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No. S 943

EMPLOYMENT OF FOREIGN MANPOWER ACT 1990

EMPLOYMENT OF FOREIGN MANPOWER (LEVY) (AMENDMENT NO. 2) ORDER 2023

In exercise of the powers conferred by section 11(1) of the Employment of Foreign Manpower Act 1990, the Minister for Manpower makes the following Order:

Citation and commencement

1. This Order is the Employment of Foreign Manpower (Levy) (Amendment No. 2) Order 2023 and comes into operation on 1 January 2024.

Amendment of paragraph 2

2. In the Employment of Foreign Manpower (Levy) Order 2011 (G.N. No. S 371/2011) (called in this Order the principal Order), in paragraph 2, after the definition of “National Environment Agency”, insert —

““off-site construction worker” means a construction worker who is employed by an operator of a Design for Manufacturing and Assembly facility where such operator is recognised under the Off-Site Levy Scheme or an equivalent scheme that is administered by the Building and Construction Authority;”.

Replacement of paragraph 20

3. In the principal Order, replace paragraph 20 with —

“Levy payable for construction workers

20.—(1) The levy payable by the employer for a month in respect of a basic skilled construction worker of his is the amount of levy specified in the second column of the Seventh

Schedule corresponding to the category of construction worker in the first column of that Schedule.

(2) The levy payable by the employer for a month in respect of a higher skilled construction worker of his is the amount of levy specified in the third column of the Seventh Schedule corresponding to the category of construction worker in the first column of that Schedule.

(3) The levy payable by the employer for a month in respect of an unskilled construction worker of his is the amount of levy specified in the fourth column of the Seventh Schedule corresponding to the category of construction worker in the first column of that Schedule.

(4) The Controller may, in the Controller's discretion, allow an employer to pay the levy at the rate specified for a construction worker from Malaysia, a North Asian source or the People's Republic of China in respect of a construction worker not from these sources employed for a particular project with strategic benefit to Singapore, including a non-traditional source construction worker, corresponding to the skill level of the construction worker.

(5) In this paragraph and for the purposes of the Seventh Schedule —

“non-traditional source” means any place designated by the Minister as a source country for manpower for a construction worker, which does not include Malaysia, a North Asian source or the People's Republic of China;

“North Asian source” means any place in North Asia designated by the Minister as a source of manpower for a construction worker.”.

Replacement of paragraph 27

4. In the principal Order, replace paragraph 27 with —

“Process construction workers

27.—(1) The levy payable by the employer for a month in respect of a basic skilled process construction worker of his is

the amount of levy specified in the second column of the Eleventh Schedule corresponding to the category of process construction worker in the first column of that Schedule.

(2) The levy payable by the employer for a month in respect of a higher skilled process construction worker of his is the amount of levy specified in the third column of the Eleventh Schedule corresponding to the category of process construction worker in the first column of that Schedule.

(3) The Controller may, in the Controller's discretion, allow an employer to pay the levy at the rate specified for a process construction worker from Malaysia, a North Asian source or the People's Republic of China in respect of a process construction worker not from these sources employed for a particular project with strategic benefit to Singapore, including a non-traditional source process construction worker, corresponding to the skill level of the process construction worker.

(4) In this paragraph and for the purposes of the Eleventh Schedule —

“non-traditional source” means any place designated by the Minister as a source country for manpower for a process construction worker, which does not include Malaysia, a North Asian source or the People's Republic of China;

“North Asian source” means any place in North Asia designated by the Minister as a source of manpower for a process construction worker.”.

Amendment of paragraph 28

5. In the principal Order, in paragraph 28, delete sub-paragraph (3).

Replacement of paragraph 29

6. In the principal Order, replace paragraph 29 with —

“Process maintenance workers

29.—(1) The levy payable by the employer for a month in respect of a basic skilled process maintenance worker of his is the amount of levy specified in the second column of the Twelfth

Schedule corresponding to the category of process maintenance worker in the first column of that Schedule.

(2) The levy payable by the employer for a month in respect of a higher skilled process maintenance worker of his is the amount of levy specified in the third column of the Twelfth Schedule corresponding to the category of process maintenance worker in the first column of that Schedule.

