

THE STATUTES OF THE REPUBLIC OF SINGAPORE

PENSIONS ACT (CHAPTER 225)

1970 Ed. Cap. 55
Ordinance
22 of 1956

Amended by

27 of 1958	S 223/59
21 of 1962	S (NS) 178/59
8 of 1963	S (NS) 179/59
15 of 1968	S 197/59
14 of 1969	S 23/63
2 of 1970	S 215/66
32 of 1970	S 68/69
21 of 1971	S 268/70
26 of 1972	S 250/71
20 of 1978	S 281/75
5 of 1982	S 283/78
36 of 1984	S 318/84
26 of 1986	S 97/85
	S 236/86

REVISED EDITION 1985

Pensions Act

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An Act to regulate the granting of pensions, gratuities and other allowances to officers in the public service of Singapore.

[1st July 1956]

1. This Act may be cited as the Pensions Act. Short title.
2. In this Act, unless the context otherwise requires — Interpre-
 “officer” includes a judge and a police officer of any tation.
 rank;

“officer on the pensionable establishment” means an officer who has been confirmed in his appointment as the holder of a pensionable office;

“other public service” means public service not under the Government of Singapore;

“pensionable office” means —

(a) in respect of public service in Singapore, an office or class of office declared by the President by notification in the *Gazette*, to be pensionable and not likewise declared, by subsequent notification in the *Gazette*, to be non-pensionable; but where by virtue of any such declaration any office ceases to be a pensionable office, then so long as any person holding that office at the time of the declaration continues therein, the office shall, as respects that person, continue to be a pensionable office;

(b) in respect of other public service, an office which is a pensionable office under any law or regulation in force relating to such service;

“pensionable emoluments” means —

(a) in respect of public service in Singapore —

(i) the basic salary attached to a pensionable office or, in the case of an officer serving in a pensionable class, the basic salary payable to that officer as an officer of that class;

(ii) any personal pensionable allowance; and

(iii) such other allowances as may be prescribed by regulations to be pensionable allowances; and

(b) in respect of other public service, emoluments which count for pension under any law or regulation in force relating to that service;

“public service” means service in a civil capacity under the Government of Singapore or in such other service as the President may determine to be

public service for the purpose of any provision of this Act;

“Singapore” means —

(a) in relation to any period ending before 3rd June 1959 — the Colony of Singapore; and

(b) in relation to any period beginning on or after 3rd June 1959 and ending before 9th August 1965 — the State of Singapore.

3.—(1) It shall be lawful for the President to make regulations for the granting of pensions, gratuities and other allowances to persons who have been in the public service in Singapore or to their legal personal representatives or dependants: President may make pensions regulations.

Provided that until varied or revoked by any such regulations, the regulations contained in the First Schedule shall be in force.

(2) The President may, in making regulations under this section, provide for any officer or class of officers holding pensionable offices to opt for the provident fund scheme applicable to non-pensionable employees of the Government under the Central Provident Fund Act and for the terms and conditions of such option. 26/86.
Cap. 36.

(3) Any pension or gratuity granted under this Act shall be computed in accordance with the provisions in force at the actual date of an officer's retirement.

(4) All such regulations shall be published in the *Gazette* and shall come into operation on such date as the President may prescribe:

Provided that where the President is satisfied that it is equitable that any regulation made under this Act should have retrospective effect in order to confer a benefit upon, or remove a disability attaching to, any person, that regulation may be given retrospective effect to any date, whether before or after the commencement of this Act, for that purpose.

(5) All such regulations and any regulation varying or revoking the same shall have the same force and effect for all purposes as if they were contained in this Act and the expression “this Act” shall in the following sections be read and construed accordingly.

Cap. 93.

(6) The regulations made under this section may provide that where a person has rendered full-time national service pursuant to section 10 of the Enlistment Act, or pursuant to the provisions of any written law repealed by that Act (whether such service was rendered before or after that person became the holder of a pensionable office) the period of his entire full-time national service may be treated, to such extent and on such conditions as may be specified in the regulations, as pensionable service and that that service shall be deemed to be public service and that person shall be deemed to have been or to have continued to be, as the case may be, an officer in the public service for the period of that full-time national service for the purposes of this Act.

Pensions, etc., to be charged on Consolidated Fund.

4. There shall be charged on and paid out of the Consolidated Fund all such sums of money as may from time to time be granted by way of pension, gratuity or other allowance in accordance with this Act.

Pensions, etc., not of right.

5.—(1) No officer shall have an absolute right to compensation for past services or to any pension, gratuity or other allowance under this Act, nor shall anything in this Act contained limit the right of the Government to dismiss any officer without compensation.

(2) Where it is established to the satisfaction of the President that an officer has been guilty of negligence, irregularity or misconduct, it shall be lawful for the President to reduce or altogether to withhold the pension, gratuity or other allowance for which such officer would have become eligible but for this section.

Service not counting for pension, etc.

6. No pension, gratuity or other allowance shall be granted under this Act to any officer —

(a) in respect of any service while on probation or agreement, unless without break of service he is confirmed in a pensionable office in Singapore or in an office in other public service which is at the time of confirmation pensionable in accordance with any law or regulation in force in such service:

Provided that any interruption in service caused by temporary suspension of employment

not arising from misconduct or voluntary resignation shall be disregarded for the purposes of this paragraph;

- (b) in respect of any service as a pupil, apprentice or volunteer, during which he is undergoing whole time training and for which he is not remunerated or receives only a subsistence allowance or a special apprentice pay and the President may, by notification in the *Gazette*, declare what service is to be service as a pupil, apprentice or volunteer for the purposes of this paragraph;
- (c) in respect of any service, while under the age of 18 years:

Provided that this paragraph shall not apply to any officer or other person in the public service in Singapore at the commencement of this Act to whom, under any of the written laws repealed by section 19, a pension, gratuity or other allowance may be granted in respect of service while under the age of 18 years; or

- (d) in respect of any service, including service deemed under any written law for the time being in force to be service with the Government for the purposes of this Act, during which the officer was —

- (i) a member of any of the funds mentioned in Part I of the Second Schedule, except upon the condition that there shall be first paid to the Government the total amount paid by the Government and any of the authorities mentioned in Part II of that Schedule to any of the said funds excluding the amount paid on account of the officer if he is on the pensionable establishment with respect to such service or an equivalent amount if he is not on the pensionable establishment with respect to such service, together with the interest, if any, thereon; or
- (ii) eligible for any benefits on retirement under the Singapore City Council

Superannuation Fund for Subordinate Employees Rules 1954 except upon the condition that he shall first relinquish all rights to such benefits under those Rules.

Cases in which pensions, etc., may be granted.

7.—(1) No pension, gratuity or other allowance shall be granted under this Act to any officer until he shall have retired from the public service.

(2) Subject to section 17, no pension, gratuity or other allowance shall be granted under this Act to any officer who has retired from the public service in Singapore, unless he has retired —

(a) in the case of male officers in the public service in Singapore at the commencement of this Act, with the consent of the President, on or after attaining the age of 50 years, and in other cases, on or after attaining the age of 55 years if a man, or of 45 years if a woman:

Provided that in the case of a female officer she was in the service before 1st March 1962 and has opted to retire on or after attaining the age of 45 years;

- (b) on or after attaining the age of 45 years if he is a police officer, including a police officer of such Auxiliary Police Force as may be specified by the President by notification in the *Gazette*, below the rank of assistant superintendent, prison officer below the rank of superintendent or a male nurse at a Government mental hospital;
- (c) on a certificate from the head of his department and on medical evidence to the satisfaction of the President that he is incapable, by reason of some infirmity of mind or body, of discharging the duties of his office and that such infirmity is likely to be permanent;
- (d) on abolition of his office;
- (e) in the case of termination of employment in the public interest as provided in section 8;
- (f) on compulsory retirement for the purpose of facilitating improvement in the organisation of the

department to which he belongs by which greater efficiency or economy may be effected;

- (g) with the consent of the President, on or after completing 15 years of service as a Gurkha serving in the Gurkha Contingent of the Singapore Police Force;
- (h) in the case of a female officer appointed to the public service on or after 1st July 1956 or reappointed after resignation on account of marriage, with the consent of the President, on or after attaining the age of 50 years; or
- (i) with the consent of the President acting on the advice of the Cabinet, on or after completing 15 years of service, in special circumstances not falling within any of the preceding paragraphs.

