

THE STATUTES OF THE REPUBLIC OF SINGAPORE

**PARLIAMENTARY PENSIONS ACT
(CHAPTER 219)**

Act
24 of 1978
Amended by
18 of 1982

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Parliamentary Pensions Act

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An Act to provide for the grant of pensions and gratuities in respect of service as Members of Parliament and as holders of ministerial and other offices and for purposes connected therewith.

[1st September 1978]

PART I

PRELIMINARY

Short title.

1. This Act may be cited as the Parliamentary Pensions Act.

Interpretation.

2.—(1) In this Act, unless the context otherwise requires—
 “Member” means a Member of Parliament;
 “office” means the office of Prime Minister, Deputy Prime Minister, Speaker, Senior Minister, Minister, Senior Minister of State, Minister of State, Senior Parliamentary Secretary, Parliamentary Secretary or Political Secretary;
 “office-holding Member” means a Member who holds or has held any office and includes a Speaker who is not an elected Member of Parliament;
 “reckonable service”, in relation to service as a Member, means service on and after 3rd June 1959 in Parliament as a Member of Parliament; and in relation to service in any office, means service on and after 3rd June 1959 in that office.

(2) The reference to service in Parliament in the definition of “reckonable service” in subsection (1) shall be read as including a reference to service in the Legislative Assembly on and after 3rd June 1959 and before 9th August 1965.

(3) Where a Speaker is not, or has not been, an elected Member of Parliament for any period, “salary” shall, for that period, mean the salary payable to him in respect of his service as Speaker.

(4) Notwithstanding any other provision of this Act, where for any period a person who is eligible for any pension or other benefit under this Act voluntarily refrains from receiving the whole or any part of any salary due to him in respect of the office held by him, then, in calculating his pension or benefit he shall, for such period, be deemed to have received the full salary to which he was entitled as holder of that office.

PART II

PENSIONS AND GRATUITIES FOR MEMBERS,
MINISTERS AND OTHER OFFICE-HOLDERS

3.—(1) Subject to the provisions of this Act, a person who, after the commencement of this Act, ceases at any time to be a Member may be granted a pension under this section if he has not less than 9 years' reckonable service as a Member (whether continuously or not) and has attained the age of 50 years.

Pensions in respect of service as Members.

(2) The annual amount of pension payable to a Member shall be —

- (a) in respect of every completed year of reckonable service, at the rate of one-thirtieth ($1/30$) of his annual salary; and
- (b) in respect of any remaining uncompleted year of reckonable service, at the rate of one-three hundred and sixtieth ($1/360$) part of his annual salary for each completed month of reckonable service:

Provided that the annual pension payable to any Member shall not exceed two-thirds of his annual salary.

(3) Subject to sections 13 and 15, a pension under this section shall continue for the life of the person to whom it is payable but shall not be payable in respect of any period during which he is again a Member or is a candidate for election to Parliament; at the end of that period the pension shall again be payable and shall be re-computed under subsection (2) with the addition of any further period of reckonable service to the period of his former reckonable service as a Member.

(4) For the purposes of subsection (2), "annual salary" means the annual equivalent of the highest monthly rate of salary (excluding any non-pensionable allowances) received by a Member during any period of his service as a Member.

(5) For the purposes of subsection (3), a person who ceases to be a Member in consequence of the dissolution of Parliament shall be treated as a candidate for election from the date of the dissolution if he seeks re-election at the next general election.

Pensions in respect of service as Prime Minister, Deputy Prime Minister, Speaker, Ministers and other office-holders.

4.—(1) Subject to the provisions of this Act, a person may be granted a pension under this section, in addition to any pension that may be granted to him under section 3, in respect of his reckonable service in any office if, after the commencement of this Act, he ceases at any time to hold office and has —

- (a) not less than 8 years' reckonable service as an office-holding Member (whether continuously or not); and
- (b) attained the age of 50 years.

(2) The annual amount of pension payable to an office-holding Member shall be —

- (a) in respect of every completed year of reckonable service in any office, or where he has served in more than one office in each office, at the rate of one-twenty-seventh ($1/27$) of his annual salary in that office; and
- (b) in respect of any remaining uncompleted year of reckonable service in any office, or where he has served in more than one office in each office, at the rate of one-three hundred and twenty-fourth ($1/324$) part of his annual salary for each completed month of reckonable service in that office:

Provided that the annual pension payable to any office-holding Member shall not exceed two-thirds of the highest annual salary of any office held by him.

