the member (including the whole or such part, as the Board may determine, of the interest that would have been payable thereon if the withdrawal had not been made) and the payment of the minimum sum into the member' s retirement account;

(iv) there shall be a charge on the spouse' s estate or interest in the immovable property to secure —

(A) the payment referred to in paragraph (ii); and

(B) the payment of the minimum sum into the spouse' s retirement account;

(v) section 21 (1A), (2), (4), (5) and (7) to (12) or sections 21 (12) and 21A (1A) to (4) and (6) to (9), as the case may be, shall apply, with the

necessary modifications, to the charge under paragraph (iv), and for the purposes of such application —

(A) any reference to the charge under section 21 (1) or 21A (1) shall be read as a reference to the charge under paragraph (iv); and

(B) any reference to the member shall be read as a reference to the spouse; and

(vi) the charge under paragraph (iv) —

(A) shall be in addition to any charge under section 21 (1) or 21A (1) on any estate or interest in the immovable property to secure the repayment of any money withdrawn from the Fund (for all or any of the purposes referred to in section 21 (1) or 21A (1)) by any person other than the member (including the whole or such part, as the Board may determine, of the interest that would have been payable thereon if the withdrawal had not been made) and the payment of the minimum sum into that person' s retirement account;

(B) shall be subject to all statutory rights and charges of any public authority over the immovable property; and

(C) notwithstanding anything in the Land Titles Act (Cap.157) or the Registration of Deeds Act (Cap.269), in the absence of any agreement as to priority —

(CA) shall not be subject to any encumbrance registered or notified on or after the date of acceptance by the Registrar of the instrument to register or notify the charge referred to in paragraph (iii); and

(CB) shall rank equally with the charge referred to in paragraph (iii), had it continued or if it continues to be in force, in the order of priority of interests in the immovable property.

(2) Except in a case to which subsection (1) applies, where —

(a) a member of the Fund has withdrawn any money standing to his credit in the Fund for all or any of the purposes referred to in section 21 (1) or 21A (1);

(b) the immovable property in relation to which the money was withdrawn is purchased or owned by the member, whether solely or as a co-purchaser, joint-tenant or tenant-in-common, as the case may be, with one or more other persons; and

(c) an order of court is made requiring the transfer or sale of the member's estate or interest in the immovable property to any person,

any charge under section 21 (1) or 21A (1) on any estate or interest in the immovable property shall continue in force until —

(i) all moneys secured by the charge —

(A) have been repaid to the Fund; or

(B) are no longer required by any regulations made under section 77 (1) to be repaid to the Fund; or

(ii) the Board is satisfied of the occurrence of any of the events mentioned in section 15 (15) (e),

in which event the member, the person referred to in paragraph (c) or any other person having an interest in the immovable property shall be entitled to have the charge cancelled.

27F Order of court for transfer or sale of HDB flat in relation to which charge has been constituted under section 21B (1)

Order of court for transfer or sale of HDB flat in relation to which charge has been constituted under section 21B (1)

27F.

— (1) Where —

(a) a member of the Fund has withdrawn any money standing to his credit in the Fund for all or any of the purposes referred to in section 21B (1);

(b) the HDB flat in relation to which the money was withdrawn is owned by the member, whether solely or jointly with one or more other persons;

(c) an order of court is made requiring the transfer (other than by way of sale) of the member's interest in the HDB flat to his spouse; and

(d) the spouse is a citizen or permanent resident of Singapore,

then, subject to any regulations made under section 77 (1), the following provisions shall apply:

(i) the member or, if the order of court requires any person to do so, that person shall pay to the Fund to the credit of the member —

(A) any amount which the Board is entitled to recover on behalf of the Government under section 14 (3);

(B) any amount which the Board is entitled to receive or recover on behalf of the Government under section 14A(5) or (6); and

(C) such other amount, if any, as the order of court may require to be paid to the Fund to the credit of the member;

(ii) if the HDB flat is subsequently sold or otherwise disposed of, the spouse shall pay to the Fund such amount as may be determined by the Board in accordance with any regulations made under section 77 (1), and the Board shall credit that amount to one or more designated accounts maintained, or to be maintained, for the spouse;

(iii) notwithstanding section 21B (11), upon the transfer of the member's interest in the HDB flat to his spouse and upon payment in accordance with paragraph (i), if applicable, any charge constituted on the HDB flat under section 21B (1) shall cease to secure —

(A) the repayment of the money withdrawn from the Fund by the member, including the whole or such part, as the Board may determine, of the interest that would have been payable thereon if the withdrawal had not been made; and

(B) the payment of the minimum sum into the member's retirement account,

and, if those are the only moneys secured by that charge, shall cease to be in force;

(iv) there shall be a charge constituted on the HDB flat to secure—

(A) the payment referred to in paragraph (ii); and

(B) the payment of the minimum sum into the spouse's retirement account;

(v) sections 21 (12) and 21B (2), (3) (a), (b) and (d), (4) to (11) and (14) shall apply, with the necessary modifications, to the charge under paragraph (iv), and for the purposes of such application —

(A) any reference to the charge under section 21B (1) shall be read as a reference to the charge under paragraph (iv);

(B) any reference to the member shall be read as a reference to the spouse; and

(C) any reference to an encumbrance specified in section 21B (3) (c) shall be read as a reference to an encumbrance referred to in paragraph (vii);

(vi) the charge under paragraph (iv) shall be in addition to the charge referred to in paragraph (iii), if the charge referred to in paragraph (iii) continues to be in force; and

(vii) notwithstanding anything in the Land Titles Act (Cap. 157) or the Registration of Deeds Act (Cap. 269), in the absence of any agreement as to priority, the charge under paragraph (iv) —

(A) shall not be subject to any encumbrance registered or notified on or after the date of the constitution of the charge referred to in paragraph (iii); and

(B) shall rank equally with the charge referred to in paragraph (iii), had it continued or if it continues to be in force, in the order of priority of interests in the HDB flat.

(2) Except in a case to which subsection (1) applies, where —

(a) a member of the Fund has withdrawn any money standing to his credit in the Fund for all or any of the purposes referred to in section 21B (1);

(b) the HDB flat in relation to which the money was withdrawn is owned by the member, whether solely or jointly with one or more other persons; and

(c) an order of court is made requiring the transfer or sale of the member's interest in the HDB flat to any person,

any charge constituted on the HDB flat under section 21B (1) shall continue in force until —

(i) all moneys secured by the charge —

(A) have been repaid to the Fund; or

(B) are no longer required by any regulations made under section 77 (1) to be repaid to the Fund; or

(ii) the Board is satisfied of the occurrence of any of the events mentioned in section 15 (15) (e).

27G Order of court for transfer of investments

Order of court for transfer of investments

27G.

— (1) Where —

(a) a member of the Fund has made any investment under any scheme in accordance with any regulations made under section 77 (1) (n) (referred to in this section as the relevant regulations) which, but for section 24, would have been transferable to another person;

(b) an order of court is made requiring the transfer of the member' s interest in the investment to his spouse; and

(c) the spouse is a citizen or permanent resident of Singapore,

then, subject to subsection (2) and any regulations made under section 77 (1), the following provisions shall apply:

(i) the obligation to effect the transfer of the member' s interest in the investment to the spouse shall lie with the member and not the Board;

(ii) upon the transfer of the member' s interest in the investment to the spouse —

(A) the spouse shall be deemed to have made the investment under the scheme and to have assumed the member' s obligations under the relevant regulations in relation to the investment; and

(B) the member shall cease to be liable to perform any obligation under the relevant regulations in relation to the investment; and

(iii) if the investment is subsequently sold or otherwise disposed of, the proceeds from the sale or disposal shall be dealt with in such manner as may be prescribed by any regulations made under section 77 (1).

(2) A member's interest in an investment shall not be transferred to his spouse under subsection (1) unless and until the spouse meets such criteria and has complied with such requirements as may be prescribed in any regulations made under section 77 (1).

27H Order of court for sale of investments

Order of court for sale of investments

27H.

— (1) Where —

(a) a member of the Fund has made any investment under any scheme in accordance with any regulations made under section 77 (1) (n) (referred to in this section as the relevant regulations); and

(b) an order of court is made requiring the sale of the member's interest in the investment,

then, subject to any regulations made under section 77 (1), the following provisions shall apply:

(i) the obligation to effect the sale of the member's interest in the investment shall lie with the member and not the Board;

(ii) upon the sale of the member's interest in the investment, the proceeds from the sale shall be dealt with in accordance with the relevant regulations; and

(iii) if, under any order of court, the member's spouse is awarded the proceeds from the sale of the member's interest in the investment or any part thereof, or any other amount to be paid out from the money standing to the credit of the member in the Fund after the proceeds have been repaid to the Fund to the credit of the member —

(A) section 27B shall apply to the proceeds or part thereof or other amount, and the proceeds or part thereof shall be regarded as money repayable to the Fund to the credit of the member for the purposes of section 27B(1) and (5);

(B) where under the relevant regulations the proceeds are not immediately repayable to the Fund to the credit of the member, the obligation to initiate

the repayment of the proceeds or part thereof to the Fund to the credit of the member shall lie with the member and not the Board;

(C) when the proceeds or part thereof have been repaid to the Fund, the member shall notify the Board of the repayment for the purposes of section 27B (5); and

(D) the Board shall be under no obligation to ascertain whether, or to ensure that —

(DA) the member has complied with the order of court requiring the sale of the member' s interest in the investment;

(DB) the proceeds or part thereof awarded to the member' s spouse, or required to be repaid to the Fund to the credit of the member, have been repaid to the Fund; or

(DC) the contents of any notification of repayment given by the member for the purposes of section 27B (5) are true and correct.

27I Miscellaneous matters

Miscellaneous matters

27I.

— (1) Any obligation of a member of the Fund to set aside any amount under section 15 or 16, or under any condition referred to in section 27 (2) (b) or (3), shall not be affected by —

(a) any transfer or payment of any money standing to the credit of the member under section 27B (1), (2) or (3);

(b) any transfer (other than by way of sale) of the member' s estate or interest in any immovable property under section 27C (1), 27D (1) or 27E (1);

(c) any transfer (other than by way of sale) of the member' s interest in any HDB flat under section 27F (1);

(d) any transfer of the member' s interest in any investment under section 27G; or

(e) any sale of the member's interest in any investment under section 27H.

(2) Where an order of court requires the Board to do anything —

(a) the Board shall not be liable to give effect to that requirement unless the order of court has been served on the Board in such manner as may be prescribed by any regulations made under section 77 (1); and

(b) the Board shall not be liable for any act or omission of the Board contrary to that requirement which was committed on or before the date of such service.

(3) Where an order of court requires the Board to do anything in contravention of this Act, the Board shall not be liable to give effect to that requirement.

PART IV HOME PROTECTION INSURANCE SCHEME

PART IV

HOME PROTECTION INSURANCE SCHEME

28 Interpretation of this Part

Interpretation of this Part

28.

— (1) In this Part —

"approved mortgagee" means a mortgagee approved by the Minister by notification in the Gazette;

"Home Protection Fund" means the Home Protection Fund established and maintained by the Board under section 33 (1);

"Housing Authority" means any of the following:

(a) the Housing and Development Board constituted under section 3 of the

Housing and Development Act (Cap. 129);

(b) the Jurong Town Corporation constituted under section 3 of the Jurong Town Corporation Act (Cap. 150);

(c) the Minister for Finance incorporated under the Minister for Finance (Incorporation) Act (Cap. 183);

(d) the Housing and Urban Development Company Private Limited, a company incorporated under the Companies Act (Cap. 50);

“incapacitated” means to be physically or mentally incapacitated from ever continuing in any employment and “incapacity” shall be construed accordingly;

"member of the Scheme" means a person who is insured under the Scheme;

"premium" means the premium payable by a member of the Scheme;

"Scheme" means the Home Protection Insurance Scheme established and maintained by the Board under section 29 (1).

[32/84; 30/87]

(2) Except where expressly provided in this Part, the provisions of this Part shall, with such exceptions, modifications and adaptations as the Minister may by order published in the *Gazette* prescribe, apply (so far as relevant) in relation to any housing accommodation sold or to be sold by an approved developer under Part IVB of the Housing and Development Act (Cap.129).

(3) An order made under subsection (2) shall be presented to Parliament as soon as possible after publication in the *Gazette*.

29 Establishment of Home Protection Insurance Scheme

Establishment of Home Protection Insurance Scheme

29.

— (1) The Board is hereby authorised to establish and maintain a Home Protection Insurance Scheme for the purpose of providing that on the death or incapacity of a member of the Scheme at any time during the period in which the member is insured under the Scheme, his liability to repay his housing

loan to a Housing Authority or an approved mortgagee secured by a mortgage of the immovable property to that Authority or approved mortgagee, as the case may be, shall be discharged by the Board in accordance with the Scheme.

[30/87]

(2) Subject to section 31, the Scheme shall apply to every member who has withdrawn moneys standing to his credit in the Fund to repay any instalment of housing loan taken by the member from a Housing Authority or an approved mortgagee for the purchase of any immovable property from a Housing Authority.

[30/87]

(3) The Board may permit any person who has purchased from a Housing Authority an immovable property jointly with a member of the Fund to join the Scheme subject to such term, condition and restriction as the Board may impose.