(3) Notwithstanding subsection (2), a pension, gratuity or other allowance may be granted under this Act to —

- (a) any officer on his attaining the minimum age of retirement applicable to him specified in subsection (2) (a), (b) or (h) who, having retired from the public service of Singapore under the provisions of the Instruction Manual for the time being in force in order to be nominated as a candidate for election as a member of Parliament or of any local government authority in Singapore, has not subsequently been re-employed in the public service of Singapore:

Provided that —

- (i) where the President is satisfied that such an officer is physically or mentally incapacitated so as to be unable to continue in any employment before he has attained the minimum age of retirement applicable to him, he may be granted a pension, gratuity or other allowance with effect from the date he satisfies the President that he

is so physically or mentally incapacitated; or

- (ii) where such an officer dies before he has attained the minimum age of retirement applicable to him, his dependants or legal personal representatives may be paid a gratuity in accordance with section 16; or

- (b) any officer who, not being an officer to whom paragraph (a) applies, having either completed 15 years public service or attained the age of 40 years and completed 10 years public service, has retired with the permission of the Chief Secretary, granted before 1st September 1958 in order to be nominated as a candidate for election as a member of the Legislative Assembly or of any local government authority in Singapore.

(4) The President may direct that any pension, gratuity or other allowance granted to an officer retired under subsection (2) (e) or (i) be suspended until and take effect from such date, not being later than the date the officer attains the minimum age, as the President may determine:

Provided that —

- (a) where the President is satisfied that such an officer is physically or mentally incapacitated so as to be unable to continue in any employment before he has attained the minimum age, he may be granted a pension, gratuity or other allowance with effect from the date he satisfies the President that he is so physically or mentally incapacitated;
- (b) where an officer dies before he has attained the minimum age, his dependants or legal personal representatives may be paid a gratuity in accordance with section 16;
- (c) no right shall accrue in respect of any pension, gratuity or other allowance during the period such pension, gratuity or other allowance has been suspended.

(5) For the purposes of subsection (4), “minimum age” ^{26/86.} means —

- (a) in the case of an officer who is entitled to retire at the age of 45 years — 45 years;
- (b) in the case of an officer appointed to the public service before 12th September 1986 other than an officer referred to in paragraph (a) — 50 years; and
- (c) in the case of an officer appointed to the public service on or after 12th September 1986 other than an officer referred to in paragraph (a) —
 - (i) 50 years if he is entitled to retire at the age of 50 or 55 years; and
 - (ii) 55 years if he is entitled to retire at the age of 60 years.

(6) The pension so granted under subsection (4) shall be computed on the basis of his pensionable service up to the date of retirement as though he had retired on medical grounds under subsection (2) (c) except that an officer retired in the public interest under subsection (2) (e) may have his pension reduced under section 5 (2).

8.—(1) Where an officer’s service is terminated on the ground that, having regard to the conditions of the public service, the usefulness of the officer thereto and all the other circumstances of the case, such termination is desirable in the public interest, and a pension, gratuity or other allowance cannot otherwise be granted to him under the provisions of this Act, the President may, if he thinks fit, grant such pension, gratuity or other allowance as he thinks just and proper, not exceeding in amount that for which the officer would be eligible if he retired from the public service in the circumstances described in section 7 (2) (c).

Retirement
in the public
interest.
26/86.

(2) Where in the exercise of its powers of disciplinary control over public officers the Public Service Commission has ordered an officer to be retired in the public interest, the officer’s service shall be deemed to have been terminated under subsection (1).

26/86.

9. It shall be lawful for the President to require any officer to retire from the public service in Singapore —

Compulsory
retirement.

- (a) who has attained, in the case of a male officer in the public service in Singapore at the

commencement of this Act, the age of 55 years, and in the case of any other male officer the age of 60 years or 55 years if the President in any individual case so directs;

- (b) who, being a police officer below the rank of assistant superintendent, prison officer below the rank of superintendent or a male nurse at a Government mental hospital, has attained the age of 45 years;
- (c) whose retirement appears to the President to be desirable in the public interest;
- (d) who, being a woman appointed to the public service before 1st March 1962, is married or marries and has opted to remain eligible for a gratuity on marriage;
- (e) on the abolition of his office;
- (f) for the purpose of facilitating improvement in the organisation of the department to which he belongs by which greater efficiency or economy may be effected; or
- (g) who has attained, in the case of a female officer appointed to the public service on or after 1st March 1962, the age of 60 years or 55 years if the President in any individual case so directs.

Maximum
pension from
all public
service.

10.—(1) A pension granted to an officer under this Act shall not exceed two-thirds of the highest pensionable emoluments drawn by him at any time in the course of his public service in Singapore.

(2) Where an officer has been or is granted a pension or pensions in respect of other public service, he may be granted the full pension for which he is eligible in respect of his public service in Singapore, but no person may at any time draw from the Consolidated Fund an amount of pension which, when added to the amount of any pension or pensions drawn in respect of other public service, exceeds two-thirds of the highest pensionable emoluments drawn by that person at any time in the course of his public service in Singapore or in other public service:

Provided that where such a person receives, in respect of some period of public service, both a gratuity and a pension, the amount of such pension shall be deemed, for the

purpose of this subsection, to be the amount of pension which would have been payable had the officer received a pension only and not a gratuity and a pension.

(3) In a case falling under the limitation laid down by subsection (2), the amount of pension to be drawn from the Consolidated Fund shall be subject to the approval of the President in order that it may be determined with due regard to the amount of any pension or pensions similarly to be drawn in respect of other public service.

(4) For the purpose of subsections (1), (2) and (3), an allowance granted in respect of injury or disease shall not be taken into account; but where the officer is granted such an allowance the amount of such allowance which he may draw shall not exceed one-sixth of his highest pensionable emoluments at any time in the course of his public service by more than the sum by which the amount of his pension or pensions, apart from such allowance, falls short of two-thirds of such highest pensionable emoluments.

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

Pensions,
etc., not
to be
assignable.

(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 wife or former wife or minor child, whether legitimate or not, of the officer to whom the pension, gratuity or other allowance 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.

12.—(1) Every pension granted under this Act shall be subject to the condition that unless and until the officer shall have reached the age of 50 years if a man, and of 45 years if a woman, he may, if physically fit for service, be called upon by the President to accept an office, in Singapore, not less in value than the office which he held at the date of retirement.

Liability of
pensioners to
be called
upon to take
further
employment.

(2) If a pensioner so called upon declines to accept such office, the payment of his pension may be suspended until

he has attained the age of 50 years if a man, and of 45 years if a woman.

(3) This section shall not apply to officers in the public service in Singapore at the commencement of this Act who retire otherwise than in the circumstances described in section 7 (2) (d) or (f).

Pensions,
etc., to
cease on
bankruptcy.

13.—(1) No pension, gratuity or other allowance which would under this Act be granted to an officer shall be so granted if, at the date of his retirement from the public service, such officer has been adjudged a bankrupt or declared insolvent by judgment of a court of competent jurisdiction, whether in Singapore or elsewhere, and has not obtained his discharge from such adjudication or declaration.

(2) If any person to whom a pension or other allowance has been granted under this Act is adjudicated a bankrupt or is declared insolvent by judgment of the court, whether in Singapore or elsewhere, then such pension or allowance shall forthwith cease.

(3) In any case where, by reason of bankruptcy or insolvency of the officer, a pension, gratuity or allowance is not granted or where a pension or allowance ceases by reason of the bankruptcy or insolvency of the pensioner, it shall be lawful for the President, from time to time, during the remainder of such pensioner's life, or during such shorter period or periods, either continuous or discontinuous, as he shall think fit, to cause all or any part of the moneys to which such person would have been entitled by way of pension, gratuity or allowance, had he not become a bankrupt or insolvent, to be paid to, or applied for the maintenance and personal support or benefit of, all or any, to the exclusion of the other or others, of the following persons, namely, such pensioner himself and any wife, child or children of his, in such proportions and manner as the President thinks proper, and such moneys shall be paid or applied accordingly; moneys applied for the discharge of the debts of the officer or pensioner shall, for the purposes of this subsection, be regarded as applied for his benefit.

(4) When a person to whom a pension or allowance has not been granted or whose pension or allowance has ceased under this section obtains a full and proper discharge from

his bankruptcy or insolvency, his pension or allowance shall be restored to him with effect from the date of such discharge.

14.—(1) If any person to whom a pension or other allowance has been granted under this Act is sentenced to death or penal servitude or any term of imprisonment, by any court of competent jurisdiction, whether in Singapore or elsewhere, for any crime or offence, it shall be lawful for the President to direct that such pension or allowance shall forthwith cease, and thereupon such pension or allowance shall cease accordingly:

Pensions, etc., to cease on conviction.

Provided that the pension or allowance shall be restored with retrospective effect in the case of a person who after conviction at any time receives a free pardon.

(2) Where a pension or allowance ceases by virtue of a direction under subsection (1), it shall be lawful for the President to cause all or any part of moneys to which the pensioner would have been entitled by way of pension or allowance to be paid to or applied for the benefit of any wife, child or children of the pensioner, or after the expiration of his sentence, also for the benefit of the pensioner himself, in the same manner precisely and subject to the same qualifications and restrictions as in the case of bankruptcy or insolvency hereinbefore provided.

