



THE STATUTES OF THE REPUBLIC OF SINGAPORE

CENTRAL PROVIDENT FUND ACT

(CHAPTER 36)

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Central Provident Fund Act

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title
2. Interpretation
3. Establishment and constitution of Central Provident Fund Board
4. Membership of Board
- 4A. Appointment of officers and employees
5. Appointment of inspectors
- 5A. Budget
- 5B. Issue of shares, etc.
- 5C. Symbol or representation of Board

PART II

CONTRIBUTIONS TO FUND

6. Establishment of Central Provident Fund
7. Rates of contributions
8. Agreement by statutory body to pay excess contributions deemed void
9. Payment of interest on contributions in arrears
10. Expenses
11. Financial provisions
12. Contributions to be paid into Fund
13. Crediting of contributions and interest into subsidiary accounts, etc.
- 13A. Power to impose conditions relating to contributions by self-employed persons
- 13B. Voluntary contributions
14. Payment of cash grant by Government into Fund
- 14A. Loan by Government to member

PART III

WITHDRAWAL OF CONTRIBUTIONS

Section

15. Authorisation and conditions for withdrawal from Fund
- 15A. Restrictions on withdrawals to ensure repayment of approved loan
- 15B. Setting aside additional sum
16. Restrictions on withdrawal from medisave account
- 16A. Withdrawal from medisave account of deceased member
17. Withdrawal from special account for loan, etc.
18. Transfer or payment of moneys to retirement account or special account, and voluntary maintenance of sum in retirement account
- 18A. Transfer of member's moneys in ordinary account or special account to retirement account
- 18B. Transfer of member's moneys in ordinary account to special account
- 18C. Transfer of member's moneys in ordinary account or special account to medisave account
19. Provisions relating to moneys transferred or paid to relevant individual's, parent's, grandparent's, spouse's or sibling's retirement account on death or withdrawal under section 15(2)(b) or (c)
- 19A. Provisions relating to moneys transferred or paid to relevant individual's, spouse's or sibling's special account on death or withdrawal under section 15(2)(b) or (c)
20. Withdrawals
21. Charge on immovable property to secure repayment of withdrawals from Fund
- 21A. Registration of charge on immovable property to secure repayment of withdrawals from Fund before 1st June 1981
- 21B. Charge on HDB flats to secure repayment of withdrawals from Fund
22. Withdrawals for payment of tuition fees at approved educational institution
23. Regulations for purposes of section 22
24. Protection of benefits
25. Moneys payable on death of member
26. Distribution and disposal of certain shares on death of member who dies on or after 1st January 1996 and has executed memorandum under section 25(1)

Section

- 26A. Distribution and disposal of certain shares on death of member who died before 1st January 1996 or has not executed memorandum under section 25(1)
- 26B. Disposal of certain shares and dividends, etc., when member's accounts in Fund deemed to be dormant
- 26C. Payment of dividends, etc., in respect of certain shares before Board is notified of death of member
- 26D. Payment of dividends, etc., in respect of certain shares after Board is notified of death of member
- 27. Withdrawals by undischarged bankrupts

PART IIIA

DIVISION OF FUND-RELATED ASSETS IN MATRIMONIAL PROCEEDINGS

- 27A. Interpretation of this Part
- 27B. Order of court for transfer or payment of money standing to credit of member
- 27C. Order of court for transfer or sale of immovable property in relation to which charge has been created under section 15(9) or (9A)
- 27D. Order of court for transfer or sale of immovable property in relation to which undertaking has been given under section 15(10) or (10A)
- 27DA. Order of court for transfer or sale of immovable property in relation to which charge has been created under section 15(11D) or (11E)
- 27E. Order of court for transfer or sale of immovable property in relation to which charge under section 21(1) or 21A(1) exists
- 27F. Order of court for transfer or sale of HDB flat in relation to which charge has been constituted under section 21B(1)
- 27G. Order of court for transfer of investments
- 27H. Order of court for sale of investments
- 27I. Miscellaneous matters

PART IIIB

LIFELONG INCOME SCHEME

- 27J. Interpretation of this Part
- 27K. Establishment of Lifelong Income Scheme
- 27L. Premium

Section

- 27M. Minister may delegate functions and powers under sections 27K(6) and 27L(1) and (1A)
- 27N. Establishment of Lifelong Income Fund
- 27O. Non-application of Insurance Act
- 27P. Order of court for payment of moneys received by relevant member under Scheme
- 27Q. Regulations for purposes of this Part and section 6(4B)(a)(ii)

PART IV

HOME PROTECTION INSURANCE SCHEME

- 28. Interpretation of this Part
- 29. Establishment of Home Protection Insurance Scheme
- 30. Double insurance cover under Scheme prohibited
- 31. Medical condition of member of Scheme
- 32. Premium
- 33. Establishment of Home Protection Fund
- 34. *[Repealed]*
- 35. *[Repealed]*
- 36. Amount payable by Board on death or incapacity of member of Scheme
- 37. Housing Authority or approved mortgagee to send notice to Board on payment of premium
- 38. Non-application of Insurance Act
- 39. Regulations for purposes of this Part

PART V

DEPENDANTS' PROTECTION INSURANCE SCHEME

- 40. Interpretation of this Part
- 41. Establishment of Dependants' Protection Insurance Scheme
- 42. Persons insured under Scheme
- 42A. Application to persons below 21 years of age
- 43. Board may cancel insurance cover
- 44. Board may require insured person to furnish information
- 45. Premium
- 46. *[Repealed]*
- 47. Period of cover
- 48. Rights and benefits under Scheme not assignable or transferable
- 48A. Insurance policy under Scheme not to create trust
- 49. Amount payable on death or incapacity of insured person

Section

- 49A. Transfer of Board's liabilities under Scheme
- 49B. Application of moneys in dissolved Dependants' Protection Insurance Fund, etc.
- 49C. Disclosure of information
- 50. Non-application of Insurance Act
- 51. Regulations for purposes of this Part

PART VI

MEDISHIELD SCHEME

- 52. Interpretation of this Part
- 53. Establishment of MediShield Scheme
- 53A. Application to persons below 21 years of age
- 54. Premium
- 55. General obligation of insured person to furnish information
- 56. Establishment of MediShield Fund
- 56A. Transfer of liabilities under Scheme
- 56B. Non-application of Insurance Act
- 57. Regulations for purposes of this Part

PART VIA

WORKFARE INCOME SUPPLEMENT SCHEME

- 57A. Interpretation of this Part
- 57B. Establishment of Workfare Income Supplement Scheme
- 57C. Cash payments and contributions under Scheme
- 57D. Recovery of cash payment, etc., upon conviction
- 57E. Certificate of Board on amount of cash payment, etc.
- 57F. Regulations for purposes of this Part

PART VII

OFFENCES, PENALTIES AND PROCEEDINGS

- 58. Offences
- 58A. Offences relating to investments
- 59. Publication of information to unauthorised person, etc.
- 60. Offences by corporations
- 61. General penalties
- 61A. Jurisdiction of court
- 61B. Recovery of contributions, etc., upon conviction
- 62. Notice to attend court

Section

- 62A. Service of notice and summons
- 63. Composition of offences
- 64. Saving of proceedings under other laws
- 65. Recovery of sums due to Fund
- 66. Certificate of authorised officer to be evidence
- 66A. Certificate of Board
- 67. Conduct of prosecutions

PART VIII

MISCELLANEOUS

- 68. Protection of employee's or member's interest in execution proceedings and sale under mortgage or charge
- 69. Power to exempt
- 70. Application made, or information furnished, to Board by approved caregiver, etc.
- 71. [*Repealed*]
- 72. Refund of contributions to Government
- 73. Transfer to Fund from provident fund or other scheme
- 74. Refund or payment of contributions paid in error
- 75. Refund or payment of excess contributions on additional wages
- 75A. Refund of excess contributions paid by self-employed person who has died
- 75B. Refund or payment of excess voluntary contributions where member has died
- 76. Board may engage in activities not directly related to Fund and may call for information
- 77. Regulations and rules
- 78. Regulations and rules to be presented to Parliament
- 79. Reciprocal agreements
 - First Schedule — Rates of contribution
 - Second Schedule — Financial provisions
 - Third Schedule — Specified acts relating to self-employed persons

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

[1st July 1955]

PART I
PRELIMINARY

Short title

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

Interpretation

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

“additional interest” means the interest referred to in section 6(4B);

“approved corporation” means any company which —

- (a) is incorporated in Singapore;
- (b) is —
 - (i) wholly or partly owned by the Government;
 - (ii) a subsidiary of a company wholly or partly owned by the Government; or
 - (iii) a subsidiary of a statutory board; and
- (c) is approved by the Minister;

“Board” means the Central Provident Fund Board constituted under section 3;

“contract” means any contract, whether written or oral, and whether express or implied;

“employed” means engaged under a contract of service or apprenticeship or in an employment in respect of which contributions are payable under regulations made under section 77;

“employee” means any person who —

- (a) is employed in Singapore by an employer otherwise than as a master, a seaman or an apprentice in any vessel; or

- (b) being a citizen of Singapore is employed —
- (i) as a master, a seaman or an apprentice in any vessel, the owners of which have not been exempted from the provisions of this Act; and
 - (ii) under a contract of service or other agreement entered into in Singapore;

“employer” means —

- (a) any person, company, association or body of persons, whether or not incorporated, by whom an employee is employed;
- (b) the owners of any vessel on which an employee is employed;
- (c) any manager, agent or person responsible for the payment of wages to an employee on behalf of an employer; and
- (d) the Government in respect of such categories, classes or descriptions of officers or employees of such Government as may from time to time be declared by the President by notification in the *Gazette* to be employees for the purposes of this Act;

“flat” means a horizontal stratum of any building or part thereof, whether the stratum or part is on one or more levels or is partially or wholly below the surface of the ground;

“Fund” means the Central Provident Fund established under section 6;

“general moneys of the Fund” means the moneys of the Fund (whether or not standing to the credit of any member in the Fund) that are not accounted for in any subsidiary account maintained for a member in respect of the money standing to his credit in the Fund;

“HDB flat” means any flat, house or other building sold under Part IV or IVB of the Housing and Development Act (Cap. 129) which has been acquired by the present owner

thereof whether directly from the Housing and Development Board or otherwise;

“Housing and Development Board” means the Housing and Development Board constituted under the Housing and Development Act;

“immovable property” includes —

- (a) any estate or interest in land comprising a building or flat which is erected or to be erected on the land;
- (b) any undivided share in any estate or interest in land comprising several flats erected or to be erected thereon;

“inspector” means an inspector appointed under section 5(1);

“interest in land” means any interest in land recognised as such by law, and includes an estate in land;

“land” includes land, freehold or leasehold, or of whatever tenure, whether or not held apart from the surface, and buildings or parts thereof (whether completed or otherwise and whether divided horizontally, vertically or in any other manner), and tenements and hereditaments, corporeal or incorporeal;

“Lifelong Income Fund” means the Lifelong Income Fund established and maintained by the Board under section 27N;

“master” and “seaman” have the same meanings respectively assigned to them in the Merchant Shipping Act (Cap. 179);

“medisave account” means a medisave account maintained under section 13;

“member of the Fund” or “member” means any person to whose credit any amount is standing in the Fund, or for whom any account in the Fund is maintained for any of the purposes of this Act, and includes a person who contributes to the Fund voluntarily in accordance with section 13B;

- “minimum sum”, in relation to a member, means the minimum sum referred to in section 15(6)(a) that is applicable to the member;
- “nominee account” means any nominee ordinary account, nominee medisave account, nominee special account or nominee retirement account maintained for a deceased member under section 20(1D);
- “ordinary account” means an ordinary account maintained under section 13;
- “prescribed age” means such age of a member as the Minister may prescribe by regulations made under section 77(1), and the Minister may prescribe different ages for different purposes and in respect of different classes of members;
- “relevant individual” means such individual as the Minister may prescribe by regulations made under section 77(1) for the purposes of section 18(1)(a), (2)(a) and (3)(a), and the Minister may prescribe different individuals in different regulations for different purposes;
- “reserved amount”, in relation to a member, means such reserved amount referred to in section 15(2A)(c), (6)(c), (7B)(c) or (8A)(c) as may be applicable to the member;

[Act 24 of 2013 wef 01/06/2014]

- “retirement account” means a retirement account maintained —
- (a) for the purposes of sections 15(2A)(a), (6C), (7B)(a) and (8A)(a) and 18(1)(c) and Part IIIB; and
 - (b) for the crediting of such contribution (including any amount which is deemed to be a contribution for the purposes of this Act) and interest as the Minister may direct;
- “securities account” means a securities account with the Central Depository (Pte) Limited;
- “shares” includes warrants, transferable subscription rights, options to subscribe for shares, convertibles and other

security interests arising from or accruing or attaching to the shares;

“special account” means a special account maintained under section 13;

“Town Council” means a Town Council established under the Town Councils Act (Cap. 329A);

“wages” means the remuneration in money, including any bonus, due or granted to a person in respect of his employment but does not include such payments as the Minister may, by notification in the *Gazette*, specify.

[19/83; 32/84; 16/86; 5/87; 10/94; 30/98; 39/2000;
40/2007; 57/2007; 25/2008; 18/2009; 22/2010; 20/2011;
23/2012]

(1A) In this Act, unless the context otherwise requires, a person shall be deemed to attain, or to have attained, “N” years of age, or the age of “N” years, on the “Nth” anniversary of the day of his birth, where —

(a) “N” is a specified positive integer; and

(b) “Nth” is the ordinal corresponding to that integer.

[18/2009]

(1B) For the purposes of this Act, a member’s accounts in the Fund shall be deemed to be dormant if, and with effect from the date on which, all of the following requirements are satisfied:

(a) the member has attained, or is deemed to have attained, such age as may be prescribed in any regulations made under section 77(1) for the purposes of this subsection (referred to in this subsection as the relevant regulations);

(b) there exist such circumstances as may be prescribed in the relevant regulations;

(c) the Board has notified the member, in such manner as may be prescribed in the relevant regulations, that he is required to satisfy the Board that he is still alive; and

(d) the member fails to do so in accordance with the relevant regulations.

[22/2010]

(1C) When calculating the age of a member for the purposes of subsection (1B), the following provisions shall apply:

- (a) where the day of the month on which the member was born cannot be ascertained, he shall be deemed to be born on the first day of the month in which he was born;
- (b) where the month in which the member was born cannot be ascertained, he shall be deemed to be born in January; and
- (c) where the year in which the member was born cannot be ascertained, he shall be deemed to have attained the age of 20 years —
 - (i) on the date of his last known contribution to the Fund;
or
 - (ii) if that date cannot be readily ascertained, on 1st January 1970.

[22/2010]

(2) No officer or employee employed by or on behalf of the Government or shall be personally liable for anything done or omitted to be done by him as an officer or employee of such Government in good faith.

(3) In this Act, unless the context otherwise requires, where a person referred to in subsection (4)(a) lacks capacity within the meaning of section 4 of the Mental Capacity Act (Cap. 177A) —

- (a) any thing which the person might have done, or which would have applied to him, under any provision referred to in subsection (4)(b), if he had such capacity, and any thing which would have applied to him in any event under any provision referred to in subsection (4)(b), may likewise be done by, or will likewise apply to, a deputy appointed or deemed to be appointed for the person by the court under the Mental Capacity Act with power in relation to the person for the purposes of this Act; and

[Act 27 of 2014 wef 01/10/2014]

- (b) any thing which the person might have done, or which would have applied to him, under any provision referred to in subsection (4)(c), if he had such capacity, and any thing

which would have applied to him in any event under any provision referred to in subsection (4)(c), may likewise be done by, or will likewise apply to, a donee under a lasting power of attorney registered under the Mental Capacity Act with power in relation to the person for the purposes of this Act.

[18/2009; 22/2010; 20/2011]

(4) The Minister may, by regulations made under all or any of sections 23, 27Q, 39, 49A, 51, 56A, 57, 57F, and 77(1), prescribe —

- (a) the persons to whom subsection (3) applies;
- (b) the provisions in this Act to which subsection (3)(a) applies;
- (c) the provisions in this Act to which subsection (3)(b) applies; and
- (d) how any provision referred to in paragraph (b) or (c) will be modified in its application to either or both of the following:

- (i) a deputy appointed or deemed to be appointed for any person referred to in paragraph (a) by the court under the Mental Capacity Act with power in relation to that person for the purposes of this Act;

[Act 27 of 2014 wef 01/10/2014]

- (ii) a donee under a lasting power of attorney registered under the Mental Capacity Act with power in relation to any person referred to in paragraph (a) for the purposes of this Act.

[18/2009; 22/2010]

(5) For the purposes of this Act, a reference to the Board being satisfied that a person lacks capacity within the meaning of section 4 of the Mental Capacity Act shall be construed as including a reference to the Board being satisfied that the person's lack of capacity is likely to be permanent.

[22/2010]

(6) In this Act, unless the context otherwise requires, a reference to the amount payable on a member's death out of the Fund shall be

construed as a reference to the balance standing to the credit of the member in the Fund after deducting the following amounts:

- (a) any sum withdrawn, or to be withdrawn, under section 16A;
- (b) any sum credited, or to be credited, to the account of another person under section 19(2) or (6) or 19A(2) or (6);
- (c) any sum transferred or paid, or to be transferred or paid, to another person under section 27B; and
- (d) any sum recovered, or to be recovered, by the Board under section 27N(4) or 57C(5) or (6).

[20/2011]

(7) For the purposes of sections 6(4C) and (4D), 13(7A), (7B) and (7C), 26 and 26A, where a member has died, but the day on which, or the month or year in which, the member died cannot be ascertained, the following provisions shall apply:

- (a) where the day of the month on which the member died cannot be ascertained, the member shall be deemed to have died —
 - (i) in any case where the Board has received satisfactory proof, or obtained reliable information, that the member died within a particular period, on the last day of that period; or
 - (ii) in any other case, on the first day of the month in which the member died or is deemed under paragraph (b) to have died;
- (b) where the month in which the member died cannot be ascertained, the member shall be deemed to have died —
 - (i) in any case where the Board has received satisfactory proof, or obtained reliable information, that the member died within a particular period, in the last month of that period; or
 - (ii) in any other case, in January of the year in which the member died or is deemed under paragraph (c) to have died; and

- (c) where the year in which the member died cannot be ascertained, and the Board has received satisfactory proof, or obtained reliable information, that the member died within a particular period, the member shall be deemed to have died in the last year of that period.

[20/2011]

(8) For the purposes of determining the rates of contributions applicable to a member whose date, month or year of birth cannot be ascertained, the following provisions shall apply:

- (a) where the day of the month on which the member was born cannot be ascertained, he shall be deemed to be born on the first day of the month in which he was born;
- (b) where the month in which the member was born cannot be ascertained, he shall be deemed to be born in January; and
- (c) where the year in which the member was born cannot be ascertained, he shall be deemed to be below 35 years of age at the time the determination is made.

[23/2012]

(9) Notwithstanding subsection (8), where the Board has computed the amount of contributions payable by a member or his employer in reliance on that subsection, and the Board is notified subsequently, in such manner as the Board may require, of the date, month or year of birth of the member —

- (a) the Board may recompute the amount of contributions payable by the member or his employer, as the case may be; and
- (b) if the recomputed amount is higher than the amount that the Board computed originally —
- (i) the Board may issue to the member or his employer, as the case may be, a notice specifying the recomputed amount; and
- (ii) the member or his employer, as the case may be, shall pay, within such time as is specified in the notice, the

shortfall, in addition to the amount that the Board computed originally if not previously paid.

[23/2012]

Establishment and constitution of Central Provident Fund Board

3.—(1) For the purposes of this Act, there shall be a Board, called the Central Provident Fund Board, consisting of —

- (a) a Chairman appointed under section 4(1);
- (b) a Deputy Chairman appointed under section 4(2); and
- (c) such other members as may be appointed under section 4(4).

[27/92]

(2) The Board shall be a body corporate with perpetual succession and a common seal, with power, subject to the provisions of this Act —

- (a) to sue and be sued in its corporate name;
- (b) to acquire and dispose of property, both movable and immovable; and
- (c) to perform such other acts as bodies corporate may by law perform.

[23/2012]

(3) All deeds, documents and other instruments requiring the common seal of the Board shall be sealed with the common seal of the Board.

[36/2002]

(3A) All instruments to which the common seal is affixed shall be signed by any 2 officers of the Board generally or specially authorised by the Board for the purpose.

[36/2002]

(4) The Board may by resolution or otherwise appoint an officer of the Board or any other agent either generally or in a particular case to execute or sign on behalf of the Board any agreement or other instrument not under seal in relation to any matter coming within the powers of the Board.