[30/87]

(4) The Board may, on the application being made to it by a member, exempt the member from the Scheme.

[39/2000]

(4A) Any exemption by the Board under subsection (4) shall be subject to such terms and conditions as may be prescribed by the Minister.

[39/2000]

(5) The Scheme shall not apply to —

(a) any member if he is 65 years of age or above or such other age as the Minister may prescribe at the time he is required to join the Scheme; and

(b) any member or class of members whom the Minister may, by notification in the *Gazette*, specify.

[30/87; 10/94; 39/2000]

(5A) Notwithstanding subsection (5), the Scheme shall not apply to any member who is 60 years of age or above but below 65 years of age on 1st March 2001 unless that member opts, in such manner as the Board may determine, to join the Scheme.

[39/2000]

(6) Any person who became a member of the Scheme prior to 1st March 1988 shall continue to be a member of the Scheme subject to the same term, condition and restriction which were in force before that date.

[30/87]

30 Double insurance cover under Scheme prohibited

Double insurance cover under Scheme prohibited

—(1) No person shall be insured under the Scheme for more than one immovable property at the same time.

[30/98]

(2) Where a member who is insured under the Scheme in respect of any immovable property purchases another immovable property from a Housing Authority, the member shall, notwithstanding anything in this Act or in regulations made under this Part, cease to be covered under the Scheme in respect of the first-mentioned immovable property immediately upon the commencement of cover under the Scheme in respect of the second-mentioned immovable property.

[30/98; 39/2000]

(3) Where a member's cover under the Scheme in respect of any immovable property ceases by virtue of subsection (2), the Board shall refund to the member in cash or by crediting to his ordinary account in the Fund as the Board thinks fit an amount representing the surrender value of his cover under the Scheme, if any, in respect of that property as on the date of cessation of cover calculated in accordance with regulations made under this Part as if the member had redeemed the housing loan on the property on that date.

[30/98; 39/2000]

(4) Where a member is insured under the Scheme before 1st August 1998 for more than one immovable property at the same time, the member's cover under the Scheme in respect of the earlier of 2 immovable properties purchased by him shall cease on that date and the Board shall refund to the member an amount representing the surrender value of his cover under the Scheme, if any, in respect of that property as on that date in the manner provided in subsection (3).

[30/98; 39/2000]

31 Medical condition of member of Scheme

Medical condition of member of Scheme

31.

—(1) No person shall be entitled to join the Scheme unless the Board is satisfied that he is in good health at the time he joins the Scheme.

[30/87]

(2) For the purposes of determining whether a person is fit to join the Scheme, the Board may require that person to undergo such medical examination as the Board thinks fit.

[30/87]

(3) Any person who joins the Scheme shall disclose to the Board such facts or information concerning his health as the Board may require.

[30/87]

32 Premium

Premium

32.

— (1) Every member of the Scheme shall pay a premium of an amount prescribed by regulations made under this Part.

[30/87]

(2) Notwithstanding anything in this Act, the Board shall be entitled to deduct the amount of the premium payable by a member of the Scheme from the contributions standing to the credit of that member in the Fund and where any such deduction has been made by the Board, the Board shall as soon as practicable give to the member concerned notice in writing to that effect.

[30/87]

(3) The deduction referred to in subsection (2) shall have priority to the deductions which the Board is authorised to make under all other provisions of this Act except section 27B.

[39/2000]

(4) Where the amount of the premium which a member is liable to pay under the Scheme exceeds the amount standing to his credit in the Fund, the deficiency may be paid in such manner and within such time as the Board may determine.

[39/2000]

(5) Where a joint-owner of an immovable property is insured under the Scheme, the Board may permit a joint-owner who is a spouse of the first-mentioned joint-owner to use his contributions in the Fund to pay for the whole or part of the premium which the first-mentioned joint-owner is liable to pay under the Scheme.

[39/2000]

33 Establishment of Home Protection Fund

Establishment of Home Protection Fund

33.

— (1) The Board shall establish and maintain a fund to be known as the Home Protection Fund into which shall be paid all premiums collected under this Part and out of which shall be met all payments to be paid by it under the Scheme.

(2) The Home Protection Fund shall be controlled and administered by the Board.

34 Premium when due

Premium when due

34.

(Repealed by Act 39/2000)

35 Period of cover

Period of cover

35.

(Repealed by Act 39/2000)

36 Amount payable by Board to Housing Authority or approved mortgagee on death or incapacity of member of Scheme

Amount payable by Board to Housing Authority or approved mortgagee on death or incapacity of member of Scheme

36.

— (1) Where a member of the Scheme dies at any time during the period he is insured under the Scheme, the Board shall, upon proof of death, forthwith pay to the Housing Authority or the approved mortgagee such an amount as is prescribed under regulations made under this Part.

[30/87]

(2) Subject to subsections (3), (4) and (5), where there is a claim made to the Board by a member of the Scheme on the ground of incapacity at any time during the period he is insured under the Scheme, the Board shall upon proof of incapacity pay to the Housing Authority or the approved mortgagee, as the

case may be, the monthly or other periodic loan instalments which the member of the Scheme is liable to pay to the Housing Authority or the approved mortgagee under the housing loan for a period not exceeding 2 years.

[39/2000]

(3) For the avoidance of doubt, where the housing loan is taken from a Housing Authority or an approved mortgagee by 2 or more members of the Scheme in respect of property purchased jointly by the members, the monthly or other periodic loan instalments payable by the Board under subsection (2) on account of the incapacity of a member shall be in proportion to that member's liability for the repayment of the housing loan as declared by that member to, and accepted by, the Board.

[39/2000]

(4) The Board shall cease payment to the Housing Authority or the approved mortgagee under subsection (2) if the member of the Scheme is no longer incapacitated.

[39/2000]

(5) Where the Board ceases payment to the Housing Authority or the approved mortgagee under subsection (4), the member of the Scheme shall remain insured under the Scheme for such an amount as is prescribed under regulations made under this Part less any amount that the Board has paid under subsection (2).

[39/2000]

(6) Notwithstanding subsection (2), if the incapacity of the member of the Scheme is in the opinion of the Board likely to continue for more than 2 years, the Board shall pay the Housing Authority or the approved mortgagee such an amount as is determined in accordance with the formula —

$$(A + B) - C,$$

where A is the amount prescribed under regulations made under this Part to be payable at the time of incapacity of the member;

B is the amount of interest accrued on A as determined by the Board from the time the first monthly or periodic loan instalment is made under subsection (2) to the time the amount under this subsection is paid by the Board;

C is the total amount paid by the Board to the Housing Authority or the approved mortgagee under subsection (2).

[39/2000]

(7) Where a claim under the Scheme is made in respect of the incapacity of a member of the Scheme, the Board may backdate any payment to be made by the Board to the Housing Authority or the approved mortgagee under this section to the date on which the incapacity occurred.

[39/2000]

(8) The amount payable by the Board to the Housing Authority or the approved mortgagee under this section on the death or incapacity of a member of the Scheme shall in no case exceed the amount which is necessary to repay the

outstanding amount of any loan and interest accruing thereon in order to secure the discharge of the mortgage of the immovable property at the time of the death or incapacity.

[30/87]

(9) The Board shall not be required to make any payment in respect of any member of the Scheme —

(a) if the death or incapacity of the member —

(i) in the case of a member who was insured under the Scheme before 1st March 2001, occurs within one year from the date he is insured under the Scheme and the death is the result of suicide or the incapacity is the result of deliberate self-injury; or

(ii) in the case of a member who was insured under the Scheme on or after 1st March 2001, is the result of suicide or deliberate self-injury committed within one year from the date that he is insured under the Scheme;

(b) if the member suffered capital punishment for any criminal act committed within one year from the date that he is insured under the Scheme;

(c) if the death or incapacity of the member, directly or indirectly, arose out of or is consequent upon or contributed by his own intentional criminal act committed within one year from the date that he is insured under the Scheme; or

(d) if the death or incapacity of that member arises from war or any warlike operations or participation in any riot.

[23/89; 39/2000]

(10) The Board shall not be required to make any payment in respect of any member of the Scheme if the member —

(a) makes or furnishes to the Board any statement or fact that is false or misleading in a material particular; or

(b) fails to disclose to the Board any material fact or circumstance known to him at the time he is required to be insured under the Scheme which might influence the Board as to whether he should be insured under the Scheme.

[30/87]

37 Housing Authority or approved mortgagee to send notice to Board on payment of premium

Housing Authority or approved mortgagee to send notice to Board on payment of premium

37.

—(1) Where a member of the Scheme is required to pay a premium to the Home Protection Fund under section 32, the Housing Authority or the approved mortgagee, as the case may be, shall send a written notice thereof to the Board within 14 days from the date the premium is payable by the member of the Scheme.

[30/87]

(2) Every notice under subsection (1) shall be in such form as the Board may require.

38 Non-application of Insurance Act

Non-application of Insurance Act

38.

The Insurance Act (Cap. 142) shall not apply to anything done by the Board under this Part.

39 Regulations for purposes of this Part

Regulations for purposes of this Part

39.

The Minister may make such regulations as are necessary or expedient for the purpose of carrying out the provisions of this Part and, in particular, such regulations may —

(a) provide for the different classes of members of the Scheme and the rates of premium payable by such members;

(b) provide for the manner and time for payment of premiums by the different classes of members of the Scheme;

(c) provide for the period and commencement of cover under the Scheme;

- (d) provide for the amount of money payable by the Board to the Housing Authority or the approved mortgagee in the event of the death or incapacity of a member of the Scheme;
- (e) provide for the amount of money payable by the Board under the Scheme where the prescribed premium has not been fully paid;
- (f) provide for the refund of any premium and the circumstances under which the refund shall be made and at such rates as may be prescribed by the Minister;
- (g) prescribe the evidence to be produced and the person, officer or authority to whom that evidence is to be produced for the purposes of this Part;
- (h) provide for the manner in which money in the Home Protection Fund may be invested;
- (i) provide for the premium payable by members of the Scheme in cases where the immovable property is purchased in joint names;
- (j) provide for such information, evidence and documents that the Board may require a member of the Scheme to furnish for the purposes of this Part; and
- (k) prescribe anything which under this Part may be prescribed by the Minister.

[30/87; 39/2000]

PART V DEPENDANTS" PROTECTION INSURANCE SCHEME

PART V

DEPENDANTS" PROTECTION INSURANCE SCHEME

40 Interpretation of this Part

Interpretation of this Part

40.

In this Part —

"appointed insurer" means any person who is registered under the Insurance Act (Cap.142) to carry on insurance business in Singapore and who is appointed by the Board to take over the whole or any part of the Board's liabilities under the Scheme or to provide insurance cover to any person under the Scheme;

"incapacitated" has the same meaning as in section 28;

"insured person" means a person who is insured under the Scheme;

"insured sum" means the sum prescribed in regulations made under this Part which is payable on the incapacity or death of the insured person;

"premium" means the annual premium payable by an insured person;

"Scheme" means the Dependants' Protection Insurance Scheme established and maintained by the Board under section 41.

[23/89]

41 Establishment of Dependants' Protection Insurance Scheme

Establishment of Dependants' Protection Insurance Scheme

41.

The Board may establish and maintain a Dependants' Protection Insurance Scheme for the purpose of providing that, on the incapacity or death of an insured person at any time during the period in which he is insured under the Scheme, the insured sum shall be paid in respect of that insured person in accordance with the provisions of this Part.

[23/89]

42 Persons insured under Scheme

Persons insured under Scheme

42.

—(1) Subject to the provisions of this Part, every member of the Fund for whom any contribution has been paid into the Fund on or after 14th May 1989 shall be insured under the Scheme.

[23/89]

(2) Subsection (1) shall not apply to —

(a) any member of the Fund who has not attained the age of 16 years or who has attained the age of 60 years or such other age as the Minister may in either case prescribe;

(b) any member of the Fund who is neither a citizen nor a permanent resident of Singapore;

(c) any member of the Fund who has lodged a written notice under subsection (3) stating that he does not wish to be insured under the Scheme; and

(d) any member or class of members of the Fund whom the Minister may, by notification in the *Gazette*, specify.

[23/89; 10/94]

(3) Any person referred to in subsection (1) who does not wish to be insured under the Scheme may lodge a written notice in the prescribed manner stating that he does not wish to be insured under the Scheme.

[23/89]

(4) Notwithstanding subsection (2), any member of the Fund who is not insured under the Scheme may apply in the prescribed manner to be insured under the Scheme.

[23/89]

(5) The Board or an appointed insurer, as the case may be, may approve any application under subsection (4) in the prescribed manner.

43 Board may cancel insurance cover

Board may cancel insurance cover

43.

—(1) If the Board has reason to believe that an insured person is incapacitated or suffering from terminal illness on or before the date of commencement of his insurance cover under the Scheme, the Board may cancel the cover of that person under the Scheme and upon such cancellation that person shall cease immediately to be insured under the Scheme.

(2) All premiums paid by any person whose cover under the Scheme has been cancelled under subsection (1), together with the whole or such part, as the Board may determine, of the interest that would have been payable if the amount of such premiums had been standing to the credit of that person's account in the Fund, shall be refunded to his account in the Fund.

