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SINGAPORE ARMED FORCES ACT
(CHAPTER 295)

SINGAPORE ARMED FORCES
(MILITARY DOMAIN EXPERTS SERVICE)
(AMENDMENT) REGULATIONS 2020

In exercise of the powers conferred by sections 205 and 205A of the Singapore Armed Forces Act, the Armed Forces Council makes the following Regulations:

Citation and commencement

1. These Regulations are the Singapore Armed Forces (Military Domain Experts Service) (Amendment) Regulations 2020 and come into operation on 1 September 2020.

Amendment of regulation 2

2. Regulation 2 of the Singapore Armed Forces (Military Domain Experts Service) Regulations 2010 (G.N. No. S 186/2010) (called in these Regulations the principal Regulations) is amended —

- (a) by deleting the definition of “injury received in and which is attributable to service” in paragraph (1);
- (b) by inserting, immediately after the definition of “injury” in paragraph (1), the following definition:

““injury received in and which is attributable to service” includes the following:

- (a) any injury received in consequence of some act lawfully performed in the discharge of a member’s duties;
- (b) any injury received while on a journey necessary to enable a

member to report for duty or to return home after duty;”;

- (c) by inserting, immediately after the definition of “member” in paragraph (1), the following definition:

““no pay maternity leave” means any no pay leave granted by the Director of Manpower under regulation 9 of the Singapore Armed Forces (Leave) Regulations (Rg 12) to a servicewoman who has been in service for at least 90 days before the date of her confinement, in respect of the birth of her child;”;

- (d) by deleting the definitions “non-pensionable service”, “other dependant”, “pensionable emoluments” and “SAVER end date” in paragraph (1); and

- (e) by inserting, immediately after paragraph (1), the following paragraph:

“(1A) For the purposes of these Regulations, an injury is not attributable to service by reason only of the injury having been received while on duty, at a place of duty or on any land, premises, vehicle, ship or aircraft for the time being used by or for the purposes of the Singapore Armed Forces.”.

Amendment of heading to Part III

3. Part III of the principal Regulations is amended by deleting the words “AND RESIGNATION” in the Part heading and substituting the words “, RESIGNATION, ETC.”.

Amendment of regulation 8

4. Regulation 8(1) of the principal Regulations is amended by inserting, immediately after sub-paragraph (k), the following sub-paragraph:

“(ka) any period of no pay maternity leave;”.

Amendment of regulation 9

5. Regulation 9(1) of the principal Regulations is amended by inserting, immediately after the word “member” in sub-paragraph (*h*), the words “(except for the whole period of no pay maternity leave)”.

New regulation 11A

6. The principal Regulations are amended by inserting, immediately after regulation 11 in Part III, the following regulation:

“Transfer after first enlistment, etc., in military domain experts service

11A. The proper authority may transfer a serviceman who first enlists for regular service, or serves under a contract of service, in the military domain experts service, from the military domain experts service to any other uniformed service.”.

Amendment of regulation 13

7. Regulation 13 of the principal Regulations is amended —

(a) by deleting sub-paragraph (*a*) of paragraph (1) and substituting the following sub-paragraph:

“(a) compensation calculated in accordance with paragraph 1 of the First Schedule to the Work Injury Compensation Act 2019 (Act 27 of 2019) as if the member were an employee under that Act; and”;

(b) by deleting the words “injuries received in and which were” in paragraph (4) and substituting the words “an injury received in and which is”.

Amendment of regulation 14

8. Regulation 14 of the principal Regulations is amended by deleting sub-paragraph (*a*) of paragraphs (1), (2) and (3) and substituting in each case the following sub-paragraph:

“(a) compensation calculated in accordance with paragraph 2 of the First Schedule to the Work

Injury Compensation Act 2019 as if the member were an employee under that Act; and”.

Amendment of regulation 15

9. Regulation 15(1) of the principal Regulations is amended by deleting the words “such a proportion of the compensation equivalent to the lump sum calculated for the permanent total incapacity of an employee under the Third Schedule to the Work Injury Compensation Act (Cap. 354), as if the member was an employee under that Act, as the degree of disablement bears to total disablement” and substituting the words “compensation calculated in accordance with paragraph 3 of the First Schedule to the Work Injury Compensation Act 2019 in respect of the injury as if the member were an employee under that Act”.