(3) Subject to sections 13 and 15, a pension granted under this section shall continue for the life of the person to whom it is payable but shall not be payable in respect of any period during which he is again an office-holding Member; at the end of that period the pension shall again be payable and shall be recomputed with the addition of that period to the period of his former reckonable service as an office-holding Member.

(4) For the purposes of subsection (2), “annual salary”, in relation to any office, means the annual equivalent of the highest monthly rate of salary (excluding any non-pensionable allowances) received by an office-holding Member during any period of reckonable service as a holder of that office:

Provided that where the monthly rate of salary applicable to any office previously held by an office-holding Member is increased during any continuous period of reckonable service while he is an office-holding Member but holding another office, he shall be deemed to have received such increased rate during his period of reckonable service as a holder of that office.

5.—(1) Where an office-holding Member has —

- (a) not less than 8 years' reckonable service as an office-holding Member (whether continuously or not);
- (b) attained the age of 55 years; and
- (c) not previously been granted a pension under section 4,

Pensions for serving office-holders after attaining 55 years of age. 18/82.

he may be granted a pension under that section notwithstanding the fact that he has not ceased to hold office.

(2) Subject to sections 13 and 15, a pension granted under section 4 to an office-holding Member by virtue of this section shall continue for the life of the person to whom it is payable and shall, when he ceases to hold office, be recomputed under subsection (2) of that section with the addition of his further period of reckonable service as an office-holding Member to the period of reckonable service which has been used in computing his pension.

(3) Where a person has been granted a pension under section 4 after ceasing to hold office and —

- (a) becomes an office-holding Member again after having attained the age of 55 years; or
- (b) becomes an office-holding Member again before attaining the age of 55 years, on his attaining that age,

the pension shall, notwithstanding subsection (3) of that section, continue to be payable to him and shall, at the end of his further period as an office-holding Member, be recomputed with the addition of that further period to the period of his former reckonable service as an office-holding Member.

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Service in office, if less than 8 years, to be counted as additional service for Member's pension.

6.—(1) This section shall apply to a Member who has served as an office-holding Member for any period which is less than the minimum period of reckonable service specified in section 4 to be eligible for a pension under that section.

(2) The period of service of a Member to whom this section applies shall, for the purposes of determining his eligibility and of computing the amount of the pension payable to him under section 3 (1) and (2), be deemed to be increased by such period as may be determined in accordance with the following provisions:

- (a) for every year of reckonable service as Prime Minister, Deputy Prime Minister, Speaker, Senior Minister or Minister there shall be added to his period of service one and one-half years (1 1/2) of reckonable service as a Member;
- (b) for every year of reckonable service as Senior Minister of State or Minister of State there shall be added to his period of service one year of reckonable service as a Member;
- (c) for every year of reckonable service as a Senior Parliamentary Secretary, Parliamentary Secretary or Political Secretary there shall be added to his period of service two-thirds (2/3) of a year of reckonable service as a Member;
- (d) for any fraction of a year of reckonable service in any office there shall be added to his period of service a proportionate part of the appropriate period of reckonable service as a Member. [5

Commutation of pension.

7.—(1) Any person to whom a pension is granted under this Act may, at his option exercisable not later than 30 days after the date when he becomes eligible for the grant of such pension, be paid in lieu of the full pension so granted, a reduced pension at the rate of two-thirds (2/3) of the full pension together with a gratuity equal to twelve and one-half (12 1/2) times the annual value of one-third (1/3) of the full pension.

(2) The option for either a full pension or for a reduced pension with commuted pension gratuity as provided for in subsection (1), once exercised, shall not be revoked.

(3) Where a person to whom subsection (1) applies fails to exercise the option within the period specified in that subsection, the President shall have the power to grant a commuted pension gratuity as provided for in that subsection as if that person had exercised the option within the period mentioned therein. [6

8. Pensions under this Act may be paid monthly at the end of each month in which the pensions fall due or at such other intervals as the President may determine either generally or in the circumstances of any particular case. [7

Payment of pensions.

9.—(1) Where after the commencement of this Act a person ceases at any time to be a Member or to hold office by reason of ill-health and the President is satisfied that on account of such ill-health that person has become incapable of performing the duties of a Member or of his office, he may be granted a pension or gratuity in accordance with this section. Pension granted to person ceasing to be Member or office-holder on medical grounds.