(3) No refund shall be made under subsection (2) if the person has made or furnished to the Board any statement or fact that is false or misleading in a material particular.

(4) This section shall apply only in relation to an insured person for whose insurance cover under the Scheme the Board remains liable to pay the insured sum by virtue of section 49A (2) (a).

44 Board may require insured person to furnish information

Board may require insured person to furnish information

44.

— (1) The Board may require any insured person to furnish to the Board such information as the Board thinks fit regarding the life and health of the insured person or members of his family.

(2) The Board may also require any insured person to undergo such medical examination as the Board thinks fit.

(3) This section shall apply only in relation to an insured person for whose insurance cover under the Scheme the Board remains liable to pay the insured sum by virtue of section 49A (2) (a).

45 Premium

Premium

45.

— (1) Every insured person shall pay a premium of an amount prescribed by

regulations made under this Part.

[23/89]

(2) Notwithstanding anything in this Act, the Board shall be entitled to deduct the amount of the premium payable by an insured person from the contributions standing to the credit of that person in his ordinary and special accounts.

[23/89]

(3) Where, by virtue of section 49A, the insurance cover of an insured person under the Scheme is being provided by an appointed insurer, the Board shall pay the amount of the premium deducted under subsection (2) to that appointed insurer.

(4) Where the amount of the premium which an insured person is liable to pay under the Scheme exceeds the amount standing to his credit in his ordinary and special accounts, the deficiency may be paid in such manner and within such time as the Board may prescribe.

[23/89]

46

46. Deleted by Act 24/2005, wef 17/09/2005.

47 Period of cover

Period of cover

47.

—(1) Where the prescribed premium payable under the Scheme has been paid or deducted from an insured person's contributions under section 45, that person shall be covered under the Scheme by an appointed insurer assigned by the Board from the date of such payment or deduction for a period of 12 months after the date of commencement of his insurance cover.

(2) Subject to the provisions of this Part, the insurance cover under the Scheme shall be renewed annually in accordance with the prescribed requirements.

48 Rights and benefits under Scheme not assignable or transferable

Rights and benefits under Scheme not assignable or transferable

48.

The rights and benefits of an insured person arising from his insurance cover under the Scheme shall not be assignable or transferable.

48A Insurance policy under Scheme not to create trust

Insurance policy under Scheme not to create trust

48A.

— (1) A policy of insurance issued under the Scheme shall not be deemed to create any legal or equitable trust.

(2) Section 73 of the Conveyancing and Law of Property Act (Cap. 61) shall not apply to any policy of insurance issued under the Scheme.

49 Amount payable on death or incapacity of insured person

Amount payable on death or incapacity of insured person

49.

— (1) Where an insured person dies at any time during the period he is insured under the Scheme, the insured sum shall, upon proof of death, be paid by the Board or an appointed insurer, as the case may be, in accordance with the prescribed requirements.

(2) Where there is a claim made under the Scheme by an insured person on the ground of incapacity at any time during the period he is insured under the Scheme, the insured sum shall, upon proof of incapacity, be paid to him by the Board or an appointed insurer, as the case may be, in accordance with the prescribed requirements.

49A Transfer of Board' s liabilities under Scheme

Transfer of Board' s liabilities under Scheme

49A.

— (1) The Minister may make regulations to transfer the whole or any part of the Board' s liabilities under the Scheme (including the insurance covers issued under the Scheme that give rise to such liabilities) to one or more appointed insurers.

(2) Without prejudice to the generality of subsection (1), regulations made under that subsection may —

(a) prescribe the cases in which or the circumstances under which the Board shall continue to be liable to pay the insured sum in respect of insured persons whose insurance covers under the Scheme have been transferred to an appointed insurer;

(b) provide for such consequential, saving and transitional provisions as are necessary to facilitate the transfer of the Board' s liabilities under the Scheme;

(c) prescribe the necessary modifications to be made to any other provision of this Act in order to bring such provision into conformity with the transfer of the Board' s liabilities under the Scheme; and

(d) provide for such other matters as the Minister thinks necessary or expedient for the transfer of the Board' s liabilities under the Scheme.

(3) The Board may require any appointed insurer to transfer to another appointed insurer, in such manner and on such terms and conditions as the Board thinks fit, those liabilities of the Board under the Scheme that have been transferred to the first-mentioned appointed insurer under this section.

(4) The transfer of any liability under the Scheme —

(a) by the Board to an appointed insurer under subsection (1); or

(b) by one appointed insurer to another appointed insurer pursuant to the requirement of the Board under subsection (3),

may be made, and shall be valid and effectual, notwithstanding anything to the contrary in any written law or rule of law or the absence of any agreement or consent which would otherwise be necessary.

(5) If any question arises as to whether any particular liability of the Board under the Scheme has been transferred to an appointed insurer under this section, a certificate under the hand of the Minister shall be conclusive evidence that the liability was or was not so transferred.

(6) An appointed insurer to whom the whole or any part of the Board's liabilities under the Scheme have been transferred under this section shall provide insurance cover to every transferred insured person in accordance with such requirements as may be specified by the Board, including requirements relating to —

(a) the minimum benefits and rights that the appointed insurer must confer upon the person; and

(b) the terms and conditions subject to which the appointed insurer may issue insurance cover to the person.

49B Application of moneys in dissolved Dependants' Protection Insurance Fund

Application of moneys in dissolved Dependants' Protection Insurance Fund

49B.

Upon the dissolution of the Dependants' Protection Insurance Fund (referred to in this section as the dissolved Fund), the Board may —

(a) subject to such terms or conditions as it thinks fit to impose, pay such part of the moneys of the dissolved Fund as the Board may determine to each of the appointed insurers to which the Board's liabilities under the Scheme has been transferred under section 49A; and

(b) retain such part of the moneys of the dissolved Fund as it thinks necessary for meeting any of its own liabilities under the Scheme that may have arisen prior to the transfer.

49C Disclosure of information

Disclosure of information

49C.

— (1) The Board may, from time to time, give to an appointed insurer to which its liabilities under the Scheme has been transferred under section 49A such information (including medical information) as is in the Board' s possession that —

(a) relates to any member; and

(b) is required by the appointed insurer in order that the appointed insurer may properly fulfill its obligations in relation to that member under the Scheme.

(2) An appointed insurer shall not use any information given to it by the Board under subsection (1) except for such purposes as may be approved by the Board.

(3) For the purposes of ensuring that the provisions of this Part are being complied with, the Board may require an appointed insurer or any member to furnish to the Board such documents or information as the Board thinks necessary.

50 Non-application of Insurance Act

Non-application of Insurance Act

50.

The Insurance Act (Cap.142) shall not apply —

(a) to anything done by the Board under this Part; or

(b) to the transfer of any of the Board' s liabilities under the Scheme under section 49A (1) or (3).

51 Regulations for purposes of this Part

Regulations for purposes of this Part

51.

The Minister may make such regulations as are necessary and expedient for the purpose of carrying out the provisions of this Part and, in particular, such regulations may —

- (a) provide for the rate of premium payable by insured persons;
- (b) provide for the manner and time of payment of premiums;
- (c) prescribe the amount of the insured sum;
- (d) provide for the refund of any premium and the circumstances under which the refund shall be made and at such rates as may be prescribed by the Minister;
- (e) provide for different periods of cover in respect of different amounts of premium paid by an insured person;
- (f) prescribe the evidence to be produced and the person, officer or authority to whom that evidence is to be produced for the purposes of this Part;
- (g) provide for the manner in which the insured sum shall be paid in respect of any insured person under the Scheme;
- (ga) provide for the cases in which or the circumstances under which the insured sum shall not be payable in respect of any insured person under the Scheme;
- (h) provide for such information, evidence and documents that the Board may require an insured person to furnish for the purposes of this Part; and
- (i) prescribe anything which under this Part may be prescribed by the Minister.

[23/89]

PART VI MEDISHIELD SCHEME

PART VI

52 Interpretation of this Part

Interpretation of this Part

52.

In this Part —

"appointed insurer" means any person who is registered under the Insurance Act (Cap.142) to carry on insurance business in Singapore and who is appointed by the Board to take over any part of the Board's liabilities under the Scheme or to provide insurance cover to any person under the Scheme;

"approved hospital" means any hospital approved by the Minister for Health;

"insured person" means a person who is insured under the Scheme;

"MediShield Fund" means the fund established and maintained by the Board under section 56;

"Scheme" means the medical insurance scheme called the MediShield Scheme established and maintained by the Board under section 53.

[15/90]

53 Establishment of MediShield Scheme

Establishment of MediShield Scheme

53.

The Board may establish and maintain a medical insurance scheme to be known as the MediShield Scheme for the purpose of paying the full or part of the costs incurred by an insured person for the medical treatment or services received by him in an approved hospital at any time during the period which he is insured under the Scheme.

[15/90]

54 Premium

Premium

54.

— (1) Every insured person shall pay a premium of such an amount as may be prescribed by regulations made under this Part.

[15/90]

(2) The Board shall be entitled to deduct the amount of premium payable by a member or his dependant who is insured under the Scheme from the amount standing to the credit of that member's medisave account.

[15/90]

55 General obligation of insured person to furnish information

General obligation of insured person to furnish information

55.

— (1) An insured person or any other person who wishes to join the Scheme shall, when so required by the Board —

(a) furnish to the Board such information as the Board thinks fit regarding that person's background and health or members of his family; and

(b) undergo such medical examination as the Board thinks fit.

[15/90]

(2) An insured person or any other person who wishes to join the Scheme shall be under a duty to disclose to the Board all material facts, which if known to the Board, would have reasonably affected the decision of the Board to permit that person to join the Scheme or entertain any claim made by the insured person under the Scheme.

[15/90]

(3) An insured person or any other person who wishes to join the Scheme shall be deemed to have —

(a) given his consent to the Board to seek information from any doctor who has attended to him or any hospital where he has received treatment; and

(b) authorised his doctor or the authority of that hospital to give such information to the Board.

56 Establishment of MediShield Fund

Establishment of MediShield Fund

56.

— (1) The Board shall establish and maintain a fund to be known as the MediShield Fund into which shall be paid all premiums collected under this Part and out of which shall be met all payments to be paid by it under the Scheme.

[15/90]

(2) The MediShield Fund shall be controlled and administered by the Board.

[15/90]

(3) The moneys in the MediShield Fund may be invested by the Board in such manner as the Board thinks fit.

[15/90]

56A Transfer of liabilities under Scheme

Transfer of liabilities under Scheme

56A.

— (1) The Minister may make regulations to transfer any part of the Board' s liabilities under the Scheme (including the insurance covers issued under the Scheme that give rise to such liabilities) to one or more appointed insurers.

(2) Without prejudice to the generality of subsection (1), regulations made under that subsection may —

(a) prescribe the cases in which or the circumstances under which the Board shall continue to be liable to make payments to insured persons whose insurance covers under the Scheme have been transferred to an appointed insurer;

(b) provide for such consequential, saving and transitional provisions as are necessary to facilitate the transfer of the Board' s liabilities under the Scheme;

(c) prescribe the necessary modifications to be made to any other provision of

this Act in order to bring such provision into conformity with the transfer of the Board' s liabilities under the Scheme; and

(d) provide for such other matters as the Minister thinks necessary or expedient for the transfer of the Board' s liabilities under the Scheme.

(3) The Board may require any appointed insurer to transfer to another appointed insurer, in such manner and on such terms and conditions as the Board thinks fit, those liabilities of the Board under the Scheme that have been transferred to the first-mentioned appointed insurer under this section.

(4) The transfer of any liability under the Scheme —

(a) by the Board to an appointed insurer under subsection (1); or

(b) by one appointed insurer to another appointed insurer pursuant to the requirement of the Board under subsection (3),

may be made, and shall be valid and effectual, notwithstanding anything to the contrary in any written law or rule of law or the absence of any agreement or consent which would otherwise be necessary.

(5) If any question arises as to whether any particular liability of the Board under the Scheme has been transferred to an appointed insurer under this section, a certificate under the hand of the Minister shall be conclusive evidence that the liability was or was not so transferred.

(6) An appointed insurer to whom any part of the Board' s liabilities under the Scheme have been transferred under this section shall provide insurance cover to every transferred insured person in accordance with such requirements as may be specified by the Board, including requirements relating to —

(a) the minimum benefits and rights that the appointed insurer must confer upon the person; and

(b) the terms and conditions subject to which the appointed insurer may issue insurance cover to the person.

(7) Upon the transfer of the Board' s liabilities under the Scheme to an appointed insurer under subsection (1), the Board may —

(a) subject to such terms or conditions as it thinks fit to impose, pay to the appointed insurer such part of the moneys in the MediShield Fund as the Board thinks necessary to enable the appointed insurer to meet the liabilities so transferred to it; and

(b) retain such part of the moneys in the MediShield Fund as it thinks necessary for meeting any of its own liabilities under the Scheme that may have arisen prior to the transfer.

(8) The Board may, by arrangement with an insurer, take over such of the undertakings of the insurer which, in the opinion of the Board, are suitable and expedient for the purposes of the Scheme.

