



REPUBLIC OF SINGAPORE  
**GOVERNMENT GAZETTE**  
**ACTS SUPPLEMENT**

*Published by Authority*

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**NO. 37]**

**FRIDAY, DECEMBER 22**

**[2000**

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First published in the *Government Gazette*, Electronic Edition, on 18th December 2000 at 5:00 pm.

The following Act was passed by Parliament on 22nd November 2000 and assented to by the President on 2nd December 2000:—

**REPUBLIC OF SINGAPORE**

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**No. 39 of 2000.**

I assent.



S R NATHAN,  
*President.*  
2nd December 2000.

An Act to amend the Central Provident Fund Act (Chapter 36 of the 1999 Revised Edition).

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

**Short title and commencement**

**1.** This Act may be cited as the Central Provident Fund (Amendment) Act 2000 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

**Amendment of section 2**

2. Section 2 of the Central Provident Fund Act (referred to in this Act as the principal Act) is amended by inserting, immediately after the word “employment” in the definition of “wages”, the words “but does not include such payments as the Minister may, by notification in the *Gazette*, specify”.

**Amendment of section 4**

3. Section 4 of the principal Act is amended —

(a) by inserting, immediately after subsection (3), the following subsection:

“(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.”; and

(b) by inserting, immediately after subsection (10), the following subsection:

“(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.”.

**Amendment of section 13**

4. Section 13 (1) of the principal Act is amended by deleting the words “or section 45 (2)” in paragraph (c) and substituting the words “, section 45 (2) or in accordance with any regulations made under section 77 (1) (m)”.

**Amendment of section 15**

5. Section 15 of the principal Act is amended —

(a) by deleting the words “or both of them jointly” in the 1st line of subsection (9);

(b) by deleting the words “(or both of them)” in the 7th line of subsection (9);

(c) by deleting the words “or by them jointly,” in the 9th line of subsection (9);

(d) by inserting, immediately after subsection (9), the following subsection:

“(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).”;

(e) by inserting, immediately after subsection (10), the following subsection:

“(10A) Where a member and one or more persons jointly own any immovable property sold 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.”;

(f) by deleting the words “or both,” in subsection (15) (c) and substituting the words “, or the member and the related person or persons,”; and

(g) by deleting subsection (16) and substituting the following subsection:

“(16) In this section —

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

“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.”.

### **New section 15B**

**6.** The principal Act is amended by inserting, immediately after section 15A, the following section:

#### **“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).

(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.

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

(4) In this section, “approved”, in relation to a bank or an annuity from an insurer, means approved by the Board for the purposes of this section.”.

### **Amendment of section 18**

7. Section 18 of the principal Act is amended —

- (a) by deleting the word “or” at the end of paragraph (a);
- (b) by deleting the words “or to pay money into his parent’s or spouse’s retirement account.” in paragraph (b) and substituting the word “; or”, and by inserting immediately thereafter the following paragraph:

“(c) any person to pay money into his parent’s, grandparent’s or spouse’s retirement account.”; and

- (c) by deleting the section heading and substituting the following section heading:

**“Provisions relating to maintenance of minimum sum and transfer or payment of moneys into retirement account”.**

### **Amendment of section 18B**

8. Section 18B (3) of the principal Act is amended by deleting “\$40,000” in paragraph (a) and substituting “\$65,000”.

### **Amendment of section 19**

9. Section 19 of the principal Act is amended —

- (a) by inserting, immediately after the word “parent’s” in the 2nd line of subsection (1), the word “; grandparent’s”;
- (b) by inserting, immediately after the word “parent” in the penultimate line of subsection (1) and in the 1st line of subsection (2), the word “; grandparent”;
- (c) by deleting the words “or spouse who made the payment” in subsection (2) and substituting the words “who made the payment, as the case may be”; and
- (d) by deleting the section heading and substituting the following section heading:

**“Provisions relating to moneys transferred or paid to parent’s, grandparent’s or spouse’s retirement account on death”.**

**Amendment of section 29**

**10.** Section 29 of the principal Act is amended —

- (a) by deleting subsection (4) and substituting the following subsections:

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

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

- (b) by deleting the words “60 years” in subsection (5) (a) and substituting the words “65 years”; and

- (c) by inserting, immediately after subsection (5), the following subsection:

“(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 the date of commencement of the Central Provident Fund (Amendment) Act 2000 unless that member opts, in such manner as the Board may determine, to join the Scheme.”.