(2) In the case of a person who ceases to be a Member and —

(a) who has the minimum period of reckonable service to be eligible for a pension under section 3, he may be granted a pension in accordance with that section notwithstanding the fact that he has not attained the age of 50 years;

(b) who does not have the minimum period of reckonable service to be eligible for a pension under section 3, he may be granted a gratuity to be computed —

(i) at the rate of 10% of his annual salary as defined in section 3 (4) for each completed year of reckonable service as a Member (including any period of reckonable service which may be counted by virtue of section 6); and

(ii) at the rate of 10% of one-twelfth (1/12) of such annual salary for any completed month remaining after the last completed year of reckonable service.

(3) In the case of a person who ceases to hold office and who has the minimum period of reckonable service to be eligible for a pension under section 4, he may be granted a pension in accordance with that section notwithstanding the fact that he has not attained the age of 50 years. [8

Gratuity payable on death of Member in certain circumstances.

10.—(1) Where after the commencement of this Act a Member dies while serving as a Member or within one year after he was granted a pension under section 3 or 4 there may be paid to such of his dependants as the President may think fit, or if there are no dependants, to his legal personal representatives a gratuity in accordance with this section.

(2) In the case of a Member who had never held any office the gratuity shall be an amount equal either to his annual salary as defined in section 3 (4) or the commuted pension gratuity which might have been granted to him under section 7, whichever is the greater, less any sums already received by him by way of pension and gratuity under this Act during his lifetime.

(3) In the case of a Member who had previously held office but was not holding office at the time of his death, the gratuity shall be an amount equal either to his annual salary as defined in section 3 (4) or the commuted pension gratuity which might have been granted to him under section 7 in respect of both his reckonable service as a Member and as a holder of any office, whichever is the greater, less any sums already received by him by way of pension and gratuity under this Act during his lifetime.

(4) In the case of a Member holding office at the time of his death, the gratuity shall be an amount equal either to the aggregate of his annual salary as defined in sections 3 (4) and 4 (4) or the commuted pension gratuity which might have been granted to him under section 7 in respect of both his reckonable service as a Member and as a holder of any office, whichever is the greater, less any sums already received by him by way of pension and gratuity under this Act during his lifetime.

(5) In determining the commuted pension gratuity which might have been granted to a Member for the purposes of this section, he shall be deemed to be eligible for the grant of a pension under section 3 or 4 notwithstanding the fact that he has less than the minimum number of years of

reckonable service as required in those sections or that he has not attained the age of 50 years.

(6) No gratuity paid under this section shall be subject to estate duty under the Estate Duty Act. [9 Cap. 96.

11.—(1) This section shall apply in relation to any person —

- (a) who has ceased to be a Member;
- (b) who would, had he attained the age of 50 years, be eligible for the grant of a pension under section 3 or 4; and
- (c) who has not been granted any pension or gratuity under this Act.

Pension and gratuity granted on incapacity or death of ex-Member.

(2) If any person to whom this section applies dies before attaining the age of 50 years there may be paid to such of his dependants as the President may think fit or, if there are no dependants, to his legal personal representatives a gratuity of an amount equal either to his annual salary as defined in section 3 (4) or the commuted pension gratuity which might have been granted to him under section 7 if he had attained the age of 50 years in respect of both his reckonable service as a Member and as a holder of any office, whichever is the greater.

(3) If the President is satisfied that any person to whom this section applies is physically or mentally incapacitated so as to be unable to continue in any employment before he has attained the age of 50 years, he may be granted a pension under section 3 or 4 with effect from the date he satisfies the President that he is so physically or mentally incapacitated, notwithstanding the fact that he has not attained the age of 50 years. [10

PART III

MISCELLANEOUS

12. A pension or gratuity granted under this Act shall not be assignable or transferable, except for the purpose of satisfying —

- (a) a debt due to the Government; or
- (b) an order of any court for the payment of periodical sums of money towards the maintenance of the

Pension or gratuity not to be assignable.

wife or former wife or minor child, whether legitimate or not, of the person to whom the pension has been granted,

and shall not be liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatever except a debt due to the Government. [11

Pension or gratuity not of right and may be reduced or withheld by President upon conviction for corruption.

13.—(1) No person shall have an absolute right to compensation for past services or to any pension or gratuity under this Act.

(2) It shall be lawful for the President to reduce or altogether to withhold any pension or gratuity which has been granted to a person under this Act, or for which he has become eligible, where such person has been convicted by any court of an offence (even if only a fine and no term of imprisonment has been imposed) —

Cap. 241.