(5) Section 11 of the Registration of Deeds Act (Cap. 269) shall not apply to any instrument purporting to have been executed under subsection (3).

(5A) The Board may, with the approval of the Minister, form or participate in the formation of any company, or enter into any joint venture or partnership, for the purposes of —

(a) this Act; or

(b) carrying out all or any of the following:

(i) the functions and duties of the Board;

(ii) any thing which the Board may engage in under section 76(1)(a) or (b).

[23/2012]

(6) The Board shall have such powers and shall perform such duties as are given or imposed by this Act or as may be prescribed by the Minister and the Minister or the Board may by instrument in writing delegate to any person all or any of those powers and duties.

Membership of Board

4.—(1) The Minister, with the President's concurrence under Article 22A(1)(b) of the Constitution, shall appoint a Chairman of the Board for a term of 3 years, or for such shorter term as the Minister may determine, and the Chairman shall be eligible for reappointment.

[11/91]

(2) The Minister, with the President's concurrence under Article 22A(1)(b) of the Constitution, may appoint a Deputy Chairman of the Board for a term of 3 years, or for such shorter term as the Minister may determine, and the Deputy Chairman shall be eligible for reappointment.

[27/92]

(3) The Deputy Chairman may, subject to such directions as may be given by the Chairman, exercise all or any of the powers exercisable by the Chairman under this Act.

[27/92]

(3A) The Minister, with the President's concurrence under Article 22A(1)(b) of the Constitution, may appoint any member of the Board to be a temporary Chairman or temporary Deputy Chairman

during the temporary incapacity from illness or otherwise, or during the temporary absence from Singapore, of the Chairman or Deputy Chairman, as the case may be.

[39/2000]

(4) The other members of the Board shall be appointed by the Minister with the President's concurrence under Article 22A(1)(b) of the Constitution and shall consist of the following persons:

- (a) 2 persons holding office of emolument under the Government;
- (b) 2 persons representing employers;
- (c) 2 persons representing employees; and
- (d) such other persons, not being more than 7, as the Minister may from time to time determine.

[11/91; 15/2006]

(4A) The Minister, with the President's concurrence under Article 22A(1)(b) of the Constitution, may appoint the chief executive officer to be a member of the Board.

[15/2006]

(5) The quorum of the Board shall be 5.

(6) The Deputy Chairman shall, in the absence of the Chairman, preside at a meeting of the Board and, in the absence of both the Chairman and the Deputy Chairman, such member as the members present may elect shall preside at the meeting.

[27/92]

(7) The members of the Board shall be paid such allowances as may be fixed by the Minister.

(8) The appointment of members of the Board, other than the Chairman and the Deputy Chairman, shall be liable to be revoked at any time by the Minister but the members shall, unless their appointment is so revoked or they resign in the meantime, hold office for a term of 3 years or for such shorter period as the Minister may in any case determine.

[27/92]

(9) No revocation of the appointment of the Chairman, the Deputy Chairman or any other member of the Board shall be made without the President's concurrence under Article 22A(1)(b) of the Constitution.

[11/91; 27/92]

(10) Any person who is a Member of Parliament shall be disqualified from being appointed to or remaining a member of the Board.

(11) The Chairman may, by instrument in writing, authorise any member of the Board to exercise any power or perform any function conferred on the Chairman by or under this Act.

[39/2000]

Appointment of officers and employees

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

[36/2002]

(1A) The chief executive officer shall be —

- (a) known by such designation as the Board may determine; and
- (b) responsible to the Board for the proper administration and management of its functions and affairs in accordance with all policies laid down by the Board.

[36/2002]

(2) The Board shall have power to engage a staff consisting of such officers and employees as are in the opinion of the Board necessary for the purpose of carrying out the provisions of this Act.

(3) The members and employees of the Board shall be deemed to be public servants within the meaning of the Penal Code (Cap. 224).

(4) The Board may make rules for all or any of the purposes of this section and section 4 and, in particular, may make rules —

- (a) for the conduct of its proceedings; and
- (b) for the appointment, promotion, dismissal, termination of service and disciplinary control of all persons employed by the Board.

Appointment of inspectors

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

[15/2006]

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

[Act 24 of 2013 wef 01/01/2014]

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

- (a) enter any premises or place where he has reasonable cause to believe that a person is employed therein;
- (b) examine, either alone or in the presence of any other person with respect to any matter under this Act or which he may reasonably require information, any person whom he has reasonable cause to believe to be or to have been an employee or an employer, and require every such person to be examined and for the purposes of the examination may summon any such person to attend at the place and time specified in the summons;
- (c) put questions concerning employees or their employment to their employers or to any person who may be in charge of them, or to the employees themselves, or to any other person whom he may consider it desirable to question, and the employers or employees or person shall be legally bound to answer the questions truthfully to the best of his ability;

[Act 24 of 2013 wef 01/01/2014]

- (d) require any employer to produce before him all or any of the employees employed by him together with any contract of service, book of account of wages, register and other document concerning the employees or their employment

and to answer such questions relating thereto as he may think proper to ask;

[Act 24 of 2013 wef 01/01/2014]

(e) require any employer to produce for his inspection the audited statements of accounts of his undertaking and other records relating to the accounts and to answer such questions relating thereto as he may think proper to ask; and

(f) require —

(i) any document or record containing information concerning employees or their employment to be furnished by their employers, by any person who may be in charge of the employees, by the employees themselves or by any other person from whom the inspector may consider it desirable to require such document or record to be furnished; and

(ii) the employers, employees or person referred to in sub-paragraph (i) to answer such questions as the inspector may think proper to ask relating to such document or record.

[Act 24 of 2013 wef 01/01/2014]

(3A) In addition to the powers conferred on him by subsection (3), an inspector who has reasonable cause to believe that an offence under section 7(3) or (5) or 58(b) has been committed by an employer, or that an offence under section 60 has thereby been committed by any director, manager, secretary or other officer of the employer, may by notice in writing require any person to furnish, within a reasonable period specified in the notice —

(a) any information within the knowledge of that person; or

(b) any document or record in the possession, custody or control of that person,

which the inspector considers to be relevant to the investigation of that offence.

[Act 24 of 2013 wef 01/01/2014]

(3B) An inspector may inspect, make a copy of or take extracts from any book, register, document or record produced or furnished under

subsection (3)(d), (e) or (f) or (3A), and take possession of the book, register, document or record, when in his opinion —

- (a) the copying thereof cannot reasonably be performed unless possession is taken;
- (b) the book, register, document or record may be tampered with unless possession is taken; or
- (c) the book, register, document or record may be required as evidence in any proceedings for an offence under this Act or in any proceedings for the recovery of any moneys due to the Fund.

[Act 24 of 2013 wef 01/01/2014]

(4) Subsections (3), (3A) and (3B) shall apply, with the necessary modifications, to a person who is required by any regulations made under section 77(1)(e) to contribute to the Fund as it applies to an employer; and a reference to wages in subsection (3) shall be construed as a reference to income of that person.

[27/92]

[Act 24 of 2013 wef 01/01/2014]

(5) If any person —

- (a) wilfully delays an inspector or any of the officers referred to in subsection (2) in the exercise of any power under this section;
- (b) fails to comply with the requisition of an inspector or any such officer in pursuance of this section or to produce any record, certificate, notice or document which he is required by or in pursuance of this section to produce;
- (c) wilfully withholds any information as to who are the employees of any employer, or as to the employment or employer of any employee, which that person is required by this section to furnish to an inspector or such officer; or

[Act 24 of 2013 wef 01/01/2014]

- (d) conceals or prevents or attempts to conceal or prevent a person from appearing before or being examined by an inspector or such officer,

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

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

(7) In this section —

“document” means a document in any medium and includes a document containing information in digital or electronic form;

“record” means a record in any medium and includes a record containing information in digital or electronic form.

[40/2007]

Budget

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

[11/91]

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

[11/91]

Issue of shares, etc.

5B. As a consequence of the vesting of any property, rights or liabilities of the Government in the Board under this Act, or of any capital injection or other investment by the Government in the Board in accordance with any written law, the Board shall issue such shares or other securities to the Minister for Finance as that Minister may from time to time direct.

[5/2002]

Symbol or representation of Board

5C.—(1) The Board shall have the exclusive right to the use of such symbol or representation as the Board may select or devise and

thereafter display or exhibit such symbol or representation in connection with its activities or affairs.

[40/2007]

(2) Any person who uses a symbol or representation identical with that of the Board, or which so resembles the Board's symbol or representation as to deceive or cause confusion, or to be likely to deceive or to cause confusion, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$250 for every day or part thereof during which the offence continues after conviction.

[40/2007]

PART II

CONTRIBUTIONS TO FUND

Establishment of Central Provident Fund

6.—(1) For the purposes of this Act, there shall be established a fund to be called the Central Provident Fund into which shall be paid all contributions authorised under this Act and out of which shall be met all payments authorised to be paid under this Act.

(2) The Board shall be the trustee of the Fund and all moneys belonging to the Fund may be —

- (a) deposited in a bank or banks approved by the Board;
- (b) invested in accordance with the standard investment power of statutory bodies as defined in section 33A of the Interpretation Act (Cap. 1); or
- (c) used for the purchase of any property and for the construction of buildings for the purposes of the Board or for letting to derive income therefrom and the Board may dispose of all or any part of the property or buildings.

[45/2004]

(3) The land situate at 79 Robinson Road, Singapore, acquired by the Board and the building constructed thereon prior to 15th May 1980 shall be deemed to have been purchased and constructed by the

Board in pursuance of the powers conferred upon the Board by subsection (2)(c).

(4) Subject to subsections (4C) to (4I), the Board shall pay to a member of the Fund interest —

- (a) at such intervals, and on the amount standing to the credit of the member in the Fund at such time, as the Board may determine; and
- (b) at such rate per annum as the Board may from time to time declare by notification published in the *Gazette*, being a rate of interest which —
 - (i) is not less than 2.5% per annum; and
 - (ii) may exceed 2.5% per annum if the Minister for Finance so approves.

[57/2007; 22/2010]

(4A) For the purposes of subsection (4), the Board may declare different rates of interest for different parts of the amount standing to the credit of a member in the Fund.

[57/2007]

(4B) The Board may, in its discretion, pay to a member of the Fund interest in addition to that referred to in subsection (4) —

- (a) at such intervals as the Board may determine —
 - (i) on the whole or such part, as the Board may determine, of the amount standing to the credit of the member in the Fund at such time as the Board may determine; and
 - (ii) if the member belongs to such class of members as the Minister may prescribe by regulations made under section 27Q, on the whole or such part, as the Board may determine, of the aggregate at such time as the Board may determine of —
 - (A) the amount of any premium paid by the member under section 27L; and
 - (B) the interest that would have been payable thereon, if that amount had been standing to

the credit of the member in his retirement account; and

- (b) at such rate per annum, and subject to such terms and conditions, as the Board may, with the approval of the Minister for Finance, determine.

[57/2007; 18/2009; 23/2012]

(4C) Where a member of the Fund died before 1st January 2004, the Board may cease to pay interest on any amount standing to the credit of the deceased member in the Fund —

- (a) in any case where that amount is transferred to the general moneys of the Fund on or before 31st December 2010, after 31st December 2010;
- (b) in any case where that amount is transferred to the general moneys of the Fund after 31st December 2010, with effect from the date of the transfer; or
- (c) in any case where that amount has not been transferred to the general moneys of the Fund, after the later of the following dates:
 - (i) 31st December 2010; or
 - (ii) the date on which the Board is notified, in such manner as may be prescribed in any regulations made under section 77(1), of the member's death.

[22/2010]

(4D) Where a member of the Fund dies on or after 1st January 2004, the Board may cease to pay interest on any amount standing to the credit of the deceased member in the Fund that is not in any nominee account maintained for the deceased member —

- (a) in any case where that amount is transferred to the general moneys of the Fund on or before the 7th anniversary of the day of the member's death, after the 7th anniversary of the day of the member's death;
- (b) in any case where that amount is transferred to the general moneys of the Fund after the 7th anniversary of the day of the member's death, with effect from the date of the transfer; or

(c) in any case where that amount has not been transferred to the general moneys of the Fund, after the later of the following dates:

- (i) the 7th anniversary of the day of the member's death;
or
- (ii) the date on which the Board is notified, in such manner as may be prescribed in any regulations made under section 77(1), of the member's death.

[22/2010; 20/2011]

(4E) Subject to subsections (4C) and (4D), the Board may suspend the payment of interest on any amount standing to the credit of a member in the Fund after that amount is transferred to the general moneys of the Fund.

[22/2010]

(4F) Where any shares belonging to a deceased member that are vested in the Board under section 26(1) or 26A(1) are sold by the Board, the Board shall not pay any interest on any proceeds of the sale of those shares that are paid into the general moneys of the Fund under section 26(4D) or 26A(9), as the case may be, notwithstanding that those proceeds constitute an amount standing to the credit of the deceased member in the Fund.

[22/2010]

(4G) Where any shares belonging to a member that are vested in the Board under section 26B(1) are sold by the Board, the Board shall suspend the payment of interest on any proceeds of the sale of those shares that are paid into the general moneys of the Fund under section 26B(3)(b), notwithstanding that those proceeds constitute an amount standing to the credit of the member in the Fund.

[22/2010]

(4H) Where any shares belonging to a member are vested in the Board under section 26B(1), the Board shall suspend the payment of interest on any dividends, returned paid-up share capital or other moneys in respect of those shares that are paid into the general moneys of the Fund under section 26B(5), notwithstanding that the dividends, capital or other moneys constitute amounts standing to the credit of the member in the Fund.

[22/2010]

(4I) Where the Board has paid any dividends, returned paid-up share capital, proceeds of sale or other moneys in respect of any shares belonging to a deceased member into the general moneys of the Fund under section 26D(1), the Board shall not pay any interest on the dividends, capital, proceeds or other moneys notwithstanding that the dividends, capital, proceeds or other moneys constitute amounts standing to the credit of the deceased member in the Fund.

[22/2010; 20/2011]

(5) If the Board is at any time unable to pay any sum which the Fund is required to pay under this Act, the sum required to be so paid shall be charged on and advanced to the Board from the Consolidated Fund and the Board shall as soon as practicable repay to the Government the sum so advanced.

Rates of contributions

7.—(1) Subject to section 69 and any regulations made under section 77, every employer of an employee shall pay to the Fund monthly in respect of each employee contributions at the appropriate rates set out in the First Schedule.

(1A) The Board may, in its discretion and on such terms and conditions as the Board may impose, authorise an employer or a class or classes of employers to pay those contributions at other intervals not exceeding 6 months.

[27/92]

(2) Notwithstanding the provisions of any written law or any contract to the contrary, an employer shall be entitled to recover from the monthly wages of an employee the amount shown in the First Schedule as so recoverable from the employee.

[27/92]

(3) Where any employer who has recovered any amount from the monthly wages of an employee in accordance with subsection (2) fails to pay the contributions to the Fund within such time as may be prescribed, he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 7 years or to both.

(4) Without prejudice to subsections (1) and (2) and the First Schedule —

- (a) an employee may at any time contribute voluntarily to the Fund a sum additional to that shown in the First Schedule as payable by the employer;
- (b) an employee who desires to have contributions in excess of the appropriate rate deducted from his monthly wages by his employer may give to his employer written notice to that effect, and thereafter, so long as he is employed by that employer, the employer shall make the deductions from his wages for each month until such time, not being less than 6 months from the giving of the previous notice, as he gives further written notice to his employer of his desire to cease to have the excess monthly contributions deducted from his wages, and the employer shall pay the amount of the excess deductions to the Fund in addition to the appropriate monthly contributions; or
- (c) an employer may at any time pay to the Fund contributions in respect of any of his employees at a rate in excess of the appropriate rate set out in the First Schedule.

[27/92]

(5) Notwithstanding any contract to the contrary, an employer shall not be entitled to recover in any way from an employee in respect of contributions payable under this Act any sum in excess of that permitted to be recovered under subsection (2) together with any sum contributed voluntarily by the employee under subsection (4) and any employer who recovers or attempts to recover any greater sum shall be guilty of an offence.

(6) The portion of any contribution recoverable under the First Schedule from the wages of an employee in accordance with subsections (2) and (4) shall be recovered by the employer from the wages in respect of which the contribution is payable at the time of payment of those wages and not otherwise.

(6A) Subject to such conditions as may be prescribed by the Board, where an employer has, by error not occasioned by that employer's negligence, omitted to recover from the wages paid to an employee any amount or part of any amount that he would otherwise have been entitled to recover at the time of payment of the wages, the amount or

part thereof may be recovered from the wages payable by the employer to the employee not later than 6 months from the date of the payment of the wages in respect of which the amount or part thereof was omitted to be recovered.

[27/92]

(7) Notwithstanding subsection (6), where wages are payable at intervals of less than one month, if in any month it appears to the employer that the wages of any employee for that month are likely to exceed \$500, the employer —

- (a) may deduct from the employee's wages at the time of each payment in the month the appropriate proportion of such sum as would be recoverable from the employee in accordance with the First Schedule in respect of the wages if paid at the same rate throughout the month; and
- (b) shall make such adjustment as may be necessary on the occasion of the last payment in that month, but if the wages do not actually exceed \$500 for that month, he shall forthwith refund to the employee the amount of the deductions.

[27/92; 31/2003]

(8) The Minister may, by notification in the *Gazette*, amend the First Schedule and may prescribe in the First Schedule —

- (a) different rates of contributions payable in respect of different types of wages; and
- (b) the payment of contributions on such additional wages as may be specified in the First Schedule to be based on the wages of an employee for the preceding year and to be adjusted at the end of the year or in the last month of his employment with the employer based on his actual wages for the year.

[22/90; 27/92]

(9) Notwithstanding subsection (6), where an employer is required to pay to the Fund any additional contributions on additional wages and is entitled to recover such contributions from the wages of the employee in accordance with the First Schedule, the employer may recover such contributions from the wages payable by him to the

employee not later than 6 months from the end of the year in which the additional contributions are payable.

[22/90; 27/92]

(10) Notwithstanding subsection (5), if it appears to the employer at the time when additional wages as specified in the First Schedule are payable to the employee that additional contributions in respect of such additional wages are likely to arise at the end of the year due to the recomputation of additional wages on which contributions are payable in accordance with the First Schedule, the employer may —

- (a) contribute to the Fund a sum additional to that shown in the First Schedule as payable by the employer; and
- (b) notwithstanding subsection (6), recover the appropriate proportion of such sum in accordance with the First Schedule from the additional wages of the employee.

[22/90; 27/92]

(11) Where an employer is required to pay to the Fund any additional contributions and is entitled to recover such contributions from the wages of the employee in accordance with the First Schedule, the Board may, notwithstanding subsection (1), if it is satisfied that the employer is unable to recover in full or in part from the wages of the employee and that the employee is no longer in the employment of the employer, waive the payment of that portion of the additional contributions that the employer is unable to so recover.

[22/90; 27/92]

Agreement by statutory body to pay excess contributions deemed void

8. Any agreement made between any statutory body specified in the First Schedule and any of its employees under which that body is liable to pay any contribution to the Fund in respect of that employee in excess of the amount prescribed as payable for that employee shall, in so far as it relates to such liability, be void and of no effect.

[32/84; 27/92]

Payment of interest on contributions in arrears

9.—(1) Where the amount of the contributions which an employer is liable to pay under section 7 in respect of any month is not paid within

such period as may be prescribed, the employer shall be liable to pay interest on the amount for every day the amount remains unpaid commencing from the first day of the month succeeding the month in respect of which the amount is payable and the interest shall be calculated at the rate of 1½% per month or the sum of \$5, whichever is the greater.

(2) Where the amount of the contributions a person is liable to pay under any regulations made under section 77(1)(e) is not paid within the time prescribed for payment, that person shall be liable to pay interest on that amount for every day the amount remains unpaid at such rate and commencing from such date as may be prescribed.

[27/92]

(3) The Board may, in any case in which it thinks fit, waive the payment of the whole or part of, or remit in whole or in part, any interest due or paid under subsection (1) or (2).

[27/92]

Expenses

10. All expenses incurred by the Board including the cost of auditing the accounts of the Fund as provided for in the Second Schedule shall be defrayed out of the moneys of the Fund.

[27/92]

Financial provisions

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

[27/92]

Contributions to be paid into Fund

12.—(1) All sums recovered or collected on account of contributions to the Fund under this Act shall be paid into or carried to the Fund in such manner as may be prescribed.

(2) The Board shall cause to be credited to each member of the Fund —

- (a) the amount of every contribution paid to the Fund for him;
- (b) the interest payable to him under section 6(4); and

- (c) any additional interest payable to him under section 6(4B).
[57/2007]

Crediting of contributions and interest into subsidiary accounts, etc.