15.—(1) If any person to whom a pension or other allowance has been granted under this Act becomes either a director of any company, the principal part of whose business is in any way directly concerned with Singapore or Malaysia, or an officer or servant employed in Singapore or in Malaysia by any such company, or engages in any occupation for gain in Singapore or in Malaysia, without in every such case the permission of the President in writing first had and obtained, then, in every such case, it shall be lawful for the President to direct that such pension or allowance shall forthwith cease, and thereupon such pension or allowance shall cease accordingly:

Pensions, etc., may cease on accepting employment in certain companies, or in engaging in certain occupations for gain.

Provided always that it shall be lawful for the President on being satisfied that the person in respect of whose pension or allowance any such direction shall have been given has ceased to be a director of such company or to be employed as an officer or servant of such company in Singapore or in

Malaysia or has ceased to be engaged in such occupation as aforesaid, as the case may be, to give directions for the restoration of such pension or allowance, with retrospective effect if he shall see fit, to such date as he shall specify, and such pension or allowance shall be restored accordingly.

(2) This section shall cease to apply to any person to whom a pension or other allowance has been granted under this Act after a period of 5 years from the date of his retirement.

Gratuity
where officer
dies in
service.
26/86.

16.—(1) Where an officer dies in the public service in Singapore, there shall be paid to such of his dependants as the President may think fit, or if there are no dependants, to his legal personal representative, a gratuity —

- (a) in the case of an officer holding a pensionable office who has not exercised an option mentioned in section 3 (2), of an amount equal to $\frac{1}{120}$ of one year's pensionable emoluments for each complete month of service but such gratuity shall not be less than one year's or more than 3 years' pensionable emoluments;
- (b) in the case of an officer holding a pensionable office who has exercised an option mentioned in section 3 (2), one year's salary as at the date immediately prior to his option taking effect or the commuted pension gratuity which might have been granted to the officer if he had retired at the date of his death in the circumstances described in section 7 (2) (c), whichever is the greater;
- (c) in any other case one year's salary or his commuted annual allowance gratuity, whichever is the greater.

(2) Where an officer who has retired from the public service in Singapore dies within one year of his retirement, there shall be paid to such of his dependants as the President may think fit, or if there are no dependants, to his legal personal representative, a gratuity of an amount equal, in the case of an officer holding a pensionable office who has not exercised an option mentioned in section 3 (2), to one year's pensionable emoluments and, in any other case, to one year's salary, from which gratuity there shall be

deducted the amount of the gratuity, if any, which has been paid or is payable under this Act or any regulations made thereunder and any payment or payments of pension or allowance, other than any allowance granted in respect of an injury, which may already have been made.

(3) A gratuity (except for commuted annual allowance gratuity) to be granted under subsection (1) or (2) shall be reduced —

(a) in the case of an officer transferred to the service of the Government from the service of an authority mentioned in Part II of the Second Schedule under any written law for the time being in force providing that service with that authority shall be deemed to have been service with the Government for the purposes of this Act —

(i) by the total amount paid by the Government and that authority to any of the funds mentioned in Part I of the Second Schedule, excluding the amount paid on account of the officer if he is on the pensionable establishment with respect to such service, or an equivalent amount if he is not on the pensionable establishment with respect to such service with the Government and with that authority, together with the interest accrued thereon; and

(ii) by the sum of money, if any, payable under the Singapore City Council Superannuation Fund for Subordinate Employees Rules 1954 in respect of the death of the officer; and

(b) in the case of an officer not transferred to the service of the Government from the service of an authority as aforesaid and not in the public service on 31st March 1962, by the total amount paid by the Government to the Central Provident Fund, excluding the amount paid on account of the officer if he is on the pensionable

establishment with respect to his public service or an equivalent amount if he is not on the pensionable establishment with respect to his public service.

(4) For the purposes of this section —

“one year’s salary” means the emoluments which would be taken for the purpose of computing any allowance or gratuity, or in the case of an officer holding a pensionable office who has exercised an option mentioned in section 3 (2) any pension, which may be granted to the officer if he had retired at the date of his death in the circumstances described in section 7 (2) (c);

“commuted annual allowance gratuity” means the gratuity which might have been granted to the officer under any regulation providing for the grant of a reduced annual allowance and a gratuity, if his public service had been wholly in Singapore and if he had retired at the date of his death in the circumstances described in section 7 (2) (c); and for the purpose of calculating the same the officer shall be deemed to have elected to be paid an annual allowance at the rate of three-fourths of the annual allowance granted to him.

Gratuity to women officers retiring on account of marriage.

17.—(1) Where an officer, being a woman and holding a pensionable office in Singapore, has completed not less than 5 years’ continuous service in Singapore, and resigns such office on account of marriage, or is required to retire from the public service under section 9 (d), she may be granted, on production, within 6 months after her resignation or retirement, or such longer period as the President may in any particular case allow, of satisfactory evidence of her marriage, a gratuity calculated at the rate of one-twelfth of a month’s pensionable emoluments for each completed month of service:

Provided that such gratuity shall not exceed one year’s pensionable emoluments.

(2) No gratuity shall be granted under subsection (1) —

(a) if the officer is otherwise eligible for a pension, gratuity or other allowance under this Act; or

- (b) if the officer was reappointed, after marriage, to the public service before 1st March 1962 or was appointed to such service on or after that date.

18.—(1) Subject to subsection (3), the provisions of this Act shall apply —

Application
of this Act.
26/86.

- (a) to all officers appointed to the public service in Singapore; and
- (b) to all officers who have been transferred from Singapore to any other public service before the commencement of this Act:

Provided that nothing in this Act or in any regulations made thereunder shall diminish the amount of pension, gratuity (other than a gratuity under section 16) or other allowance for which an officer in the public service in Singapore at the commencement of this Act would have been eligible had this Act not been enacted or adversely affect the conditions which would have been applicable to such pension, gratuity or other allowance.

(2) In the application of this Act to officers who were officers on the Malayan Establishment within the meaning of section 2 of the Malayan Establishment Pensions Ordinance 1948 immediately before 1st July 1954 the following provisions shall have effect:

M 12/48.

- (a) where any such officer was in the public service in Singapore immediately before 1st July 1954 all rights accrued to such officer in respect of pensions, gratuities or other allowances under the Malayan Establishment Pensions Ordinance 1948 or the Minutes made thereunder shall continue to subsist under this Act as if service in respect of which such rights accrued had been public service in Singapore; and
- (b) nothing in this Act or in any regulations made thereunder shall diminish the amount of pension, gratuity or allowance for which any such officer as is referred to in paragraph (a) would have been eligible under the Malayan Establishment Pensions Ordinance 1948 or the Minutes made thereunder had such Ordinance not been repealed and had such officer continued to serve on the Malayan Establishment or shall adversely affect conditions that

would have been applicable to such pension, gratuity or other allowances under such Ordinance or Minutes.

26/86.

(3) Unless otherwise expressly provided, the provisions of this Act shall not apply —

- (a) to all officers appointed on or after 1st April 1986 to the public service in Singapore except officers who are appointed to such schemes of service as may be designated by the President; and
- (b) to all officers appointed on or after 1st December 1972 to any office in the public service in Singapore being an office designated as falling within Division III or IV, except officers who are so appointed to the Police (Junior) and the Narcotics schemes of service.

Repeal and
saving.

19. The Ordinances set out in the Third Schedule are repealed:

Provided that —

- (a) all notifications declaring offices to be pensionable offices or classes to be pensionable classes made under the Ordinances hereby repealed shall be deemed to have been made under this Act and shall continue in force until cancelled or varied by notifications in the *Gazette* made under this Act;
- (b) all pensions, gratuities or other allowances granted under the Ordinances hereby repealed shall be deemed to have been granted under this Act, and shall continue to be payable until determined under and in accordance with this Act; and
- (c) all rights accrued in respect of pensions, gratuities or other allowances under the Ordinances hereby repealed shall continue to subsist under this Act as if service in respect of which such rights accrued had been service under the Government.

FIRST SCHEDULE

Section 3 (1).

The Pensions Regulations

ARRANGEMENT OF REGULATIONS

GENERAL REGULATIONS

Regulation

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13. Emoluments on which pensions to be computed.
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(3) Restoration of full pension.
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16. Case of pensioner re-employed.
17. Abolition or re-organisation of office.
18. Allowance for injured officers.
19. Pensions, etc., to dependants when an officer is killed on duty.
20. Allowance for injured police officers and pensions, etc., when a police officer is killed on duty.
21. Additional compensation for injured police officer or when police officer is killed on duty.
22. Allowance for service in non-pensionable office.
23. Transfer from pensionable to non-pensionable office.
24. Gratuity where service insufficient for pension.
25. Gratuity when nothing else is provided.
26. Conditions of pension.
27. Temporary reduction of salary not to affect rate of pension.

