



THE STATUTES OF THE REPUBLIC OF SINGAPORE

CENTRAL PROVIDENT FUND ACT

(CHAPTER 36)

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Central Provident Fund Act

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An Act to make provision for the establishment of the Central Provident Fund Board and a central provident fund.

[1st July 1955]

PART I

PRELIMINARY

Short title

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

Interpretation

- 2.—(1) In this Act, unless the context otherwise requires —
 - “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);

“ordinary account” means an ordinary account maintained under section 13;

“retirement account” means the account referred to in section 15 (6C);

“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.

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 seal of the Board shall be —

- (a) sealed with the common seal of the Board by the authority of the Board in the presence of the General Manager, a Deputy General Manager or a member of the Board and of some other person duly authorised by the Board to act in that behalf; and
- (b) signed by the General Manager, a Deputy General Manager or the member of the Board, as the case may be, and by that duly authorised person, and such signing shall be sufficient

evidence that the common seal of the Board has been duly and properly affixed and that the seal is the lawful seal of the Board.

[12/99]

(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.

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 4, as the Minister may from time to time determine.

[11/91]

(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]

Appointment of officers and employees

4A.—(1) The Board, with the President's concurrence under Article 22A (1) (b) of the Constitution, shall appoint a General Manager on such terms and conditions as it may determine.

[11/91]

(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.

Appointment of inspectors

5.—(1) The Board may, with the approval of the Minister, appoint such number of inspectors as it may consider necessary for carrying this Act into effect.

(2) The Commissioner for Labour and any Deputy Commissioner for Labour, Assistant Commissioner for Labour or inspecting officer appointed under the Employment Act (Cap. 91) may exercise all or any of the powers of an inspector.

(3) In the course of an inspection, an inspector may at any reasonable time —

- (a) enter any premises or place where he has reasonable cause to believe that a person is employed therein;
- (b) examine, either alone or in the presence of any other person with respect to any matter under this Act or which he may reasonably require information, any person whom he has reasonable cause to believe to be or to have been an employee or an employer, and require every such person to be examined and for the purposes of the examination may summon any such person to attend at the place and time specified in the summons;

- (c) put questions concerning employees to their employers or to any person who may be in charge of them, or to the employees themselves, or to any other person whom he may consider it desirable to question, and the employers or employees or other person shall be legally bound to answer the questions truthfully to the best of his ability;
 - (d) require any employer to produce before him all or any of the employees employed by him together with any contract of service, book of account of salary, register and other document concerning the employees or their employment and to answer such questions relating thereto as he may think proper to ask;
 - (e) require any employer to produce for his inspection the audited statements of accounts of his undertaking and other records relating to the accounts and to answer such questions relating thereto as he may think proper to ask; and
 - (f) make copies of any book, document or paper required to be produced under paragraph (d) or (e) and take possession of the book, document or paper when in his opinion —
 - (i) the copying thereof cannot reasonably be performed without taking possession;
 - (ii) the book, document or paper may be tampered with unless possession is taken; or
 - (iii) the book, document or paper may be required as evidence in any proceedings for an offence under this Act or in any proceedings for the recovery of any moneys due to the Fund.
- (4) Subsection (3) shall apply, with the necessary modifications, to a person who is required by any regulations made under section 77 (1) (e) to contribute to the Fund as it applies to an employer; and a reference to salary in that subsection shall be construed as a reference to income of that person.

[27/92]

- (5) If any person —
- (a) wilfully delays an inspector or any of the officers referred to in subsection (2) in the exercise of any power under this section;
 - (b) fails to comply with the requisition of an inspector or any such officer in pursuance of this section or to produce any

record, certificate, notice or document which he is required by or in pursuance of this section to produce;

- (c) wilfully withholds any information as to who are the employees of any employer or as to who is the employer of any employee; or
- (d) conceals or prevents or attempts to conceal or prevent a person from appearing before or being examined by an inspector or such officer,

that person shall be deemed to obstruct an inspector or that officer in the execution of his duties under this Act.