(9) Where, in connection with the Board's taking over of the undertakings of an insurer under subsection (8), the insurer transfers any sum to the Board, the Board shall pay the sum so transferred to it by the insurer into the MediShield Fund.

56B Non-application of Insurance Act

Non-application of Insurance Act

56B.

The Insurance Act (Cap.142) shall not apply —

- (a) to anything done by the Board under this Part; or
- (b) to the transfer of any liability under section 56A (1), (3) or (8).

57 Regulations for purposes of this Part

Regulations for purposes of this Part

57.

The Minister may make such regulations as are necessary or expedient for the purpose of carrying out the provisions of this Part and, in particular, such regulations may —

- (a) specify the members or class of members or other persons who are entitled to join the Scheme;
- (b) prescribe the conditions under which an insured person is entitled to

claim the benefits payable under the Scheme;

(c) prescribe the benefits payable to an insured person under the Scheme;

(d) prescribe for the rates of premium payable by insured persons and the manner and time for payment of such premiums;

(e) provide for the refund of any premium and the method or circumstances under which the refund shall be made and at such rates as may be prescribed;

(f) provide for such information, evidence and documents that the Board may require an insured person to furnish for the purposes of this Part; and

(g) provide for all matters which are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Part.

[15/90]

PART VIA WORKFARE INCOME SUPPLEMENT SCHEME

PART VIA

WORKFARE INCOME SUPPLEMENT SCHEME

57A Interpretation of this Part

Interpretation of this Part

57A.

In this Part —

"cash payment" means any cash payment made by the Government under the Scheme;

"eligible member" means a member of the Fund who is eligible to receive any cash payment or relevant contribution under the Scheme;

"relevant contribution" means any contribution to the Fund made by the

Government under the Scheme;

"relevant regulations" means any regulations made under section 57F;

"Scheme" means the Workfare Income Supplement Scheme established under section 57B.

57B Establishment of Workfare Income Supplement Scheme

Establishment of Workfare Income Supplement Scheme

57B.

— (1) There shall be established a scheme to be known as the Workfare Income Supplement Scheme for the purpose of supplementing the income of eligible members.

(2) The Board shall administer the Scheme on behalf of the Government.

57C Cash payments and contributions under Scheme

Cash payments and contributions under Scheme

57C.

— (1) Subject to subsection (4) and the relevant regulations, the Board may do either or both of the following:

(a) make a cash payment, to an eligible member, of such amount as those regulations may prescribe;

(b) credit, to such account of an eligible member in the Fund as the Minister may direct, a relevant contribution of such amount as those regulations may prescribe.

(2) The Board may recover on behalf of the Government —

(a) any cash payment made to a member of the Fund; and

(b) any relevant contribution credited to any account in the Fund of a member of the Fund, together with the whole or such part, as the Board may determine, of any interest paid thereon,

if —

(i) the member has obtained the cash payment or relevant contribution by means of any false or misleading statement or any document that is false or misleading in any particular;

(ii) the member has contravened any provision of the relevant regulations; or

(iii) the cash payment was made to the member, or the relevant contribution was credited to the account of the member, in error.

(3) Where the amount of any cash payment or relevant contribution received by an eligible member exceeds that which he is entitled to receive under the relevant regulations, the Board may recover on behalf of the Government the excess amount (together with the whole or such part, as the Board may determine, of any interest paid on any excess amount of relevant contribution).

(4) Subject to the relevant regulations, on the death of an eligible member, the Board may do either or both of the following:

(a) make any cash payment which he would have been entitled to receive to his estate;

(b) credit any relevant contribution which he would have been entitled to receive to such account of his in the Fund as the Minister may direct.

(5) Notwithstanding section 24 (3A), on the death of a member of the Fund, the Board may recover on behalf of the Government —

(a) from the member's estate, any cash payment made to him (prior to his death) or to his estate; and

(b) from the moneys payable out of the Fund on his death or from any person to whom any such moneys have been paid, any relevant contribution credited to any account of his in the Fund, together with the whole or such part, as the Board may determine, of any interest paid thereon,

if —

(i) the cash payment was made, or the relevant contribution was credited, in reliance on any false or misleading statement or any document that is false or misleading in any particular;

(ii) he had contravened any provision of the relevant regulations; or

(iii) the cash payment was made to him (prior to his death) or to his estate, or the relevant contribution was credited to his account, in error.

(6) Notwithstanding section 24 (3A), on the death of an eligible member —

(a) where the amount of any cash payment received by him (prior to his death) or by his estate exceeds that which he is or would have been entitled to receive under the relevant regulations, the Board may recover on behalf of the Government, from his estate, the excess amount of cash payment; and

(b) where the amount of any relevant contribution credited to any account of his in the Fund exceeds that which he is or would have been entitled to receive under the relevant regulations, the Board may recover on behalf of the Government, from the moneys payable out of the Fund on his death or from any person to whom any such moneys have been paid, the excess amount of relevant contribution, together with the whole or such part, as the Board may determine, of any interest paid thereon.

(7) The Board may recover on behalf of the Government, from any cash payment or relevant contribution which an eligible member is entitled to receive, by set-off or otherwise, any amount due to the Government from the member.

(8) Subsections (2), (3), (5), (6) and (7) are without prejudice to any other right of action or remedy which the Board or the Government may have under any written law or rule of law.

(9) Any money recovered by the Board under subsection (2), (3), (5), (6) or (7) shall be refunded to the Government.

(10) Notwithstanding anything in this Part or the relevant regulations, no person shall have an absolute right to any cash payment or relevant contribution under the Scheme.

57D Recovery of cash payment etc. upon conviction

Recovery of cash payment, etc., upon conviction

57D.

— (1) Where —

(a) a member of the Fund has received any cash payment, or any relevant contribution or interest thereon; and

(b) the member is convicted of an offence under section 58 (a) or (d) or the relevant regulations in connection with the cash payment, relevant contribution or interest,

the court before which the conviction is had may, in addition to the fine prescribed under section 61 or penalty prescribed under the relevant regulations, order that the member pay to the Board the amount certified by an officer appointed by the Board in that behalf to be recoverable from the member, as at the date of the conviction, in respect of the cash payment, relevant contribution or interest.

(2) Section 61B (2) and (3) shall apply to an amount ordered to be paid under subsection (1) as it applies to an amount ordered to be paid under section 61B (1).

57E Certificate of Board on amount of cash payment etc.

Certificate of Board on amount of cash payment, etc.

57E.

In any proceedings before any court, tribunal, authority or person (including any proceedings for the recovery of any cash payment, or any relevant contribution or interest thereon), a certificate purporting to be issued by the Board certifying —

(a) the amount of any cash payment, or any relevant contribution or interest thereon, received by any member of the Fund or other person as at any date; or

(b) the amount recoverable from any member of the Fund or other person as at any date in respect of any cash payment, or any relevant contribution or interest thereon, received by the member or person,

shall be prima facie evidence that the amount so stated was received by the member or person or is recoverable from the member or person, as the case may be, as at that date.

57F Regulations for purposes of this Part

Regulations for purposes of this Part

57F.

— (1) The Minister may make such regulations as are necessary or expedient for the purposes of carrying out the provisions of this Part.

(2) Without prejudice to the generality of subsection (1), such regulations may provide for —

(a) the criteria to be satisfied by an eligible member and the waiver of any such criteria by the Board;

(b) the terms and conditions of the Scheme;

(c) the amount of cash payment or relevant contribution which an eligible member is entitled to receive, including different amounts for different classes of eligible members;

(d) the manner in which any cash payment is to be made to an eligible member, or any relevant contribution is to be credited to any account of an eligible member in the Fund, including the making of provisional payments or credits;

(e) the manner in which, and the processes (apart from those referred to in sections 57C and 57D) by which, any cash payment or relevant contribution (including any interest on the relevant contribution) received by a member, or any part thereof, is to be recovered, including recovery from —

(i) any money standing to the credit of the member in the Fund; or

(ii) any cash payment or relevant contribution which the member may be entitled to receive subsequently;

(f) any restriction on the purposes for which any cash payment or relevant contribution may be utilised;

(g) the consequences of contravening any provision of those regulations; and

(h) any act or omission referred to in, or in contravention of, those regulations to be an offence.

PART VII OFFENCES, PENALTIES AND PROCEEDINGS

PART VII

OFFENCES, PENALTIES AND PROCEEDINGS

58 Offences

Offences

58.

If any person —

(a) for any purpose connected with this Act —

(i) knowingly makes any false statement; or

(ii) produces or furnishes or causes or knowingly allows to be produced or furnished any document which he knows to be false in a material particular;

(b) fails to pay to the Fund within such period as may be prescribed any amount which he is liable under this Act to pay in respect of or on behalf of any employee in any month;

(c) obstructs any officer or employee of the Board in the discharge of his functions as such;

(d) fails to comply with any regulations or rules made under this Act; or

(e) fails to pay to the Board within such period as may be prescribed any amount which he is liable to pay under the provisions of this Act,

he shall be guilty of an offence.

58A Offences relating to investments

Offences relating to investments

58A.

— (1) No person shall, directly or indirectly, in connection with the making of any investment under any scheme in accordance with any regulations made under section 77 (1) (n) or the sale or disposal of any such investment —

- (a) employ any device, scheme or artifice to defraud; or
- (b) engage in any act, practice or course of business which operates as a fraud or deception, or is likely to operate as a fraud or deception, upon any person.

(2) Any person who contravenes subsection (1) shall be guilty of an offence.

59 Publication of information to unauthorised person

Publication of information to unauthorised person

59.

— (1) Any person employed by the Board who, without lawful authority, publishes or communicates to any person, otherwise than in the ordinary course of his duty or employment, any information acquired by him in the course of his duty or employment shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$4,000 or to imprisonment for a term not exceeding 12 months or to both.

(2) The Board may, on an application by a prospective employer who is considering whether or not to employ any person as an employee, give to the prospective employer the following particulars of that person:

- (a) the name of his employer or, if he has been in the employment of more than one employer, the names of all his employers during the past 3 years; and
- (b) the period for which contributions were paid into the Fund for that person

by each of his employers.

(3) A prospective employer who wishes to obtain any of the particulars referred to in subsection (2) shall apply to the Board in such form as the Board may determine and shall pay the prescribed fee.

(4) The Board may require an applicant under subsection (3) to furnish proof that he is considering whether to employ the person in respect of whom the application is made.

(5) No refund shall be made of any fee paid under subsection (3).

(6) The Board may, on the request by an insurer administering or operating an insurance scheme referred to in section 77 (1) (k), give to the insurer information, in the Board's possession, on any member or his dependant that the insurer requires for the purpose of administering or operating the insurance scheme, including any medical information and information relating to the amount standing to the credit of the member in his medisave account.

(7) The insurer may not use the information given under subsection (6) for any other purpose except —

(a) for the purpose of determining whether a member or his dependant is entitled to be insured under the insurance scheme referred to in section 77 (1) (k); or

(b) for any other purpose connected with the administration or operation of the insurance scheme.

(8) An insurer who knowingly contravenes subsection (7) shall be guilty of an offence.

60 Offences by corporations

Offences by corporations

60.

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.

61 General penalties

General penalties

61.

Any person convicted of an offence under this Act for which no penalty is provided shall be liable to a fine not exceeding \$2,500 and, in the case of a second or subsequent conviction, to a fine not exceeding \$10,000.

61A Jurisdiction of court

Jurisdiction of court

61A.

Notwithstanding the provisions of any written law to the contrary, a District Court or a Magistrate's Court shall have the jurisdiction to impose the maximum penalty prescribed for an offence under this Act.

61B Recovery of contributions etc. upon conviction

Recovery of contributions, etc., upon conviction

61B.

— (1) The court before which any conviction under section 7 (3) or 61 is had may in addition to the fine prescribed in those sections order the person convicted to pay the amount of any contributions together with any interest due thereon certified by an officer appointed by the Board in that behalf to be due from that person at the date of the conviction.

[39/2000]

(1A) Where —

(a) a member of the Fund has withdrawn any amount from his ordinary account or

special account in connection with any investment made under any scheme in accordance with any regulations made under section 77 (1) (n);

(b) the member is convicted of an offence under this Act or any other written law in connection with that investment; and

(c) the Board has required that member to refund or transfer to his ordinary account or special account such amount as may be prescribed by those regulations,

the court before which the conviction is had may, in addition to the fine prescribed under this Act or penalty prescribed under that law, order that member to refund or transfer to his ordinary account or special account, as the case may be, in accordance with such directions as the Board may give, the amount certified by an officer appointed by the Board in that behalf to be due from that member, under paragraph (c), at the date of the refund or transfer.

(2) The court may order that the amount ordered to be paid under subsection (1), or refunded or transferred under subsection (1A), be recoverable —

(a) according to the law for the time being in force relating to the recovery of fines; or

(b) upon the application by the Board, in like manner as a judgment of a civil court for the payment of money.

[39/2000]

(3) Where the court orders that the amount ordered to be paid under subsection (1), or refunded or transferred under subsection (1A), to be recoverable in the manner mentioned in subsection (2) (b), the court shall certify the amount to be paid, refunded or transferred and the Board may recover the amount so certified in any civil court of competent jurisdiction as though the amount were a judgment debt due to the Board.