Schedule A — Scale of pensions.

Schedule B — Gratuities and allowances.

PENSIONS REGULATIONS

GENERAL REGULATIONS

- Citation. 1. These Regulations may be cited as the Pensions Regulations.
- Definitions. 2. In these Regulations, unless the context otherwise requires —
 “Malayan Government” includes the Governments of the Federated Malay States and any State or Settlement now comprised in the Federation of Malaya and the Government of the Malayan Union;
 “period of enemy occupation” means the period commencing on 15th February 1942 and ending on 5th September 1945.
- Regulations subject to the Act. 3. These Regulations shall in all respects be subject to the provisions of the Act.
- Period of service qualifying for pension, etc. 4. Subject to these Regulations, service qualifying for pension, gratuity or other allowance, as the case may be, shall be the inclusive period between the date from which an officer commences to draw salary or half salary from the funds of the Government and the date of his leaving the service of the Government without deduction of any period during which he has been absent on leave.
- Pensions to whom and at what rates to be granted. 5. Every officer holding a pensionable office in Singapore, who has been in the service of the Government for not less than 10 years, may on his retirement be granted a pension at the rate of one six-hundredth ($1/600$ th) of his annual pensionable emoluments in respect of each complete month of pensionable service subject to the limit prescribed in section 10 of the Act:
 Provided that an officer in the public service in Singapore at the commencement of the Act may be permitted to draw pension at the rate of one seven-hundred-and-twentieth ($1/720$ th) of his pensionable emoluments in respect of each complete month of pensionable service with an addition of sixty seven-hundred-and-twentieths ($60/720$ ths) of his pensionable emoluments subject to the limit prescribed in section 10 of the Act.
- Pensionable service. 6.—(1) For the purpose of computing the amount of a pension or gratuity to be granted to an officer, the following periods, subject to any deduction to be made under regulation 9, shall be taken into account as pensionable service —
 (a) the periods during which he has been on duty;
 (b) any period during which he was proceeding to Singapore, on first appointment and in respect of which he was paid half or full salary from the funds of the Government;
 (c) any period during which he has been absent from duty on leave with full salary or half salary;
 (d) any period during which he has been absent from duty on leave without salary, granted on grounds of public policy with the approval of the President, and during which he has not qualified for pension or gratuity in respect of other public service;

FIRST SCHEDULE — *continued*

- (e) any period during which an officer shall have been seconded for other public service or for service under a public body with the approval of the President, or may have been seconded for service under any Malayan Government.

(2) The period of enemy occupation and any period subsequent thereto before an officer resumed duty may, unless in any particular case the President shall otherwise direct, be counted as service qualifying for a pension or gratuity or allowance as if the enemy occupation had not occurred and in particular no officer otherwise eligible for the grant of any pension, gratuity or allowance shall be disqualified from counting such service merely by reason of the fact that, during the period of enemy occupation or such subsequent period as aforesaid, he was absent from duty or that his service was broken or that he was not in receipt of full salary:

Provided that this paragraph shall not apply to any officer who, being available and fit for duty, did not report for duty within such time, after the expiration of the period of enemy occupation, as the President may, in the circumstances of this case, consider reasonable.

(3) Subject to any direction to the contrary by the President, it shall be assumed, in the computation of the amount of any pension, gratuity or allowance in respect of past services which involves taking into account the period of enemy occupation or any period subsequent thereto before an officer resumed duty, that, during such period or periods, the officer concerned continued to draw salary and any other pensionable emoluments to which he would have been entitled but for the enemy occupation.

(4) For the purposes of paragraph (3) —

- (a) no promotion dependent on selection or the occurrence of vacancies shall be presumed to have taken place during the period of enemy occupation;
- (b) where an officer on 14th February 1942 held an office or served as an officer of a class under an approved scheme the pensionable emoluments of which are based on a scale of increments, then such pensionable emoluments of such office or officer shall be calculated so as to include such increments as the officer would ordinarily have received during the period of enemy occupation or subsequent period mentioned in paragraph (3); and
- (c) in the case of an officer who continued in the service of the Japanese Military Government and who was retired during the period of enemy occupation after a medical examination which, in the opinion of the President, was sufficient, paragraph (3) shall cease to apply as from the date of such retirement.

7.—(1) Service in respect of which pensions or gratuities may be granted must be unbroken, except in cases where the service has been interrupted by abolition of office or other temporary suspension of Service to be unbroken.

FIRST SCHEDULE — *continued*

employment not arising from misconduct or voluntary resignation or the break in service is caused by retirement under the provisions of the Instruction Manual for the time being in force on the election of an officer as a Member of Parliament or of any local government authority.

(2) Notwithstanding paragraph (1), an officer —

- (a) whose pension has been suspended under regulation 16; or
- (b) who has retired from the public service without pension on account of ill-health, abolition of office or re-organisation designed to effect greater efficiency and economy, and has subsequently been re-employed in the public service,

may, if the President thinks fit, be granted the pension or gratuity for which he would have been eligible if any break in his public service immediately prior to such suspension, re-employment or employment had not occurred and such pension shall be in lieu of —

- (i) any pension previously granted to him in respect of his service under the Government; and
- (ii) any gratuity so granted which is required to be refunded as a condition of the application to the officer of this paragraph,

but in addition to any gratuity so granted which is not required to be refunded as aforesaid:

Provided that in calculating a pension or gratuity granted in pursuance of this paragraph no account shall be taken for any purposes of the period during which the officer was not in public service.

Acting
service.

8. Where an officer has performed acting service in a pensionable office under the Government, the period of such service may be taken into account as pensionable service if the period of such acting service —

- (a) was not part of the pensionable service of a substantive holder of the office and is not taken into account as part of the officer's own pensionable service in other public service; and
- (b) is immediately preceded or followed by service in a substantive capacity in a pensionable office under the Government or in an office which is a pensionable office as regards previous service, and not otherwise.

Non-pen-
sionable
service when
to count.

9. Only service in a pensionable office shall be taken into account as pensionable service:

Provided that —

- (a) where a period of service in a civil capacity otherwise than in a pensionable office is immediately followed by service in a pensionable office and the officer is confirmed therein the whole of such period may be so taken into account;
- (b) any break in service which may be disregarded under regulation 7 (2) may likewise be disregarded in determining for the purposes of the preceding proviso whether one period of service immediately follows another period of service;

FIRST SCHEDULE — *continued*

- (c) any period during which an officer on the pensionable establishment has served on duty in Malaya or in Brunei Darussalam, whether in a pensionable office or not, may be regarded as pensionable service;
- (d) any period during which an officer, on the pensionable or non-pensionable establishment, has served in Singapore with the Board of Currency Commissioners, Malaya, may be regarded as pensionable service; and
- (e) any period during which an officer has served in the Singapore Armed Forces immediately prior to his transfer to the public service and which period would have counted as pensionable service under the appropriate Singapore Armed Forces pensions regulations, may be regarded as pensionable service.

10. Any period during which an officer absent on leave from Singapore has, with the consent of the President, served with the Singapore Armed Forces or in any capacity connected with a state of war, may be reckoned as service on full pay for the purposes of these Regulations.

War service
how
reckoned.

11.—(1) Full-time national service pursuant to section 10 of the Enlistment Act or pursuant to the provisions of any written law repealed by that Act, shall be deemed to be public service and a person who has rendered such service, either before or after he became the holder of a pensionable office, shall be deemed to have been or to have continued to be, as the case may be, an officer in the public service for the period of such full-time national service for the purposes of the Act.

Full-time
national
service is
deemed to be
public service
and the
period of
such service
may be
reckoned as
pensionable
service.
Cap. 93.

(2) Any period during which a person has rendered full-time national service pursuant to section 10 of the Enlistment Act or pursuant to the provisions of any written law repealed by that Act, may be reckoned as service qualifying for pension, gratuity or other allowance, as the case may be.

(3) The period between the effective date of a person's release from full-time national service and the date of his assumption of duty or resumption of duty, as the case may be, in the public service may be deemed to be a period of temporary suspension of employment for the purposes of the Act. [10A

12. Where an officer has been seconded from a pensionable office to an office or class of office which is not pensionable or to service under a public body, the period of such temporary employment shall be reckoned for the purpose of pension, gratuity or other allowance, provided that —

Officers
seconded to
a public
body.

- (a) the officer retires in circumstances in which he would otherwise be eligible for a pension; and

FIRST SCHEDULE — *continued*

- (b) for the purposes of these Regulations he shall be deemed to hold and to have held, during the period of such seconded service, a pensionable office to which are attached pensionable emoluments equal to those of the pensionable office from which he was seconded.

Emoluments
on which
pensions to
be computed.