(6) Any person who obstructs an inspector or any of the officers referred to in subsection (2) shall be guilty of an offence.

Budget

5A.—(1) The Board shall in every financial year prepare a budget containing estimates of income and expenditure of the Board for the ensuing financial year and a supplementary budget (if necessary) for any financial year and present them to the President for his approval under Article 22B of the Constitution.

[11/91]

(2) The budget and supplementary budget (if any) when approved by the President shall be published in the *Gazette*.

[11/91]

PART II

CONTRIBUTIONS TO 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 any of the investments authorised by law for the investment of trust money and the Board shall have power to convert the same into cash; 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) Interest shall be payable on contributions to the Fund at such rate per annum, not being less than 2½%, as the Board may from time to time declare except that the Board shall not declare a rate of interest exceeding 2½% per annum except with the approval of the Minister for Finance.

(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.

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 \$200, 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 \$200 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]

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]

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 1½% 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]

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]

Financial provisions

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

[27/92]

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; and
- (b) interest at the rate declared under section 6 (4) at such intervals as the Board may prescribe and on the amount standing to his credit in the Fund at such time as the Board may determine.

Crediting of contributions into subsidiary accounts

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 section 15 (2) to (5), 18, 18A, 18B, 22 or 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), (m), (n) or (r);

- (b) a medisave account from which, apart from sections 15 (2) to (5) and 54 but subject to section 16, 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 section 15 (2) to (5), section 17, section 45 (2) or in accordance with any regulations made under section 77 (1) (n).

[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 each of the accounts specified in subsection (1) every contribution paid into the Fund for a member in such manner as the Minister may direct, and the Minister may give different directions in respect of different classes of members.

[32/84]

(5) Where any contributions are paid into the Fund by any person pursuant to any regulations made under section 77 (1) (e), the Board shall credit every such contribution into a medisave account, ordinary account or a special account, for the purposes specified in subsection (1), in such manner as the Minister may direct, and the Minister may give different directions in respect of different classes of members.

[27/92]

(6) The Board shall transfer to a member's ordinary account 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 the ordinary account which had been transferred from the medisave account, including any interest which would have accrued thereon if the transfer had not been made.

[27/92]

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]

Voluntary contributions

13B. Notwithstanding anything in this Act but subject to any regulations made under section 77 —

- (a) a person 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]

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.

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

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 from ever continuing in any employment at any time before he attains the age of 55 years; or
- (e) is found to be of unsound mind at any time before he attains the age of 55 years.

[5/87]

(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 third anniversary of his date of birth after he has attained the age of 55 years.

[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 such portion of the sum standing to the credit of that member in the Fund as is set out in the memorandum executed in accordance with that section.

(6) Subject to subsections (6A) and (8), a member of the Fund who is entitled to withdraw the sum standing to his credit in the Fund under subsection (2) (a) shall at the time of the withdrawal set aside or top-up a prescribed sum (referred to in this Act as the minimum sum) in accordance with any regulations made under this Act.

[10/94]

(6A) Where a member and his spouse desire to set aside jointly an amount equal to one and a half times the minimum sum, the Board may permit them to set aside that amount if they have each executed a memorandum under section 25 (1) nominating each other to receive the amount of the minimum sum belonging to either party on the death of the other party.

[10/94]

(6B) Any memorandum executed under subsection (6A) shall be irrevocable during the subsistence of the marriage between the members.

[10/94]

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

[10/94]

(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 from ever continuing in any employment;
- (b) found to be of unsound mind;
- (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]

(8) A member need not deposit the minimum sum with an approved bank or in a 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 suffering from a terminal illness or disease;
- (b) on his retirement will receive 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; or
- (c) has attained the age of 55 years before 1st January 1987.

[5/87]

(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 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 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 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]

(11) Where a member has withdrawn any money from the Fund for the purchase of an immovable property 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.

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

- (iii) if the member has complied with the requirements of subsection (6);
- (iv) if 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) if 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;

“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]

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) or (e) 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]

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]

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) or (e) or (3) 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, such amount as is in excess of the prescribed amount may be withdrawn under section 15 (2) (a), (d) or (e) or (3).