Amendment of regulation 16

10. Regulation 16(5) of the principal Regulations is amended by deleting the words “First Schedule to the Work Injury Compensation Act (Cap. 354)” and substituting the words “Fourth Schedule to the Work Injury Compensation Act 2019”.

Deletion of regulation 17

11. Regulation 17 of the principal Regulations is deleted.

Deletion of regulations 19, 20 and 21

12. Regulations 19, 20 and 21 of the principal Regulations are deleted.

Amendment of regulation 25

13. Regulation 25 of the principal Regulations is amended —

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

“(a) 50% of the compensation calculated in accordance with paragraph 2 of the First Schedule to the Work Injury Compensation

Act 2019 as if the member were an employee under that Act; and”; and

- (b) by deleting the words “injury (not being a minor injury specified in the First Schedule) received in and which was attributable to service” in paragraph (b) and substituting the words “injury received in and which is attributable to service (not being a minor injury specified in the First Schedule)”.

Amendment of regulation 26

14. Regulation 26 of the principal Regulations is amended by deleting paragraph (a) and substituting the following paragraph:

“(a) compensation calculated in accordance with paragraph 3 of the First Schedule to the Work Injury Compensation Act 2019 in respect of the injury received by the member as if the member were an employee under that Act; and”.

Amendment of regulation 28

15. Regulation 28 of the principal Regulations is amended by deleting the words “any sum equivalent to the lump sum applicable under the Third Schedule to the Work Injury Compensation Act (Cap. 354), as if a member was” in paragraphs (1) and (2) and substituting in each case the words “compensation calculated in accordance with paragraph 1, 2 or 3 of the First Schedule to the Work Injury Compensation Act 2019 as if a member were”.

Amendment of regulation 31

16. Regulation 31(1) of the principal Regulations is amended by deleting the words “the injuries of a member that were received in and which were attributable to service have” and substituting the words “a member’s injury received in and which is attributable to service has”.

Amendment of regulation 34

17. Regulation 34(2) of the principal Regulations is amended by deleting the words “for the purposes of his liability to render national service”.

Amendment of regulation 36

18. Regulation 36 of the principal Regulations is amended —

- (a) by inserting, immediately after the word “service” in paragraph (1), the words “, and who is not subsequently transferred to another uniformed service”;
- (b) by deleting the words “, on the application of the serviceman or any other person eligible under regulation 38,” in paragraph (7);
- (c) by deleting the word “applicant” in paragraph (7) and substituting the words “serviceman, or any other person eligible under regulation 38,”; and
- (d) by deleting the words “minimum sum” in paragraph (18) and substituting the words “retirement sum”.

Amendment of regulation 37

19. Regulation 37 of the principal Regulations is amended —

- (a) by inserting, immediately after the word “service” in paragraph (1), the words “, and who is not subsequently transferred to another uniformed service”;
- (b) by deleting the words “regulation 12(1)(a), (b) and (c)” in paragraph (2) and substituting the words “regulation 12(1)(a), (b), (ba), (c) or (ca)”;
- (c) by deleting paragraph (3) and substituting the following paragraph:

“(3) Where the serviceman is transferred to the military domain experts service on or after 1 April 2010, the Board must cause to be credited to his CARE Account —

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- (a) any CARE Initial Quantum which he would have been granted on or after 1 April 2010 but for the transfer; and
 - (b) a sum equivalent to 2 months of his gross salary as at the date of his transfer, when all of the following conditions are satisfied:
 - (i) the serviceman was a soldier in a combat vocation immediately before that date;
 - (ii) the serviceman had attained the rank of Warrant Officer immediately before that date, or would have attained such rank on that date but for the transfer;
 - (iii) the serviceman has completed at least 12 years of reckonable service (whether as a soldier or in the military domain experts service).”;
- (d) by deleting sub-paragraph (a) of paragraph (7) and substituting the following sub-paragraphs:
- “(a) in a case of a serviceman who became a member of the Premium Plan before 1 April 2010, no sum in the serviceman’s CARE Account vests in him unless he has completed at least 15 complete years of reckonable service;
 - (aa) in a case of a serviceman who became a member of the Premium Plan on or after 1 April 2010, no sum in the serviceman’s CARE Account vests in him unless he has completed at least 12 complete years of reckonable service; and”;
- (e) by deleting paragraph (8) and substituting the following paragraph:

“(8) The Board may authorise the payment to the serviceman, or any other person eligible under regulation 38, of the sum vested in the serviceman in accordance with paragraphs (5), (6) and (7)(a) and (aa).”; and

(f) by deleting the words “minimum sum” in paragraph (14) and substituting the words “retirement sum”.