13.—(1) Subject to subsections (7A) to (7G), there shall be maintained for each member in respect of the money standing to his credit in the Fund the following subsidiary accounts:

- (a) an ordinary account from which, apart from subsection (7) and sections 15(2), (3), (4) and (5), 18, 18A, 18B, 18C, 22, 27B, 32 and 45 but subject to sections 14, 14A and 15A, withdrawals may be made in accordance with any regulations made under section 51(b) or 77(1)(h), (i) or (n);
- (b) a medisave account from which, apart from subsection (6) and sections 15(2), (3), (4) and (5), 16A, 27B and 54, withdrawals may be made in accordance with any regulations made under section 77(1)(j) and (k); and
- (c) a special account from which no withdrawal may be made except under subsection (7) or section 15(2), (3), (4) or (5), 17, 18, 18A, 18C, 19A, 27B or 45 or in accordance with any regulations made under section 77(1)(n) or (oa).

[32/84; 16/86; 5/87; 23/89; 30/89; 27/92; 10/94; 12/99;
39/2000; 31/2003; 24/2005; 15/2006; 40/2007; 57/2007;
25/2008; 22/2010]

(2) Every ordinary account, medisave account and special account which was maintained by the Board for a member before 28th September 1984 shall be deemed to have been validly maintained.

[32/84]

(3) All moneys standing to the credit of a member in his special account as at 1st April 1984 shall be deemed to have been transferred to his medisave account except where the member is entitled at that date to withdraw such money under section 15.

[32/84]

(4) The Board shall credit to the accounts of a member specified in subsection (1), in such manner as the Minister may direct, every contribution paid into the Fund for the member under —

- (a) section 7;
- (b) any regulations made under section 77(1)(e); or
- (c) such other provision as the Minister may prescribe.

[57/2007]

(4A) The Minister may give different directions in respect of different classes of members under subsection (4).

[57/2007]

(5) The Board shall credit to each account of a member the interest referred to in section 6(4) on the amount standing to the credit of the member in that account.

[57/2007]

(5A) Where any additional interest is payable to a member under section 6(4B) —

- (a) the Board shall credit the additional interest into one or more of the member's ordinary account, medisave account, special account and retirement account (if any) in such manner as the Board may determine; and
- (b) the Board may make different determinations under paragraph (a) in respect of different classes of members.

[57/2007]

(6) The Board shall transfer to one or more designated accounts of a member, in accordance with any regulations made under section 77(1)(ka), any amount standing to his credit in his medisave account which is in excess of such amount as the Minister may from time to time direct.

[16/86; 15/2006]

(7) Where there is no balance in the medisave account of a member, the Board may, upon application by the member and with the approval of the Minister, transfer to the medisave account of the member any amount standing to his credit in any designated account which had been transferred from the medisave account, including the whole or such part, as the Board may determine, of any interest that would have been payable thereon if the transfer had not been made.

[27/92; 15/2006; 57/2007]

(7A) The Board may transfer to a member's ordinary account, in accordance with any regulations made under section 77(1) —

- (a) if the member's accounts in the Fund are deemed to be dormant, and such period (as may be prescribed in those regulations) after the day his accounts in the Fund are deemed to be dormant has passed, any amount standing to his credit in the Fund; or
- (b) if the member has died, and such period (as may be prescribed in those regulations) after the day of his death has passed, any amount standing to his credit in the Fund that is not in any nominee account maintained for him.

[20/2011]

(7B) The Board may transfer to the general moneys of the Fund, in accordance with any regulations made under section 77(1) —

- (a) if a member's accounts in the Fund are deemed to be dormant, and the 7th anniversary of the day his accounts in the Fund are deemed to be dormant has passed, any amount standing to his credit in the Fund; or
- (b) if a member has died, and the 7th anniversary of the day of his death has passed, any amount standing to his credit in the Fund that is not in any nominee account maintained for him.

[20/2011]

(7C) Where the Board has transferred any amount standing to a member's credit in the Fund to his ordinary account under subsection (7A)(a) or to the general moneys of the Fund under subsection (7B)(a) or any regulations made under section 77(1) —

- (a) the Board shall restore to the member's account in the Fund from which the transferred amount had been transferred, or transfer to such other account in the Fund of the member as may be prescribed in any regulations made under section 77(1), that amount (including the whole or such part, as the Board may determine, of any interest that would have been payable thereon if the transfer had not been made), if the Board is satisfied that the member was still alive at the time of the transfer;

[Act 24 of 2013 wef 01/09/2014]

- (b) if the Board is served with an order of court referred to in section 27B awarding any amount to be paid out from the money standing to the credit of the member in the Fund (including any money which is payable or repayable to the Fund to the credit of the member) —
- (i) where the amount awarded under the order of court exceeds the amount standing to the member's credit in the Fund (including the whole or such part, as the Board may determine, of any interest that would have been payable thereon if the transfer had not been made), the Board shall restore the latter amount (including interest, if any) to the member's account in the Fund from which that amount had been transferred, or transfer that latter amount (including interest, if any) to such other account in the Fund of the member as may be prescribed in any regulations made under section 77(1); or
[Act 24 of 2013 wef 01/09/2014]
 - (ii) where the amount awarded under the order of court does not exceed the amount standing to the member's credit in the Fund (including the whole or such part, as the Board may determine, of any interest that would have been payable thereon if the transfer had not been made), the Board shall restore the former amount to the member's account in the Fund from which that amount had been transferred, or transfer that former amount to such other account in the Fund of the member as may be prescribed in any regulations made under section 77(1); and
[Act 24 of 2013 wef 01/09/2014]
- (c) in such other circumstances as may be prescribed in any regulations made under section 77(1), the Board may restore to the member's account in the Fund from which the transferred amount had been transferred, or transfer to such other account in the Fund of the member as may be prescribed in those regulations, the whole or any part of that amount (including the whole or such part, as the Board may

determine, of any interest that would have been payable thereon if the transfer had not been made).

[22/2010]

[Act 24 of 2013 wef 01/09/2014]

(7D) Where the Board has transferred any amount standing to a member's credit in the Fund to his ordinary account under subsection (7A)(b) or to the general moneys of the Fund under subsection (7B)(b) or any regulations made under section 77(1), the Board may restore to the member's account in the Fund from which that amount had been transferred, or transfer to such other account in the Fund of the member as may be prescribed in those regulations, the whole or any part of that amount (including the whole or such part, as the Board may determine, of any interest that would have been payable thereon if the transfer had not been made) in such circumstances as may be prescribed in those regulations.

[22/2010]

[Act 24 of 2013 wef 01/09/2014]

(7E) Where the Board is unable to ascertain a member's identity, the Board may transfer to the general moneys of the Fund, in accordance with any regulations made under section 77(1), any amount standing to his credit in the Fund.

[22/2010]

(7F) Where, after the Board has transferred any amount standing to a member's credit in the Fund to the general moneys of the Fund under subsection (7E) or any regulations made under section 77(1), the Board ascertains the identity of the member, the Board shall restore that amount (including the whole or such part, as the Board may determine, of any interest that would have been payable thereon if the transfer had not been made) to the member's account in the Fund.

[22/2010]

(7G) Subsections (7A) to (7F) do not preclude, and do not affect the validity of, any transfer to the general moneys of the Fund, whether before, on or after 1st January 2011, under any regulations made under section 77(1), of any amount standing to a member's credit in the Fund.

[22/2010]

(7H) Where the Board has transferred any money standing to the credit of a member in the Fund from any account of the member in the

Fund (referred to in this subsection as Account A) to any other account in the Fund (referred to in this subsection as Account B) under section 15(2A), (6), (7B) or (8A), 18(1)(a), (2)(a) or (3)(a), 18A(1), 18B(1) or 18C(1), any condition referred to in section 27(2)(b) or (3) or any regulations made under section 77(1), the Board may, on its own motion or on the application of the member, and subject to such terms and conditions as it may impose —

- (a) restore to Account A the whole or any part of the amount of the transferred money;
- (b) pay into Account A the whole or such part, as the Board may determine, of any interest that would have been payable on the restored amount if the restored amount had not been transferred to Account B; and
- (c) transfer, from Account B to the general moneys of the Fund, the whole or such part, as the Board may determine, of any interest paid on the restored amount while the restored amount was in Account B.

[23/2012]

(7I) Where the Board has credited any money to a member's account in the Fund under section 13(4) or 13B(1)(b) or (2)(b), where any money has been paid into a member's account in the Fund under section 18(1)(b) or (c), (2)(b) or (3)(b) or any regulations made under section 77(1), or where the Board has credited to a member's account in the Fund any money paid in error and liable to be refunded or paid under section 74(1), the Board may, on the Board's own motion or on an application to the Board, and subject to such terms and conditions as the Board may impose —

- (a) refund to the person who paid the money, or pay to any person whom the Board is satisfied is entitled to that payment, the whole or any part of the amount of the money; and
- (b) transfer, from the member's account in the Fund to the general moneys of the Fund, the whole or such part, as the Board may determine, of any interest paid on the amount

refunded or paid under paragraph (a) while that amount was in that account.

[23/2012]

(8) In this section, “designated account”, in relation to a member, means such ordinary account, special account or retirement account (if any) of the member as may be prescribed by any regulations made under section 77(1)(ka).

[15/2006]

Power to impose conditions relating to contributions by self-employed persons

13A.—(1) Any power to register, license or maintain the particulars of any person, or to grant, renew or reinstate any registration, licence, certificate or permit, under any Act specified in the Third Schedule shall include a power to impose conditions relating to the payment of contributions into the Fund, pursuant to any regulations made under section 77(1)(e), such contributions to be credited —

(a) to the medisave account of the person, applicant, registrant, licensee or holder of the certificate or permit, as the case may be; or

(b) as otherwise provided under section 13(4).

[18/2009; 22/2010]

(1A) The Board may give, to any person entitled to exercise any power referred to in subsection (1), such information concerning any member of the Fund as may be necessary to facilitate the exercise of that power by that person in relation to that member.

[22/2010]

(2) The Minister may, by notification in the *Gazette*, amend the Third Schedule.

[27/92]

Voluntary contributions

13B.—(1) Notwithstanding anything in this Act but subject to any regulations made under section 77(1) —

- (a) any person may —
- (i) if he is a citizen or permanent resident of Singapore in respect of whom no contribution is required to be paid under this Act, contribute voluntarily to the Fund in such manner and at such rate as the Minister may direct; or
 - (ii) on or after 1st January 2011, voluntarily pay to the Fund contributions for any other person (being a citizen or permanent resident of Singapore in respect of whom no contribution is required to be paid under this Act) in such manner and at such rate as the Minister may direct;
- (b) the Board shall credit every contribution received under paragraph (a)(i) or (ii) into an ordinary account, a medisave account or a special account, for the purposes specified in section 13(1), in such manner as the Minister may direct; and
- (c) the Minister may give different directions in respect of different classes of members.

[20/2011]

(2) Notwithstanding anything in this Act but subject to any regulations made under section 77(1) —

- (a) any person may, on or after 1st January 2011, voluntarily pay to the Fund contributions for any other person (being a citizen or permanent resident of Singapore in respect of whom any contribution is required to be paid under this Act, but no contribution is required to be paid under this Act by the first-mentioned person) in such manner and at such rate as the Minister may direct;
- (b) the Board shall credit every contribution received under paragraph (a) into an ordinary account, a medisave account or a special account, for the purposes specified in section 13(1), in such manner as the Minister may direct; and

- (c) the Minister may give different directions in respect of different classes of members.

[20/2011]

(3) Subject to subsection (3A), the aggregate of the following amounts which may be contributed by or for a person shall not, in any year, exceed such sum as the Minister may prescribe by regulations made under section 77(1):

- (a) the amount which that person may contribute voluntarily in that year under subsection (1)(a)(i);
- (b) the amount which may be contributed for that person in that year under subsection (1)(a)(ii) or (2)(a); and
- (c) such other amounts which may be contributed by or for that person in that year as the Minister may prescribe by regulations made under section 77(1).

[20/2011; 23/2012]

(3A) Where any contribution or interest thereon is or may become due to the Board from any person, and the aggregate of the amounts referred to in subsection (3)(a), (b) and (c) which are contributed by or for that person in any year exceeds the sum referred to in subsection (3), the Board may, in accordance with any regulations made under section 77(1) —

- (a) retain the whole or any part of the excess contributions; and
- (b) set off the retained excess contributions against the contribution or interest that is or may become due to the Board from that person.

[23/2012]

(4) Every amount voluntarily paid to the Fund on or after 1st January 2011, but before 30th December 2011, by a person as a contribution for any other person (being a citizen or permanent resident of Singapore in respect of whom no contribution is required to be paid under this Act, or being a citizen or permanent resident of Singapore in respect of whom any contribution is required to be paid under this Act, but no contribution is required to be paid under this Act by the first-mentioned person) shall be deemed to be and always to have been validly paid, and no legal proceedings shall lie or be

instituted or maintained in any court of law on account of or in respect of any such payment.

[20/2011]

Payment of cash grant by Government into Fund

14.—(1) The Board may after 1st June 1984 accept any cash grant made by the Government for the benefit of any person who qualifies for such grant under any approved scheme, and the Board shall credit the cash grant into such account of that person as the Minister may direct.

[32/84; 31/95]

(2) Any cash grant paid into the Fund under subsection (1) shall be deemed to be contributions for the purposes of this Act and such cash grant or interest thereon may be withdrawn under the provisions of this Act for such purposes and in such manner as may be prescribed by the regulations.

[31/95]

(3) Notwithstanding anything in this Act, the Board shall be entitled to recover on behalf of the Government any cash grant paid into the Fund for the benefit of any person, together with any interest which he is liable to pay to the Government under the terms of the cash grant, from any money standing to the credit of that person in the Fund if he —

- (a) has obtained the cash grant by means of any false or misleading statement or any document that is false or misleading in any particular; or
- (b) has committed a breach of any of the terms and conditions of the cash grant.

[32/84]

(4) Any money recovered by the Board from any person under subsection (3) shall be refunded forthwith to the Government.

[32/84]

(5) In this section —

- “approved scheme” means a scheme approved by the Minister;
- “cash grant” means a cash grant made by the Government under any approved scheme.

Loan by Government to member

14A.—(1) The Board may, from time to time, accept moneys lent by the Government to any member of the Fund pursuant to any approved loan scheme.

[12/99]

(2) The Board shall credit the moneys lent to any member under subsection (1) into the ordinary account of that member.

[12/99]

(3) Any moneys paid into the Fund under subsection (2) shall be deemed to be contributions for the purposes of this Act and those moneys or interest thereon may be withdrawn under the provisions of any regulations made under this Act for such purposes and in such manner as may be prescribed by the regulations.

[12/99]

(4) Notwithstanding anything in this Act, the Board may allow a member who has taken a loan from the Government pursuant to an approved loan scheme to withdraw any part of the contributions and interest standing to his credit in the Fund for the repayment of the loan and the payment of any interest or other charges which the member may from time to time be liable to pay to the Government under the terms and conditions of that loan.

[12/99]

(5) The Board shall be entitled to receive any repayment and payment under subsection (4) on behalf of the Government.

[12/99]

(6) Notwithstanding anything in this Act, the Board shall be entitled to recover on behalf of the Government any moneys lent to a member pursuant to any approved loan scheme and which have been paid into the Fund for the benefit of the member under subsection (2), together with any interest and other charges which the member is liable to pay to the Government under the terms and conditions of the loan from any money standing to the credit of the member's accounts in the Fund if the member —

(a) fails to pay any sum under the loan when due; or

(b) is in breach of any other term or condition of the loan.

[12/99]

(7) Any moneys received or recovered by the Board from any member under subsection (5) or (6) shall be refunded immediately to the Government.

[12/99]

(8) In this section, “approved loan scheme” means a loan scheme approved by the Minister.

[12/99]

PART III

WITHDRAWAL OF CONTRIBUTIONS

Authorisation and conditions for withdrawal from Fund

15.—(1) No sum of money standing to the credit of a member of the Fund may be withdrawn from the Fund except with the authority of the Board.

(1A) Subject to subsections (1B), (1C) and (1D), sections 14, 14A, 15A and 25(2) and (3) and any regulations and rules made under section 77, the authority under subsection (1) shall not be given except on the application of a person who is entitled, or who within such period as the Board may determine will be entitled under subsection (2)(a) or (3), to withdraw the money from the Fund.

[18/2009; 22/2010; 23/2012]

(1B) The authority under subsection (1) may be given for a withdrawal from the Fund by a relevant member under subsection (7), or for the payment by a relevant member of a premium referred to in section 27L(1) or (1A) from any amount standing to his credit in his retirement account, without any application being made by the relevant member under subsection (1A).

[18/2009; 22/2010; 23/2012]

(1C) After the death of a member of the Fund, the authority under subsection (1) may be given for a withdrawal from the Fund under subsection (5) by a person nominated by that member in accordance with section 25(1), without any application being made by that person under subsection (1A).

[22/2010]

(1D) The authority under subsection (1) may be given for a withdrawal from the Fund by a member who has attained the age of 55 years under subsection (4)(b), without any application being made by that member under subsection (1A).

[23/2012]

(2) Subject to this section and sections 19 and 19A, a member of the Fund shall be entitled to withdraw the sum standing to the credit of the member in the Fund at any time after the Board is satisfied that the member —

- (a) has attained the age of 55 years;
- (b) not being a citizen of Singapore, has left or is about to leave Singapore and the States of Malaya permanently with no intention to return thereto;
- (c) being a citizen of Malaysia has left or is about to leave Singapore permanently for the States of Malaya in such circumstances as the Minister may approve;
- (d) is physically or mentally incapacitated —
 - (i) from ever continuing in any employment; or
 - (ii) in such other manner as the Minister may approve;
- (e) lacks capacity within the meaning of section 4 of the Mental Capacity Act (Cap. 177A);
- (f) is suffering from a medical condition leading to a severely impaired life expectancy; or
- (g) is suffering from a terminal illness or disease.

[5/87; 15/2006; 21/2008; 25/2008; 18/2009; 22/2010]

(2A) Where a member of the Fund is entitled under subsection (2)(d), (e) or (f) to withdraw the sum standing to his credit in the Fund, at the time of the withdrawal and at such other times as the Minister may determine, and in accordance with such directions as the Minister may give in any particular case —

- (a) such amount as the Minister may specify shall be set aside or topped-up in the member's retirement account —
 - (i) by the member; or

- (ii) from the sum standing to the member's credit in the Fund, after excluding any reserved amount standing to the member's credit in his ordinary account;
- (b) unless the Minister otherwise allows, the prescribed amount referred to in section 16 shall be set aside or topped-up in the member's medisave account —
 - (i) by the member; or
 - (ii) from the sum standing to the member's credit in the Fund, after excluding any reserved amount standing to the member's credit in his ordinary account; and
- (c) if there exist such circumstances as may be prescribed by any regulations made under section 77(1) and the member is thereby required to reserve any amount in his ordinary account, such reserved amount shall be set aside or topped-up in that account —
 - (i) by the member; or
 - (ii) from the sum standing to the member's credit in that account.

[Act 24 of 2013 wef 01/06/2014]

(2B) Where any amount has been set aside or topped-up in the member's retirement account for the purposes of subsection (2A)(a), the amount standing to the credit of the member in his retirement account may be withdrawn by the member in accordance with such terms and conditions as the Minister may from time to time impose.

[Act 24 of 2013 wef 01/01/2014]

(3) Subject to subsection (6), a member of the Fund who has withdrawn any money from the Fund on the ground that he has attained the age of 55 years shall be entitled to make one further withdrawal of the sum standing to his credit in the Fund on or after every first anniversary of his date of birth after he has attained the age of 55 years or such other period as the Minister may direct.

[5/87; 36/2002]

(4) Notwithstanding subsection (3) but subject to subsection (6), the Board may —

- (a) where a member has withdrawn any money from the Fund on the ground that he has attained the age of 55 years, allow him to withdraw, at any time, the sum standing to his credit in the Fund if he satisfies such conditions as the Board may impose in any particular case; and
- (b) where a member has attained the age of 55 years, allow him to withdraw, within such time as the Board may permit, the whole or any part of the amount of any money that is paid, repaid or refunded into his account in the Fund pursuant to a charge under subsection (9), (9A), (11D) or (11E) or section 21(1), 21A(1), 21B(1), 27C(1)(v)(A) or (B), 27D(1)(v)(B), 27DA(1)(v), 27E(1)(iv) or 27F(1)(iv), or pursuant to an undertaking given under subsection (10) or (10A) or section 27D(1)(v)(A).