[32/84]

(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]

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), 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]

Provisions relating to maintenance of minimum sum and transfer or payment of moneys into retirement account

18. The Board may, for any of the purposes mentioned in section 15 (6C) 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 may be prescribed to the retirement account of his parent or spouse to be applied by the parent or spouse;
- (b) any person to voluntarily maintain a minimum sum with the Board; or
- (c) any person to pay money into his parent's, grandparent's or spouse's retirement account.

[10/94; 39/2000]

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

18A. The Board may, subject to such terms and conditions as it may impose, permit a member to transfer such portion of the sum standing to his credit in the ordinary account as may be prescribed to his retirement account.

[31/95]

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 a sum standing to his credit in his ordinary account, not exceeding the difference between the prescribed amount and the sum standing to his credit in his special account, to his special account.

[30/98]

(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]

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

19.—(1) Any moneys transferred by a member to his parent’s or spouse’s retirement account or paid by any person into his parent’s, grandparent’s or spouse’s retirement account under section 18 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 or the spouse, as the case may be.

[39/2000]

(2) On the death of the parent, grandparent or the spouse, any moneys so transferred or paid 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.

[10/94; 39/2000]

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 12 (2) 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.

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 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 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);
- (d) to pay any costs, fees or other expenses incurred —
 - (i) for the purchase of an immovable property;
 - (ii) for obtaining a loan to finance or re-finance such purchase; 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 interest that would have accrued thereto 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 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 all the moneys secured by the charge have been repaid or are no longer required by any regulations made under section 77 to be repaid to the Fund or if the Board is satisfied of the occurrence of any of the events mentioned in section 15 (15) (e) in which event the member concerned or any other party having an interest in the immovable property shall be entitled to have the charge cancelled.

[19/83; 5/87]

(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 and 21A —

“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]

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 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 of an immovable property; or
- (c) to pay any costs, fees or other expenses incurred —
 - (i) for the purchase of an immovable property;
 - (ii) for obtaining a loan to finance or re-finance such purchase; 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 interest that would have accrued thereto 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 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 all the moneys secured by the charge have been repaid or are no longer required by any regulations made under section 77 to be repaid to the Fund or if the Board is satisfied of the occurrence of any of the events mentioned in section 15 (15) (e) in which event the member concerned or any other party having an interest in the immovable property shall be entitled to have the charge cancelled.

[27/95]

(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]

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 such withdrawals plus interest 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]

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]

Protection of benefits

24.—(1) Except as may be provided for in any regulations made under section 77, no withdrawals made by the authority of the Board from the Fund under section 15 nor the rights of any member of the Fund acquired thereunder shall be assignable or transferable or liable to be attached, sequestered or levied upon for or in respect of any debt or claim.

(2) Precious metals and securities purchased by a member under any scheme in accordance with any regulations made under section 77 which allow members to withdraw their moneys in the Fund for the

purposes of investment and the proceeds from the sale of such precious metals and securities which a member is obliged to repay into the Fund shall not be liable to be attached, sequestered or levied upon for or in respect of any debt or claim.

(3) Such precious metals, securities or proceeds shall not pass to the Official Assignee on the bankruptcy of such member, and if such member is adjudicated a bankrupt or is declared insolvent by a court, such precious metals, securities or proceeds shall be deemed not to form part of the property of the member.

[16/86]

(3A) 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.

(4) 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.

Moneys payable on death of member

25.—(1) Any member of the Fund may by a memorandum executed in the prescribed manner 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) If, at the time of the death of a member of the Fund, there is no person nominated under subsection (1), the total amount payable out of the Fund shall be paid to the Public Trustee for disposal in accordance with any written law for the time being in force.

(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 by his marriage, whether the marriage was contracted before or after 15th May 1980.

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.

[31/95]

(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).

[31/95]

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

[31/95]

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.

[15/90]

(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 he satisfies any of the grounds for withdrawals specified in section 15 (2) (a), (d) or (e).