13.—(1) Pensions and gratuities shall be computed —

- (a) where an officer has held one office, the pensionable emoluments of which are not based on a scale of increments, for a period of not less than 3 years immediately preceding the date of his retirement, on the pensionable emoluments payable to him at that date in respect of that office;
- (b) where an officer has at any time during such period of 3 years been transferred from one such office to another, but his pensionable emoluments have not been changed by reason of such transfer or transfers on the pensionable emoluments payable to him at the date of his retirement in respect of the office then held by him;
- (c) where an officer has held an office or has served as an officer of a class, the pensionable emoluments of which are based on a scale of increments, for a period of not less than 3 years immediately preceding the date of his retirement, on the pensionable emoluments payable to him at that date in respect of that office or as an officer of that class:

Provided that where two or more classes are subject to one time scale, they shall be treated for this purpose as one class;

- (d) in all other cases, on the average amount of the pensionable emoluments payable to the officer during a period of 3 years immediately preceding the date of his retirement:

Provided that —

- (i) in the case of an officer who has received promotion within 3 years of the date of his retirement any services in an office or class of office in which such officer served within the said 3 years shall, for the purposes of computation under this regulation, be deemed to be service on the highest pensionable emoluments paid to such officer in that office or class;
- (ii) in the case of an officer who has received promotion within 3 years of the date of his retirement his pension may be calculated as if he had not

FIRST SCHEDULE — *continued*

been so promoted if this should be to his advantage.

(2) Pensions and gratuities computed under this regulation shall, where applicable, be computed subject to the following conditions:

- (a) that where the pensionable emoluments attached to the posts held by an officer during the 3 years immediately preceding the date of his retirement have been increased at any time during that period, the pension or gratuity shall be computed on one-third (1/3rd) of the aggregate increased pensionable emoluments attached to those posts, as if the increased pensionable emoluments had been in force and payable during the whole of the said period;
 - (b) that in the case of an officer who has less than 3 years pensionable service, the pension or gratuity shall be computed on the average amount of the pensionable emoluments payable to the officer during his pensionable service;
 - (c) that where the pensionable emoluments attached to the post held by an officer at the date of his retirement have been reduced for misconduct the pension or gratuity shall be computed on the pensionable emoluments payable to him at that date or on the average amount of the pensionable emoluments payable to the officer during a period of 3 years immediately preceding that date, whichever shall be the less.
- (3) Notwithstanding paragraphs (1) and (2) —
- (a) any gratuity to be granted under section 16 of the Act in respect of an officer who dies in the public service shall be computed on the basis of the pensionable emoluments payable to him on the date of his death;
 - (b) any pension or gratuity to be granted to an officer in the public service under section 7 (2) (c) of the Act in circumstances where that officer would be eligible for any benefit under regulation 18 or 20 shall be computed on the basis of the pensionable emoluments payable to him immediately preceding the date of his retirement.

14. No pension, allowance or gratuity shall be granted under these Regulations to any officer whose whole-time is not given to the public service. Part-time service shall neither qualify nor count for pension.

Pensions, etc., only granted for whole-time service.

15.—(1) Subject to this regulation an officer to whom a pension is granted under the Act may —

- (a) in the case of an officer retiring before 7th December 1984, be paid a reduced pension at the rate of 3/4ths of such pension together with a commuted pension gratuity equal

Gratuity and reduced pension. S 318/84.

FIRST SCHEDULE — *continued*

to $12\frac{1}{2}$ times the annual value of the reduction so made in the pension;

- (b) in the case of an officer retiring on or after 7th December 1984, be paid a reduced pension together with a commuted pension gratuity of an amount equal to $\frac{1}{120}$ th of his one year's pensionable emoluments in respect of each complete month of pensionable service subject to a maximum of his pensionable emoluments for 3 years.

(2) The reduced pension to be granted under paragraph (1) (b) shall be the amount of his annual pension less $\frac{2}{25}$ ths of the gratuity granted to him.

Restoration
of full
pension.

(3) An officer who is paid a reduced pension under paragraph (1) shall, after the expiration of 12 years and 6 months from the date he is granted the reduced pension, be eligible for the full pension as if there had been no reduction.

Full
pension.

(4) An officer to whom a reduced pension together with a gratuity is granted under the Act may, at his option exercisable in accordance with this regulation, be paid in lieu of the reduced pension together with a gratuity the full pension without any gratuity.

(5) The option shall be exercisable, and if it has already been exercised may be revoked not later than the day immediately preceding the date of the officer's retirement:

Provided that if the officer has not exercised the option prior to the day preceding the date of his retirement, the President may, if it appears in the circumstances equitable to do so, allow the officer to exercise the option at any time between that date and the date of award of a pension to him.

(6) If an officer who has exercised the option under paragraph (4) dies after he has finally retired but before a pension has been awarded to him, it shall be lawful for the President to grant a gratuity and a reduced pension, as if the officer before his death had not exercised the option.

Case of
pensioner re-
employed.

16.—(1) If an officer to whom a pension has been granted under the Act is appointed to another office in the public service in Singapore, the payment of his pension may, if the President thinks fit, be suspended during the period of his re-employment.

(2) If an officer to whom a pension or a gratuity has been granted under the Act or under any written law repealed by the Act or, in respect of other public service, under the law or regulations applicable thereto, is appointed to another office in the public service in Singapore and subsequently retires in circumstances in which he may be granted a pension, he may be granted, in lieu of his previous pension or gratuity, a pension computed as if the periods of his service had been continuous, and such pension may be based on his pensionable emoluments at the date of his previous or his final retirement from the service of the Government, whichever are the greater:

FIRST SCHEDULE — *continued*

Provided that in such a case —

- (a) if on his previous retirement the officer was granted a gratuity and reduced pension, there shall be refunded to the Government the amount, if any, by which such gratuity together with the total amount of such reduced pension paid during the period of retirement exceeds the total amount of the pension at full pension rate which would have been payable during such period if the officer had not elected to receive gratuity and reduced pension;
- (b) if on his previous retirement the officer was granted a gratuity only, there shall be refunded to the Government the amount, if any, by which such gratuity exceeds the total amount of the pension at the full pension rate which would have been payable during the period of retirement, if no regard had been had to the minimum period of service qualifying for a pension and the officer had been granted a pension in respect of the service on account of which the gratuity was granted.

17.—(1) If an officer holding a pensionable office retires or be removed from the public service in consequence of the abolition of his office or for the purpose of facilitating improvement in the department in which he belongs by which greater efficiency or economy can be effected, he may be granted a pension at the rate of one five-hundredth (1/500th) of his annual pensionable emoluments in respect of each complete month of pensionable service until two-hundred-and-forty five-hundredths (240/500ths) is reached and one six-hundredth (1/600th) in respect of each complete month of pensionable service in excess of 240 months.

Abolition or re-organisation of office.

(2) No pension shall be granted under this regulation exceeding in amount the pension for which the officer would have been eligible under regulation 5 if he had continued to hold his office until he reached the age at which he might be required to retire, or the maximum prescribed in section 10 of the Act.

(3) The grant of any pension under this regulation shall be subject to the condition that the officer shall be liable to be recalled for service in Singapore:

Provided that if such officer is not qualified for other employment in the service of Singapore or if there is no reason in the opinion of the President to expect that he can shortly be re-employed a pension may be granted to him free from the abovementioned condition. [18

18.—(1) Where a person other than a police officer employed in the public service of the Government, whether serving in a pensionable or non-pensionable office —

Allowance for injured officers.

- (a) has been permanently injured in the actual discharge of his duty, without his own fault, by some injury specifically attributable to the nature of his duty;

FIRST SCHEDULE — *continued*

- (b) has been permanently injured in special circumstances which, in the opinion of the President, justify exceptional treatment; or
- (c) contracts a disease to which he is specifically exposed by the nature of his duty, not being a disease wholly or mainly due to or seriously aggravated by his own serious and culpable negligence or misconduct,

and his retirement, on the recommendation of a medical board or of a medical practitioner approved by the President, is thereby necessitated or materially accelerated, he may be granted in respect of such injury or disease, in addition to any pension, gratuity or other allowance granted under these Regulations, an annual allowance at the rate of the proportion of his emoluments at the date of his injury or contraction of the disease, as shown in the following table:

Where his capacity to contribute to his support is —

- | | | |
|---------------------------|-----|-------------------------------|
| (i) slightly impaired | ... | five-sixtieths (5/60ths); |
| (ii) impaired | ... | ten-sixtieths (10/60ths); |
| (iii) materially impaired | ... | fifteen-sixtieths (15/60ths); |
| (iv) totally destroyed | ... | twenty-sixtieths (20/60ths): |

Provided that no such allowance, together with any pension granted under these Regulations, shall exceed the limit prescribed in section 10 of the Act.