[Act 24 of 2013 wef 01/01/2014]

(5) Subject to section 25(3), after the death of a member of the Fund, a person who is nominated by the deceased member, by a memorandum executed in accordance with section 25(1), shall be entitled to withdraw, in the manner provided for in the memorandum, from the balance standing to the credit of the deceased member in the Fund, such portion of the amount payable on the deceased member's death out of the Fund as the person has been nominated to receive under the memorandum.

[20/2011]

(6) Subject to subsections (6A), (8) and (8A), where a member of the Fund is entitled under subsection (2)(a), (3) or (4) to withdraw the sum standing to his credit in the Fund, at the time of the withdrawal and in accordance with any regulations made under this Act —

- (a) such minimum sum applicable to the member as may be prescribed shall be set aside or topped-up —
 - (i) by the member; or
 - (ii) from the sum standing to the member's credit in the Fund, after excluding any reserved amount standing to the member's credit in his ordinary account;

- (b) unless the Board otherwise allows, such amount as may be specified under subsection (6D) shall be set aside or topped-up in the member's medisave account —
- (i) by the member; or
 - (ii) from the sum standing to the member's credit in the Fund, after excluding —
 - (A) any reserved amount standing to the member's credit in his ordinary account; and
 - (B) any sum standing to the member's credit in his retirement account; and
- (c) if there exist such circumstances as may be prescribed by any regulations made under section 77(1) and the member is thereby required to reserve any amount in his ordinary account, such reserved amount shall be set aside or topped-up in that account —
- (i) by the member; or
 - (ii) from the sum standing to the member's credit in that account.

[Act 24 of 2013 wef 01/06/2014]

(6A) Where 2 members of the Fund are parties to a marriage, and neither member is a relevant member, the Board may, on a joint application made by them before 1st January 2013, permit them to set aside jointly an amount which is less than 2 times the minimum sum if each member has executed a memorandum under section 25(1) nominating the other member to receive, on his death, an amount belonging to him which is not less than such amount as the Board may specify.

[15/2006; 18/2009; 23/2012]

(6B) Any memorandum executed under subsection (6A) by 2 members of the Fund who are parties to a marriage —

- (a) shall not be revocable during the subsistence of the marriage, unless the Board is satisfied that —
- (i) either member is, or both members are, physically or mentally incapacitated —

- (A) from ever continuing in any employment; or
 - (B) in such other manner as the Minister may approve;
- (ii) either member lacks, or both members lack, capacity within the meaning of section 4 of the Mental Capacity Act;
 - (iii) either member is, or both members are, suffering from a medical condition leading to a severely impaired life expectancy; or
 - (iv) either member is, or both members are, suffering from a terminal illness or disease; and
- (b) shall, where the marriage has been dissolved (otherwise than by death) or has been annulled, be revoked upon the Board being notified of the dissolution or annulment of the marriage.

[40/2007; 21/2008; 22/2010]

(6C) The amount standing to the credit of a member in his retirement account shall be utilised as follows:

- (a) such amount (if any) as the Board may determine shall be used for the payment of a premium referred to in section 27L(1) or (1A); and
- (b) any remaining amount may be —
 - (i) deposited before 1st January 2014 with an approved bank or retained in the member's retirement account;
- (ii) used to purchase an approved annuity from an insurer; or
- (iii) used for the payment of a premium referred to in section 27L(1) or (1A).

[18/2009; 22/2010; 20/2011; 23/2012]

(6CA) For the purposes of subsections (6)(a) and (6C), the Board shall, if required by any regulations made under section 77(1), transfer from the sum standing to the credit of a member in the Fund to his

retirement account, towards the maintenance of the minimum sum, such amount at such time as may be prescribed in those regulations.
[23/2012]

(6CB) For the purposes of subsection (6CA), different amounts and times may be prescribed for different classes of members.
[23/2012]

(6D) The Minister may, by order published in the *Gazette* —

- (a) specify such amount as he thinks fit for the purposes of subsection (6)(b); and
- (b) specify different amounts in respect of different classes of members.

[20/2011]

(7) Where a member has deposited the amount referred to in subsection (6C)(b) with an approved bank or retained that amount in his retirement account, the member shall, on attaining the prescribed age, be entitled to withdraw from that amount and any interest accruing thereon in accordance with any regulations made under section 77(1).

[18/2009; 23/2012]

(7A) A member who has attained the age of 55 years but has not attained the prescribed age shall be entitled to withdraw the amount referred to in subsection (6C)(b), or such part thereof as the Board may determine, from his account with an approved bank or his retirement account, or to surrender his approved annuity from an insurer, if the Board is satisfied that the member —

- (a) is physically or mentally incapacitated —
 - (i) from ever continuing in any employment; or
 - (ii) in such other manner as the Minister may approve;
- (b) lacks capacity within the meaning of section 4 of the Mental Capacity Act;
- (c) is suffering from a medical condition leading to a severely impaired life expectancy;
- (d) is suffering from a terminal illness or disease; or

- (e) is receiving or will receive such pension, annuity or other benefit as may be approved which will provide him with a monthly income of an amount that is not less in value than the amount prescribed by the Minister.

[22/2010]

[Act 24 of 2013 wef 01/01/2014]

(7B) Where a member of the Fund is entitled under subsection (7A)(a), (b) or (c) to withdraw the amount referred to in subsection (6C)(b) or any part thereof from his account with an approved bank or his retirement account or surrender his approved annuity from an insurer, at the time of the withdrawal or surrender, as the case may be, and at such other times as the Minister may determine, and in accordance with such directions as the Minister may give in any particular case —

- (a) such amount as the Minister may specify shall be set aside or topped-up in the member's retirement account —
- (i) by the member; or
 - (ii) from the sum standing to the member's credit in the Fund, after excluding any reserved amount standing to the member's credit in his ordinary account;
- (b) unless the Minister otherwise allows, the prescribed amount referred to in section 16 shall be set aside or topped-up in the member's medisave account —
- (i) by the member; or
 - (ii) from the sum standing to the member's credit in the Fund, after excluding any reserved amount standing to the member's credit in his ordinary account; and
- (c) if there exist such circumstances as may be prescribed by any regulations made under section 77(1) and the member is thereby required to reserve any amount in his ordinary account, such reserved amount shall be set aside or topped-up in that account —
- (i) by the member; or

- (ii) from the sum standing to the member's credit in that account.

[Act 24 of 2013 wef 01/06/2014]

(7C) Where any amount has been set aside or topped-up in the member's retirement account for the purposes of subsection (7B)(a), the amount standing to the credit of the member in his retirement account may be withdrawn by the member in accordance with such terms and conditions as the Minister may from time to time impose.

[Act 24 of 2013 wef 01/01/2014]

(8) A member need not comply with subsection (6)(a) if the Board is satisfied that the member —

- (a) is physically or mentally incapacitated —
 - (i) from ever continuing in any employment; or
 - (ii) in such other manner as the Minister may approve;
- (b) lacks capacity within the meaning of section 4 of the Mental Capacity Act;
- (c) is suffering from a medical condition leading to a severely impaired life expectancy;
- (d) is suffering from a terminal illness or disease;
- (e) is receiving or will receive such pension, annuity or other benefit as may be approved which will provide him with a monthly income of an amount that is not less in value than the amount prescribed by the Minister; or

[Act 24 of 2013 wef 01/01/2014]

- (f) has attained the age of 55 years before 1st January 1987.

[15/2006; 21/2008; 18/2009; 22/2010]

(8A) Where a member of the Fund is entitled under subsection (2)(a), (3) or (4) to withdraw the sum standing to his credit in the Fund and, under subsection (8)(a), (b) or (c), need not comply with subsection (6)(a), at the time of the withdrawal and at such other times as the Minister may determine, and in accordance with such directions as the Minister may give in any particular case —

- (a) such amount as the Minister may specify shall be set aside or topped-up in the member's retirement account —

- (i) by the member; or
 - (ii) from the sum standing to the member's credit in the Fund, after excluding any reserved amount standing to the member's credit in his ordinary account;
- (b) unless the Minister otherwise allows, the prescribed amount referred to in section 16 shall be set aside or topped-up in the member's medisave account —
- (i) by the member; or
 - (ii) from the sum standing to the member's credit in the Fund, after excluding any reserved amount standing to the member's credit in his ordinary account; and
- (c) if there exist such circumstances as may be prescribed by any regulations made under section 77(1) and the member is thereby required to reserve any amount in his ordinary account, such reserved amount shall be set aside or topped-up in that account —
- (i) by the member; or
 - (ii) from the sum standing to the member's credit in that account.

[Act 24 of 2013 wef 01/06/2014]

(8B) Where any amount has been set aside or topped-up in the member's retirement account for the purposes of subsection (8A)(a), the amount standing to the credit of the member in his retirement account may be withdrawn by the member in accordance with such terms and conditions as the Minister may from time to time impose.

[Act 24 of 2013 wef 01/01/2014]

(8C) Notwithstanding subsections (2A), (6), (7B) and (8A) and section 27, where any amount which a relevant member is entitled to withdraw from his retirement account under subsection (7), or which is due to a relevant member under section 27K(6), has been transferred or paid by the Board into his ordinary account, the Board may, on his application, permit him to withdraw that amount.

[18/2009]

(9) Where a member or his spouse owns any immovable property of a value equal to or exceeding the minimum sum, the Board may, on an application made before 1st January 2013, permit the member —

- (a) to withdraw the amount referred to in subsection (6C)(b) or part thereof from his account with an approved bank or his retirement account; or
- (b) to surrender his approved annuity,

if the member or his spouse, as the case may be, agrees to the creation of a charge on the immovable property owned by him or his spouse, to secure the payment to the Board of the minimum sum.

[5/87; 39/2000; 15/2006; 18/2009; 23/2012]

(9A) Where a member and one or more related persons jointly own any immovable property of a value equal to or exceeding the minimum sum, the Board may, on an application made before 1st January 2013, permit the member —

- (a) to withdraw the amount referred to in subsection (6C)(b) or part thereof from his account with an approved bank or his retirement account; or
- (b) to surrender his approved annuity,

if the member and the related person or persons, as the case may be, agree to the creation of a charge on the immovable property owned by them to secure the payment to the Board of the minimum sum.

[39/2000; 18/2009; 23/2012]

(10) Where a member or his spouse or both of them jointly own any immovable property sold by an approved developer, by a Housing Authority or by a lessee of a Housing Authority, the Board may, on an application made before 1st January 2013, permit the member —

- (a) to withdraw the amount referred to in subsection (6C)(b) or part thereof from his account with an approved bank or his retirement account; or
- (b) to surrender his approved annuity,

if the member or his spouse (or both of them), as the case may be, gives an undertaking to refund to the Board an amount equal to the

member's minimum sum or part thereof which is required to be set aside in the event the property is sold or otherwise disposed of.

[5/87; 40/2007; 18/2009; 20/2011; 23/2012]

(10A) Where a member and one or more persons jointly own any immovable property sold by an approved developer, by a Housing Authority or by a lessee of a Housing Authority, the Board may, on an application made before 1st January 2013, permit the member —

(a) to withdraw the amount referred to in subsection (6C)(b) or part thereof from his account with an approved bank or his retirement account; or

(b) to surrender his approved annuity,

if the member and the person or persons, as the case may be, give an undertaking to refund to the Board an amount equal to the member's minimum sum or part thereof which is required to be set aside in the event the property is sold or otherwise disposed of.

[39/2000; 40/2007; 18/2009; 20/2011; 23/2012]

(10B) The Board shall not enforce any undertaking under subsection (10) or (10A) if there exist such circumstances as may be prescribed in any regulations made under section 77(1) for the purposes of this subsection.

[15/2006; 23/2012]

(10C) [*Deleted by Act 23 of 2012*]

(11) Where a member owns any immovable property of a value equal to or exceeding the minimum sum, the Board may, on an application made on or after 1st January 2013, permit the member —

(a) to withdraw the amount referred to in subsection (6C)(b) or part thereof from his account with an approved bank or his retirement account; or

(b) to surrender his approved annuity.

[23/2012]

(11A) Where a member and one or more persons jointly own any immovable property of a value equal to or exceeding the minimum sum, the Board may, on an application made on or after 1st January 2013, permit the member —

- (a) to withdraw the amount referred to in subsection (6C)(b) or part thereof from his account with an approved bank or his retirement account; or
- (b) to surrender his approved annuity.

[23/2012]

[Act 24 of 2013 wef 01/01/2014]

(11B) Where a member owns any immovable property sold by an approved developer, by a Housing Authority or by a lessee of a Housing Authority, the Board may, on an application made on or after 1st January 2013, permit the member —

- (a) to withdraw the amount referred to in subsection (6C)(b) or part thereof from his account with an approved bank or his retirement account; or
- (b) to surrender his approved annuity.

[23/2012]

(11C) Where a member and one or more persons jointly own any immovable property sold by an approved developer, by a Housing Authority or by a lessee of a Housing Authority, the Board may, on an application made on or after 1st January 2013, permit the member —

- (a) to withdraw the amount referred to in subsection (6C)(b) or part thereof from his account with an approved bank or his retirement account; or
- (b) to surrender his approved annuity.

[23/2012]

(11D) Where a member, with the permission of the Board under subsection (11), (11A), (11B) or (11C), has withdrawn the amount referred to in subsection (6C)(b) or part thereof from his account with an approved bank or his retirement account, there shall be a charge constituted on the immovable property referred to in subsection (11), (11A), (11B) or (11C), as the case may be, to secure the payment to the Board of the amount withdrawn.

[23/2012]

(11E) Where a member, with the permission of the Board under subsection (11), (11A), (11B) or (11C), has surrendered his approved annuity, there shall be a charge constituted on the immovable property referred to in subsection (11), (11A), (11B) or (11C), as the case may

be, to secure the payment to the Board of the entire surrender value of the approved annuity.

[23/2012]

(11F) The following provisions shall apply to a charge constituted on any immovable property under subsection (11D) or (11E):

- (a) the charge shall be subject to all prior statutory rights and charges of any public authority over the immovable property and to all encumbrances registered or notified prior to the date of the constitution of the charge;
- (b) upon the constitution of the charge, the Board shall have the power of sale and all other powers relating or incidental thereto to sell and effectually transfer the immovable property to any purchaser as if the Board were a registered mortgagee and, in any case where the immovable property is registered land within the meaning of the Land Titles Act (Cap. 157), notwithstanding that the charge is not registered under that Act;
- (c) the charge shall extend to all the rights, benefits and interests of the member, or of the member and the other person or persons who jointly own the immovable property, as the case may be, under his or their agreement for sale and purchase of the immovable property;
- (d) where the Board has lodged with the Registrar an instrument (which shall be in such form as the Registrar may require) for the purpose of registering or notifying the charge, the Registrar shall not be concerned to enquire into the regularity or validity of the charge and shall, on acceptance of the instrument, register or notify the charge in the appropriate register maintained by the Registrar under the Land Titles Act, the Land Titles (Strata) Act (Cap. 158) or the Registration of Deeds Act (Cap. 269), as the case may be;
- (e) the charge shall continue in force until the Board is satisfied of the occurrence of any event prescribed in any regulations

made under section 77(1) for the purposes of this paragraph.

[23/2012]

(12) [*Deleted by Act 24 of 2013 wef 01/01/2014*]

(13) [*Deleted by Act 24 of 2013 wef 01/01/2014*]

(14) [*Deleted by Act 24 of 2013 wef 01/01/2014*]

(15) The following provisions shall apply to a charge created over any immovable property under subsection (9) or (9A):

- (a) the charge shall be subject to all prior statutory rights and charges of any public authority over the immovable property and to all encumbrances registered or notified prior to the date of the notification of the charge;
- (b) upon lodgment by the Board with the Registrar of an instrument (which shall be in such form as the Registrar may require) for the purpose of registering or notifying the charge and the acceptance of the instrument by the Registrar, the Board shall have —
 - (i) the power of sale and all other powers relating or incidental thereto as if the Board is a registered mortgagee; and
 - (ii) the power to sell, assign and dispose of all rights, benefits and interests under the agreement for the sale and purchase of the immovable property;
- (c) the charge shall extend to all the rights, benefits and interests of the member or his spouse, or the member and the related person or persons, as the case may be, under his or their agreement for sale and purchase of the immovable property;
- (d) the Registrar shall not be concerned to enquire into the regularity or validity of the charge and shall, on acceptance of the instrument to register or notify the charge, register or notify the charge in the appropriate register maintained by the Registrar under the Land Titles Act, the Land Titles

(Strata) Act or the Registration of Deeds Act, as the case may be;

- (e) the charge shall, on the application of the member or any other person having an interest in the property, be cancelled if the Board is satisfied of the occurrence of any event prescribed in any regulations made under section 77(1) for the purposes of this paragraph.

[5/87; 39/2000; 15/2006; 18/2009; 22/2010; 20/2011; 23/2012]

(15A) Section 73 of the Conveyancing and Law of Property Act (Cap. 61) and sections 49L and 49M of the Insurance Act (Cap. 142) shall not apply to any annuity purchased with any amount standing to the credit of a member in his retirement account.

[3/2009; 23/2012]

(16) In this section and section 15B —

“approved”, in relation to a bank or an annuity from an insurer, means approved by the Board for the purposes of this section;

“approved developer” means an approved developer under Part IVB of the Housing and Development Act (Cap. 129);

“Housing Authority” has the same meaning as in section 28;

“related person”, in relation to a member, means —

- (a) his spouse;
- (b) a child of the member, including an adopted child and a step-child;
- (c) a father or mother of the member;
- (d) a brother or sister of the member;
- (e) a grandchild of the member;
- (f) a grandparent of the member; or
- (g) any other person who in the opinion of the Board should be regarded as a related person for the purposes of this section;

“relevant member” has the same meaning as in section 27J.

[39/2000; 40/2007; 18/2009; 23/2012]

Restrictions on withdrawals to ensure repayment of approved loan

15A. Notwithstanding anything in section 15, a member of the Fund shall not be entitled to withdraw from the Fund any sum standing to his credit under section 15(2)(b), (c), (d), (e), (f) or (g) unless the Board is satisfied that all moneys lent to the member pursuant to any approved loan scheme within the meaning of section 14A and which have been paid into the Fund under section 14A(2) for the benefit of the member, together with any interest and other charges which the member is liable to pay to the Government under the terms and conditions of the loan, have been repaid to the Government.

[12/99; 15/2006]

Setting aside additional sum

15B.—(1) Before 1st January 2014, a member who is entitled to withdraw the sum standing to his credit in the Fund under section 15(2)(a), (3) or (4) may, in addition to the minimum sum required to be set aside under section 15(6)(a), set aside in accordance with regulations made under this Act, the balance or any part of the balance of the sum which the member is entitled to withdraw under section 15(2)(a), (3) or (4) (referred to in this section as the additional sum).

[39/2000; 20/2011]

[Act 24 of 2013 wef 01/01/2014]

(2) The additional sum set aside under subsection (1) may, before 1st January 2014 —

(a) be deposited with an approved bank; or

(b) be used to purchase an approved annuity from an insurer.

[Act 24 of 2013 wef 01/01/2014]

(3) Section 25 shall not apply to the additional sum set aside under subsection (1).

[39/2000]

Restrictions on withdrawal from medisave account

16.—(1) Notwithstanding anything in section 15, a member of the Fund shall not be entitled to withdraw any sum standing to the member's credit in the medisave account under section 15(2)(a), (d),

(e), (f) or (g), (3) or (4) if the amount in his medisave account does not exceed the prescribed amount.

[32/84; 15/2006; 18/2009]

(2) Where the amount in a member's medisave account exceeds the prescribed amount —

- (a) if the member is a person in respect of whom there is a requirement to set aside or top-up the minimum sum under section 15(6)(a), the amount in excess of the prescribed amount (referred to in this subsection as the excess amount) shall be applied to meet any shortfall in the minimum sum, and any balance of the excess amount may be withdrawn under section 15(3) or (4);
- (b) if the member is a person in respect of whom there is a requirement to set aside or top-up in his retirement account the amount referred to in section 15(2A)(a), the excess amount shall be applied to meet any shortfall in that amount, and any balance of the excess amount may be withdrawn under section 15(2)(d), (e) or (f);
- (c) if the member is a person in respect of whom there is a requirement to set aside or top-up in his retirement account the amount referred to in section 15(7B)(a) or (8A)(a), the excess amount shall be applied to meet any shortfall in that amount, and any balance of the excess amount may be withdrawn under section 15(2)(a), (3) or (4); or
- (d) in any other case, the excess amount may be withdrawn under section 15(2)(a) or (g), (3) or (4).

[15/2006; 20/2011]

(3) In this section, “prescribed amount” means such amount as may be prescribed by the Minister from time to time by regulations made under section 77.