[12/99]

(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) The Board shall not authorise the withdrawal of the total amount standing to the credit of a member who is an undischarged bankrupt under subsection (2) without the approval of the Minister.

(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 IV

HOME PROTECTION INSURANCE SCHEME

Interpretation of this Part

28. 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]

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]

Double insurance cover under Scheme prohibited

30.—(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]

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]

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 all other deductions which the Board is authorised to make under this Act.

[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]

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.

Premium when due

34. *(Repealed by Act 39/2000)*

Period of cover

35. *(Repealed by Act 39/2000)*

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]

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.

Non-application of Insurance Act

38. The Insurance Act (Cap. 142) shall not apply to anything done by the Board under 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

Interpretation of this Part

40. In this Part —

“Dependants’ Protection Insurance Fund” means the Dependants’ Protection Insurance Fund established and maintained by the Board under section 46;

“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]

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 Board will pay the insured sum in accordance with the Scheme.

[23/89]

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 with the Board 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 with the Board a written notice in such form as the Board may require 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 to the Board to be insured under the Scheme.

[23/89]

(5) The Board may approve any application under subsection (4) with or without condition.

[23/89]

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.

[23/89]

(2) All premiums paid by any person whose cover under the Scheme has been cancelled under subsection (1), together with 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.

[23/89]

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.

[23/89]

(2) The Board may also require any insured person to undergo such medical examination as the Board thinks fit.

[23/89]

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 the Fund.

[23/89]

(3) Where any such deduction has been made by the Board, the Board shall as soon as practicable give to that person concerned notice in writing to that effect.

[23/89]

(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 the Fund, the deficiency may be paid in such manner and within such time as the Board may prescribe.

[23/89]

Establishment of Dependants' Protection Insurance Fund

46.—(1) The Board shall establish and maintain a fund to be known as the Dependants' Protection Insurance 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.

[23/89]

(2) The Dependants' Protection Insurance Fund shall be controlled and administered by the Board.

[23/89]

Period of cover

47.—(1) Where the prescribed premium payable under the Scheme has been paid or deducted from an insured person's contributions standing to his credit in the Fund, that person shall be covered under the Scheme from the date of such payment or deduction for a period of 12 months after the date of commencement of his insurance cover.

[23/89]

(2) Subject to the provisions of this Part, the insurance cover under the Scheme shall be renewed annually by the Board.

[23/89]

Cover of insured person where contribution to his account in Fund is not paid

48. Where any contribution to the Fund in respect of an insured person is not paid for whatever reason, the insured person shall not be covered under the Scheme at the expiration of 3 years from the date of payment of the last contribution to the Fund for the insured person unless before the expiration of the 3-year period —

- (a) further contribution to the Fund in respect of the insured person is paid; or

- (b) the insured person has lodged a written notice with the Board stating that he wishes to continue to be covered under the Scheme after the expiration of that period.

[23/89]

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 Board shall, upon proof of death, pay as soon as practicable the insured sum to the person or persons nominated by that person under section 25 (1) or to the Public Trustee for disposal in accordance with any written law for the time being in force, as provided in section 25 (2) or (3), if there is no person nominated or if any person nominated (other than a widow) is below the age of 18 years at the time of payment of the insured sum.

[23/89]

(2) Where there is a claim made to the Board by an insured person 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 him the insured sum by monthly instalments of such amount as may be determined by the Board for a period not exceeding 3 years, subject to the condition that in the event the insured person is no longer incapacitated the Board shall stop payment of any insured sum remaining unpaid at the date of his taking up the employment and such amount shall not be recoverable by him.

[23/89; 39/2000]

(3) Where the insured sum is paid by instalment under subsection (2), interest at the prevailing rate declared by the Board under section 6 (4) shall be paid to the insured person together with the final instalment.

[23/89]

(4) 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.

[39/2000]

(5) Notwithstanding anything contained in this Part, the Board shall not be liable to pay the insured sum in respect of any insured person —

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

- (i) in the case of a person 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 person 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 person 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 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;
- (d) if the incapacity or death of that person arises from war or any warlike operations or participation in any riot;
- (e) if he makes or furnishes to the Board any statement or fact that is false or misleading in a material particular; or
- (f) if he is incapacitated or is diagnosed as having a terminal illness on or before the date of commencement of his insurance cover under the Scheme.