(a) under the Prevention of Corruption Act; or

(b) involving corruption under any other written law.

(3) The President shall, before exercising any power conferred on him by subsection (2), consider the record of the proceedings of the court. [12

Restoration of whole or part of pension or gratuity at discretion of President.

14. Where any pension or gratuity which a person would have been eligible to receive under this Act has been reduced or altogether withheld under section 13, it shall be lawful for the President, in his discretion, to direct that all or any part of the pension or gratuity be applied for the benefit of his wife and any child or children, and after the expiry of any term of imprisonment served by him, also for his benefit, in such proportions and manner as the President thinks fit. [13

Pension and gratuity to cease on bankruptcy.

15.—(1) No pension or gratuity which would under this Act be granted to a person shall be so granted if, at the date he became eligible for the grant of such pension, he has been adjudged a bankrupt or declared insolvent by judgment of a court of competent jurisdiction in Singapore or elsewhere and has not obtained his discharge from such adjudication or declaration.

(2) If any person to whom a pension has been granted under this Act is adjudged a bankrupt or is declared insolvent by judgment of any such court, then such pension shall forthwith cease.

(3) Where a pension or gratuity ceases or is not granted by virtue of this section, it shall be lawful for the President, from time to time, during the remainder of the life of the person whose pension has ceased or who would have been eligible to receive the pension, or during such shorter period or periods, either continuously or otherwise, as the President thinks fit, to direct all or any part of the moneys to which that person would have been eligible to receive by way of pension or gratuity, had he not become a bankrupt or insolvent, to be paid to or applied for the maintenance and benefit of all or any (to the exclusion of others) of the following, namely, the person himself and his wife, child or children, or other dependants in such proportions and manner as the President thinks proper; and such moneys shall be paid or applied accordingly.

(4) Moneys applied for the discharge of the debts of the person whose pension has ceased or not been granted shall, for the purposes of subsection (3), be regarded as applied for his benefit.

(5) When a person to whom a pension or gratuity has not been granted, or whose pension has ceased under the provisions of this section, obtains a full and proper discharge from his bankruptcy or insolvency, his pension or gratuity or both, as the case may be, shall be restored to him with effect from the date of the discharge. [14

16. There shall be charged on and paid out of the Consolidated Fund all sums of money payable by way of pension or gratuity in accordance with this Act. [15

Pensions and gratuities to be paid out of Consolidated Fund.

17.—(1) The President may make regulations for, or in respect of, all matters which he considers necessary or expedient for carrying out or giving effect to the purposes and provisions of this Act. [16

Regulations.

(2) All regulations made under this Act shall be presented to Parliament as soon as possible after publication. [16

18.—(1) The Parliamentary Pensions Act is hereby repealed. [16

Repeal and saving. 1970 Ed. Cap. 51.

(2) Notwithstanding such repeal, the provisions of the Parliamentary Pensions Act (in this section referred to as

the repealed Act) shall be construed and shall have effect as if it had not been repealed by this Act in the case of any person who —

- (a) at the commencement of this Act is in receipt of a pension under the repealed Act; or
 - (b) having ceased to be a Member before the commencement of this Act will become eligible for the grant of a pension under the repealed Act when he attains the age of 45 years.
- (3) The provisions of this Act shall not apply to —
- (a) any person referred to in subsection (2) (a) whether or not he is or becomes a Member after the commencement of this Act; or
 - (b) any person referred to in subsection (2) (b) unless he becomes a Member after the commencement of this Act.

(4) If in the case of a Member who at the commencement of this Act has not less than 9 years' reckonable service and has attained the age of 45 years, the pension which he is eligible to receive under section 3 on his ceasing to be a Member, together with any pension which he is eligible to receive under section 4, is less than the amount of pension which he would have been eligible to receive under the repealed Act in respect of his reckonable service before the commencement of this Act had he ceased to be a Member at the commencement of this Act, his pension under section 3 may be increased by the difference between that amount and the pensions which he is eligible to receive under sections 3 and 4:

Provided that this subsection shall not apply to a person who may be granted a pension by virtue of sections 9 and 11.

(5) Any person who at the commencement of this Act is eligible to receive a pension under section 10 of the repealed Act in respect of his reckonable service under that Act if he had ceased to hold public office as defined by that section may, when he ceases to hold such public office, be granted a pension under the repealed Act in respect of the period of such reckonable service before the commencement of this Act as if the repealed Act had not been repealed by this Act.