[32/84]

Withdrawal from medisave account of deceased member

¹**16A.**—(1) Notwithstanding section 24(3A), on or after the death of a member of the Fund, the Board may, subject to such conditions as the Minister may from time to time impose, permit the withdrawal, for one or more of the following purposes, of the whole or any part of the sum standing to the member's credit in his medisave account, in accordance with any regulations made under section 57 or 77(1):

- (a) for such medical, psychiatric or other treatment or services received by the member as may be prescribed by those regulations, if that withdrawal had been authorised —
 - (i) before the member's death, by him or, if he was unable to give the authorisation, by a prescribed person; or
 - (ii) on or after the member's death, by a prescribed person;
- (b) for such medical, psychiatric or other treatment or services as may be prescribed by those regulations received (whether before, on or after the date of commencement of section 8 of the Central Provident Fund (Amendment) Act 2012), or to be received, by the member's spouse, child or parent or by such other person as may be prescribed by those regulations, if that withdrawal had been authorised by the member before his death;
- (c) for any premium payable for the member's insurance under the MediShield Scheme established and maintained by the Board under section 53, or under any medical insurance scheme or other insurance scheme referred to in section 77(1)(k), if —
 - (i) the member is insured (whether before, on or after the date of commencement of section 8 of the Central Provident Fund (Amendment) Act 2012), or has applied before his death to be insured (whether such application is made before, on or after the date of

¹ Subsection (1) of section 16A has been deleted and substituted and the heading of section 16A has been amended when section 8(a) and (b) of the Central Provident Fund (Amendment) Act 2012 (Act 23 of 2012) came into operation on 1st August 2013 (S 474/2013).

commencement of section 8 of the Central Provident Fund (Amendment) Act 2012), under the MediShield Scheme, medical insurance scheme or other insurance scheme, as the case may be; and

- (ii) the Board has authorised, whether before or after the member's death, the withdrawal of any amount standing to his credit in his medisave account for the payment of any such premium.

[Act 23 of 2012 wef 01/08/2013]

(2) Where the Board has permitted the withdrawal of any money under subsection (1), section 24(3A) shall not apply to that money.

[15/2006]

(3) In subsection (1), "prescribed person" means such person or committee as may be prescribed by any regulations made under section 77(1).

[15/2006]

Withdrawal from special account for loan, etc.

17. The Board may allow a member to withdraw the whole or part of the moneys standing to his credit in his special account for all or any of the following purposes:

- (a) for the payment of any loan taken by him for the purchase of any immovable property by the member in accordance with any regulations made under section 77;
- (b) for the payment of improvement contributions due to the Housing and Development Board in respect of upgrading works carried out under Part IVA of the Housing and Development Act (Cap. 129), or any improvement contribution due to a Town Council in respect of lift upgrading works carried out under Part IVA of the Town Councils Act (Cap. 329A), including the payment of such costs, fees or other incidental expenses arising from the upgrading works as are authorised by any regulations made under section 77.

[12/99; 23/2005]

Transfer or payment of moneys to retirement account or special account, and voluntary maintenance of sum in retirement account

18.—(1) The Board may, for any of the purposes mentioned in section 15(6C), and subject to any regulations made under section 77(1)(o) and such terms and conditions as the Board may impose, permit —

- (a) a member to transfer such portion of the sum standing to his credit in the Fund as may be prescribed to the retirement account of a relevant individual, if the relevant individual has attained the age of 55 years;
- (b) any person to pay money into the retirement account of a member who has attained the age of 55 years; or
- (c) any person to voluntarily maintain, in a retirement account with the Board —
 - (i) a minimum sum; or
 - (ii) any other sum that the Board may allow, being a sum not exceeding such sum as may for the time being be specified by the Minister by notification in the *Gazette* under section 18B(3)(b).

[40/2007; 25/2008; 23/2012]

(1A) All moneys transferred to or paid into a retirement account under subsection (1)(a) or (b) shall be applied in accordance with any regulations made under section 77(1)(o) and such terms and conditions as the Board may impose.

[40/2007]

(2) The Board may, subject to such terms and conditions as it may impose, permit —

- (a) a member to transfer such portion (not exceeding such amount as the Minister may specify) of the sum standing to the member's credit in the Fund as the Board may determine to the retirement account of a relevant individual, if any amount referred to in section 15(2A)(a), (7B)(a) or (8A)(a) is required to be set

aside or topped-up in the retirement account of the relevant individual; or

- (b) any person to pay money (not exceeding such amount as the Minister may specify) into the retirement account of a member, if any amount referred to in section 15(2A)(a), (7B)(a) or (8A)(a) is required to be set aside or topped-up in the retirement account of the member.

[23/2012]

(2A) All moneys transferred to or paid into a retirement account under subsection (2)(a) or (b) shall be applied in accordance with such terms and conditions as the Minister may impose.

[23/2012]

(3) The Board may, subject to any regulations made under section 77(1)(oa) and such terms and conditions as it may impose, permit —

- (a) a member to transfer such portion of the sum standing to his credit in the Fund as may be prescribed to the special account of a relevant individual, if the Board has not transferred under section 15(6CA) any amount from the sum standing to the credit of the relevant individual in the Fund to the relevant individual's retirement account; or

[Act 24 of 2013 wef 28/06/2014]

- (b) any person to pay money into the special account of a member, if the Board has not transferred under section 15(6CA) any amount from the sum standing to the credit of the member in the Fund to the member's retirement account.

[Act 24 of 2013 wef 28/06/2014]

[40/2007; 25/2008; 18/2009; 23/2012]

(4) Subject to subsection (6), where a member is a relevant individual to whose special account any moneys have been transferred under subsection (3)(a) —

- (a) the moneys so transferred; and
- (b) the whole or such part as the Board may determine of any interest that would have accrued thereon,

shall be transferred by the Board to the member's retirement account at the relevant time.

[Act 24 of 2013 wef 28/06/2014]

(5) Subject to subsection (6) —

- (a) any moneys paid by any person into a member's special account under subsection (3)(b); and
- (b) the whole or such part as the Board may determine of any interest that would have accrued thereon,

shall be transferred by the Board to the member's retirement account at the relevant time.

[Act 24 of 2013 wef 28/06/2014]

(6) Where, at the relevant time, the total amount of the moneys and interest referred to in subsections (4)(a) and (b) and (5)(a) and (b) exceeds the minimum sum applicable to a member —

- (a) the total amount to be transferred by the Board to the member's retirement account under subsections (4) and (5) shall not exceed the minimum sum applicable to the member; and
- (b) the moneys and interest referred to in subsections (4)(a) and (b) and (5)(a) and (b) shall be transferred by the Board to the member's retirement account in such order of priority as may be prescribed in any regulations made under section 77(1)(oa).

[Act 24 of 2013 wef 28/06/2014]

(7) All moneys transferred to or paid into a special account under subsection (3) shall be applied in accordance with any regulations made under section 77(1)(oa) and such terms and conditions as the Board may impose.

[40/2007]

(8) Any moneys transferred under subsection (1)(a), (2)(a) or (3)(a), paid under subsection (1)(b), (2)(b) or (3)(b) or maintained under subsection (1)(c) shall be deemed to be contributions for the purposes of this Act.

[25/2008]

(9) In this section, “relevant time”, in relation to a member, means such time as may be prescribed in relation to the member in any regulations made under section 77(1).

[Act 24 of 2013 wef 28/06/2014]

Transfer of member’s moneys in ordinary account or special account to retirement account

18A.—(1) The Board may, subject to any regulations made under section 77(1)(o) and such terms and conditions as it may impose, permit a member who has less than the prescribed amount standing to his credit in his retirement account to transfer a sum (not exceeding such amount as may be prescribed in those regulations) standing to his credit in his ordinary account or special account, or in both accounts, to his retirement account.

[23/2012]

(1A) All moneys transferred to a retirement account under subsection (1) shall be applied in accordance with any regulations made under section 77(1)(o) and such terms and conditions as the Board may impose.

[23/2012]

(2) In this section, “prescribed amount” means such sum as may for the time being be specified by the Minister by notification in the *Gazette* under section 18B(3)(b).

[40/2007]

Transfer of member’s moneys in ordinary account to special account

18B.—(1) The Board may, on the application of a member who has less than the prescribed amount standing to his credit in his special account and subject to such terms and conditions as the Board may impose, transfer to his special account a sum standing to his credit in his ordinary account, being a sum not exceeding the difference between —

(a) the prescribed amount; and

(b) the aggregate of —

(i) the amount standing to his credit in his special account; and

- (ii) any amount withdrawn from his special account for the making of investments under any scheme in accordance with any regulations made under section 77(1)(n).

[20/2011]

(2) [Deleted by Act 20 of 2011]

(3) In this section, “prescribed amount” means —

(a) \$65,000, where no other sum is specified under paragraph (b); or

(b) where a sum is specified under this paragraph by the Minister for the purposes of this section by notification in the *Gazette*, such sum as may for the time being be so specified.

[30/98; 39/2000]

Transfer of member’s moneys in ordinary account or special account to medisave account

18C.—(1) The Board may, on the application of a member who has less than the requisite amount standing to his credit in his medisave account and subject to such terms and conditions as the Board may impose, transfer to his medisave account a sum standing to his credit in his ordinary account or special account, or in both accounts.

[20/2011]

(2) [Deleted by Act 20 of 2011]

(3) In this section, “requisite amount” means the amount as directed by the Minister under section 13(6).

[31/2003]

Provisions relating to moneys transferred or paid to relevant individual’s, parent’s, grandparent’s, spouse’s or sibling’s retirement account on death or withdrawal under section 15(2)(b) or (c)

19.—(1) Any moneys transferred by a member to the retirement account of a relevant individual under section 18(1)(a) or (2)(a) —

(a) shall not form part of the moneys payable out of the Fund on the death of the relevant individual; and

(b) shall not be withdrawn from the Fund by the relevant individual under section 15(2)(b) or (c).

[25/2008; 23/2012]

(2) Except as otherwise provided by subsections (3) and (4), the moneys transferred under section 18(1)(a) or (2)(a), or the balance thereof, shall be credited to the account from which it was transferred upon —

(a) the death of the relevant individual; or

(b) the withdrawal of any sum from the Fund by the relevant individual under section 15(2)(b) or (c).

[25/2008; 23/2012]

(3) Where any moneys transferred by a member to the retirement account of a relevant individual under section 18(1)(a) or (2)(a) are transferred or paid by the Board to any person under section 27B —

(a) subsection (2) shall not apply to those moneys; and

(b) the person to whom those moneys have been transferred or paid by the Board under section 27B shall be entitled to retain those moneys.

[25/2008; 23/2012]

(4) Where the Board receives notice, in accordance with any regulations made under section 77(1), that any moneys transferred by a member to the retirement account of a relevant individual under section 18(1)(a) or (2)(a) are to be transferred or paid by the Board to any person under section 27B, and the Board has not, at the time it receives the notice, credited those moneys to the account of the member under subsection (2) —

(a) subsection (2) shall not apply to those moneys; and

(b) the person to whom those moneys are to be transferred or paid under section 27B shall be entitled to those moneys.

[25/2008; 23/2012]

(5) Any moneys paid by a person before 1st November 2008 to his parent's, grandparent's, spouse's or sibling's retirement account under section 18(1)(b) or (2)(b) as in force immediately before that date shall not form part of the moneys payable out of the Fund on the death of the parent, grandparent, spouse or sibling, as the case may be.

[25/2008]

(6) Except as otherwise provided by subsections (7) and (8), the moneys paid under section 18(1)(b) or (2)(b) as in force immediately before 1st November 2008, or the balance thereof, shall be credited to the account of the person who made the payment upon the death of the parent, grandparent, spouse or sibling.

[25/2008]

(7) Where any moneys paid by a person before 1st November 2008 to the retirement account of his parent, grandparent, spouse or sibling under section 18(1)(b) or (2)(b) as in force immediately before that date are transferred or paid by the Board to any person under section 27B —

- (a) subsection (6) shall not apply to those moneys; and
- (b) the person to whom those moneys have been transferred or paid by the Board under section 27B shall be entitled to retain those moneys.

[25/2008]

(8) Where the Board receives notice, in accordance with any regulations made under section 77(1), that any moneys paid by a person before 1st November 2008 to the retirement account of his parent, grandparent, spouse or sibling under section 18(1)(b) or (2)(b) as in force immediately before that date are to be transferred or paid by the Board to any person under section 27B, and the Board has not, at the time it receives the notice, credited those moneys to the account of the member under subsection (6) —

- (a) subsection (6) shall not apply to those moneys; and
- (b) the person to whom those moneys are to be transferred or paid under section 27B shall be entitled to those moneys.

[25/2008]

Provisions relating to moneys transferred or paid to relevant individual's, spouse's or sibling's special account on death or withdrawal under section 15(2)(b) or (c)

19A.—(1) Any moneys transferred by a member to the special account of a relevant individual under section 18(3)(a) —

- (a) shall not form part of the moneys payable out of the Fund on the death of the relevant individual; and

(b) shall not be withdrawn from the Fund by the relevant individual under section 15(2)(b) or (c).

[25/2008; 18/2009; 23/2012]

(2) Except as otherwise provided by subsections (3) and (4), the moneys transferred under section 18(3)(a), or the balance thereof, shall be credited to the account from which it was transferred upon —

(a) the death of the relevant individual; or

(b) the withdrawal of any sum from the Fund by the relevant individual under section 15(2)(b) or (c).

[25/2008; 18/2009; 23/2012]

(3) Where any moneys transferred by a member to the special account of a relevant individual under section 18(3)(a) are transferred or paid by the Board to any person under section 27B —

(a) subsection (2) shall not apply to those moneys; and

(b) the person to whom those moneys have been transferred or paid by the Board under section 27B shall be entitled to retain those moneys.

[25/2008; 18/2009; 23/2012]

(4) Where the Board receives notice, in accordance with any regulations made under section 77(1), that any moneys transferred by a member to the special account of a relevant individual under section 18(3)(a) are to be transferred or paid by the Board to any person under section 27B, and the Board has not, at the time it receives the notice, credited those moneys to the account of the member under subsection (2) —

(a) subsection (2) shall not apply to those moneys; and

(b) the person to whom those moneys are to be transferred or paid under section 27B shall be entitled to those moneys.

[25/2008; 18/2009; 23/2012]

(5) Any moneys paid by a person before 1st November 2008 to his spouse's or sibling's special account under section 18(3)(b) as in force immediately before that date shall not form part of the moneys payable out of the Fund on the death of the spouse or sibling, as the case may be.

[25/2008]

(6) Except as otherwise provided by subsections (7) and (8), the moneys paid under section 18(3)(b) as in force immediately before 1st November 2008, or the balance thereof, shall be credited to the account of the person who made the payment upon the death of the spouse or sibling.

[25/2008]

(7) Where any moneys paid by a person before 1st November 2008 to the special account of his spouse or sibling under section 18(3)(b) as in force immediately before that date are transferred or paid by the Board to any person under section 27B —

- (a) subsection (6) shall not apply to those moneys; and
- (b) the person to whom those moneys have been transferred or paid by the Board under section 27B shall be entitled to retain those moneys.

[25/2008]

(8) Where the Board receives notice, in accordance with any regulations made under section 77(1), that any moneys paid by a person before 1st November 2008 to the special account of his spouse or sibling under section 18(3)(b) as in force immediately before that date are to be transferred or paid by the Board to any person under section 27B, and the Board has not, at the time it receives the notice, credited those moneys to the account of the member under subsection (6) —

- (a) subsection (6) shall not apply to those moneys; and
- (b) the person to whom those moneys are to be transferred or paid under section 27B shall be entitled to those moneys.

[25/2008]

Withdrawals

20.—(1) Subject to subsection (1A) and section 25(3), upon an application for the withdrawal of a sum of money standing to the credit of a member of the Fund by a person entitled thereto under section 15 —

- (a) where the applicant is the member, the Board may pay him such sum as he is entitled to withdraw from the Fund (including any interest calculated in accordance with

section 6(4) and (4B) up to the date the Board authorised the payment); or

- (b) where the member has died and the applicant is a person nominated by the member by a memorandum executed in accordance with section 25(1) —
- (i) if the memorandum provides for payment to the person in accordance with section 25(1)(a)(i) (whether or not the person is a citizen or permanent resident of Singapore), or if the memorandum provides for payment to the person in accordance with section 25(1)(a)(ii) but the person is not a citizen or permanent resident of Singapore, the Board may pay the person such portion of the amount payable on the member's death out of the Fund as he is nominated to receive;
 - (ii) if the memorandum provides for payment to the person in accordance with section 25(1)(a)(ii), and the person is a citizen or permanent resident of Singapore, the Board may —
 - (A) subject to sub-paragraph (B), transfer to the person's accounts in the Fund, in such manner as the member has specified in the memorandum, such portion of the amount payable on the member's death out of the Fund as the person is nominated to receive; or
 - (B) if that portion exceeds such maximum amount as the Minister may determine for the purposes of section 25(1)(a)(ii)(B), transfer that maximum amount to the person's accounts in the Fund in such manner as the member has specified in the memorandum, and pay the person the excess; or
 - (iii) if the memorandum provides for payment to the person in accordance with section 25(1)(a)(iii) (whether or not the member is a citizen or permanent resident of Singapore at the time of his

death, whether or not the person is a citizen or permanent resident of Singapore, and whether or not the certification under section 25(1C) issued in respect of the person remains in force), the Board may —

- (A) subject to sub-paragraph (C) and if the memorandum so provides, pay the person such portion of the amount payable on the member's death out of the Fund as the person is nominated to receive in periodic instalments in such manner as the Board may determine;
- (B) subject to sub-paragraph (C) and if the memorandum so provides, transfer such part of that portion as the Board may determine to the person's medisave account in periodic instalments in such manner as the Board may determine, and pay the remainder of that portion to the person in periodic instalments in such manner as the Board may determine; or
- (C) if any of the circumstances specified in subsection (1B) applies —
 - (CA) pay that portion to the person;
 - (CB) pay such part of that portion as the Board may determine in accordance with sub-paragraph (A) or (B), and pay the remainder of that portion to the person; or
 - (CC) transfer such part of that portion as the Board may determine to the person's medisave account in periodic instalments in such manner as the Board may determine (if the memorandum so provides), and pay the remainder of that portion to the person.

[22/2010; 20/2011]

(1A) Subject to section 25(3) and such conditions as the Minister may impose, where the Board has been notified, in such manner as may be prescribed in any regulations made under section 77(1), of the death of a member of the Fund who has executed a memorandum in accordance with section 25(1), the Board may, without any application for the withdrawal of a sum of money standing to the credit of that member by a person nominated by that member by the memorandum —

- (a) if the memorandum provides for payment to the person in accordance with section 25(1)(a)(i), and the person is a citizen or permanent resident of Singapore, pay the person such portion of the amount payable on the member's death out of the Fund as he is nominated to receive;
- (b) if the memorandum provides for payment to the person in accordance with section 25(1)(a)(ii), and the person is a citizen or permanent resident of Singapore —
 - (i) subject to sub-paragraph (ii), transfer to the person's accounts in the Fund, in such manner as the member has specified in the memorandum, such portion of the amount payable on the member's death out of the Fund as the person is nominated to receive; or
 - (ii) if that portion exceeds such maximum amount as the Minister may determine for the purposes of section 25(1)(a)(ii)(B), transfer that maximum amount to the person's accounts in the Fund in such manner as the member has specified in the memorandum, and pay the person the excess; or
- (c) if the memorandum provides for payment to the person in accordance with section 25(1)(a)(iii) (whether or not the member is a citizen or permanent resident of Singapore at the time of his death, and whether or not the certification under section 25(1C) issued in respect of the person remains in force), and the person is a citizen or permanent resident of Singapore —
 - (i) subject to sub-paragraph (iii) and if the memorandum so provides, pay the person such portion of the

amount payable on the member's death out of the Fund as the person is nominated to receive in periodic instalments in such manner as the Board may determine;

- (ii) subject to sub-paragraph (iii) and if the memorandum so provides, transfer such part of that portion as the Board may determine to the person's medisave account in periodic instalments in such manner as the Board may determine, and pay the remainder of that portion to the person in periodic instalments in such manner as the Board may determine; or
- (iii) if any of the circumstances specified in subsection (1B) applies —
 - (A) pay that portion to the person;
 - (B) pay such part of that portion as the Board may determine in accordance with sub-paragraph (i) or (ii), and pay the remainder of that portion to the person; or
 - (C) transfer such part of that portion as the Board may determine to the person's medisave account in periodic instalments in such manner as the Board may determine (if the memorandum so provides), and pay the remainder of that portion to the person.