[23/89; 39/2000]

Non-application of Insurance Act

50. The Insurance Act (Cap. 142) shall not apply to anything done by the Board under this Part and Part VI.

[23/89; 10/94]

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 money in the Dependents' Protection Insurance Fund may be invested;
- (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

Interpretation of this Part

52. In this Part —

“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]

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 treatment received by him in an approved hospital at any time during the period which he is insured under the Scheme.

[15/90]

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]

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.

[15/90]

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]

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 VII

OFFENCES, PENALTIES AND PROCEEDINGS

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.

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).

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.

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.

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.

Recovery of contributions 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]

(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.

[39/2000]

(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.

[39/2000]

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]

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]

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.

[5/89]

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.

Recovery of sums due to Fund

65. Any sum due to 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.

Certificate of authorised officer to be evidence

66. In any legal proceedings, a copy of an entry in the accounts of the Fund duly certified under the hand of such officer of the Board as is prescribed by the Board shall be prima facie evidence of the entry having been made and of the truth of the contents thereof.

Certificate of Board on non-payment of contributions

66A. 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]

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****Protection of employee'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 and any movable or immovable property or other assets belonging to the employer 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 and any movable property belonging to the employer 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; 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.

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.

Approved employees' schemes

70.—(1) If the Board is satisfied that an employer has established a welfare scheme which provides for the payment to his employees of pensions, gratuities or other pecuniary or welfare benefits (referred to in this Act as an approved employees' scheme), the Board shall certify to that effect.

(2) Upon such certification, the amount which such employer shall be liable to contribute to the Fund in respect of any of his employees who has agreed to join such approved employees' scheme shall be in accordance with such reduced rates as may be prescribed by the Minister for employers who have established approved employees' schemes and not the rates specified in the First Schedule.

[19/83; 27/92]

(3) The Board may at any time revoke any certificate issued under subsection (1) but without prejudice to anything previously done or omitted to be done by virtue thereof.

[19/83]

(4) An employer who has established a scheme which has been certified as an approved employees' scheme under subsection (1) shall —

- (a) furnish to the Board such accounts in respect of the scheme, duly audited by an auditor who has been approved as a company auditor under section 9 (2) of the Companies Act (Cap. 50) as the Board may require;
- (b) comply with the rules of the scheme and pay such contributions in accordance with such scheme within such periods as the rules of the scheme require;
- (c) obtain the prior permission of the Board to the making of any amendment to the rules of the scheme; and
- (d) furnish such returns to the Board as the Board may prescribe concerning employees who are members of or who have ceased to contribute to the scheme.

[19/83]

(5) Any amendment to the rules of any approved employees' scheme made without the prior permission of the Board shall, for the purposes of this Act, be void and of no effect.

[19/83]

(6) Section 24 (1) and (3A) shall apply —

- (a) to withdrawals or payments of moneys from any approved employees' scheme;
- (b) to the rights of any member acquired under the rules of any approved employees' scheme;
- (c) to moneys paid out of any approved employees' scheme on the death of a member as that section applies to withdrawals from the Fund;
- (d) to rights acquired under this Act; and
- (e) to moneys paid out on the death of a member of the Fund.

[19/83]

(7) Section 24 (4) and (6) shall apply —

- (a) to contributions to any approved employees' scheme and to interest thereon;

(b) to portions of wages paid as contributions to any approved employees' scheme as that section applies to contributions to the Fund;

(c) to interest thereon; and

(d) to portions of wages paid as contributions to the Fund.

[19/83]

(8) Any person who fails to comply with subsection (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000.

(9) The court before which any person is convicted for failing to pay contributions into any approved employees' scheme within such period as the rules of the approved employees' scheme require may, in addition to such fine, order him to pay the amount of any contributions and any interest due thereon certified by an officer appointed by the Board in that behalf to be due from such person at the date of such conviction.