[39/2000]

62 Notice to attend court

Notice to attend court

62.

— (1) Where an officer of the Board has reasonable ground for believing that a person has committed an offence under this Act, he may, in lieu of applying to a court for a summons, serve upon that person a prescribed notice, requiring

that person to attend at the court, at the hour and on the date specified in the notice.

[30/98]

(2) A duplicate of the notice shall be prepared by the officer of the Board and, if so required by the court, produced to the court.

[30/98]

(3) The notice may be served on the person alleged to have committed the offence in the manner provided in section 62A (1).

[30/98]

(4) On an accused person appearing before a court in pursuance of such a notice, the court shall take cognizance of the offence alleged and shall proceed as though he were produced before the court in pursuance of section 136 of the Criminal Procedure Code (Cap. 68).

[30/98]

(5) If a person, upon whom such a notice has been served, fails to appear before a court in person or by counsel in accordance therewith, the court may, if satisfied that the notice was duly served, issue a warrant for the arrest of the person unless that person has before that date been permitted to compound the offence.

[30/98]

(6) Upon a person arrested in pursuance of a warrant issued under subsection (5) being produced before a court, the court shall —

(a) proceed as though he were produced in pursuance of section 136 of the Criminal Procedure Code; and

(b) at the conclusion of the proceedings, call upon him to show cause why he should not be punished for failing to attend in compliance with the notice served upon him and if cause is not shown may order him to pay such fine not exceeding \$2,000 as the court thinks fit or may commit him to prison for a term not exceeding 2 months.

[30/98]

(7) An officer authorised in that behalf by the Board may, at any time before the date specified in the notice, cancel the notice.

[30/98]

(8) The Board may prescribe such form of notice as it may think fit for the purposes of this section.

[30/98]

62A Service of notice and summons

Service of notice and summons

62A.

—(1) Every notice to attend court issued under section 62, and every summons issued by a court, against any person in connection with any offence under this Act may be served on the person —

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

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

(c) where the person is a body of persons or a company —

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

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

[30/98]

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

[30/98]

63 Composition of offences

Composition of offences

63.

—(1) The Board or any person authorised by the Board in writing may, in its discretion, compound any offence under this Act which is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding \$500.

[32/86; 27/92; 30/98]

(2) The Board may make rules to prescribe the offences which may be compounded.

[32/86]

(3) All sums collected under this section shall be paid to the Board.

64 Saving of proceedings under other laws

Saving of proceedings under other laws

64.

The provisions of this Act shall be without prejudice to any other proceedings under any other written law.

65 Recovery of sums due to Fund

Recovery of sums due to Fund

65.

Any sum due to the Fund, including any sum required by the Board or ordered by a court to be paid, repaid, refunded or transferred to any account maintained for a member of the Fund in respect of the moneys standing to the credit of the member in the Fund, may be sued for and recovered by the Board under the Government Proceedings Act (Cap. 121) as if it were a debt due to the Government.

66 Certificate of authorised officer to be evidence

Certificate of authorised officer to be evidence

66.

In any legal proceedings, a copy of an entry in the accounts of the Fund, the Home Protection Fund or the MediShield Fund, as the case may be, duly certified under the hand of such officer of the Board as it may authorise shall be prima facie evidence of the entry having been made and of the truth of the contents thereof.

66A Certificate of Board

Certificate of Board

66A.

—(1) In any proceedings relating to the recovery or non-payment of contributions under section 7, a certificate purporting to be issued by the Board certifying the amount of the contributions and interest due thereon and payable by an employer or other person shall be prima facie evidence that the amount of contributions and interest so stated is due and payable by the employer or other person so named in the certificate as at the date of the certificate.

[30/98]

(2) Where the Board has required a member of the Fund to refund or transfer to his ordinary account or special account such amount as may be prescribed by any regulations made under section 77 (1) (n), a certificate purporting to be issued by the Board certifying the amount due from the member at any date shall, in any proceedings relating to the recovery of that amount, be prima facie evidence that the amount so stated is due and payable by the member named in the certificate at that date.

67 Conduct of prosecutions

Conduct of prosecutions

67.

Proceedings in respect of any offence under the provisions of this Act may be conducted by any officer authorised in writing in that behalf by the Chairman of the Board.

PART VIII MISCELLANEOUS

PART VIII

MISCELLANEOUS

68 Protection of employee' s or member' s interest in execution proceedings and sale under mortgage or

charge

Protection of employee' s or member' s interest in execution proceedings and sale under mortgage or charge

68.

— (1) Where —

(a) a writ of seizure and sale` has been issued in execution of a judgment against an employer or a member and any movable or immovable property or other assets belonging to the employer or member has been seized or sold or otherwise realised in pursuance of the execution; and

(b) prior to the payment of the proceeds of the sale or other realisation to an execution creditor, notice has been given to the Sheriff or other officer charged with the execution of the writ by the Board that any sum is due to the Fund,

no part of the proceeds shall be paid to an execution creditor, unless the court issuing the writ has ascertained and provided for the sum due to the Fund at the date of the sale or other realisation.

(2) Where —

(a) a writ of distress has been issued under the Distress Act (Cap. 84) to distrain the property of a tenant who is an employer or a member and any movable property belonging to the employer or member is seized in execution of the writ; and

(b) prior to the payment of the proceeds of the sale or other realisation to the landlord entitled to the distraint, notice has been given to the Sheriff or other officer charged with the execution of the writ by the Board that any sum is due to the Fund,

no part of the proceeds shall be paid to the landlord unless the court issuing the writ has ascertained and provided for the sum due to the Fund at the date of the sale or other realisation.

[30/98]

(3) Where —

(a) a garnishee order has been issued in execution of a judgment against an

employer or a member; and

(b) prior to the payment of the amount due or accruing due to the judgment debtor from the garnishee, notice has been given to the garnishee by the Board that any sum is due to the Fund,

no amount of the debt sought to be attached under the garnishee order shall be paid to the execution creditor unless the court issuing the garnishee order has ascertained and provided for the sum due to the Fund at the date the debt is due to be paid.

[30/98]

(4) Where —

(a) any interest in any place of employment is being sold on the application of a secured creditor under any written law in force for the time being; and

(b) the Board gives notice to the Sheriff or other officer charged with the conduct of the sale that a sum of money is due by the debtor to the Fund,

the proceeds of the sale shall not be paid to any creditor other than to the Government or a secured creditor unless the court ordering the sale has ascertained and provided for the amount due to the Fund at the date of the sale or unless the court is satisfied that all sums due to the Fund have been paid up to the date of sale.

(5) In any distribution of —

(a) any proceeds referred to in subsection (1), (2) or (4); or

(b) any amount sought to be attached under a garnishee order referred to in subsection (3),

any sum due to the Fund under section 7 or 61B (1) shall be paid in priority to any sum due to the Fund under section 61B (1A).

(6) For the purposes of this section, any reference to an amount or a sum due to the Fund shall be construed as including a reference to an amount or a sum required by the Board or ordered by a court to be paid, repaid, refunded or transferred to any account maintained for a member of the Fund in respect of the moneys standing to the credit of the member in the Fund.

69 Power to exempt

Power to exempt

69.

The Minister may from time to time by order exempt any person or class of persons from all or any of the provisions of this Act.

70

70. Deleted by Act 31/2003, wef 01/01/2004.

71

71. Deleted by Act 31/2003, wef 01/01/2004.

72 Refund of contributions to Government

Refund of contributions to Government

72.

The Board may, when a public officer is confirmed in a pensionable office in the service of the Government, refund to the Government, in respect of the period before his confirmation, such contributions paid by the Government as have not been recovered from the public officer's wages and are standing to the credit of the public officer in the Fund, together with the whole or such part, as the Board may determine, of the interest paid on those contributions.

73 Transfer to Fund from private provident fund

Transfer to Fund from private provident fund

73.

Where, by virtue of his employment as an employee, any member of the Fund has acquired a right to any pecuniary benefit in a provident fund or other scheme, any part or the whole of that benefit may, if the rules of that provident fund or other scheme permit, be transferred to the Fund and treated as an excess contribution paid for him under section 7 (4).

74 Refund of contributions paid in error

Refund of contributions paid in error

74.

— (1) When the Board is satisfied that any amount has been paid in error to the Fund in respect of any person or as interest under section 9, the Board may, subject to subsection (4), refund the amount so paid in error to the person by whom it was paid.

(2) If —

(a) the refund of any amount paid in error is not claimed within one year of the date on which it was paid; or

(b) the member in respect of whom the refund of any amount was paid has withdrawn it,

the amount paid in error shall not be refunded but shall be deemed to have been properly paid under the provisions of this Act as interest or for the person in respect of whom it was paid.

(3) If any amount is due to the Fund from the person to whom refund of the amount paid in error would otherwise be made, the Board may retain the whole or any part of the amount paid in error and set it off against such amount as is due.

(4) No refund shall be made and no amount shall be set-off under this section except with the consent of the Board.

(5) The Board may require any person who claims to have paid any amount to the Fund in error to make written application for refund and to furnish such information as the Board may require to determine the amount so paid.

75 Refund of excess contributions on additional wages

Refund of excess contributions on additional wages

75.

— (1) Subject to this section, where the Board is satisfied that the amount of contributions paid for the year on additional wages exceeds the amount of contributions payable on such additional wages after recomputation in accordance with the First Schedule, the Board may refund the excess contributions, together with the whole or such part, as the Board may determine, of any interest paid on the excess contributions, in such manner as the Minister may by regulations prescribe.

[22/90; 27/92]

(2) If any amount is due to the Fund from any person to whom refund of any excess contributions and interest thereon would otherwise be made, the Board may retain the whole or any part of the excess contributions and interest and set them off against such amount as is due.

[22/90]

(3) The Board may require any person who claims to be entitled to any refund under this section or to have paid any excess contributions to the Fund to furnish such information to the Board as may be necessary.

[22/90]

76 Board may engage in activities not directly related to Fund and may call for information

Board may engage in activities not directly related to Fund and may call for information

76.

— (1) The Board may, if the Minister is satisfied that it is in the public interest to do so, engage in activities not directly related to the administration of the Fund including, in particular, the compilation of information of a statistical nature or otherwise relating to members, employers and employees.

(2) For the purpose of subsection (1), the Board may require members, employers and employees to furnish such particulars as may be necessary.

(3) Notwithstanding the provisions of any written law but subject to any rules made under subsection (4), where a fund for the educational, social or economic advancement of any community has been approved by the Minister for the purposes of this subsection, an employer shall deduct from the monthly wages of an employee who belongs to that community such amount of

contributions as may be prescribed and pay such contributions into the fund unless an employee notifies his employer in writing that he does not wish to contribute to the fund.

[3/92]

(4) The Board may, with the approval of the Minister, make such rules as are necessary or expedient for carrying out the provisions of subsection (3) relating to the fund referred to in that subsection and, in particular, such rules may —

(a) provide for different amounts of contributions to be made by different categories of employees;

(b) provide for the manner and time of payment and collection of contributions to the fund and any matters incidental thereto;

(c) provide for the return of any contributions paid in error or for the payment of any contributions omitted to be paid;

(d) provide for the keeping of books, accounts or records by employers;

(e) provide, in cases where an employee is employed concurrently by 2 or more employers, for the extent of the obligation of such employers as to payment of contributions to the fund; and

(f) provide that an employer who fails to deduct any contributions from an employee's monthly wages or fails to pay such deductions into the fund within the prescribed time shall be guilty of an offence.

[3/92]

77 Regulations and rules

Regulations and rules

77.