[22/2010; 20/2011]

(1B) For the purposes of subsections (1)(b)(iii)(C) and (1A)(c)(iii), the circumstances are as follows:

- (a) such portion of the amount payable on the member's death out of the Fund as the person is nominated to receive does not exceed such amount as the Minister may determine under section 25(1)(a)(iii)(C);
- (b) the person has withdrawn, or the Board (on the person's application) has given its authority under section 15(1) for the withdrawal of, the sum standing to the credit of the person in the Fund under section 15(2)(b) or (c);

- (c) the person has applied to the Board to withdraw such portion of the amount payable on the member's death out of the Fund as the person is nominated to receive, and the Board is satisfied that the person —
- (i) not being a citizen of Singapore, has left or is about to leave Singapore and the States of Malaya permanently with no intention to return thereto; or
 - (ii) being a citizen of Malaysia, has left or is about to leave Singapore permanently for the States of Malaya in such circumstances as the Minister may approve; or
- (d) the person has applied to the Minister charged with the responsibility for social services to withdraw such portion of the amount payable on the member's death out of the Fund as the person is nominated to receive, and that Minister has granted the person's application.

[20/2011]

(1C) The Minister charged with the responsibility for social services may in writing delegate to any person or group of persons appointed by that Minister all or any of his functions and powers under subsection (1B)(d).

[20/2011]

(1D) Where a member of the Fund has executed a memorandum under section 25(1) nominating any person to receive the person's portion of the amount payable on the member's death out of the Fund in accordance with section 25(1)(a)(iii), and the Board has been notified, in such manner as may be prescribed in any regulations made under section 77(1), of the death of the member, the Board may, in accordance with any regulations made under section 77(1) —

- (a) maintain for the member —
- (i) a nominee ordinary account;
 - (ii) a nominee medisave account;
 - (iii) a nominee special account; and
 - (iv) a nominee retirement account, if the member had a retirement account at the time of his death;

- (b) transfer the person's portion of the amount payable on the member's death out of the Fund from the member's ordinary account, medisave account, special account and retirement account (if any) to the nominee accounts maintained for the member; and
- (c) pay the person, or transfer to the person's medisave account, any periodic instalment or the person's portion of the amount payable on the member's death out of the Fund, in accordance with the applicable sub-paragraph of subsection (1)(b)(iii) or (1A)(c), from the person's share of the amount standing to the credit of the member that is in the nominee accounts maintained for the member.

[20/2011]

(2) When any contributions are due to be paid for a member of the Fund in respect of any period ending not later than the last day of the month next following the date on which the withdrawal of the sum of money standing to his credit in the Fund is authorised and the contributions are not paid to the Fund until after the date of authorisation, those contributions may in the discretion of the Board be treated as if they had been included in the amount standing to the credit of the member at the date of authorisation of withdrawal and dealt with in accordance with subsection (1) or (1A), as the case may be.

[5/87; 22/2010]

(3) All applications for withdrawal shall be supported by such evidence as may be prescribed by the Board and by such further evidence as the Board may reasonably require.

[22/2010]

Charge on immovable property to secure repayment of withdrawals from Fund

21.—(1) Where in accordance with any regulations made under section 77, a member of the Fund has on or after 1st June 1981 withdrawn any money standing to his credit in the Fund for all or any of the following purposes:

- (a) to make payment, either full or partial, towards the purchase or acquisition of an immovable property;

- (b) to repay or to make periodic payments towards the repayment of any loan taken by the member to finance or re-finance the purchase or acquisition of an immovable property;
- (c) to repay any loan or to reimburse any cost, fee or other expense pursuant to regulations made under section 77(1)(i);
- (ca) to pay any improvement contribution due —
 - (i) to the Housing and Development Board in respect of upgrading works carried out under Part IVA of the Housing and Development Act (Cap. 129); or
 - (ii) to a Town Council in respect of upgrading works carried out under Part IVA of the Town Councils Act (Cap. 329A),including costs, fees or other incidental expenses arising from such works;
- (d) to pay any costs, fees or other expenses incurred —
 - (i) for the purchase or acquisition of an immovable property;
 - (ia) to change the manner of holding of an immovable property from a joint tenancy to a tenancy in common, or vice versa;
 - (ib) for the transfer of any part (but not the whole) of the member's estate or interest in an immovable property to any other person;
 - (ii) for obtaining a loan to finance or re-finance any purchase or acquisition referred to in sub-paragraph (i); and
 - (iii) in connection with withdrawals of any money from the Fund,

there shall be a charge on the member's estate or interest in the immovable property, or the remainder thereof (if paragraph (d)(ib) applies), to secure the repayment of the money withdrawn from the

Fund including the whole or such part, as the Board may determine, of the interest that would have been payable thereon if the withdrawal had not been made.

[23/2005; 57/2007; 18/2009; 23/2012]

(1A) Where the immovable property is purchased, acquired or owned by the member as a co-purchaser, joint-tenant or tenant-in-common, as the case may be, with one or more persons, the charge shall, with the prior written consent of all the co-purchasers or co-owners, extend to all their respective estates or interests in the immovable property.

[19/83; 16/86; 5/87; 29/93; 57/2007]

(2) A charge under subsection (1) shall extend to all the rights, benefits and interests of the member or the co-purchasers or co-owners, as the case may be, under his or their agreement for sale and purchase of the immovable property.

[19/83; 16/86]

(3) [*Deleted by Act 23 of 2012*]

(4) Upon lodgment by the Board with the Registrar of an instrument (which shall be in such form as the Registrar may require) for the purpose of registering or notifying any charge under subsection (1) and the acceptance of the instrument by the Registrar, the Board shall have —

- (a) the power of sale and all other powers relating or incidental thereto as if the Board is a registered mortgagee; and
- (b) the power to sell, assign and dispose of all rights, benefits and interests under the agreement for the sale and purchase of the immovable property.

[19/83; 16/86]

(5) The Registrar shall not be concerned to enquire into the regularity or validity of a charge under subsection (1), and shall, on acceptance of the instrument to register or notify the charge, register or notify the charge in the appropriate register maintained by the Registrar under the Land Titles Act (Cap. 157), the Land Titles (Strata) Act (Cap. 158) or the Registration of Deeds Act (Cap. 269), as the case may be.

[19/83]

(6) Any charge under subsection (1) shall be subject to all statutory rights and charges of any public authority over the immovable property and, in the absence of any agreement giving priority to the Board, to all encumbrances registered or notified prior to the date of acceptance by the Registrar of the instrument to register or notify the charge.

[19/83; 16/86]

(7) [Deleted by Act 23 of 2012]

(8) Notwithstanding section 80 of the Land Titles Act and section 15 of the Registration of Deeds Act —

- (a) where further withdrawals from the Fund are authorised by the Board after the registration or notification of any mortgage or charge created in favour of the Board at any time after the acceptance by the Registrar of the instrument lodged under subsection (4) for the purpose of registering or notifying a charge under subsection (1), all such withdrawals shall rank in priority to any other claims as if the withdrawals were made at the date of the creation of the mortgage or charge in favour of the Board; and
- (b) where any further advances have been made by a prior mortgagee or chargee after the Board has given notice in writing of the charge under subsection (1) to the prior mortgagee or chargee or after the acceptance by the Registrar of the instrument to register or notify the charge under subsection (4), such further advances shall not rank in priority to the Board's charge under subsection (1).

[19/83]

(9) Notwithstanding subsections (1) and (8), advances, interest and other moneys secured by a mortgage or charge on an immovable property may, with the agreement of the Board and subject to such conditions as the Board may impose, rank in priority or in pari passu to the Board's charge under subsection (1) or any mortgage or charge created in favour of the Board.

[19/83; 16/86]

(10) A charge under subsection (1) on a member's estate or interest in an immovable property shall continue in force until, and the

member or any other person having an interest in the immovable property shall be entitled to have the charge cancelled in the event that, all moneys secured by the charge —

- (a) have been repaid to the Fund; or
- (b) are no longer required by any regulations made under section 77(1) to be repaid to the Fund.

[23/2012]

(10A) Without prejudice to subsection (10), where there is a charge under subsection (1) on a member's estate or interest in an immovable property, and the Board is satisfied of the occurrence of any event prescribed in any regulations made under section 77(1) for the purposes of this subsection, the member or any other person having an interest in the immovable property may, with the approval of the Board, have the charge cancelled.

[23/2012]

(11) Subsections (4), (9), (10) and (10A) shall apply to all charges under subsection (1) securing the repayment of moneys withdrawn from the Fund pursuant to any regulations made under section 77.

[19/83; 23/2012]

(12) In this section and sections 15, 21A and 21B —

“public authority” means the Government, the Collector of Land Revenue, the Comptroller of Property Tax, and any other person, corporation or body, authorised or empowered by any written law to attach, sell or acquire land compulsorily;

“Registrar” means —

- (a) the Registrar of Titles, a Deputy Registrar of Titles or an Assistant Registrar of Titles appointed under the Land Titles Act; and
- (b) where the occasion requires, the Registrar of Deeds or a Deputy Registrar of Deeds appointed under the Registration of Deeds Act.

[19/83; 5/87; 27/95; 36/2002]

(13) This section shall not apply to any immovable property or class of immovable properties which the Minister may, by notification in the *Gazette*, specify.

[19/83; 16/86]

Registration of charge on immovable property to secure repayment of withdrawals from Fund before 1st June 1981

21A.—(1) Where in accordance with any regulations made under section 77, a member of the Fund has before 1st June 1981 withdrawn any money standing to his credit in the Fund —

- (a) to make payment, either full or partial, towards the purchase or acquisition of an immovable property;
- (b) to repay or to make periodic payments towards the repayment of any loan taken by the member to finance or re-finance the purchase or acquisition of an immovable property; or
- (c) to pay any costs, fees or other expenses incurred —
 - (i) for the purchase or acquisition of an immovable property;
 - (ii) for obtaining a loan to finance or re-finance such purchase or acquisition; and
 - (iii) in connection with withdrawals of any money from the Fund,

the Board may register or notify, in the appropriate register maintained by the Registrar under the Land Titles Act (Cap. 157), the Land Titles (Strata) Act (Cap. 158) or the Registration of Deeds Act (Cap. 269), a charge on the member's estate or interest in the immovable property to secure the repayment of the money withdrawn from the Fund including the whole or such part, as the Board may determine, of the interest that would have been payable thereon if the withdrawal had not been made.

[57/2007; 23/2012]

(1A) Where the immovable property is purchased, acquired or owned by the member as a co-purchaser, joint-tenant or tenant-in-common, as the case may be, with one or more persons, the charge shall, with the prior written consent of all the co-purchasers or co-owners, extend to all their respective estates or interests in the immovable property.

[27/95; 57/2007]

(2) A charge under subsection (1) shall extend to all the rights, benefits and interests of the member or the co-purchasers or co-owners, as the case may be, under his or their agreement for sale and purchase of the immovable property.

[27/95]

(3) Upon lodgment by the Board with the Registrar of an instrument (which shall be in such form as the Registrar may require) for the purpose of registering or notifying any charge under subsection (1) and the acceptance of the instrument by the Registrar, the Board shall have —

- (a) the power of sale and all other powers relating or incidental thereto as if the Board is a registered mortgagee; and
- (b) the power to sell, assign and dispose of all rights, benefits and interests under the agreement for the sale and purchase of the immovable property.

[27/95]

(4) The Registrar shall not be concerned to enquire into the regularity or validity of a charge under subsection (1) and shall, on acceptance of the instrument to register or notify the charge, register or notify the charge in the appropriate register maintained by the Registrar under the Land Titles Act, the Land Titles (Strata) Act or the Registration of Deeds Act, as the case may be.

[27/95]

(5) Any charge under subsection (1) shall be subject to all statutory rights and charges of any public authority over the immovable property and, in the absence of any agreement giving priority to the Board, to all encumbrances registered or notified prior to the date of acceptance by the Registrar of the instrument to register or notify the charge.

[27/95]

(6) [*Deleted by Act 23 of 2012*]

(7) Notwithstanding section 80 of the Land Titles Act and section 15 of the Registration of Deeds Act—

- (a) where further withdrawals from the Fund are authorised by the Board after the registration or notification of any mortgage or charge created in favour of the Board at any

time after the acceptance by the Registrar of the instrument lodged under subsection (3) for the purpose of registering or notifying a charge under subsection (1), all such withdrawals shall rank in priority to any other claims as if the withdrawals were made at the date of the creation of the mortgage or charge in favour of the Board; and

- (b) where any further advances have been made by a prior mortgagee or chargee after the Board has given notice in writing of the charge under subsection (1) to the prior mortgagee or chargee or after the acceptance by the Registrar of the instrument to register or notify the charge under subsection (3), such further advances shall not rank in priority to the Board's charge under subsection (1).

[27/95]

(8) Notwithstanding subsections (1) and (7), advances, interest and other moneys secured by a mortgage or charge on an immovable property may, with the agreement of the Board and subject to such conditions as the Board may impose, rank in priority or in pari passu to the Board's charge under subsection (1) or any mortgage or charge created in favour of the Board.

[27/95]

(9) A charge under subsection (1) on a member's estate or interest in an immovable property shall continue in force until, and the member or any other person having an interest in the immovable property shall be entitled to have the charge cancelled in the event that, all moneys secured by the charge —

- (a) have been repaid to the Fund; or
- (b) are no longer required by any regulations made under section 77(1) to be repaid to the Fund.

[23/2012]

(9A) Without prejudice to subsection (9), where there is a charge under subsection (1) on a member's estate or interest in an immovable property, and the Board is satisfied of the occurrence of any event prescribed in any regulations made under section 77(1) for the purposes of this subsection, the member or any other person having an

interest in the immovable property may, with the approval of the Board, have the charge cancelled.

[23/2012]

(10) Where costs, fees or other incidental expenses are incurred for the registration or notification of a charge under subsection (1) or section 21(4) or the discharge thereof, the Board may, subject to such terms and conditions as it may impose, authorise the whole or part of the amount standing to the member's credit in the Fund to be withdrawn and used to pay such costs, fees and other incidental expenses.

[27/95]

(11) This section shall not apply to any immovable property or class of immovable properties which the Minister may, by notification in the *Gazette*, specify.

[27/95]

Charge on HDB flats to secure repayment of withdrawals from Fund

21B.—(1) Where in accordance with any regulations made under section 77, a member of the Fund had or has before, on or after 1st January 2003 withdrawn any money standing to his credit in the Fund —

- (a) to make full or partial payment towards the purchase or acquisition of an HDB flat;
- (b) to repay or to make periodic payments towards the repayment of any loan taken by the member to finance or re-finance the purchase or acquisition of an HDB flat;
- (c) to pay any improvement contribution due to the Housing and Development Board in respect of upgrading works carried out on an HDB flat under Part IVA of the Housing and Development Act (Cap. 129), or any improvement contribution due to a Town Council in respect of lift upgrading works carried out in relation to an HDB flat under Part IVA of the Town Councils Act (Cap. 329A), including the payment of costs, fees or other incidental expenses arising from such works; or

- (d) to pay any costs, fees or other expenses incurred —
- (i) for the purchase or acquisition of an HDB flat;
 - (ia) to change the manner of holding of an HDB flat from a joint tenancy to a tenancy in common, or vice versa;
 - (ib) for the transfer of any part (but not the whole) of the member's estate or interest in an HDB flat to any other person;
 - (ii) for obtaining a loan to finance or re-finance any purchase or acquisition referred to in sub-paragraph (i); and
 - (iii) in connection with withdrawals of any money from the Fund,

there shall, immediately upon any such withdrawal, be a charge constituted on that HDB flat to secure the repayment of the money withdrawn from the Fund including the whole or such part, as the Board may determine, of the interest that would have been payable thereon if the withdrawal had not been made.

[36/2002; 23/2005; 57/2007; 23/2012]

(2) Upon the constitution of the charge on an HDB flat under subsection (1), the Board shall have the power of sale and all other powers relating or incidental thereto to sell and effectually transfer the title to the HDB flat to any purchaser as if the Board were a registered mortgagee notwithstanding that the charge is not registered under the Land Titles Act (Cap. 157).

[36/2002]

(3) Any charge constituted on an HDB flat under subsection (1) shall be —

- (a) subject to all statutory rights and charges of any public authority over the HDB flat;
- (b) subject to any resale levy imposed by the Housing and Development Board in respect of the HDB flat except where the person on whom the resale levy is imposed has obtained a loan, whether redeemed or not, from any person other than the Housing and Development Board to finance the purchase or acquisition of the HDB flat;

- (c) subject to, in the absence of any agreement giving priority to the Board, all encumbrances registered or notified prior to the date of the constitution of the charge; and
- (d) subject to, rank in priority to, or rank equally without preference with, such other encumbrances as may be specified in regulations made under section 77.

[36/2002; 57/2007]

(4) [Deleted by Act 23 of 2012]

(5) If —

- (a) moneys secured by any charge constituted on an HDB flat under subsection (1) become due and payable to the Board under any regulations made under section 77; and
- (b) such moneys or any part thereof is not paid on the expiry of the period of 60 days from the date they become due and payable,

the Board may, with the prior written approval of the Housing and Development Board, by notice of sale (to be served or published in the manner to be specified in regulations made under section 77) declare its intention of selling the HDB flat.

[36/2002]

(6) If, on the expiry of the period of 90 days from the date of the notice of sale, the moneys secured by the charge or any part thereof has not been paid to the Board, the Board may sell the HDB flat.

[36/2002]

(7) Where the Board has sold any HDB flat under subsection (6), neither the purchaser of the HDB flat nor the Registrar shall be concerned to inquire into the regularity or validity of the sale or transfer.

[36/2002]

(8) For the purpose of registration of a transfer of any HDB flat sold under subsection (6), the Registrar may dispense with the production of the duplicate lease of the HDB flat or the duplicate subsidiary certificate of title in respect of the HDB flat, as the case may be.

[36/2002]

(9) The moneys received by the Board in exercise of its power of sale under subsection (6) shall be held by the Board in trust to be applied —

- (a) firstly, to discharge any right or charge specified in subsection (3)(a);
- (b) secondly, to pay any resale levy specified in subsection (3)(b);
- (c) thirdly, to discharge any encumbrance specified in subsection (3)(c);
- (d) fourthly, in payment of all costs and expenses properly incurred by the Board as incident to the sale or attempted sale, or otherwise;
- (e) fifthly, in payment to the Board of all moneys secured by the charge and in payment to any other party of all moneys to discharge any encumbrance specified in regulations made under section 77 for the purpose of subsection (3)(d), in the order of priority specified in the regulations; and
- (f) finally, in payment of moneys in the order of priority specified in regulations made under section 77.

[36/2002]

(10) Notwithstanding section 80 of the Land Titles Act, where further withdrawals from the Fund are authorised by the Board when a charge constituted on an HDB flat under subsection (1) is subsisting, all such withdrawals shall rank in priority to any other claims over the HDB flat as if the withdrawals were made at the date of the constitution of that charge.

[36/2002]

(11) Any charge constituted under subsection (1) shall continue in force until all moneys secured by the charge —

- (a) have been repaid to the Fund; or
- (b) are no longer required by any regulations made under section 77(1) to be repaid to the Fund.

[23/2012]

(11A) Without prejudice to subsection (11), where there is a charge constituted under subsection (1) on an HDB flat in respect of which a

member has withdrawn any money standing to his credit in the Fund for any purpose referred to in subsection (1), and the Board is satisfied of the occurrence of any event prescribed in any regulations made under section 77(1) for the purposes of this subsection, the charge shall, on the application of the member or any other person having an interest in the HDB flat, cease to be in force if the Board approves the application.

[23/2012]

(12) This section shall not apply to —

- (a) any HDB flat in respect of which a charge in favour of the Board has been registered or notified in the appropriate register maintained by the Registrar under the Land Titles Act;
- (b) any HDB flat designated by the Housing and Development Board as an HUDC Phase III or IV flat; or
- (c) any HDB flat or class of HDB flats which the Minister may, by notification in the *Gazette*, specify.

[36/2002]

(13) Sections 21 and 21A shall not apply to any HDB flat to which this section applies.

[36/2002]

(14) [*Deleted by Act 18 of 2009*]

Withdrawals for payment of tuition fees at approved educational institution

22.—(1) The Board may, subject to such terms and conditions as it may impose, permit a member of the Fund to withdraw such portion of the sum standing to his credit in the Fund as may be prescribed for the payment of tuition fees payable by that member, his child or such other relative as may be approved by the Board, for a course of study conducted, or to be conducted, in whole or in part at an approved educational institution, including any such course of study leading to a qualification conferred by another educational institution.

[30/89; 25/2008]

(2) Every application for withdrawal under subsection (1) shall be made to the Board in such form as may be approved by the Board.