(10) The amount referred to in subsection (9) may be recovered according to the law for the time being in force for the recovery of fines.

[19/83]

Transfers between approved employees' schemes and Fund

71.—(1) On the death of any employee who was a member of an approved employees' scheme, the employer concerned shall pay to the Board any moneys (if any) which such employee is entitled to under the approved employees' scheme.

(2) Any moneys paid to the Board by the employer shall be disposed of by the Board as if such amount were contributions standing to the credit of the member in the Fund at his death.

[19/83]

(3) Where an employee who is a member of an approved employees' scheme leaves the service of his employer before attaining the age of 55 years, the employer concerned shall pay to the Board to be placed to the credit of the employee in the Fund the money (if any) payable to such employee under the approved employees' scheme on the termination of his employment.

[19/83]

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 interest thereon.

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).

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.

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 any interest payable in respect of the excess contributions under section 6 (4), 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]

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 employers and employees.

(2) For the purpose of subsection (1), the Board may require 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]

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;
- (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 approved by the Minister charged with the responsibility for health;
- (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) 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 purchasing the stocks and shares of the Singapore Bus Service (1978) Limited, a company incorporated under the provisions of the Companies Act (Cap. 50), subject to such conditions as the Minister may impose;
- (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 investing in such precious metals and securities 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) to prescribe for the purposes of section 15 (6) the minimum sum which is required to be set aside or topped-up by a member at the time of the withdrawal of the sum standing to his credit in the Fund, the method of computing the minimum sum and the amount or 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 and different minimum sums may be prescribed for different classes of members, and for the purposes of section 18;
 - (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;
 - (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 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 including the payment of costs, fees or other incidental expenses arising from such works; 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 is physically or mentally incapacitated;
- (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]

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.

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.

FIRST SCHEDULE

Sections 7, 8, 70, 75 and 77

RATES OF CONTRIBUTION

1. Subject to paragraphs 2 to 7, with effect from 1st January 2001 the contributions payable by the employer and the amount recoverable from the employee's wages are as follows:

<i>Total amount of the employee's wages for the calendar month.</i>	<i>55 Years of Age and below</i>		<i>Above 55 but not more than 60 Years of Age</i>		<i>Above 60 but not more than 65 Years of Age</i>		<i>Above 65 Years of Age</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>	<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>
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Not exceeding \$50	NIL	NIL	NIL	NIL	NIL	NIL	NIL	NIL
Exceeding \$50 but not exceeding \$200	An amount equal to 16% of the total amount of the employee's wages for the month.	NIL	An amount equal to 6% of the total amount of the employee's wages for the month.	NIL	An amount equal to 3.5% of the total amount of the employee's wages for the month.	NIL	An amount equal to 3.5% of the total amount of the employee's wages for the month.	NIL
Exceeding \$200 but not exceeding \$363	An amount equal to the sum of — (a) 21% of the total amount of the employee's wages for the month; and (b) ½ of the difference between the total amount of the employee's wages for the month and \$200.	An amount equal to the sum of — (a) 5% of the total amount of the employee's wages for the month; and (b) ½ of the difference between the total amount of the employee's wages for the month and \$200.	An amount equal to the sum of — (a) 6% of the total amount of the employee's wages for the month; and (b) ¼ of the difference between the total amount of the employee's wages for the month and \$200.	An amount equal to the sum of ¼ of the difference between the total amount of the employee's wages for the month and \$200.	An amount equal to the sum of — (a) 3.5% of the total amount of the employee's wages for the month; and (b) ½ of the difference between the total amount of the employee's wages for the month and \$200.	An amount equal to the sum of ½ of the difference between the total amount of the employee's wages for the month and \$200.	An amount equal to the sum of — (a) 3.5% of the total amount of the employee's wages for the month; and (b) ½ of the difference between the total amount of the employee's wages for the month and \$200.	An amount equal to the sum of ½ of the difference between the total amount of the employee's wages for the month and \$200.