(2) The amount of the annual allowance shall be reduced to such an extent as the President shall think reasonable in the following cases:

- (a) where the person so injured or suffering from ill-health or disease has continued to serve for not less than one year after such injury, or after contracting such ill-health or disease in respect of which he retires;
- (b) where the person so injured or suffering from ill-health or disease is —
 - (i) in the case of officers in the public service in Singapore at the commencement of the Act, not less than 50 years old at the date of such injury, or contraction of such ill-health or disease; and
 - (ii) in the case of other officers not less than 45 years old at the date of such injury, or contraction of such ill-health or disease; or
- (c) where such injury, ill-health or disease is not the sole cause of retirement, but the retirement is caused partly by age or infirmity not due to such injury, ill-health or disease.

(3) Where the person so injured or suffering from ill-health or disease holds a pensionable office and his length of service is not such as to qualify him for a pension under regulation 5, but he is qualified for a gratuity under regulation 24, he may be granted in lieu of such gratuity an annual allowance of one six-hundredth (1/600th) of his annual

FIRST SCHEDULE — *continued*

pensionable emoluments for each complete month of pensionable service in addition to the allowance which may be awarded to him under this regulation.

(4) An officer so injured or suffering from ill-health or disease who is not qualified for either a pension under regulation 5 or a gratuity under regulation 24 may nevertheless be granted a pension of the same amount as the additional allowance which he might have been granted if he had been so qualified.

(5) Where it appears that the person so injured would, but for this paragraph, in respect of the same injury, both be entitled to compensation under any written law relating to workmen's compensation for the time being in force in Singapore and be eligible to receive an allowance under this regulation, he shall be required to elect whether he will receive compensation under the said written law or an allowance under this regulation. If such person elects to receive compensation under the said written law he shall receive no allowance under this regulation.

(6) Where the person so injured, having elected to receive an allowance under this regulation and having been granted such allowance, subsequently institutes proceedings under the said written law for compensation in respect of the same injury on account of which such allowance was granted, such allowance may be cancelled at any time.

(7) If an officer proceeding by a route approved by the Minister to or from Singapore at the commencement or termination of his service therein or of a period of leave therefrom, is permanently injured as the result of damage to the vessel, aircraft or vehicle in which he is travelling or of any act of violence directed against himself or against such vessel, aircraft or vehicle, and the President is satisfied that such damage or act is attributable to circumstances arising out of a war in which Singapore may be engaged, such officer shall be deemed, for the purposes of this regulation, to have been injured in the circumstances described in paragraph (1).

(8) (a) Where an officer is permanently injured as a result of an accident occurring to any aircraft in which he is being carried in pursuance of official instructions, he shall be deemed for the purposes of this regulation to have been injured in the actual discharge of his duty and by some injury specifically attributable to the nature of his duty.

(b) Where an allowance may be granted in accordance with paragraph (1) when read in conjunction with sub-paragraph (a) to any person to whom sub-paragraph (a) may apply, the following table shall be substituted for that appearing in paragraph (1):

Where his capacity to contribute to his support is —

(i) slightly impaired	...	seven and a half-sixtieths ($7\frac{1}{2}/60$ ths);
(ii) impaired	...	fifteen-sixtieths ($15/60$ ths);
(iii) materially impaired	...	twenty-two and a half-sixtieths ($22\frac{1}{2}/60$ ths);
(iv) totally destroyed	...	thirty-sixtieths ($30/60$ ths).

FIRST SCHEDULE — *continued*

(c) A person shall be deemed to be carried in an aircraft in pursuance of official instructions where —

- (i) he is under a duty to be carried in such aircraft either as a member of the crew or as a passenger;
- (ii) he has received instructions to be carried in such aircraft from the Minister or the Head of his Department;
- (iii) he is entitled to travel by such aircraft in accordance with any general circular issued by authority from the office of the Minister.

(9) This regulation, other than paragraph (8), shall be deemed to have come into operation on 3rd September 1939.

(10) This regulation shall not apply in the case of a person employed or selected for employment by the Government on or after 30th April 1955 who, in consequence of injury, is entitled to compensation under the Workmen's Compensation Act. [19

Cap. 354.

Pensions,
etc., to
dependants
when an
officer is
killed on
duty.

19.—(1) Where an officer, other than a police officer, dies as a result of injuries received —

- (a) in the actual discharge of his duty;
- (b) without his own default; and
- (c) on account of circumstances specifically attributable to the nature of his duty,

while in the public service in Singapore, whether serving in a pensionable or non-pensionable office, it shall be lawful for the President to grant, in addition to the gratuity, if any, granted in accordance with section 16 of the Act —

- (i) if the deceased officer leaves a widow, a pension to her, while unmarried and of good character, at a rate not exceeding ten-sixtieths (10/60ths) of his annual pensionable emoluments at the date of the injury or \$240 a year, whichever is the greater;
- (ii) if the deceased officer leaves a widow to whom a pension is granted under sub-paragraph (i) and a child or children, a pension in respect of each child, until such child attains the age of 18 years, of an amount not exceeding one-thirtieth (1/30th) of his annual pensionable emoluments but not less than \$60 a year;
- (iii) if the deceased officer leaves a child or children, but does not leave a widow or no pension is granted to the widow, a pension in respect of each child, until such child attains the age of 18 years, of double the amount prescribed by sub-paragraph (ii);
- (iv) if the deceased officer leaves a child or children and a widow to whom a pension is granted under sub-paragraph (i),

FIRST SCHEDULE — *continued*

and the widow subsequently dies, or remarries, a pension in respect of each child as from the date of the death or re-marriage of the widow until such child attains the age of 18 years, of double the amount prescribed in sub-paragraph (ii);

- (v) if the deceased officer does not leave a widow, or if no pension is granted to his widow, and if his mother was wholly or mainly dependent on him for her support a pension to the mother, while of good character and without adequate means of support, of an amount not exceeding the pension which might have been granted to his widow:

Provided that —

- (a) in the case of a pension granted under sub-paragraph (v), if the mother is a widow at the time of the grant of the pension and subsequently re-marries such pension shall cease as from the date of re-marriage; and if it appears to the President at any time that the mother is adequately provided with other means of support, such pension shall cease as from such date as the President may determine;
- (b) a pension granted to a female child under this paragraph shall cease upon the marriage of such child under the age of 18 years;
- (c) a pension shall not be payable under this regulation at any time in respect of more than 6 children:

Provided that the President may in cases of hardship authorise payment of pensions in respect of more than 6 children;

- (d) this paragraph shall not apply in the case of the death of any officer if his dependants, as defined in any written law relating to workmen's compensation for the time being in force in Singapore are entitled to compensation under the said written law.

(2) In the case of an officer not holding a pensionable office, "pensionable emoluments" in this regulation shall mean the emoluments enjoyed by him which would have been pensionable emoluments if the office held by him had been a pensionable office.

- (3) For the purposes of this regulation, "child" shall include —
- (a) a posthumous child;
- (b) a step-child or illegitimate child born before the date of the injury and wholly or mainly dependent upon the deceased officer for support; and
- (c) an adopted child, adopted in accordance with any statutory provision before the date of injury, and dependent as aforesaid.

FIRST SCHEDULE — *continued*

(4) If an officer proceeding by a route approved by the Minister to or from Singapore at the commencement or termination of his service therein, or of a period of leave therefrom dies as a result of damage to the vessel, aircraft or vehicle, in which he is travelling or of any act of violence directed against himself or against such vessel, aircraft or vehicle, and the President is satisfied that such damage or act is attributable to circumstances arising out of a war in which Singapore may be engaged, such officer shall be deemed, for the purposes of this regulation, to have died in the circumstances described in paragraph (1).

(5) When an officer dies as a result of injuries received in an accident occurring to any aircraft in which he is being carried in pursuance of official instructions, as defined in regulation 18 (8) (c), he shall be deemed to have died as a result of injuries received in the actual discharge of his duty and on account of circumstances specifically attributable to the nature of his duty, and in calculating any pension payable under this regulation in respect of such officer paragraph (1) (i) shall be read as if the words “fifteen-sixtieths (15/60ths)” had been substituted for the words “ten-sixtieths (10/60ths)” appearing therein and sub-paragraph (ii) of the said paragraph as if the words “one-sixth (1/6th)” had been substituted for the words “one-thirtieth (1/30th)” appearing therein.

(6) This regulation, other than paragraph (5), shall be deemed to have come into operation on 3rd September 1939.

(7) Where an officer other than a police officer —

(a) sustains a partial disablement or total disablement from an injury; or

(b) dies as a result of the injuries received in special circumstances,

which, in the opinion of the President, justify exceptional treatment, regulations 20 and 21 shall apply in lieu of this regulation as if such officer were a police officer. [20

Allowance for injured police officers and pensions, etc., when a police officer is killed on duty.