Amendment of regulation 38

20. Regulation 38(1) of the principal Regulations is amended —

- (a) by deleting the words “apply to”; and
- (b) by inserting, immediately after the word “Regulations” in sub-paragraph (b)(i) and (ii), the words “, who makes an application for such withdrawal”.

Saving provisions

21.—(1) Despite regulation 7(a), regulation 13(1)(a) of the principal Regulations as in force before 1 September 2020 continues to apply, as if the Work Injury Compensation Act 2019 (Act 27 of 2019) had not been enacted, to —

- (a) a member who dies as a result of any applicable injury; and
- (b) a member mentioned in regulation 13(4) of the principal Regulations whose death is caused as a result of the aggravation, starting before that date, of an adverse medical condition mentioned in that regulation by service.

(2) Despite regulation 8, regulation 14(1)(a), (2)(a) and (3)(a) of the principal Regulations as in force before 1 September 2020 continues to apply, as if the Work Injury Compensation Act 2019 had not been enacted, to —

- (a) a member mentioned in regulation 14 or 15 of the principal Regulations who is disabled from an applicable injury;
- (b) a member mentioned in regulation 16(7) of the principal Regulations who sustained a minor injury that is an applicable injury; and

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- (c) a member mentioned in regulation 23 or 24 of the principal Regulations who suffered total disability as a result of an applicable injury.

(3) Despite regulation 9, regulation 15(1) of the principal Regulations as in force before 1 September 2020 continues to apply, as if the Work Injury Compensation Act 2019 had not been enacted, to —

- (a) a member mentioned in regulation 15 of the principal Regulations who is disabled from an applicable injury; and
- (b) a member mentioned in regulation 16(7) of the principal Regulations who sustained a minor injury that is an applicable injury.

(4) Despite regulation 10, regulation 16(5) of the principal Regulations as in force before 1 September 2020 continues to apply to a member whose disablement is due to an applicable injury as if the Work Injury Compensation Act 2019 had not been enacted.

(5) Despite regulation 13, regulation 25(a) of the principal Regulations as in force before 1 September 2020 continues to apply to a member whose total disability is determined by the Armed Forces Council to be caused as a result of aggravation, starting before that date, of an adverse medical condition mentioned in that regulation by service, as if the Work Injury Compensation Act 2019 had not been enacted.

(6) Despite regulation 14, regulation 26 of the principal Regulations as in force before 1 September 2020 continues to apply, as if the Work Injury Compensation Act 2019 had not been enacted, to —

- (a) a member who —
- (i) would have been eligible in a case of total disability for any award under regulation 14, 23 or 24 of the principal Regulations as in force before that date; and
- (ii) suffers partial disability as a result of an applicable injury; and

(b) a member mentioned in regulation 27 of the principal Regulations whose partial disability is determined by the Armed Forces Council to be caused by aggravation, starting before that date, of an adverse medical condition mentioned in that regulation by service.

(7) Despite regulation 15, a sum equivalent to the lump sum applicable under the Third Schedule to the Work Injury Compensation Act (Cap. 354) under regulation 28 of the principal Regulations as in force before 1 September 2020 is to be calculated in respect of any member mentioned in paragraph (1), (2), (3), (5) or (6) as if the Work Injury Compensation Act 2019 had not been enacted.

(8) In this regulation, “applicable injury” means an injury received in and which is attributable to service, that is received before 1 September 2020.

[G.N. No. S 237/2012]

Made on 31 August 2020.

HO CHIN NING
Secretary,
Armed Forces Council,
Singapore.

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(To be presented to Parliament under section 207 of the Singapore Armed Forces Act).