— (1) The Minister may, after consulting with the Board, make regulations —

(a) to provide for the manner of payment, collection and refund of contributions and any matters incidental thereto, including by electronic or other means;

(b) to provide for the disposal of amounts which are unclaimed, unpaid or otherwise remain in the Fund;

(c) to provide for the classification of any employment, not being employment under a contract of service or apprenticeship, as an employment in respect of which contributions are payable under the provisions of this Act;

(d) to provide that where an employee is employed in a specified employment a person specified as the principal employer shall be deemed to be his employer for the purposes of this Act notwithstanding that the principal employer is not the immediate employer of the employee;

(e) to require such person as the Minister may specify who derives income from any trade, business, profession or vocation, or from any other source or sources as the Minister may prescribe, to contribute to the Fund in respect of such income in such a manner and at such rate as may be prescribed by the Minister;

(f) to provide that the Comptroller of Income Tax, appointed under the Income Tax Act (Cap. 134), may transmit to the Board such information, documents or records as may be required to enable the incomes of the persons referred to in paragraph (e) to be ascertained and to provide for the Board, its officers and employees, when dealing with the information, documents or records to be bound by the same conditions as to secrecy as are the persons mentioned in section 6 of that Act;

(g) to provide that the Board may, with the approval of the Minister, appoint any agent (including the Government or any statutory body) for the assessment, collection or recovery of contributions payable under this Act and any interest thereon and that such agent may be delegated such duties, powers and functions of the Board or its officers under this Act as may be prescribed;

(h) to provide for members of the Fund to apply, assign or withdraw all or part of the contributions and interest standing to their credit in the Fund for the purchase or acquisition of immovable properties or to repay any loan taken to finance or re-finance the purchase or acquisition of immovable properties including the payment of costs, fees or other incidental expenses incurred for the purchase or acquisition of immovable property or for obtaining any loan to finance or re-finance such purchase or acquisition or in connection with withdrawals of any money from the Fund;

(i) to provide for members of the Fund to apply or withdraw all or part of the contributions and interest standing to their credit in the Fund —

(i) for the repayment of any loan taken to finance or re-finance the purchase or acquisition of any land (with or without any building thereon) and the cost incurred for the construction of any dwelling-house thereon, including the

payment of any cost, fee or other incidental expense incurred for the purchase or acquisition of that land and the construction of the dwelling-house; and

(ii) for the reimbursement of the cost for the purchase or acquisition of any land (with or without any building thereon) and the construction of any dwelling-house thereon, including the payment of any cost, fee or other incidental expense incurred for the purchase or acquisition of that land and the construction of the dwelling-house;

(j) with respect to the withdrawal of money from the medisave account of a member for medical treatment or services received by him, his spouse, child, parent or such other persons as may be prescribed;

(k) with respect to the withdrawal of money from the medisave account of a member for payment of premium payable by the member or his dependant who is insured under a medical insurance scheme or other insurance scheme approved by the Minister charged with the responsibility for health;

(ka) to provide for the transfer of money from the medisave account of a member to his ordinary account, special account and retirement account (if any);

(l) to provide for rates of contributions, other than those specified in the First Schedule, in respect of employees declared by the President to be employees for the purposes of this Act by notification in the *Gazette* under section 2 (1);

(m) *Deleted by Act 31/2003, wef 01/07/2004.*

(n) to provide for members of the Fund to apply, assign or withdraw all or part of the contributions and interest standing to their credit in the Fund for the purpose of making such investments as may be approved by the Minister, or for the reimbursement of the cost of the making of any such investments, including the payment of any fees, charges or incidental expenses incurred for such investments;

(o) for the purposes of sections 15 (6) and 18 (1) and (1A) and, in particular, to prescribe —

(i) the minimum sum referred to in section 15 (6) (a), including different minimum sums for different classes of members;

(ii) the method of computing the minimum sum; and

(iii) the amount of the minimum sum which may be withdrawn, and the manner in

which the minimum sum may be withdrawn, after a member has attained the age of 60 years or such other age as may be prescribed;

(oa) for the purposes of section 18 (3) and (7) and, in particular, to prescribe —

(i) the method of computing the amount of moneys which may be transferred to or paid into a special account under section 18 (3); and

(ii) the purposes for which any moneys transferred to or paid into a special account under section 18 (3) which may be applied, the amount which may be applied for each such purpose, and the manner in which any such amount may be withdrawn;

(p) to prescribe for the purposes of section 15B the manner of application to set aside the additional sum, the conditions on which the additional sum may be set aside, the time at which the additional sum may be set aside, and the amount of and the manner in which the additional sum may be withdrawn;

(q) to provide for rates of contributions, other than those specified in the First Schedule, in respect of such categories, classes or descriptions of employees as the Minister may specify;

(qa) to prescribe the fees and charges that may be levied by the Board for the purposes of this Act;

(r) to provide for members of the Fund to apply or withdraw all or part of the contributions and interest standing to their credit in the Fund for the payment of —

(i) improvement contributions due to the Housing and Development Board constituted under the Housing and Development Act (Cap. 129) in respect of upgrading works carried out under Part IVA of that Act; or

(ii) improvement contributions due to a Town Council constituted under the Town Councils Act (Cap. 329A) in respect of upgrading works carried out under Part IVA of that Act,

including the payment of costs, fees or other incidental expenses arising from such works;

(ra) for the purposes of Part IIIA and, in particular, to prescribe —

(i) the procedure and requirements for and manner of effecting, and any other

matter relating to, the transfer of money standing to the credit of a member to any designated account of his spouse;

(ii) the procedure and requirements for and manner of effecting, and any other matter relating to, the payment of money standing to the credit of a member to his spouse;

(iii) any matter relating to the transfer (other than by way of sale) of a member's estate or interest in any immovable property or HDB flat to his spouse pursuant to an order of court;

(iv) any matter relating to the transfer of a member's interest in any investment to his spouse under section 27G; and

(v) any matter relating to the sale of a member's interest in any investment under section 27H; and

(s) as are necessary or expedient for giving full effect to the purposes and provisions of this Act.

[19/83; 32/84; 16/86; 5/87; 22/90; 27/92; 29/93; 10/94; 39/2000]

(2) The Board may, in addition to the other duties imposed and powers conferred upon it under this Act, make rules —

(a) to provide for —

(i) the return of contributions under this Act, or of any part of those contributions, paid in error; and

(ii) the payment of contributions under this Act, or of any part of those contributions, omitted to be paid in error;

(b) to provide for the keeping of books, accounts or records by employers;

(c) to provide for the appointment of medical boards for the purpose of determining whether a member of the Fund satisfies any ground under section 15

(2) (d), (e), (f) or (g), (6B) (a), (7A) (a), (b), (ba) or (c), (8) (a), (b), (c) or (d) or (15) (e) (ii), 27D (vi) (B), 36 (2) or 49 (2);

(d) to prescribe the procedure for the withdrawal of amounts from the Fund;

(e) to prescribe the evidence to be produced and the person, officer or authority to whom the evidence is to be produced for the purposes of section 15;

(f) to prescribe the procedure to be followed when contributions are paid into

the Fund;

(g) to provide, in cases where an employee is employed concurrently by 2 or more employers, the extent of the obligation of those employers as to payment of contributions under this Act;

(h) to prescribe the form and period of any notice to be given by an employee to his employer under section 7;

(i) to prescribe the procedure to be followed when any voluntary contribution is paid to the Fund;

(j) to prescribe the returns to be made and the forms and registers to be used in the carrying out of the provisions of this Act; and

(k) to prescribe anything which under this Act may be prescribed by the Board.

(3) No withdrawal shall be allowed to any member pursuant to regulations made under subsection (1) (i) unless the construction of his dwelling-house has been completed and a temporary occupation permit in respect of the dwelling-house has been issued by the relevant Government authority.

(4) In subsections (1) (i) and (3), “dwelling-house” means any building which is constructed to be used for human habitation.

[29/93]

78 Regulations and rules to be presented to Parliament

Regulations and rules to be presented to Parliament

78.

—(1) All regulations and rules made under this Act shall, unless it is otherwise provided by those regulations and rules, come into operation on the date of their publication in the *Gazette*.

(2) Such regulations and rules shall be presented to Parliament as soon as possible after publication.

(3) Such regulations and rules shall remain in force until disapproved or altered by resolution of Parliament.

(4) Any regulation or rule altered by a resolution of Parliament shall come into operation as altered from the date of the passing of the resolution.

79 Reciprocal agreements

Reciprocal agreements

79.

— (1) The Minister may, after consulting with the Board, enter into a reciprocal agreement with the government of any other territory in which a fund similar to the Fund has been established and the agreement may provide, amongst other matters, that —

(a) any period of employment by an employer in the territory of that government shall be treated as a period of employment in Singapore by that employer for the purpose of the definition of “employee” in section 2;

(b) subject to such conditions as may be laid down in the reciprocal agreement, any amount standing to the credit of any member of the Fund who is employed by any employer in the territory of that government may be transferred to his credit in the fund; and

(c) any amount standing to the credit in the fund of any person who becomes a member of the Fund may be transferred to his credit in the Fund.

(2) If any such reciprocal agreement containing such provisions is entered into, the definition of employee in section 2 shall be deemed to be modified accordingly, so that —

(a) no person shall be required to contribute to the Fund in respect of any period during which he was not employed in Singapore;

(b) no employer shall be required to contribute in respect of any employee during that period; and

(c) the transfer by the Board of credits to and from the Fund in that manner shall be permitted.

(3) Any reciprocal agreement made under subsection (1) shall be published in the *Gazette* and shall come into operation on the date of the publication or on such later date as may be provided in the agreement.

RATES OF CONTRIBUTION

1. Subject to paragraphs 2 to 7, with effect from 1st July 2007, the contributions payable by the employer and the amount recoverable from the employee's wages are as follows:

	<i>35 Years of Age and below</i>		<i>Above 35 but not more than 50 Years of Age</i>		<i>Above 50 but not more than 55 Years of Age</i>		
	<i>Total amount of the employee's wages for the calendar month.</i>	<i>Contributions payable by the employer for the calendar month.</i>	<i>Amount recoverable from the employee's wages for the calendar month.</i>	<i>Contributions payable by the employer for the calendar month.</i>	<i>Amount recoverable from the employee's wages for the calendar month.</i>	<i>Contributions payable by the employer for the calendar month.</i>	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	
Exceeding \$50 but not exceeding \$500	An amount equal to 14.5% of the total amount of the employee's wages for the month.	NIL	An amount equal to 0.0964 of the difference between the total amount of the employee's wages for the month and \$50.	NIL	An amount equal to 0.0697 of the difference between the total amount of the employee's wages for the month and \$50.	NIL	A
Exceeding \$500 but not exceeding \$750	An amount equal to the sum of —	An amount equal to 0.48 of the difference between the total amount of the employee's wages for the month and \$500.	An amount equal to the sum of —	An amount equal to 0.48 of the difference between the total amount of the employee's wages for the month and \$500.	An amount equal to the sum of —	An amount equal to 0.432 of the difference between the total amount of the employee's wages for the month and \$500.	A
	(a) 14.5% of		(a) 0.0964 of		(a) 0.0697 of		(a)

the total amount of the employee's wages for the month; and

(b) 0.48 of the difference between the total amount of the employee's wages for the month and \$500.

Exceeding \$750 but not exceeding \$1,200

An amount equal to the sum of —

An amount equal to the sum of \$120 and 0.24 of the difference between the total amount of the employee's wages for the month and \$750.

(a) 14.5% of the total amount of the employee's wages for the month; and

(b) \$120 and 0.24 of the

the difference between the total amount of the employee's wages for the month and \$50; and

(b) 0.48 of the difference between the total amount of the employee's wages for the month and \$500.

An amount equal to the sum of —

An amount equal to the sum of \$120 and 0.24 of the difference between the total amount of the employee's wages for the month and \$750.

(a) \$67.50 and 0.1966 of the difference between the total amount of the employee's wages for the month and \$750; and

(b) \$120 and 0.24 of the

the difference between the total amount of the employee's wages for the month and \$50; and

(b) 0.432 of the difference between the total amount of the employee's wages for the month and \$500.

An amount equal to the sum of —

An amount equal to the sum of \$108 and 0.216 of the difference between the total amount of the employee's wages for the month and \$750.

(a) \$48.825 and 0.1315 of the difference between the total amount of the employee's wages for the month and \$750; and

(b) \$108 and 0.216 of the



difference between the total amount of the employee's wages for the month and \$750.

Exceeding \$1,200 but not exceeding \$1,500

An amount equal to the sum of —

An amount equal to the sum of \$120 and 0.24 of the difference between the total amount of the employee's wages for the month and \$750.

(a) 14.5% of the total amount of the employee's wages for the month; and

(b) \$120 and 0.24 of the difference between the total amount of the employee's wages for the month and \$750.

Exceeding

An amount

An amount

difference between the total amount of the employee's wages for the month and \$750.

An amount equal to the sum of —

An amount equal to the sum of \$120 and 0.24 of the difference between the total amount of the employee's wages for the month and \$750.

(a) \$156 and 0.205 of the difference between the total amount of the employee's wages for the month and \$1,200; and

(b) \$120 and 0.24 of the difference between the total amount of the employee's wages for the month and \$750.

An amount

An amount

difference between the total amount of the employee's wages for the month and \$750.

An amount equal to the sum of —

(a) \$108 and 0.165 of the difference between the total amount of the employee's wages for the month and \$1,200; and

(b) \$108 and 0.216 of the difference between the total amount of the employee's wages for the month and \$750.

An amount

An amount equal to the sum of \$108 and 0.216 of the difference between the total amount of the employee's wages for the month and \$750.

An amount

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\$1,500	equal to the sum of —	equal to the sum of —	equal to the sum of —	equal to the sum of —	equal to the sum of —	equal to the sum of —	equal to the sum of —
	(a) 34.5% of the employee's ordinary wages for the month subject to a maximum of \$1,552.50; and	(a) 20% of the employee's ordinary wages for the month subject to a maximum of \$900; and	(a) 34.5% of the employee's ordinary wages for the month subject to a maximum of \$1,552.50; and	(a) 20% of the employee's ordinary wages for the month subject to a maximum of \$900; and	(a) 28.5% of the employee's ordinary wages for the month subject to a maximum of \$1,282.50; and	(a) 18% of the employee's ordinary wages for the month subject to a maximum of \$810; and	
	(b) 34.5% of the amount of the additional wages payable to the employee in the month.	(b) 20% of the amount of the additional wages payable to the employee in the month.	(b) 34.5% of the amount of the additional wages payable to the employee in the month.	(b) 20% of the amount of the additional wages payable to the employee in the month.	(b) 28.5% of the amount of the additional wages payable to the employee in the month.	(b) 18% of the amount of the additional wages payable to the employee in the month.	