**Amendment of section 30**

**11.** Section 30 of the principal Act is amended —

- (a) by deleting the words “section 35” in the 4th line of subsection (2) and substituting the words “anything in this Act or in regulations made under this Part”; and

- (b) by inserting, immediately after the word “Scheme” in the 5th line of subsection (3) and in the penultimate line of subsection (4), the words “, if any,”.

**Amendment of section 32**

**12.** Section 32 of the principal Act is amended by deleting subsections (3), (4) and (5) and substituting the following subsections:

“(3) The deduction referred to in subsection (2) shall have priority to all other deductions which the Board is authorised to make under this Act or any regulations made thereunder.

(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.

(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.”.

### **Repeal of sections 34 and 35**

**13.** Sections 34 and 35 of the principal Act are repealed.

### **Amendment of section 36**

**14.** Section 36 of the principal Act is amended —

- (a) by deleting the word “Where” in the 1st line of subsection (2) and substituting the words “Subject to subsections (3), (3A) and (3B), where”;
- (b) by deleting subsections (2A) and (3) and substituting the following subsections:

“(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.

(3A) 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.

(3B) Where the Board ceases payment to the Housing Authority or the approved mortgagee under subsection (3A), 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).

(3C) 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).

(3D) 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.”; and

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

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

(i) in the case of a member who was insured under the Scheme before the date of commencement of the Central Provident Fund (Amendment) Act 2000, 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 the date of commencement of the Central Provident Fund (Amendment) Act 2000, is the result of suicide or deliberate self-injury committed within one year from the date that he is insured under the Scheme;

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

(ab) 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”.

### **Amendment of section 39**

**15.** Section 39 of the principal Act is amended —

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

“(a) provide for the different classes of members of the Scheme and the rates of premium payable by such members;

(aa) provide for the manner and time for payment of premiums by the different classes of members of the Scheme;

(ab) provide for the period and commencement of cover under the Scheme;” and

- (b) by inserting, immediately after paragraph (b), the following paragraph:

“(ba) provide for the amount of money payable by the Board under the Scheme where the prescribed premium has not been fully paid;”.

**Amendment of section 49****16. Section 49 of the principal Act is amended —**

- (a) by deleting the words “takes up any employment” in the 6th and 7th lines of subsection (2) and substituting the words “is no longer incapacitated”;
- (b) by inserting, immediately after subsection (3), the following subsection:

“(3A) Where the Board ceases payment under subsection (2), the insured person shall remain insured under the Scheme for the insured sum remaining unpaid at the date that he is no longer incapacitated.”; and

- (c) by deleting paragraph (a) of subsection (4) and substituting the following paragraphs:

“(a) if the death or incapacity of the person —

- (i) in the case of a person who was insured under the Scheme before the date of commencement of the Central Provident Fund (Amendment) Act 2000, 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 person who was insured under the Scheme on or after the date of commencement of the Central Provident Fund (Amendment) Act 2000, is the result of suicide or deliberate self-injury committed within one year from the date that he is insured under the Scheme;
- (aa) if the person suffered capital punishment for any criminal act committed within one year from the date that he is insured under the Scheme;
  - (ab) if the death or incapacity of the person, 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;”.

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**Amendment of section 61**

**17.** Section 61 of the principal Act is amended by deleting subsection (2).

**New section 61A**

**18.** The principal Act is amended by inserting, immediately after section 61, the following section:

**“Recovery of contributions upon conviction**

**61A.**—(1) The court before which any conviction under section 7 (3) or 61 (1) 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.

(2) The court may order that the amount ordered to be paid under subsection (1) 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.

(3) Where the court orders that the amount ordered to be paid under subsection (1) to be recoverable in the manner mentioned in subsection (2) (b), the court shall certify the amount to be paid 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.”.

**Amendment of section 77**

**19.** Section 77 (1) of the principal Act is amended —

- (a) by inserting, immediately after the word “purchase” wherever it appears in paragraphs (h) and (i), the words “or acquisition”; and
- (b) by inserting, immediately after paragraph (n), the following paragraph:

“(na) 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;”.

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