20.—(1) Where a police officer is injured in any of the following circumstances:

(a) whilst on duty or whilst on a journey necessary to enable him to report for duty or to return home after duty;

(b) whilst not on duty in the performance of some act which is within the scope of a constable's ordinary duties;

(c) in consequence of some act performed in the execution of his duty; or

(d) whilst acting as a fireman, or assisting in the extinguishment of fire, or in protecting life or property from fire,

he shall be deemed to have sustained an injury in the execution of his duty.

(2) For the purposes of this regulation, “total disablement” means total loss of earning capacity in any employment, and, in the case of

FIRST SCHEDULE — *continued*

partial disablement, the degree of disablement shall be based upon the degree to which earning capacity is affected.

(3) Any injury intentionally inflicted, or incurred in the performance of a duty involving special risks, shall be deemed to be a non-accidental injury.

(4) Where a police officer sustains a total disablement from an injury received in the execution of his duty, it shall be lawful for the President to grant him —

- (a) if the injury is non-accidental, such proportion of the annual pay as is specified in Scale No. 1 of Schedule A;
- (b) if the injury is accidental, such proportion of the annual pay as is specified in Scale No. 2 of Schedule A; or
- (c) if it is not possible to determine definitely whether the injury is accidental or non-accidental, such rate intermediate between the rates prescribed in sub-paragraphs (a) and (b) as the Commissioner of Police may determine.

(5) Where a police officer sustains a partial disablement from an injury received in the execution of his duty, it shall be lawful for the President to grant him any of the following:

- (a) such proportion of the pension applicable in case of total disablement as the degree of disablement bears to total disablement:

Provided that the pension shall not be less than such proportion of the annual pay as is specified if the injury was non-accidental in Scale No. 3 in Schedule A, and otherwise in Scale No. 4 in that Schedule, and that the minimum pension so payable shall be \$20 per month plus such amount as would from time to time be payable to a member of the Force in the same rank in respect of children's allowances;

- (b) in cases recommended by the Commissioner of Police on the grounds of exceptional merit a gratuity of an amount not exceeding one year's salary calculated at the rate of salary drawn by the disabled member of the Force at the time of the receipt of the injury.

(6) Where a police officer dies as a result of injuries received in the execution of his duties, it shall be lawful for the President to grant, in addition to the gratuity, if any granted in accordance with section 16 of the Act —

- (a) if the deceased officer leaves a widow, a pension to her, while unmarried and of good character, at the rate of one-third (1/3rd) of his annual pensionable emoluments at the date of the injury: Provided that the minimum pension so payable shall be \$240 a year;
- (b) if the deceased officer leaves a widow to whom a pension is granted under sub-paragraph (a) and a child or children, a

FIRST SCHEDULE — *continued*

pension in respect of each child, until such child attains the age of 18 years, at the rate of one-fifteenth (1/15th) of his annual pensionable emoluments;

- (c) if the deceased officer leaves a child or children but does not leave a widow or no pension is granted to the widow, a pension in respect of each child, until such child attains the age of 18 years, at the rate of two-fifteenths (2/15ths) of his annual pensionable emoluments;
- (d) if the deceased officer leaves a child or children and a widow to whom a pension is granted under sub-paragraph (a), and the widow subsequently dies or remarries, a pension in respect of each child as from the date of the death or re-marriage of the widow, until such child attains the age of 18 years, at the rate of two-fifteenths (2/15ths) of his annual pensionable emoluments;
- (e) if the deceased officer leaves a widow to whom a pension is granted under sub-paragraph (a), a pension at the rate of one-eighth (1/8th) of his annual pensionable emoluments may be paid to his mother, or, where his mother is dead, to his father, while of good character and without adequate means of support, if his mother, or, as the case may be, his father, was wholly or mainly dependent on him for support at the time of his death;
- (f) if the deceased officer does not leave a widow, or if no pension is granted to his widow, a pension at the rate of one-fourth (1/4th) of his annual pensionable emoluments may be paid to his mother, or, where his mother is dead, to his father, while of good character and without adequate means of support, if his mother, or, as the case may be, his father, was wholly or mainly dependent on him for support at the time of his death:

Provided that —

- (i) in the case of a pension granted under sub-paragraphs (e) and (f), if the mother is a widow, at the time of the grant of the pension and subsequently re-marries such pension shall cease as from the date of re-marriage; and if it appears to the President at any time that the mother, or, as the case may be, the father, is adequately provided with other means of support, such pension shall cease as from such date as the President may determine;
- (ii) a pension granted to a female child under this regulation shall cease upon the marriage of such child under the age of 18 years;
- (iii) a pension shall not be payable under this regulation at any time in respect of more than 6 children:

FIRST SCHEDULE — *continued*

Provided that the President may in cases of hardship authorise payment of pensions in respect of more than 6 children;

- (iv) this regulation shall not apply in the case of the death of any officer if his dependants, as defined in any written law relating to workmen's compensation for the time being in force in Singapore are entitled to compensation under the said written law. [21

21.—(1) Where a police officer dies as a result of injuries received in the execution of his duties it shall be lawful for the President to grant to such of his dependants as he may think fit, or if there are no dependants to his legal personal representatives, in addition to the gratuity payable under section 16 of the Act and any pension payable to his dependants in accordance with regulation 20 (6), compensation equivalent to the difference between the sum which the police officer would be entitled to under the Workmen's Compensation Act, as if he was a workman under that Act and the gratuity granted to the police officer under section 16 of the Act.

Additional compensation for injured police officer or when police officer is killed on duty.
Cap. 354.

(2) Where a police officer who has completed 10 years of service sustains a permanent total disablement from an injury received in the execution of his duty which enables him to qualify for a pension under regulation 20 (4), he may elect to be paid a compensation in lieu of the said pension, in which event it shall be lawful for the President to grant to the police officer as compensation —

- (a) a sum equivalent to the amount calculated under the Workmen's Compensation Act, as if he was a workman under that Act; or
(b) a sum equivalent to the gratuity computed under section 16 of the Act as if he had died from the injury,

whichever is the greater.

(3) If a police officer, who has completed 10 years of service and has been retired on account of a permanent total disablement arising from an injury received in the execution of his duty and has been receiving a pension under regulation 20, dies within 5 years from the date he received the injury, it shall be lawful for the President to grant, subject to paragraph (4), to such of his dependants as he may think fit, or if there are no dependants, to his legal personal representatives —

- (a) a pension in accordance with regulation 20 (6) as if he had died from the injury; and
(b) as compensation —
(i) a sum equivalent to the amount which the police officer would have received under the Workmen's Compensation Act, as if he had died as a result of the injury and as if he was a workman under that Act; or

FIRST SCHEDULE — *continued*

- (ii) a sum equivalent to the gratuity computed under section 16 of the Act as if he had died from the injury,

whichever is the greater.

(4) Any compensation payable to the dependants or the legal personal representatives of a deceased police officer under paragraph (3) (b) shall be reduced by the aggregate amount of the pension already paid to the deceased police officer pursuant to regulation 5 from the date of his retirement to the date of his death; and where the aggregate amount of such pension exceeds the compensation payable under paragraph (3) (b), such excess amount shall, subject to paragraph (5), be recoverable by regular monthly deductions from the pension payable to the dependants of the deceased pensioner pursuant to regulation 20 (6).

(5) Any deduction made from the pension payable to the dependants of a deceased pensioner pursuant to paragraph (4) should, if it is reasonably practicable, leave a balance adequate for the maintenance of the dependants.

S 236/86.

(6) Where a police officer in the pensionable service who has completed less than 10 years of service sustains a permanent total disablement from an injury received in the execution of his duty, it shall be lawful for the President to grant to such officer, in addition to a pension payable under regulation 20, as compensation —

(a) a sum equivalent to the amount calculated under the Workmen's Compensation Act, as if death has resulted from the injury and as if he was a workman under that Act; or

(b) a sum equivalent to the gratuity computed under section 16 of the Act as if he had died from the injury,

whichever is the greater.

(7) Any police officer who receives any compensation payable under paragraph (6) shall not be entitled to receive any benefits payable under regulation 24.

S 236/86.

Cap. 36.

(8) Where a police officer, who is on the provident fund scheme applicable to non-pensionable employees of the Government under the Central Provident Fund Act and who has completed less than 10 years of service, sustains a permanent total disablement from an injury received in the execution of his duty which enables him to qualify for a pension under regulation 20 (4), he may elect to be paid a compensation in lieu of the said pension, in which event it shall be lawful for the President to grant to the police officer as compensation —

Cap. 354.

(a) a sum equivalent to the amount calculated under the Workmen's Compensation Act as if he was a workman under that Act; or

(b) a sum equivalent to the gratuity computed under section 16 of the Act as if he had died from the injury,

whichever is the greater.