2. No contributions shall be payable by an employer on the additional wages in a year which are in excess of \$76,500 less the amount of ordinary wages for that year.

3. Where the additional wages of an employee are paid at any time before the relevant time and before the amount of his ordinary wages for that year is computed, no contributions shall be payable by an employer on the additional wages which are in excess of an amount computed as follows:

\$76,500 less —

- (a) the ordinary wages of the employee for the preceding year; and
- (b) the additional wages of the employee already paid for the current year.

4. — (1) Where the contributions on additional wages for any year have been paid at any time before the relevant time and before the amount of ordinary wages for that year is computed, the amount of contributions payable on the additional wages for that year shall be recomputed at the relevant time, subject to the limit in paragraph 2.

(2) Where the contributions on additional wages recomputed under sub-paragraph (1) exceed the contributions already paid on additional wages for that year, the employer shall contribute the difference to the Fund at the relevant time, subject to the limit in paragraph 2.

(3) Where the employer is required to make additional contributions under sub-paragraph (2), he shall be entitled to recover from the employee's wages, at the rate of recovery for additional wages applicable to the employee, the amount of additional contributions paid by the employer under that sub-paragraph.

4A. In computing the amount of ordinary wages for a year or a preceding year for the purposes of paragraphs 2, 3 and 4, the amount of ordinary wages which is in excess of \$4,500 for any month shall be disregarded.

5. For the purpose of this Schedule —

(a) a person shall be deemed to have attained 35, 50, 55, 60 or 65 years of age on the thirty-fifth, fiftieth, fifty-fifth, sixtieth or sixty-fifth anniversary, respectively, of the day of his birth and the contributions payable in respect of an employee above 35, 50, 55, 60 or 65 years of age shall be payable from the first day of the month following the month in which the employee attains that age;

(b) the contribution payable by the employer shall be rounded off to the nearest dollar except where the fraction of a dollar is 50 cents, it shall be regarded as a dollar;

(c) in calculating the amount recoverable by the employer from the employee's wages, fraction of a dollar shall be ignored;

(d) "additional wages" means any remuneration other than ordinary wages;

(e) "ordinary wages for the month" means the amount of remuneration due or granted wholly or exclusively in respect of employment during that month and payable before the due date for the payment of contribution for that month;

(ea) "relevant time" means the end of the current year or the last month of the employee's employment with that employer, as the case may be;

(f) "total amount of employee's wages for the calendar month" means the total amount of the employee's ordinary wages for the month and additional wages payable to him in that month;

(g) Deleted by S 657/2003, wef 01/01/2004.

(h) “year” means the period beginning on 1st January and ending on 31st December.

6. The rates of contribution specified in paragraph 1 shall not apply to the employees of the following:

(1) The managers of any aided school.

(2) Accounting and Corporate Regulatory Authority.

(3) Agency for Science, Technology and Research (A*Star).

(4) Agri-Food and Veterinary Authority of Singapore.

(5) Board of Architects.

(6) Building and Construction Authority.

(7) Central Provident Fund Board.

(8) Civil Aviation Authority of Singapore.

(9) Civil Service College.

(10) Competition Commission of Singapore.

(11) Contact Lens Practitioners Board — Deleted by Act 36/2007, wef 22/02/2008.

(12) Defence Science and Technology Agency.

(13) Economic Development Board.

(14) Energy Market Authority of Singapore.

(15) Health Promotion Board.

(16) Health Sciences Authority.

(17) Hindu Advisory Board.

(18) Hindu Endowments Board.

- (19) Hotels Licensing Board.
- (20) Housing and Development Board.
- (21) Info-communications Development Authority of Singapore.
- (22) Inland Revenue Authority of Singapore.
- (23) Institute of Southeast Asian Studies.
- (24) Institute of Technical Education, Singapore.
- (25) Intellectual Property Office of Singapore.
- (26) International Enterprise Singapore Board.
- (27) Jurong Town Corporation.
- (28) Land Transport Authority of Singapore.
- (29) Majlis Ugama Islam, Singapura.
- (30) Maritime and Port Authority of Singapore.
- (31) Media Development Authority of Singapore.
- (32) Monetary Authority of Singapore.
- (33) Nanyang Polytechnic.
- (34) Nanyang Technological University — *Deleted by S 193/2006, wef 01/04/2006.*
- (35) National Arts Council.
- (36) National Council of Social Service.
- (37) National Environment Agency.
- (38) National Heritage Board.
- (39) National Institute of Education.
- (40) National Library Board.

- (41) National Parks Board.
- (42) National University of Singapore — Deleted by S 193/2006, wef 01/04/2006.
- (43) Ngee Ann Polytechnic.
- (44) People' s Association.
- (45) Preservation of Monuments Board.
- (46) Professional Engineers Board.
- (47) Public Transport Council.
- (48) Public Utilities Board.
- (49) Republic Polytechnic.
- (50) Science Centre Board.
- (51) Sentosa Development Corporation.
- (52) Sikh Advisory Board.
- (53) Singapore Corporation of Rehabilitative Enterprises.
- (54) Singapore Dental Council.
- (55) Singapore Examinations and Assessment Board.
- (56) Singapore Labour Foundation.
- (57) Singapore Land Authority.
- (58) Singapore Medical Council.
- (59) Singapore Nursing Board.
- (60) Singapore Pharmacy Board.
- (61) Singapore Polytechnic.
- (62) Singapore Sports Council.

(63) Singapore Totalisator Board.

(64) Singapore Tourism Board.

(65) Singapore Workforce Development Agency.

(66) Specialist Accreditation Board.

(67) Standards, Productivity and Innovation Board (Spring Singapore).

(68) Temasek Polytechnic.

(69) Traditional Chinese Medicine Practitioners Board.

(70) Urban Redevelopment Authority.

7. Contributions shall be payable for and recoverable from the wages of such employees who are —

(a) pensionable employees at the rates prescribed for pensionable employees of the Government;

(b) non-pensionable employees at the rates prescribed for non-pensionable employees of the Government;

(c) employees of a statutory body or persons employed in an aided school by the manager of the school at the rates prescribed in the Central Provident Fund (Statutory Bodies and Aided Schools — Employees) Regulations 2002 (G.N. No. S 520/2002); and

(d) employees who are permanent residents and who do not fall under subparagraph (a), (b) or (c), at the rates prescribed in the Central Provident Fund (Permanent Residents — Employees) Regulations 2002 (G.N. No. S 521/2002).

SECOND SCHEDULE

Section 11

FINANCIAL PROVISIONS

1. — (1) The Board shall keep proper accounts and records of its transactions and affairs and shall do all things necessary to ensure that all payments out of its moneys are correctly made, properly authorised and that adequate control is maintained over the assets of, or in the custody of, the Board and over the expenditure incurred by the Board.

(2) The Board shall, as soon as practicable after the close of each financial year, prepare and submit financial statements in respect of that year to the auditor of the Board.

2. — (1) The accounts of the Board shall be audited at least once annually by the Auditor-General or such other auditor as may be appointed annually by the Minister in consultation with the Auditor-General.

(2) A person shall not be qualified for appointment as an auditor under subparagraph (1) unless he is an approved company auditor under the Companies Act (Cap. 50).

(3) The remuneration of the auditor shall be paid out of the funds of the Board.

3. The auditor or any person authorised by him is entitled at all reasonable times to full and free access to all accounting and other records relating, directly or indirectly, to the financial transactions of the Board and may make copies of or extracts from any such accounting and other records.

4. — (1) The auditor shall in his report state —

(a) whether the financial statements show fairly the financial transactions and the state of affairs of the Board;

(b) whether proper accounting and other records have been kept, including records of all assets of the Board whether purchased, donated or otherwise;

(c) whether receipts, expenditure and investment of moneys and the acquisition and disposal of assets by the Board during the financial year were in accordance with the provisions of this Act; and

(d) such other matters arising from the audit as he considers necessary.

(2) The auditor shall, as soon as practicable after the accounts have been submitted for audit, send a report of his audit to the Board, and shall also submit such periodical and special reports to the Minister and to the Board as may appear to him to be necessary or as the Minister or the Board may require.

5. — (1) The auditor or any person authorised by him may require any person to furnish him with such information in the possession of that person or to which that person has access as the auditor considers necessary for the purposes of his functions under this Act.

(2) Any person who fails, without reasonable excuse, to comply with any

requirement of the auditor under sub-paragraph (1) or who otherwise hinders, obstructs or delays the auditor in the performance of his duties or the exercise of his powers shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

6. —(1) The Board shall, as soon as the financial statements have been audited in accordance with the provisions of this Act, send to the Minister a copy of the audited financial statements, signed by the Chairman, together with a copy of the auditor's report.

(2) Where the Auditor-General is not the auditor of the Board, a copy of the audited financial statements and any report made by the auditor shall be forwarded to the Auditor-General when they are submitted to the Board.

(3) The Minister shall, as soon as practicable, cause a copy of the audited financial statements and of the auditor's report to be published in the *Gazette* and presented to Parliament.

7. The Chairman of the Board shall, as soon as practicable after the end of each financial year, submit to the Board an account of the revenue and expenditure of the Fund, of the contributions received, of withdrawals made and of interest credited to members during the preceding financial year together with a statement of the assets and liabilities of the Fund.

8. —(1) The Board shall, as soon as practicable after the end of each financial year, cause to be prepared and transmitted to the Minister a report dealing generally with the activities of the Board during the preceding financial year and containing such information relating to the proceedings and policy of the Board as the Minister may from time to time direct.

(2) The Minister shall, as soon as practicable, cause a copy of every such report to be presented to Parliament.

9. The financial year of the Board shall be determined by the Board.

[27/92]

THIRD SCHEDULE

SPECIFIED ACTS RELATING TO SELF-EMPLOYED PERSONS

Section 13A

1. Animals and Birds Act (Cap. 7).

2. Arms and Explosives Act (Cap. 13).

3. Appraisers and House Agents Act (Cap. 16).
4. Business Registration Act (Cap. 32).
5. Child Care Centres Act (Cap. 37A).
6. Commodity Trading Act (Cap. 48A).
7. Control of Plants Act (Cap. 57A).
8. Control of Vectors and Pesticides Act (Cap. 59).
9. Customs Act (Cap. 70).
10. Electrical Workers and Contractors Licensing Act (Cap. 89).
11. Employment Agencies Act (Cap. 92).
12. Environmental Protection and Management Act (Cap. 94A).
13. Environmental Public Health Act (Cap. 95).
14. Workplace Safety and Health Act 2006.
15. Films Act (Cap. 107).
- 15A. Financial Advisers Act (Cap. 110).
16. Fisheries Act (Cap. 111).
17. *Deleted by Act 42/2001, wef 01/10/2002.*
18. Homes for the Aged Act (Cap. 126A).
- 18A. Limited Liability Partnerships Act 2005 (Act 5 of 2005).
19. Maritime and Port Authority of Singapore Act (Cap. 170A).
20. *Deleted by S 457/2004, wef 22/12/2003.*
21. Massage Establishments Act (Cap. 173).
22. Money-changing and Remittance Businesses Act (Cap. 187).

23. Moneylenders Act (Cap. 188).
24. Parking Places Act (Cap. 214).
25. Pawnbrokers Act (Cap. 222).
26. Planning Act (Cap. 232).
27. Postal Services Act (Cap. 237A).
28. Price Control Act (Cap. 244).
29. Private Investigation and Security Agencies Act (Cap. 249).
30. Public Entertainments and Meetings Act (Cap. 257).
31. Public Utilities Act 2001 (Act 8 of 2001).
32. Road Traffic Act (Cap. 276).
33. Rubber Industry Act (Cap. 280).
34. Sale of Food Act (Cap. 283).
35. Secondhand Goods Dealers Act 2007
36. Securities and Futures Act 2001
37. Sewerage and Drainage Act (Cap. 294).
38. Singapore Tourism Board Act (Cap. 305B).
39. Telecommunications Act (Cap. 323).
40. Wholesome Meat and Fish Act (Cap. 349A).
[27/92; 7/96; 43/99; 22/2000; S34/93; S520/99; S258/2000; S343/2000]

LEGISLATION HISTORY

1. Ordinance 34 of 1953 — Central Provident Fund Ordinance 1953

Date of First Reading : 22.5.51 (Bill published on 25.5.51. No Bill number given)

Referred to Select Committee : Council Paper No. 65 of 1953

- Date of Second and Third Readings : 24.11.53
Date of commencement : 1.7.55
2. Ordinance 4 of 1955 — Central Provident Fund (Amendment) Ordinance 1955
Date of First, Second and Third Readings : 28.1.55
Date of commencement : 11.2.55
3. Ordinance 15 of 1955 — Central Provident Fund (Amendment No. 2) Ordinance 1955
Date of First, Second and Third Readings : 29.6.55
Date of commencement : 1.7.55
4. Ordinance 16 of 1957 — Central Provident Fund (Amendment) Ordinance 1957
Date of First Reading : 24.4.57 (Bill No. 99/57 published on 7.5.57)
Date of Second and Third Readings : 22.5.57
Date of commencement : 1.6.57
5. Ordinance 31 of 1958 — Legislative Assembly (Presentation of Subsidiary Legislation) Ordinance 1958
Date of First Reading : 16.7.58 (Bill No. 158/58 published on 22.7.58)
Date of Second Reading : 13.8.58
Date of Third Reading : 10.9.58
Date of commencement : 25.9.58
6. Ordinance 71 of 1959 — Transfer of Powers Ordinance 1959
Date of First Reading : 22.9.59 (Bill No. 30/59 published on 30.9.59)
Date of Second and Third Readings : 11.11.59
Date of commencement : 20.11.59