[30/89]

(3) Where any member wishes to make any withdrawal under subsection (1) for himself, his child or his relative, that member, child or relative shall —

- (a) give an undertaking to the Board; and
- (b) if required by the Board, furnish a guarantee by any person acceptable to the Board,

for —

- (i) the repayment to that member's account in the Fund (in such manner and within such time as the Minister may prescribe) of all sums withdrawn under that subsection, together with the whole or such part, as the Board may determine, of the interest that would have been payable thereon; and
- (ii) the payment into the Fund of the whole or such part, as the Board may determine, of any reasonable expenses incurred by the Board in recovering any sum or interest referred to in paragraph (i).

[Act 24 of 2013 wef 01/01/2014]

(4) An undertaking given to the Board by any person under subsection (3) shall be enforceable notwithstanding that the person was a minor at the time the undertaking was given.

[30/89]

(5) Notwithstanding anything in this Act, any amount repayable to a member's account in the Fund, or payable to the Fund, pursuant to an undertaking given, or a guarantee furnished, under subsection (3) that is not repaid or paid (as the case may be) may be sued for and recovered by the Board under section 65.

[Act 24 of 2013 wef 01/01/2014]

(5A) The Board may refuse to permit a withdrawal under subsection (1) for a payment to an approved educational institution, if the approved educational institution fails to —

- (a) provide such information, evidence and documents relevant to the payment as the Board may reasonably require from the approved educational institution; or

- (b) comply with such administrative or operational requirements as the Board may reasonably impose under an arrangement between the Board and the approved educational institution.

[25/2008]

(5B) Without prejudice to subsections (3), (4) and (5), where any sum standing to the credit of a member in the Fund has been withdrawn and paid to an approved educational institution in error —

- (a) the approved educational institution shall repay to the Board, to the account of the member in the Fund, that sum, together with the whole or such part, as the Board may determine, of the interest that would have been payable thereon;
- (b) the approved educational institution shall, if it caused or contributed to the error —
- (i) reimburse the Board for all reasonable expenses incurred by the Board in rectifying the error; and
 - (ii) indemnify the Board against any liability (whether to the member or to any other person) incurred by the Board in connection with the withdrawal or payment;
- (c) any sum not repaid to the Board under paragraph (a) may be sued for and recovered by the Board under section 65; and
- (d) any sum not paid to the Board under paragraph (b) may be sued for and recovered by the Board as a debt due to the Board.

[25/2008]

(6) In this section —

“approved educational institution” means any educational institution in Singapore approved by the Minister for the purposes of subsection (1);

“course of study” means any course of study which is of a type prescribed by the Minister for the purposes of subsection (1);

“relative” means a person who is related to a member and who is dependent on that member for his care and maintenance;

“tuition fees” includes any administrative fees imposed by the Board in respect of any withdrawals made by a member under this section.

[30/89; 25/2008]

Regulations for purposes of section 22

23. The Minister may make such regulations as are necessary or expedient for the purpose of carrying out the provisions of section 22 and, in particular, such regulations may —

- (a) prescribe the amount and the manner in which withdrawals may be made by members;
- (b) provide for the manner and time for the repayment of such withdrawals by members and other persons who have utilised the withdrawals;
- (c) provide for such information, evidence and documents that the Board may require from members of the Fund and other persons who have utilised such withdrawals; and
- (d) prescribe anything which may be prescribed by the Minister under section 22.

[30/89]

Protection of benefits

24.—(1) Subsection (2) shall apply to all of the following things:

- (a) any contributions to the Fund, interest thereon and other moneys standing to the credit of a member in the Fund;
- (b) any withdrawals made from the Fund under this Act, and any rights of any member acquired thereunder;
- (c) any moneys repayable to the Fund by any member which are secured by —
 - (i) a charge on the member’s estate or interest in an immovable property under section 21(1), 21A(1), 27C(1)(v)(A) or 27E(1)(iv);

- (ii) a charge constituted on an HDB flat under section 21B(1) or 27F(1)(iv);
- (iii) a charge created or constituted on an immovable property under section 15(9), (9A), (11D) or (11E), 27C(1)(v)(B), 27D(1)(v)(B) or 27DA(1)(v);
- (d) any moneys repayable to the Fund pursuant to an undertaking given under section 15(10) or (10A) or 27D(1)(v)(A);
- (e) any moneys deposited by a member with an approved bank under section 15(6C)(b) or 15B(2) and any interest thereon, and any withdrawals from the moneys and interest;
- (f) any payments from an approved annuity referred to in section 15(6C)(b) or 15B(2);
- (g) every investment made by a member under any scheme in accordance with any regulations made under section 77(1)(n) the proceeds or benefits (or any part thereof) of which the member is obliged to repay into the Fund, and any proceeds or benefits of such an investment which the member is obliged to repay into the Fund.

[Act 24 of 2013 wef 01/01/2014]

(2) Notwithstanding any written or other law but subject to sections 14, 14A, 27B, 27C, 27D, 27DA, 27E, 27F, 27G, 27H, 27N and 57C and any regulations made under section 27Q, 57F or 77(1), the things set out in subsection (1)(a) to (g) —

- (a) shall not be assignable, transferable, attached, sequestered or levied upon for or in respect of any debt or claim;
- (b) shall not be subject to any set-off of any nature for any debt owing by the member; and
- (c) if the member is adjudicated a bankrupt by a court —
 - (i) shall not pass to the Official Assignee on the bankruptcy of the member; and
 - (ii) shall be deemed not to form part of the property of the member.

[Act 24 of 2013 wef 01/01/2014]

(2A) Section 73 of the Conveyancing and Law of Property Act (Cap. 61) and section 49L of the Insurance Act (Cap. 142) shall not apply to —

- (a) any policy of insurance which is an investment made by a member of the Fund under any scheme in accordance with any regulations made under section 77(1)(n) the proceeds or benefits (or any part thereof) of which the member is obliged to repay into the Fund; and
- (b) any proceeds or benefits of such a policy of insurance which the member is obliged to repay into the Fund.

[3/2009]

(3) [Deleted by Act 24 of 2013 wef 01/01/2014]

(3A) Subject to subsection (3B), sections 16A, 25(2A), 27N and 57C and any regulations made under section 27Q or 57F, all moneys paid out of the Fund on the death of any member of the Fund shall be deemed to be impressed with a trust in favour of —

- (a) the person or persons nominated under section 25(1) by the deceased member, if any; or
- (b) the person or persons determined by the Public Trustee in accordance with section 25(2) to be entitled thereto,

but shall, without prejudice to the operation of the Estate Duty Act (Cap. 96), be deemed not to form part of the deceased member's estate or to be subject to his debts.

[15/2006; 40/2007; 57/2007; 18/2009; 22/2010]

(3B) Where any money is payable to the spouse or former spouse of a member of the Fund under section 27B(1), (2) or (3) on the death of the member, subsection (3A) shall not apply to that money.

[40/2007]

(4) [Deleted by Act 24 of 2013 wef 01/01/2014]

(5) [Deleted by Act 24 of 2013 wef 01/01/2014]

(6) The bankruptcy of an employee shall not affect the payment of contributions from the wages of the employee in accordance with the provisions of this Act, but that payment shall continue to be made notwithstanding the provisions of any written law and the portion of

wages so paid shall be deemed not to form part of his after-acquired property.

(7) [*Deleted by Act 18 of 2009*]

Moneys payable on death of member

25.—(1) Subject to such conditions as may be prescribed by the Board, any member of the Fund who is at least 16 years of age may, by a memorandum executed in such manner as may be prescribed by the Board, nominate any person to receive in his own right —

- (a) such portion of the amount payable on the member's death out of the Fund as the memorandum shall indicate —
 - (i) by the payment of that portion to that person;
 - (ii) if, at the time the Board is satisfied that the memorandum is duly executed, that person is a citizen or permanent resident of Singapore —
 - (A) subject to sub-paragraph (B), by the transfer of that portion to that person's accounts in the Fund in such manner as the member may specify in the memorandum; or
 - (B) if that portion exceeds such maximum amount as the Minister may determine, by the transfer of that maximum amount to that person's accounts in the Fund in such manner as the member may specify in the memorandum, and by the payment of the excess to that person; or
 - (iii) if, at the time the Board is satisfied that the memorandum is duly executed, the member and that person are citizens or permanent residents of Singapore, and a certification under subsection (1C) has been issued in respect of that person and remains in force —
 - (A) subject to sub-paragraph (C), by the payment of that portion to that person in periodic instalments in such manner as the Board may determine;

- (B) subject to sub-paragraph (C), by the transfer of such part of that portion as the Board may determine to that person's medisave account in periodic instalments in such manner as the Board may determine, and by the payment of the remainder of that portion to that person in periodic instalments in such manner as the Board may determine; or
 - (C) if that portion does not exceed such amount as the Minister may determine —
 - (CA) by the payment of that portion to that person;
 - (CB) by the payment of such part of that portion as the Board may determine in accordance with sub-paragraph (A) or (B), and by the payment of the remainder of that portion to that person; or
 - (CC) by the transfer of such part of that portion as the Board may determine to that person's medisave account in periodic instalments in such manner as the Board may determine, and by the payment of the remainder of that portion to that person; or
- (b) such portion of any shares designated under section 26(1) as the memorandum shall indicate.

[22/2010; 20/2011; 23/2012]

(1A) For the avoidance of doubt, a member of the Fund may nominate one or more persons by a memorandum under subsection (1).

[22/2010]

(1B) The Minister may, for different classes of persons nominated under subsection (1), determine —

- (a) different maximum amounts for the purposes of subsection (1)(a)(ii)(B); and
- (b) different amounts for the purposes of subsection (1)(a)(iii)(C).

[20/2011]

(1C) The Minister charged with the responsibility for social services may, on an application by a member who wishes to execute a memorandum under subsection (1) nominating a person to receive the person's portion of the amount payable on the member's death out of the Fund in accordance with subsection (1)(a)(iii), issue a certification in writing stating that the person is eligible to receive that portion in that manner, if —

- (a) the person and the member are related —
 - (i) in such manner as may be prescribed by any regulations made under section 77(1); or
 - (ii) in such other manner as that Minister may determine; and
- (b) the person satisfies such other requirements as that Minister may impose.

[20/2011]

(1D) The Minister charged with the responsibility for social services may, in any particular case, waive any requirement imposed under subsection (1C)(b).

[20/2011]

(1E) If the Minister charged with the responsibility for social services decides not to issue a certification under subsection (1C), any member or person referred to in that subsection who is aggrieved by that decision may, within such period as may be prescribed in any regulations made under section 77(1), apply to that Minister to reconsider the matter.

[20/2011]

(1F) The Minister charged with the responsibility for social services may determine an application under subsection (1E) —

- (a) by issuing a certification under subsection (1C); or

(b) by confirming the earlier decision not to issue that certification.

[20/2011]

(1G) Any decision of the Minister charged with the responsibility for social services under subsection (1F) shall be final.

[20/2011]

(1H) The Minister charged with the responsibility for social services may —

(a) in writing delegate to any person or group of persons appointed by that Minister all or any of his functions and powers under subsections (1C) to (1F); and

(b) under paragraph (a), delegate different functions and powers to different persons or groups of persons.

[20/2011]

(1I) Notwithstanding subsection (1), where any member of the Fund, by a memorandum executed before 1st February 2012 in the prescribed manner but while the member was below the age of 21 years, purportedly nominated any person to receive in his own right any portion of the amount payable on the member's death out of the Fund, or any portion of any shares designated under section 26(1) —

(a) the memorandum shall be deemed to be and always to have been validly executed;

(b) the nomination shall be deemed to be and always to have been validly made; and

(c) no legal proceedings shall lie or be instituted or maintained in any court of law on account of or in respect of the memorandum or nomination.

[23/2012]

(2) Subject to subsection (2A), where, at the time of the death of a member of the Fund, no person has been nominated by him under subsection (1), the total amount payable on his death out of the Fund shall be paid to the Public Trustee for disposal in accordance with —

(a) the Intestate Succession Act (Cap. 146), if the member is not a Muslim at the time of his death; or

- (b) section 112 of the Administration of Muslim Law Act (Cap. 3), if the member is a Muslim at the time of his death.

[15/2006; 22/2010]

(2A) Notwithstanding subsection (2) and section 24(3A), where any person has incurred any reasonable funeral expenses in respect of a deceased member of the Fund, and that person has been determined by the Public Trustee in accordance with subsection (2) to be entitled to any moneys paid out of the Fund on the death of the member, the Public Trustee —

- (a) may pay to that person, from the moneys paid to the Public Trustee under subsection (2), such amount as the Public Trustee determines to be reasonable to defray those expenses; and
- (b) shall pay the remainder of the moneys paid to the Public Trustee under subsection (2) in accordance with —
- (i) the Intestate Succession Act, if the member is not a Muslim at the time of his death; or
- (ii) section 112 of the Administration of Muslim Law Act, if the member is a Muslim at the time of his death.

[22/2010]

(3) Notwithstanding sections 15(5) and 20(1) and (1A), any portion of the amount payable on a member's death out of the Fund which a person nominated under subsection (1) would have received by payment to that person shall be paid to the Public Trustee for the benefit of that person —

- (a) in any case where that person is nominated to receive that portion in accordance with subsection (1)(a)(i) or (ii), if that person (not being a widow of the deceased member) is below the age of 18 years at the time of payment of that portion; or
- (b) in any case where that person is nominated to receive that portion in accordance with subsection (1)(a)(iii), if —

- (i) that person (not being a widow of the deceased member) is below the age of 18 years at the time of payment of that portion; and
- (ii) that portion does not exceed such amount as the Minister may determine under subsection (1)(a)(iii)(C).

[20/2011]

(4) The receipt of a person nominated under subsection (1) or of the Public Trustee shall be a discharge to the Board for the portion of the amount payable out of the Fund on the death of a member which is paid to the person or transferred to the person's accounts in the Fund or which is paid to the Public Trustee under subsection (2) or (3), as the case may be.

[22/2010]

(4A) If a person nominated by a member in accordance with subsection (1) has died at the time of payment of the amount payable out of the Fund on the death of the member, and the portion of that amount which the nominated person would have received by payment to the nominated person does not exceed such amount as the Minister may, by notification in the *Gazette*, specify —

- (a) the Board may pay to a proper claimant the whole or any part, as the Board may determine, of the portion of that amount which the nominated person would have received by payment to the nominated person; and
- (b) the receipt of the proper claimant shall be a discharge to the Board for the amount paid to the proper claimant under paragraph (a).

[18/2009; 22/2010]

(4B) Subsection (4A) shall not affect any recourse which any person may have against a proper claimant for an amount paid to the proper claimant under subsection (4A)(a).

[18/2009]

(5) Any nomination made by a member of the Fund under subsection (1) shall be revoked —

- (a) by his marriage, whether the marriage was contracted before, on or after 15th May 1980; or

- (b) in such other circumstances, and in such manner, as the Board may prescribe.

[57/2007]

(6) Notwithstanding subsection (5), where a nomination made by a member under subsection (1) is revoked by his marriage, and the Board, in ignorance of the marriage, purports to pay or transfer any amount payable out of the Fund on the death of the member in accordance with the revoked nomination and this section —

- (a) the Board shall nevertheless be discharged from all liability in respect of the payment or transfer; but
- (b) this subsection shall not affect any recourse which any person may have against the recipient of the payment or transfer.

[18/2009; 22/2010]

(6A) A member of the Fund who is at least 16 years of age may, when executing a memorandum under subsection (1), consent to the disclosure by the Board, after the member's death, to such persons as the member may specify in the memorandum, of any information relating to —

- (a) the memorandum; and
- (b) the member's accounts in the Fund.

[23/2012]

(7) In this section —

“child” means a legitimate child and includes any child adopted by virtue of an order of court under any written law for the time being in force in Singapore, Malaysia or Brunei Darussalam;

“parent” includes an adoptive parent;

“proper claimant” means a person who —

- (a) claims to be entitled to a deceased nominated person's portion of the amount payable out of the Fund on the death of a member as executor of the deceased nominated person; or

- (b) claims to be entitled to a deceased nominated person's portion of the amount payable out of the Fund on the death of a member (whether for his own benefit or not), and is the widower, widow, child, grandchild, parent, brother, sister, nephew, niece, grandparent, uncle or aunt of the deceased nominated person.

[18/2009]

Distribution and disposal of certain shares on death of member who dies on or after 1st January 1996 and has executed memorandum under section 25(1)

26.—(1) Upon the death of a member of the Fund who has executed a memorandum under section 25(1), such shares or class of shares in any approved corporation as the Minister may designate belonging to the member at the time of his death which were purchased from moneys withdrawn under this Act shall, notwithstanding any written or other law, vest in the Board and shall not form part of the estate of the deceased member.

[31/95; 22/2010]

(2) The Board shall, as soon as practicable and subject to such terms and conditions as the Board may impose, transfer the shares vested in the Board under subsection (1) to the person or persons nominated by the deceased member to receive in his or their own right such portions of the shares as indicated in the memorandum executed under section 25(1) and the receipt of such person or persons shall be a discharge to the Board in respect of the shares.

[31/95]

(2A) Where any document or information is necessary for effecting the transfer of any shares vested in the Board under subsection (1) to the person nominated to receive those shares, the Board may, by notice to any person who possesses that document or information, require that person to furnish that document or information to the Board within such reasonable period as may be specified in the notice.

[22/2010]

(2B) Where a person nominated to receive any shares is entitled to receive any amount payable on the member's death out of the Fund, the Board may deduct from that amount a sum for the payment of the

whole or any part of any fee or charge in connection with the transfer of those shares to the nominated person.

[22/2010]

(3) Notwithstanding subsection (2), the Board may sell any shares vested in the Board under subsection (1), in such manner and at such time as may be prescribed by any regulations made under section 77(1), if —

- (a) the Board is for any reason unable to transfer those shares to the person nominated to receive those shares;
- (b) the nominated person has instructed the Board to sell those shares;
- (c) the nominated person is an undischarged bankrupt;
- (d) the nominated person has died;
- (e) the 7th anniversary of the day of the member's death has passed; or
- (f) there exist such other circumstances as may be prescribed in those regulations.

[22/2010]

(4) Where the Board has sold, under subsection (3), any shares which a person is nominated to receive —

- (a) the Board may deduct a sum for the payment of the whole or any part of any fee or charge in connection with the sale of those shares from the proceeds of the sale of the shares; and
- (b) the Board shall deal with the proceeds of the sale of the shares (after making any deduction under paragraph (a)) in accordance with subsections (4A), (4B), (4BA) and (4D).

[22/2010; 20/2011]

(4A) Where the memorandum executed by the deceased member under section 25(1) provides for payment in accordance with section 25(1)(a)(i) (whether or not the person nominated to receive the shares is a citizen or permanent resident of Singapore), or where the memorandum executed by the deceased member provides for payment in accordance with section 25(1)(a)(ii) but the person

nominated to receive the shares is not a citizen or permanent resident of Singapore —

- (a) the Board shall, as soon as practicable and after such application as the Board may require has been made to the Board, pay the proceeds of the sale of the shares (after making any deduction under subsection (4)(a)) —
- (i) subject to sub-paragraphs (ii) and (iii), to the nominated person;
 - (ii) if the nominated person (not being a widow of the deceased member) is below the age of 18 years at the time of the payment, to the Public Trustee; or
 - (iii) where the nominated person has died —
 - (A) to the personal representatives of the deceased nominated person; or
 - (B) if to the best of the Board's knowledge the deceased nominated person does not have any personal representatives, and if the proceeds of the sale of the shares do not exceed such amount as the Minister may, by notification in the *Gazette*, specify, to a proper claimant; and
- (b) the following shall be a discharge to the Board in respect of the shares sold under subsection (3):
- (i) the receipt of the nominated person for the proceeds of the sale of the shares, if paragraph (a)(i) applies;
 - (ii) the receipt of the Public Trustee for the proceeds of the sale of the shares, if paragraph (a)(ii) applies;
 - (iii) the receipt of the personal representatives of the deceased nominated person for the proceeds of the sale of the shares, if paragraph (a)(iii)(A) applies; or
 - (iv) the receipt of the proper claimant for the proceeds of the sale of the shares, if paragraph (a)(iii)(B) applies.