FIRST SCHEDULE — *continued*

<i>Total amount of the employee's wages for the calendar month.</i>	<i>55 Years of Age and below</i>		<i>Above 55 but not more than 60 Years of Age</i>		<i>Above 60 but not more than 65 Years of Age</i>		<i>Above 65 Years of Age</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>	<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>
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Exceeding \$363	An amount equal to the sum of —	An amount equal to the sum of —	An amount equal to the sum of —	An amount equal to the sum of —	An amount equal to the sum of —	An amount equal to the sum of —	An amount equal to the sum of —	An amount equal to the sum of —
	(a) 36% of the employee's ordinary wages for the month subject to a maximum of \$2,160; and	(a) 20% of the employee's ordinary wages for the month subject to a maximum of \$1,200; and	(a) 18.5% of the employee's ordinary wages for the month subject to a maximum of \$1,110; and	(a) 12.5% of the employee's ordinary wages for the month subject to a maximum of \$750; and	(a) 11% of the employee's ordinary wages for the month subject to a maximum of \$660; and	(a) 7.5% of the employee's ordinary wages for the month subject to a maximum of \$450; and	(a) 8.5% of the employee's ordinary wages for the month subject to a maximum of \$510; and	(a) 5% of the employee's ordinary wages for the month subject to a maximum of \$300; and
	(b) 36% 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) 18.5% of the amount of the additional wages payable to the employee in the month.	(b) 12.5% of the amount of the additional wages payable to the employee in the month.	(b) 11% of the amount of the additional wages payable to the employee in the month.	(b) 7.5% of the amount of the additional wages payable to the employee in the month.	(b) 8.5% of the amount of the additional wages payable to the employee in the month.	(b) 5% of the amount of the additional wages payable to the employee in the month.

[S 612/2000]

2. In respect of an employee whose total wages from an employer for the preceding year exceed \$100,000, no contributions shall be payable by that employer on the additional wages which are in excess of the following:

- (a) if his ordinary wages for the preceding year do not exceed \$72,000 — \$100,000 less his ordinary wages for the preceding year and less his additional wages already paid in the current year; or
- (b) if his ordinary wages for the preceding year exceed \$72,000 — 40% of his ordinary wages for the preceding year, less his additional wages already paid in the current year.

FIRST SCHEDULE — *continued*

3.—(1) Where the total wages of an employee from an employer for any year do not exceed \$100,000 and the amount of contributions on his additional wages in that year had been subject to the limit in paragraph 2, such amount shall, at the end of that year or in the last month of his employment with that employer, be recomputed as if paragraph 2 does not apply.

(2) Where the total wages of an employee from an employer for any year exceed \$100,000, such amount shall, at the end of that year or in the last month of his employment with that employer, be recomputed subject to the limit in paragraph 2 as if the reference to “preceding year” in that paragraph is a reference to “current year”.

4.—(1) Where the contributions computed in accordance with paragraph 3 exceed the contributions already paid on additional wages, the employer shall contribute the difference to the Fund at the end of the year or in the last month of the employee’s employment with him.

(2) Where the employer is required to make additional contributions under sub-paragraph (1), he shall be entitled to recover from the employee’s wages, at the rate of recovery for additional wages applicable to the employee, the difference between the amount of additional wages on which contributions are payable under sub-paragraph (1) and the amount of additional wages on which contributions have already been paid.

5. For the purpose of this Schedule —

- (a) a person shall be deemed to have attained 55, 60 or 65 years of age on the fifty-fifth, sixtieth or sixty-fifth anniversary, respectively, of the day of his birth and the contributions payable in respect of an employee above 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;
- (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;

FIRST SCHEDULE — *continued*

- (g) “total wages for the year” means the total of the employee’s ordinary wages for the year and additional wages payable to him in that year;
- (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 bodies:

- (1) Any Government-aided school.
- (2) Board of Commissioners of Currency, Singapore.
- (3) Central Provident Fund Board.
- (4) Civil Aviation Authority of Singapore.
- (5) Civil Service College.
- (6) Commercial and Industrial Security Corporation.
- (7) Building and Construction Authority.
- (8) Defence Science and Technology Agency.
- (9) Economic Development Board.
- (10) Energy Market Authority of Singapore.
- (11) Health Promotion Board.
- (12) Health Sciences Authority.
- (13) Housing and Development Board.
- (14) Info-communications Development Authority of Singapore.
- (15) Inland Revenue Authority of Singapore.
- (16) Institute of Southeast Asian Studies.
- (17) Institute of Technical Education, Singapore.
- (18) Intellectual Property Office of Singapore.
- (19) Jurong Town Corporation.
- (20) Majlis Ugama Islam, Singapura.
- (21) Maritime and Port Authority of Singapore.
- (22) Land Transport Authority of Singapore.
- (23) Monetary Authority of Singapore.
- (24) Nanyang Polytechnic.
- (25) Nanyang Technological University.
- (26) National Arts Council.
- (27) National Heritage Board.

FIRST SCHEDULE — *continued*

- (28) National Library Board.
- (29) National Parks Board.
- (30) National Science and Technology Board.
- (31) National University of Singapore.
- (32) Ngee Ann Polytechnic.
- (33) People's Association.
- (34) Preservation of Monuments Board.
- (35) Public Utilities Board.
- (36) Science Centre Board.
- (37) Sentosa Development Corporation.
- (38) Singapore Broadcasting Authority.
- (39) Singapore Corporation of Rehabilitative Enterprises.
- (40) Singapore Land Authority.
- (41) Singapore Productivity and Standards Board.
- (42) Singapore Polytechnic.
- (43) Singapore Sports Council.
- (44) Singapore Totalisator Board.
- (45) Singapore Tourism Board.
- (46) Temasek Polytechnic.
- (47) Trade Development Board.
- (48) Urban Redevelopment Authority.

*[29/95; 1/96; 7/96; 4/99; 41/99; 9/2000; 3/2001; 17/2001; S 273/94;
S 570/95; S 645/98; S 167/2001; S 313/2001; S 550/2001]*

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) pensionable employees who were foreign employees and have become permanent residents at the rates prescribed in paragraphs 3A and 3B of the First Schedule to the Central Provident Fund (Government Employees) Regulations (Rg 23); and

FIRST SCHEDULE — *continued*

- (d) non-pensionable employees who were foreign employees and have become permanent residents at the rates prescribed in paragraphs 3A and 3B of the Second Schedule to the Central Provident Fund (Government Employees) Regulations (Rg 23).

[S 645/98]

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 sub-paragraph (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.

SECOND SCHEDULE — *continued*

(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

Section 13A

SPECIFIED ACTS RELATING TO
SELF-EMPLOYED PERSONS

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 Pollution Control Act (Cap. 94A).
13. Environmental Public Health Act (Cap. 95).
14. Factories Act (Cap. 104).
15. Films Act (Cap. 107).
16. Fisheries Act (Cap. 111).
17. Futures Trading Act (Cap. 116).
18. Homes for the Aged Act (Cap. 126A).
19. Maritime and Port Authority of Singapore Act (Cap. 170A).
20. Martial Arts Instruction Act (Cap. 171).
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).

THIRD SCHEDULE — *continued*

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 Dealers Act (Cap. 288).
36. Securities Industry Act (Cap. 289).
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; S 34/93; S 520/99; S 258/2000; S 343/2000]

LEGISLATIVE HISTORY
CENTRAL PROVIDENT FUND ACT
(CHAPTER 36)

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

LEGISLATIVE HISTORY
CENTRAL PROVIDENT FUND ACT
(CHAPTER 36)

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

LEGISLATIVE HISTORY
CENTRAL PROVIDENT FUND ACT
(CHAPTER 36)

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

LEGISLATIVE HISTORY
CENTRAL PROVIDENT FUND ACT
(CHAPTER 36)

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

LEGISLATIVE HISTORY
CENTRAL PROVIDENT FUND ACT
(CHAPTER 36)

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

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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

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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

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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))

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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

CENTRAL PROVIDENT FUND ACT (CHAPTER 36)

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 —(16)	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)

2001 Ed.	1999 Ed.
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)