7. Ordinance 72 of 1959 — Transfer of Powers (No. 2) Ordinance 1959

Date of First Reading : 22.9.59 (Bill No. 31/59 published on 30.9.59)
Date of Second and Third Readings : 11.11.59
Date of commencement : 20.11.59

8. Ordinance 32 of 1963 — Central Provident Fund (Amendment) Ordinance 1963

Date of First Reading : 28.11.63 (Bill No. 13/63 published on 6.12.63)
Date of Second and Third Readings : 20.12.63
Date of commencement : 28.12.63 (section 4)
1.2.64 (sections 2, 3 and 5 to 11)

9. Act 25 of 1968 — Central Provident Fund (Amendment) Act 1968

Date of First Reading : 10.7.68 (Bill No. 26/68 published on 13.7.68)
Date of Second and Third Readings : 1.8.68
Date of commencement : 1.9.68

10. Act 55 of 1970 — Central Provident Fund (Amendment) Act 1970

Date of First Reading : 4.11.70 (Bill No. 43/70 published on 9.11.70)
Date of Second and Third Readings : 30.12.70
Date of commencement : 1.1.71

11. Act 42 of 1973 — Central Provident Fund (Amendment) Act 1973

Date of First Reading : 11.7.73 (Bill No. 21/73 published on 13.7.73)
Date of Second and Third Readings : 25.7.73
Date of commencement : 1.9.73

12. Act 22 of 1978 — Central Provident Fund (Amendment) Act 1978

Date of First Reading : 22.3.78 (Bill No. 16/78 published on 23.3.78)

Date of Second and Third Readings : 7.4.78
Date of commencement : 26.4.78

13. Act 15 of 1980 — Central Provident Fund (Amendment) Act 1980

Date of First Reading : 26.2.80 (Bill No. 4/80 published on 29.2.80)
Date of Second and Third Readings : 25.3.80
Date of commencement : 15.5.80

14. Act 19 of 1981 — Central Provident Fund (Amendment) Act 1981

Date of First Reading : 18.2.81 (Bill No. 3/81 published on 20.2.81)
Date of Second Reading : 6.3.81
Referred to Select Committee : Parl 2 of 1981 presented to Parliament on
13.7.81
Date of Third Reading : 14.8.81
Date of commencement : 1.11.81

15. Act 20 of 1981 — Central Provident Fund (Amendment No. 2) Act 1981

Date of First Reading : 21.7.81 (Bill No. 21/81 published on 24.7.81)
Date of Second and Third Readings : 14.8.81
Date of commencement : 4.9.81 (except sections 4, 5 and 7)
1.1.81 (section 5)
1.6.81 (sections 4 and 7)

16. Act 19 of 1983 — Central Provident Fund (Amendment) Act 1983

Date of First Reading : 30.8.83 (Bill No. 14/83 published on 7.9.83)
Date of Second and Third Readings : 20.12.83
Date of commencement : 21.1.84

17. Act 32 of 1984 — Central Provident Fund (Amendment) Act 1984

Date of First Reading : 24.7.84 (Bill No. 27/84 published on 3.8.84)

- Date of Second and Third Readings : 24.8.84
Date of commencement : 28.9.84
18. Act 16 of 1986 — Central Provident Fund (Amendment) Act 1986
- Date of First Reading : 7.3.86 (Bill No. 6/86 published on 14.3.86)
Date of Second and Third Readings : 31.3.86
Date of commencement : 1.5.86 (except sections 3 (b) and (c) and 4)
1.4.86 (sections 3 (b) and (c) and 4)
19. Act 32 of 1986 — Statutes (Miscellaneous Amendments) Act 1986
- Date of First Reading : 27.10.86 (Bill No. 24/86 published on 31.10.86)
Date of Second and Third Readings : 9.12.86
Date of commencement : 23.1.87
20. Act 5 of 1987 — Central Provident Fund (Amendment) Act 1987
- Date of First Reading : 9.12.86 (Bill No. 30/86 published on 10.12.86)
Date of Second and Third Readings : 26.1.87
Date of commencement : 1.1.87 (except section 5)
1.4.87 (section 5)
21. Act 30 of 1987 — Central Provident Fund (Amendment No. 2) Act 1987
- Date of First Reading : 9.11.87 (Bill No. 20/87 published on 11.11.87)
Date of Second and Third Readings : 30.11.87
Date of commencement : 1.3.88
22. Act 5 of 1989 — Statutes (Miscellaneous Amendments) Act 1989
- Date of First Reading : 16.1.89 (Bill No. 2/89 published on 16.1.89)
Date of Second and Third Readings : 26.1.89

- Date of commencement : 3.3.89
23. Act 23 of 1989 — Central Provident Fund (Amendment) Act 1989
- Date of First Reading : 13.3.89 (Bill No. 22/89 published on 14.3.89)
- Date of Second and Third Readings : 7.4.89
- Date of commencement : 14.5.89
24. Act 30 of 1989 — Central Provident Fund (Amendment No. 2) Act 1989
- Date of First Reading : 29.5.89 (Bill No. 29/89 published on 31.5.89)
- Date of Second and Third Readings : 11.7.89
- Date of commencement : 1.6.89
25. Act 15 of 1990 — Central Provident Fund (Amendment) Act 1990
- Date of First Reading : 12.6.90 (Bill No. 15/90 published on 15.6.90)
- Date of Second and Third Readings : 18.7.90
- Date of commencement : 1.7.90
26. Act 22 of 1990 — Central Provident Fund (Amendment No. 2) Act 1990
- Date of First Reading : 30.8.90 (Bill No. 21/90 published on 31.8.90)
- Date of Second and Third Readings : 4.10.90
- Date of commencement : 1.1.90
27. Act 11 of 1991 — Statutes (Miscellaneous Amendments) Act 1991
- Date of First Reading : 3.1.91 (Bill No. 4/91 published on 4.1.91)
- Date of Second and Third Readings : 14.1.91
- Date of commencement : 30.11.91
28. Act 3 of 1992 — Central Provident Fund (Amendment) Act 1992
- Date of First Reading : 13.1.92 (Bill No. 4/92 published on 14.1.92)

- Date of Second and Third Readings : 27.2.92
Date of commencement : 1.4.92
29. Act 27 of 1992 — Central Provident Fund (Amendment No. 2) Act 1992
- Date of First Reading : 29.5.92 (Bill No. 28/92 published on 1.6.92)
Date of Second and Third Readings : 31.7.92
Date of commencement : 28.8.92
30. Act 29 of 1993 — Central Provident Fund (Amendment) Act 1993
- Date of First Reading : 30.7.93 (Bill No. 24/93 published on 31.7.93)
Date of Second and Third Readings : 30.8.93
Date of commencement : 1.10.93
31. Act 10 of 1994 — Central Provident Fund (Amendment) Act 1994
- Date of First Reading : 23.5.94 (Bill No. 11/94 published on 24.5.94)
Date of Second and Third Readings : 25.7.94
Date of commencement : 1.7.94 (sections 3 and 11)
1.7.95 (sections 2, 4, 5 and 6)
1.3.95 (sections 7, 8 and 10)
14.5.95 (section 9)
32. Act 27 of 1995 — Land Titles (Strata) (Amendment) Act 1995
(Related amendments made by)
- Date of First Reading : 25.5.95 (Bill No. 22/95 published on 26.5.95)
Date of Second and Third Readings : 7.7.95
Date of commencement : 4.8.95
33. Act 29 of 1995 — Rapid Transit Systems Act 1995
(Consequential amendments made by)
- Date of First Reading : 7.7.95 (Bill No. 25/95 published on 8.7.95)

Date of Second and Third Readings : 7.8.95

Date of commencement : 1.9.95

34. Act 31 of 1995 — Central Provident Fund (Amendment) Act 1995

Date of First Reading : 7.7.95 (Bill No. 23/95 published on 8.7.95)

Date of Second and Third Readings : 7.8.95

Date of commencement : 1.1.96

35. Act 1 of 1996 — Singapore Productivity and Standards Board Act 1996
(Consequential amendments made by)

Date of First Reading : 1.11.95 (Bill No. 39/95 published on 2.11.95)

Date of Second and Third Readings : 5.12.95

Date of commencement : 1.4.96

36. Act 7 of 1996 — Maritime and Port Authority of Singapore Act 1996
(Consequential amendments made by)

Date of First Reading : 5.12.95 (Bill No. 46/95 published on 6.12.95)

Date of Second and Third Readings : 18.1.96

Date of commencement : 2.2.96

37. Act 30 of 1998 — Central Provident Fund (Amendment) Act 1998

Date of First Reading : 1.6.98 (Bill No. 26/98 published on 2.6.98)

Date of Second and Third Readings : 29.6.98

Date of commencement : 1.8.98

38. Act 4 of 1999 — Building and Construction Authority Act 1999
(Consequential amendments made by)

Date of First Reading : 23.11.98 (Bill No. 51/98 published on 24.11.98)

Date of Second and Third Readings : 20.1.99

Date of commencement : 1.4.99

39. Act 12 of 1999 — Central Provident Fund (Amendment) Act 1999

Date of First Reading : 20.1.99 (Bill No. 4/99 published on 21.1.99)

Date of Second and Third Readings : 11.2.99

Date of commencement : 1.3.99

40. Act 41 of 1999 — Info-communications Development Authority of Singapore Act 1999

(Consequential amendments made by)

Date of First Reading : 11.10.99 (Bill No. 36/99 published on 12.10.99)

Date of Second and Third Readings : 23.11.99

Date of commencement : 1.12.99

41. Act 43 of 1999 — Telecommunications Act 1999

(Consequential amendments made by)

Date of First Reading : 11.10.99 (Bill No. 33/99 published on 12.10.99)

Date of Second and Third Readings : 23.11.99

Date of commencement : 1.12.99

42. Act 9 of 2000 — Defence Science and Technology Agency Act 2000

(Consequential amendments made by)

Date of First Reading : 17.1.2000 (Bill No. 1/2000 published on 18.1.2000)

Date of Second and Third Readings : 21.2.2000

Date of commencement : 15.3.2000

43. Act 22 of 2000 — Auctioneer's Licences (Amendment) Act 2000

(Consequential amendments made by)

Date of First Reading : 22.5.2000 (Bill No. 17/2000 published on 23.5.2000)

Date of Second and Third Readings : 3.7.2000

Date of commencement : 1.8.2000

44. Act 39 of 2000 — Central Provident Fund (Amendment) Act 2000

Date of First Reading : 13.11.2000 (Bill No. 34/2000 published on 13.11.2000)

Date of Second and Third Readings : 22.11.2000

Date of commencement : 28.12.2000 (except sections 2, 3, 4, 6, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19)

1.1.2001 (sections 2, 3, 4, 6, 8, 17, 18 and 19 (b))

1.3.2001 (sections 10, 11, 12, 13, 14, 15, 16 and 19 (a))

45. Act 3 of 2001 — Intellectual Property Office of Singapore Act 2001 (Consequential amendments made by)

Date of First Reading : 12.1.2001 (Bill No. 1/2001 published on 13.1.2001)

Date of Second and Third Readings : 22.2.2001

Date of commencement : 1.4.2001

46. Act 17 of 2001 — Singapore Land Authority Act 2001 (Consequential amendments made by)

Date of First Reading : 5.3.2001 (Bill No. 17/2001 published on 7.3.2001)

Date of Second and Third Readings : 19.4.2001

Date of commencement : 1.6.2001

COMPARATIVE TABLE

The following provisions in the 1999 Revised Edition of the Central Provident Fund Act have been renumbered by the Law Revision Commissioners in this 2001 Revised Edition.

This Comparative Table is provided for the convenience of users. It is not part of the Central Provident Fund Act.

2001 Ed.

1999 Ed.

2—(1) and (2)	2
13B	13B—(1)
<i>Spent</i>	(2) and (3)
15—(6)	15B—(4)
—	34 (<i>Repealed by Act 39/2000</i>)
—	35 (<i>Repealed by Act 39/2000</i>)
36—(4)	36—(3A)
(5)	(3B)
(6)	(3C)
(7)	(3D)
(8), (9) and (10)	(4), (5) and (6)
<i>Omitted</i>	47—(2)
47—(2)	(3)
49—(4)	49—(3A)
(5)	(4)
61	61—(1)
—	(2) (<i>Deleted by Act 39/2000</i>)
61A	(3)
61B	61A
68—(2)	68—(1A)
(3)	(1B)
(4)	(2)
70—(2)	70—(1A)
(3)	(2)
(4)	(3)
(5)	(4)
(6)	(5)
(7)	(6)
(8)	(7)
(9)	(8)
(10)	(9)
74—(2)	74—(1A)
(3), (4) and (5)	(2), (3) and (4)
76—(2)	76—(1A)

(3) and (4)

(2) and (3)