FIRST SCHEDULE — *continued*

(9) Where a police officer sustains a permanent partial disablement from an injury received in the execution of his duty and is entitled to a pension payable under regulation 20 (5), he may elect to be paid a compensation in lieu of the said pension, in which event it shall be lawful for the President to grant to the officer as compensation a sum equivalent to the amount calculated for permanent partial disablement under the Workmen's Compensation Act, as if he was a workman under that Act.

(10) In any case where a police officer, or on his death his dependants or legal personal representatives, is or are entitled to receive any benefits under section 16 of the Act or under these Regulations, it shall be lawful for the President on the grounds of exceptional circumstances to increase the amount of benefits payable by another 30%.

(11) The aggregate amount of any pension and the additional 30% of such pension payable to the police officer or his dependants under paragraph (9) shall not exceed the officer's last drawn pensionable emoluments. [21A

22.—(1) An officer holding a non-pensionable office or a pensionable office on a temporary month-to-month basis or on monthly salary who retires in circumstances in which he might have been granted a pension had he held a pensionable office may, if he has continuously served in the Government for not less than 15 years, be granted an annual allowance not exceeding —

- (a) in the case of an officer whose service has been continuously in the public service of Singapore or of a Rural Board; or
- (b) his service has been partly in the service of Singapore and partly in the service of a Rural Board but has nevertheless been continuous,

three-fourths ($\frac{3}{4}$ ths) of the pension which he might have been granted had he been employed in a pensionable office.

(2) In lieu of such annual allowance there may be paid to such officer, with the approval of the President, a capital sum equal to the amount of five of such annual payments, but no such capital sum shall ordinarily be paid in any case of retirement on the ground of ill-health:

Provided that no such capital sum shall be paid to any officer who elects to receive a gratuity and a reduced annual allowance in accordance with paragraph (3).

(3) Regulation 15 shall apply to an annual allowance granted under paragraph (1), and in its application thereto references to "pension" in that regulation shall be read as references to "annual allowance", except that the reduced annual allowance to be granted to an officer shall be at the rate of three-fourths ($\frac{3}{4}$ ths) of his annual allowance and his commuted annual allowance gratuity shall be equal to $12\frac{1}{2}$ times the annual value of the reduction so made in his allowance.

Allowance
for service
in non-
pensionable
office.

FIRST SCHEDULE — *continued*

(4) This regulation shall not apply to any officer appointed to the public service on or after 7th December 1984.

Transfer from pensionable to non-pensionable office.

23. Where an officer has been transferred from a pensionable office to a non-pensionable office then at the option of such officer —

(a) his service in the non-pensionable office may be reckoned as though it were service in a pensionable office at the pensionable emoluments payable to him immediately prior to such transfer; or

(b) his service in the pensionable office may be reckoned as though it were service in a non-pensionable office.

Gratuity where service insufficient for pension.

24. Every officer, otherwise qualified for a pension, who has not completed the minimum period of service qualifying for a pension, may be granted on retirement a gratuity not exceeding five-six-hundredths (5/600ths) of his annual pensionable emoluments in respect of each complete month of pensionable service.

Gratuity when nothing else is provided.

25.—(1) A gratuity or annual allowance may, on his retirement in the circumstances described in the first column of Schedule B, be granted to any officer holding a non-pensionable office or a pensionable office on a temporary month-to-month basis to whom regulation 22 does not apply.

(2) The gratuity or annual allowance shall be computed in accordance with Schedule B.

(3) Paragraphs (1) and (2) shall be deemed to have come into operation on 1st July 1956.

(4) This regulation shall not apply to any officer appointed to the public service on or after 7th December 1984.

Conditions of pension.

26. It shall be a condition of the grant of every pension or other allowance that the President may cancel or reduce it if it be shown to have been obtained by the wilful suppression of material facts or to have been granted in ignorance of facts which, had they been known before the retirement of the officer, would have justified his dismissal or a reduction of his salary.

Temporary reduction of salary not to affect rate of pension.

27. Where the salary attached to any office is temporarily reduced for reasons of public economy, all pensions, gratuities and other allowances shall be calculated on the normal rate of salary and not on the rate to which such salary has been temporarily reduced.

SCHEDULE A
SCALE OF PENSIONS

Regulation 20.

Completed years of approved service	Proportion of Pension to Pay on Retirement			
	<i>Scale No. 1</i> On total disablement from non-accidental injury received in execution of duty	<i>Scale No. 2</i> On total disablement from accidental injury received in execution of duty	<i>Scale No. 3</i> On partial disablement from non-accidental injury	<i>Scale No. 4</i> On partial disablement from accidental injury
	60ths	60ths	60ths	60ths
1 or less	45	30	20	10
2	45	30	20	10
3	45	30	20	10
4	45	30	20	10
5	45	30	20	10
6	45	30	20	10
7	45	30	20	10
8	45	30	20	10
9	45	30	20	10
10	45	30	20	10
11	48	32	21	11
12	48	32	21	12
13	48	32	23	13
14	48	32	24	14
15	48	32	25	15
16	51	34	26	16
17	51	34	27	17
18	51	34	28	18
19	51	34	29	19
20	51	34	30	20
21	54	36	32	22
22	54	36	34	24
23	54	36	36	26
24	54	36	38	28
25	54	36	40	30
26	57	38	40	32
27	57	38	40	34
28	57	38	40	36
29	57	38	40	38
30 or over	60	40	40	40

SCHEDULE B

Regulation 25.
S 197/59,
S 23/63,
S 215/66.

GRATUITIES AND ALLOWANCES

First column

Service of the Officer

Second column

Gratuity or Allowance Payable

1. 10 years service or over but under 15 years in a non-pensionable office or a pensionable office on a temporary month-to-month basis

An annual allowance equal to one-half of the pension which might have been granted had the officer retired in similar circumstances while holding a pensionable office; or a capital sum equal to the amount of five of such annual payments with the consent of the President:

Provided that no capital sum shall, unless in all the circumstances of the case seem reasonable to the President, be paid if the officer retired on the ground of ill-health.
2. Under 10 years service in a non-pensionable office or a pensionable office on a temporary month-to-month basis

A gratuity equal to one-half of one-tenth of a month's salary for each complete month of service, if the officer retired on the ground of ill-health or on account of age limit or, if the officer was holding a non-pensionable office, on account of the abolition of any office in or re-organisation of the department to which he was attached to effect greater efficiency or economy.
3. 10 years service or over as a daily-rated officer

A gratuity equal to one and two-thirds days' basic pay for each completed month of service. No gratuity is payable to daily-rated officers retiring under the age of 45 years, unless pronounced medically unfit for further service, and no gratuity is payable to daily-rated officers retiring under the age of 50 years unless it appears proper to the Government that they should through age or infirmity be retired:

Provided that where the wife of a daily-rated officer who has died while in service or retired has herself not less than 10 years' continuous service as a daily-rated officer, she will not be debarred from receiving a gratuity

SCHEDULE B — *continued*

<i>First column</i>	<i>Second column</i>
Service of the Officer	Gratuity or Allowance Payable
	merely because she is under the age of 45 years, but will receive a gratuity where she herself decides to retire within one month of her husband's death or retirement.
4. More than one year's service but less than 10 years' service as a daily-rated officer	A gratuity equal to seven-eighths (7/8ths) days' basic pay for each complete month of service, only in circumstances where the daily-rated officer retired on the ground of ill-health.
5. Continuous service partly on monthly pay and partly on daily-pay and —	An annual allowance or gratuity, in respect of the aggregate service on monthly pay calculated in accordance with the method specified in the second column of item 1 or 2 of this Schedule or regulation 22 to which may be added a gratuity in respect of his service on daily pay calculated in accordance with the method specified in the second column of item 3 of this Schedule.
(a) the aggregate service is not less than 10 years; or	
(b) the officer has retired on the ground of ill-health	

SECOND SCHEDULE

Sections 6 and
16 (3).

FUNDS AND AUTHORITIES

PART I

The Central Provident Fund established under the Central Provident Fund Act. Cap. 36.

The Municipal Provident Fund as defined in the Local Government Integration Act. Cap. 166.

PART II

The Tan Tock Seng's Hospital Corporation.

The City Council.

The Singapore Improvement Trust.

THIRD SCHEDULE

Section 19.

ORDINANCES REPEALED

<i>Number</i>	<i>Short title</i>
1936 Edition, Chapter 78	The Pensions Ordinance.
No. 21 of 1947	The Pensions (Special Provisions) Ordinance 1947.
No. 12 of 1948	The Malayan Establishment Pensions Ordinance 1948.
No. 16 of 1954	The Malayan Establishment (Transitional Provisions) Pensions Ordinance 1954.
1955 Edition, Chapter 57	The Pensions (War Service) Ordinance.