(3) The Controller may, in the Controller's discretion, allow an employer to pay the levy at the rate specified for a process maintenance worker from Malaysia, a North Asian source or the People's Republic of China in respect of a process maintenance worker not from these sources employed for a particular project with strategic benefit to Singapore, including a non-traditional source process maintenance worker, corresponding to the skill level of the process maintenance worker.

(4) In this paragraph and for the purposes of the Twelfth Schedule —

“non-traditional source” means any place designated by the Minister as a source country for manpower for a process maintenance worker, which does not include Malaysia, a North Asian source or the People's Republic of China;

“North Asian source” means any place in North Asia designated by the Minister as a source of manpower for a process maintenance worker.”

Amendment of paragraph 30

7. In the principal Order, in paragraph 30, delete sub-paragraph (3).

Amendment of First Schedule

8. In the principal Order, in the First Schedule, in paragraph 3(f), replace “Industries” with “Investments”.

Replacement of Seventh Schedule

9. In the principal Order, replace the Seventh Schedule with —

“SEVENTH SCHEDULE

Paragraph 20

LEVY PAYABLE FOR CONSTRUCTION WORKERS

<i>First column</i>	<i>Second column</i>	<i>Third column</i>	<i>Fourth column</i>
<i>Category</i>	<i>Levy payable (basic skilled)</i>	<i>Levy payable (higher skilled)</i>	<i>Levy payable (unskilled)</i>
1. Construction worker from Malaysia, a North Asian source or the People’s Republic of China who is not an off-site construction worker	\$700	\$300	\$900
2. Construction worker who is not from Malaysia, a North Asian source or the People’s Republic of China, including a construction worker from a non-traditional source, who is not an off-site construction worker	\$900	\$500	\$900
3. Off-site construction worker	\$370	\$250	\$900.”.

Replacement of Eleventh Schedule

10. In the principal Order, replace the Eleventh Schedule with —

“ELEVENTH SCHEDULE

Paragraph 27

LEVY PAYABLE FOR PROCESS CONSTRUCTION WORKERS

<i>First column</i>	<i>Second column</i>	<i>Third column</i>
<i>Category</i>	<i>Levy payable (basic skilled)</i>	<i>Levy payable (higher skilled)</i>
1. Process construction worker from Malaysia, a North Asian source or the People’s Republic of China	\$450	\$200
2. Process construction worker who is not from Malaysia, a North Asian source or the People’s Republic of China, including a process construction worker from a non-traditional source	\$650	\$300.”.

Replacement of Twelfth Schedule

11. In the principal Order, replace the Twelfth Schedule with —

“TWELFTH SCHEDULE

Paragraph 29

LEVY PAYABLE FOR PROCESS MAINTENANCE WORKERS

<i>First column</i>	<i>Second column</i>	<i>Third column</i>
<i>Category</i>	<i>Levy payable (basic skilled)</i>	<i>Levy payable (higher skilled)</i>
1. Process maintenance worker from Malaysia, a North Asian source or the People’s Republic of China	\$450	\$200
2. Process maintenance worker who is not from Malaysia, a North Asian source or the People’s Republic of China, including a process maintenance worker from a non-traditional source	\$650	\$300.”.

Saving and transitional provisions

12.—(1) This paragraph applies in determining the levy payable by an employer in respect of each construction worker, process construction worker or process maintenance worker from a non-traditional source engaged in a project for which the contract was awarded or the tender was called on or before 18 February 2022.

(2) Despite paragraphs 3, 4, 6, 9, 10 and 11 of this Order, paragraphs 20, 27 and 29 of, and the Seventh, Eleventh and Twelfth Schedules to, the principal Order as in force immediately before 1 January 2024 continue to apply, as if paragraphs 3, 4, 6, 9, 10 and 11 of this Order had not been made, in determining the levy payable mentioned in sub-paragraph (1) for any month ending on or before 31 December 2024.

*[G.N. Nos. S 701/2011; S 297/2012; S 666/2012;
S 111/2013; S 372/2013; S 722/2013; S 420/2014;
S 247/2015; S 258/2016; S 281/2017; S 532/2018;
S 196/2019; S 479/2019; S 579/2019; S 507/2020;
S 563/2021; S 710/2022; S 595/2023]*

Made on 29 December 2023.

NG CHEE KHERN
*Permanent Secretary,
Ministry of Manpower,
Singapore.*

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