[22/2010; 20/2011]

(4B) Where the memorandum executed by the deceased member under section 25(1) provides for payment in accordance with

section 25(1)(a)(ii), and the person nominated to receive the shares is a citizen or permanent resident of Singapore —

(a) the Board shall, as soon as practicable and after such application as the Board may require has been made to the Board —

(i) subject to sub-paragraph (ii), pay to the nominated person's accounts in the Fund, in such manner as the member has specified in the memorandum, the proceeds of the sale of the shares (after making any deduction under subsection (4)(a)); or

(ii) if those proceeds exceed such maximum amount as the Minister may determine, pay that maximum amount to the nominated person's accounts in the Fund in such manner as the member has specified in the memorandum, and pay the excess —

(A) subject to sub-paragraphs (B) and (C), to the nominated person;

(B) if the nominated person (not being a widow of the deceased member) is below the age of 18 years at the time of the payment, to the Public Trustee; or

(C) where the nominated person has died —

(CA) to the personal representatives of the deceased nominated person; or

(CB) if to the best of the Board's knowledge the deceased nominated person does not have any personal representatives, and if the excess does not exceed such amount as the Minister may, by notification in the *Gazette*, specify, to a proper claimant; and

(b) the following shall be a discharge to the Board in respect of the shares sold under subsection (3):

- (i) the receipt of the nominated person for the proceeds of the sale of the shares, if paragraph (a)(i) or (ii)(A) applies;
- (ii) the payment of the amount referred to in paragraph (a)(ii) to the nominated person's account and the receipt of the Public Trustee for the balance of the proceeds of the sale of the shares referred to in paragraph (a)(ii), if paragraph (a)(ii)(B) applies;
- (iii) the payment of the amount referred to in paragraph (a)(ii) to the nominated person's account and the receipt of the personal representatives of the deceased nominated person for the balance of the proceeds of the sale of the shares referred to in paragraph (a)(ii), if paragraph (a)(ii)(C)(CA) applies; or
- (iv) the payment of the amount referred to in paragraph (a)(ii) to the nominated person's account and the receipt of the proper claimant for the balance of the proceeds of the sale of the shares referred to in paragraph (a)(ii), if paragraph (a)(ii)(C)(CB) applies.

[22/2010; 20/2011]

(4BA) Where the memorandum executed by the deceased member under section 25(1) provides for payment in accordance with section 25(1)(a)(iii) (whether or not the deceased member is a citizen or permanent resident of Singapore at the time of his death, whether or not the person nominated to receive the shares is a citizen or permanent resident of Singapore, and whether or not the certification under section 25(1C) issued in respect of the person remains in force) —

- (a) the Board shall, as soon as practicable, pay to the member's nominee ordinary account the proceeds of the sale of the shares (after making any deduction under subsection (4)(a));
- (b) the Board shall pay the amount of those proceeds from the member's nominee ordinary account —

- (i) subject to sub-paragraphs (ii) and (iii), to the nominated person in accordance with the sub-paragraph of section 20(1)(b)(iii) or (1A)(c) that applies to the nominated person;
 - (ii) to the Public Trustee, if —
 - (A) the nominated person (not being a widow of the deceased member) is below the age of 18 years at the time of the payment; and
 - (B) such portion of the amount payable on the member's death out of the Fund to the nominated person as the memorandum shall indicate does not exceed such amount as the Minister may determine under section 25(1)(a)(iii)(C); or
 - (iii) where the nominated person has died —
 - (A) to the personal representatives of the deceased nominated person; or
 - (B) if to the best of the Board's knowledge the deceased nominated person does not have any personal representatives, and if the proceeds of the sale of the shares do not exceed such amount as the Minister may, by notification in the *Gazette*, specify, to a proper claimant; and
- (c) the following shall be a discharge to the Board in respect of the shares sold under subsection (3):
- (i) the receipt of the nominated person for the amount of those proceeds, if paragraph (b)(i) applies;
 - (ii) the receipt of the Public Trustee for the amount of those proceeds, if paragraph (b)(ii) applies;
 - (iii) the receipt of the personal representatives of the deceased nominated person for the proceeds of the sale of the shares, if paragraph (b)(iii)(A) applies; or

- (iv) the receipt of the proper claimant for the proceeds of the sale of the shares, if paragraph (b)(iii)(B) applies.

[20/2011]

(4C) Subsections (4A), (4B) and (4BA) shall not affect any recourse which any person may have against a proper claimant for any amount paid to the proper claimant under subsections (4A)(a)(iii)(B), (4B)(a)(ii)(C)(CB) and (4BA)(b)(iii)(B), respectively.

[22/2010; 20/2011]

(4D) Where the Board is for any reason unable to deal with the proceeds of the sale of the shares (after making any deduction under subsection (4)(a)) in accordance with subsection (4A) or (4B), the Board shall pay those proceeds into the general moneys of the Fund.

[22/2010]

(4E) For the avoidance of doubt, subsection (4D) does not preclude the Board from dealing with the proceeds of the sale of the shares (after making any deduction under subsection (4)(a)) in accordance with subsection (4A) or (4B) after those proceeds have been paid into the general moneys of the Fund.

[22/2010]

(4F) For the purposes of subsection (4B)(a)(ii), the Minister may determine different maximum amounts for different classes of persons nominated to receive the shares.

[22/2010]

(5) In this section —

“child” means a legitimate child and includes any child adopted by virtue of an order of court under any written law for the time being in force in Singapore, Malaysia or Brunei Darussalam;

“parent” includes an adoptive parent;

“proper claimant” means a person who —

- (a) claims to be entitled to the proceeds of the sale of a deceased nominated person’s portion of the shares vested in the Board under subsection (1) or the balance thereof as executor of the deceased nominated person; or

- (b) claims to be entitled to the proceeds of the sale of a deceased nominated person's portion of the shares vested in the Board under subsection (1) or the balance thereof (whether for his own benefit or not), and is the widower, widow, child, grandchild, parent, brother, sister, nephew, niece, grandparent, uncle or aunt of the deceased nominated person.

[22/2010]

(6) A memorandum executed under section 25(1) by any member of the Fund shall, if valid immediately before 1st January 1996, be deemed to apply to any shares designated under subsection (1).

[31/95]

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

[31/95]

Distribution and disposal of certain shares on death of member who died before 1st January 1996 or has not executed memorandum under section 25(1)

26A.—(1) Upon the death of a member who died before 1st January 1996, or who has not executed any memorandum under section 25(1), such shares or class of shares in any approved corporation as the Minister may designate belonging to the member at the time of his death which were purchased from moneys withdrawn under this Act shall, notwithstanding any written or other law, vest in the Board and shall not form part of the estate of the deceased member.

[22/2010]

(2) The Board shall, as soon as practicable and subject to such terms and conditions as the Board may impose, transfer the shares vested in the Board under subsection (1) to —

- (a) the securities account, if any, belonging to and in the sole name of the deceased member; or
- (b) if the deceased member does not have any securities account in his sole name, the securities account opened and operated by the personal representatives of the deceased

member on behalf and for the benefit of the estate of the deceased member.

[22/2010]

(3) The following shall be a discharge to the Board in respect of the shares vested in the Board under subsection (1):

- (a) the transfer of those shares in accordance with subsection (2)(a);
- (b) the transfer of those shares in accordance with subsection (2)(b), and the receipt of the personal representatives of the deceased member in respect of those shares.

[22/2010]

(4) Where any document or information is necessary for effecting the transfer, in accordance with subsection (2), of any shares vested in the Board under subsection (1), the Board may, by notice to any person who possesses that document or information, require that person to furnish that document or information to the Board within such reasonable period as may be specified in the notice.

[22/2010]

(5) The Board may recover the whole or any part of any fee or charge in connection with the transfer, in accordance with subsection (2), of the shares vested in the Board under subsection (1) from the personal representatives of the deceased member.

[22/2010]

(6) Notwithstanding subsection (2), the Board may sell any shares vested in the Board under subsection (1), in such manner and at such time as may be prescribed by any regulations made under section 77(1), if —

- (a) the Board is for any reason unable to transfer those shares in accordance with subsection (2);
- (b) the 7th anniversary of the day of the member's death has passed; or
- (c) there exist such other circumstances as may be prescribed in those regulations.

[22/2010]

(7) Where the Board has sold, under subsection (6), any shares vested in the Board under subsection (1) —

- (a) the Board may deduct a sum for the payment of the whole or any part of any fee or charge in connection with the sale of those shares from the proceeds of the sale of the shares;
- (b) the Board shall, as soon as practicable and after such application as the Board may require has been made to the Board, pay the proceeds of the sale of the shares (after making any deduction under paragraph (a)) —
 - (i) to the personal representatives of the deceased member; or
 - (ii) if to the best of the Board's knowledge the deceased member does not have any personal representatives, and if the proceeds of the sale of the shares do not exceed such amount as the Minister may, by notification in the *Gazette*, specify, to a proper claimant; and
- (c) the following shall be a discharge to the Board in respect of the shares sold under subsection (6):
 - (i) the receipt of the personal representatives of the deceased member for the proceeds of the sale of the shares, if paragraph (b)(i) applies; or
 - (ii) the receipt of the proper claimant for the proceeds of the sale of the shares, if paragraph (b)(ii) applies.

[22/2010]

(8) Subsection (7) shall not affect any recourse which any person may have against a proper claimant for any amount paid to the proper claimant under subsection (7)(b)(ii).

[22/2010]

(9) Where the Board is for any reason unable to pay the proceeds of the sale of the shares (after making any deduction under subsection (7)(a)) in accordance with subsection (7)(b), the Board shall pay those proceeds into the general moneys of the Fund.

[22/2010]

(10) For the avoidance of doubt, subsection (9) does not preclude the Board from paying the proceeds of the sale of the shares (after making any deduction under subsection (7)(a)) in accordance with subsection (7)(b) after those proceeds have been paid into the general moneys of the Fund.

[22/2010]

(11) In this section —

“child” means a legitimate child and includes any child adopted by virtue of an order of court under any written law for the time being in force in Singapore, Malaysia or Brunei Darussalam;

“parent” includes an adoptive parent;

“proper claimant” means a person who —

- (a) claims to be entitled to the proceeds of the sale of the shares vested in the Board under subsection (1) as executor of the deceased member; or
- (b) claims to be entitled to the proceeds of the sale of the shares vested in the Board under subsection (1) (whether for his own benefit or not), and is the widower, widow, child, grandchild, parent, brother, sister, nephew, niece, grandparent, uncle or aunt of the deceased member.

[22/2010]

Disposal of certain shares and dividends, etc., when member’s accounts in Fund deemed to be dormant

26B.—(1) When a member’s accounts in the Fund are deemed to be dormant, such shares or class of shares in any approved corporation as the Minister may designate belonging to the member at the time those accounts are deemed to be dormant which were purchased from moneys withdrawn under this Act shall, notwithstanding any written or other law, vest in the Board.

[22/2010]

(2) The Board may sell any shares vested in the Board under subsection (1), in such manner and at such time as may be prescribed by any regulations made under section 77(1), if the 7th anniversary of

the day the member's accounts in the Fund are deemed to be dormant has passed.

[22/2010]

(3) Where the Board has sold, under subsection (2), any shares vested in the Board under subsection (1) —

- (a) the Board may deduct a sum for the payment of the whole or any part of any fee or charge in connection with the sale of those shares from the proceeds of the sale of the shares; and
- (b) the Board shall pay the proceeds of the sale of the shares (after making any deduction under paragraph (a)) into the general moneys of the Fund.

[22/2010]

(4) Where the Board has paid the proceeds of the sale of the shares into the general moneys of the Fund under subsection (3)(b), if the Board is satisfied that the member was still alive at the time the shares were sold under subsection (2), the Board shall, as soon as practicable and after such application as the Board may require has been made to the Board, transfer from the general moneys of the Fund to the member's ordinary account those proceeds (including the whole or such part, as the Board may determine, of any interest that would have been payable thereon if those proceeds had been paid into the member's ordinary account instead of the general moneys of the Fund).

[22/2010]

(5) Where the Board has received any dividends, returned paid-up share capital or other moneys in respect of any shares vested in the Board under subsection (1), the Board shall pay the dividends, capital or other moneys into the general moneys of the Fund.

[22/2010]

(6) Where the Board has paid into the general moneys of the Fund any dividends, returned paid-up share capital or other moneys under subsection (5), if the Board is satisfied that the member was still alive at the time of the payment, the Board shall, as soon as practicable and after such application as the Board may require has been made to the Board, transfer from the general moneys of the Fund to the member's ordinary account the dividends, capital or other moneys (including the

whole or such part, as the Board may determine, of any interest that would have been payable thereon if the dividends, capital or other moneys had been paid into the member's ordinary account instead of the general moneys of the Fund).

[22/2010]

(7) The transfer of the proceeds of the sale of the shares in accordance with subsection (4), and the transfer of the dividends, returned paid-up share capital or other moneys in accordance with subsection (6), shall be a discharge to the Board in respect of the shares vested in the Board under subsection (1).

[22/2010]

Payment of dividends, etc., in respect of certain shares before Board is notified of death of member

26C.—(1) Where the Board has received, after the death of a member any dividends, returned paid-up share capital, proceeds of sale or other moneys in respect of any shares belonging to the member (being such shares or class of shares in any approved corporation as the Minister may designate), the Board shall, notwithstanding any written or other law, be entitled to pay the dividends, capital, proceeds or other moneys into the ordinary account of the member until such time as the Board is notified, in such manner as may be prescribed by any regulations made under section 77(1), of the death of the member.

[22/2010; 20/2011]

(2) Any such dividends, returned paid-up share capital, proceeds of sale or other moneys paid into the ordinary account of the member under subsection (1) shall be dealt with in accordance with sections 20(1)(b) and (1A) and 25.

[22/2010; 20/2011]

(3) This section shall apply to all such dividends, returned paid-up share capital, proceeds of sale or other moneys whenever paid by the Board into the ordinary account of the member after his death.

[22/2010; 20/2011]

Payment of dividends, etc., in respect of certain shares after Board is notified of death of member

26D.—(1) Where the Board has received any dividends, returned paid-up share capital, proceeds of sale or other moneys in respect of

any shares belonging to a deceased member (being such shares or class of shares in any approved corporation as the Minister may designate) after the Board has been notified, in such manner as may be prescribed by any regulations made under section 77(1) for the purposes of section 26C(1), of the death of the member, the Board shall, notwithstanding any written or other law, be entitled to pay the dividends, capital, proceeds or other moneys into the general moneys of the Fund.

[22/2010; 20/2011]

(2) Where any such dividends, returned paid-up share capital, proceeds of sale or other moneys have been paid into the general moneys of the Fund under subsection (1), the Board shall, as soon as practicable and after such application as the Board may require has been made to the Board, pay out the dividends, capital, proceeds or other moneys from the general moneys of the Fund —

(a) in any case where the member has executed a memorandum under section 25(1) and dies on or after 1st January 1996, in accordance with sections 20(1)(b) and (1A) and 25; or

(b) in any other case —

(i) to the personal representatives of the deceased member; or

(ii) if to the best of the Board's knowledge the deceased member does not have any personal representatives, and if the dividends, capital, proceeds or other moneys do not exceed such amount as the Minister may, by notification in the *Gazette*, specify, to a proper claimant.

[22/2010; 20/2011]

(3) The receipt of the personal representatives of the deceased member shall be a discharge to the Board for the dividends, returned paid-up share capital, proceeds of sale or other moneys that are paid to the personal representatives under subsection (2)(b)(i).

[22/2010; 20/2011]

(4) The receipt of the proper claimant shall be a discharge to the Board for the dividends, returned paid-up share capital, proceeds of

sale or other moneys that are paid to the proper claimant under subsection (2)(b)(ii).

[22/2010; 20/2011]

(5) In this section —

“child” means a legitimate child and includes any child adopted by virtue of an order of court under any written law for the time being in force in Singapore, Malaysia or Brunei Darussalam;

“parent” includes an adoptive parent;

“proper claimant” means a person who —

- (a) claims to be entitled to the dividends, returned paid-up share capital, proceeds of sale or other moneys paid into the general moneys of the Fund under subsection (1) as executor of the deceased member; or
- (b) claims to be entitled to the dividends, returned paid-up share capital, proceeds of sale or other moneys paid into the general moneys of the Fund under subsection (1) (whether for his own benefit or not), and is the widower, widow, child, grandchild, parent, brother, sister, nephew, niece, grandparent, uncle or aunt of the deceased member.

[22/2010; 20/2011]

Withdrawals by undischarged bankrupts

27.—(1) Subject to this section or any regulations made under this Act, a member who is an undischarged bankrupt shall not be entitled to make withdrawals from the amount standing to his credit in the Fund.

[15/90]

(2) The Board may, in its discretion but only after the Board is satisfied that all repayments of any loan given to the member by the Government under an approved loan scheme within the meaning of section 14A, together with all interest and other charges which the member is liable to pay to the Government under the terms and conditions of that loan, have been paid, allow a member who is an

undischarged bankrupt to withdraw from the amount standing to his credit in the Fund if —

- (a) he satisfies any of the grounds for withdrawals specified in section 15(2); and

[Act 24 of 2013 wef 01/01/2014]

- (b) he satisfies such conditions as may be specified by the Minister from time to time.

[31/2003; 15/2006]

(2A) Any moneys paid out of the Fund to that member —

- (a) shall not be assignable, transferable, attached, sequestered or levied upon for or in respect of any debt or claim;
- (b) shall not be subject to any set-off or any nature for any debt owing by that member;
- (c) shall not pass to the Official Assignee; and
- (d) shall be deemed not to form part of the property of that member.

[Act 24 of 2013 wef 01/01/2014]

(3) Where withdrawals are made by a member who is an undischarged bankrupt under subsection (2), the Board may impose such condition (including condition as to the amounts that may be withdrawn by the undischarged bankrupt) as it may think fit.

(4) *[Deleted by Act 31 of 2003]*

(5) All applications for withdrawals under this section shall be in such form and shall be supported by such evidence as the Board may reasonably require.

PART IIIA

DIVISION OF FUND-RELATED ASSETS IN MATRIMONIAL PROCEEDINGS

Interpretation of this Part

27A. In this Part and section 77(1)(ra) —

“approved annuity” means an annuity approved by the Board for the purposes of section 15;

“approved bank” means a bank approved by the Board for the purposes of section 15;

“designated account” means such account maintained, or to be maintained, by the Board as may be prescribed by any regulations made under section 77(1);

“order of court” means —

(a) an order made under section 112 of the Women’s Charter (Cap. 353) in proceedings for divorce, judicial separation or nullity of marriage under Part X of the Women’s Charter;

(b) an order made under section 52(3)(d), (7) or (9) of the Administration of Muslim Law Act (Cap. 3) in proceedings for divorce or nullity of marriage under Part III of that Act; or

(c) an order made under section 121G of the Women’s Charter, being an order which the court could have made under section 112 of the Women’s Charter;

“public authority” has the same meaning as in section 21(12);

“spouse” includes a former spouse.

[40/2007; 18/2009; 2/2011]

Order of court for transfer or payment of money standing to credit of member

27B.—(1) Subject to subsections (2), (3) and (5), where, under an order of court, the spouse of a member of the Fund has been awarded any amount to be paid out from the money standing to the credit of the member in the Fund, including any money which is payable or repayable to the Fund to the credit of the member —

(a) if the spouse is a citizen or permanent resident of Singapore, the Board shall, as directed by the order of court —

(i) transfer the amount to one or more designated accounts maintained, or to be maintained, for the

spouse in respect of the money standing to the credit of the spouse in the Fund, such transfer —

- (A) to take place as soon as practicable after the Board has received a copy of the order of court; and
 - (B) to be in accordance with any regulations made under section 77(1) and subject to such terms and conditions as the Board may determine; or
- (ii) pay the amount to the spouse, such payment to take place —
- (A) after the member has died or become entitled to withdraw the sum standing to the credit of the member under section 15(2) or 27, whichever is the earliest in time; and
 - (B) upon an application by the spouse for the withdrawal of the amount; or
- (b) if the spouse is not a citizen or permanent resident of Singapore, the Board shall pay the amount to the spouse, such payment to take place —
- (i) after the member has died or become entitled to withdraw the sum standing to the credit of the member under section 15(2) or 27, whichever is the earliest in time; and
 - (ii) upon an application by the spouse for the withdrawal of the amount.

[40/2007]

(2) Subject to subsection (5), where the amount standing to the credit of a member in the Fund at the time of the transfer under subsection (1)(a)(i) or payment under subsection (1)(b), after deducting —

- (a) any amount which the Board is entitled to recover on behalf of the Government under section 14(3); and

- (b) any amount which the Board is entitled to receive or recover on behalf of the Government under section 14A(5) or (6),

is less than the amount awarded under the order of court, the Board shall transfer or pay, as the case may be, the first-mentioned amount instead of the amount awarded under the order of court.

[40/2007]

(3) Subject to subsection (5), where the amount standing to the credit of a member in the Fund at the time of the payment under subsection (1)(a)(ii), after deducting —

- (a) any amount which the Board is entitled to recover on behalf of the Government under section 14(3);
- (b) any amount which the Board is entitled to receive or recover on behalf of the Government under section 14A(5) or (6);
- (c) the amounts required to be set aside by the member, or from the amount standing to the credit of the member in the Fund, under sections 15 and 16; and
- (d) any amount which the member may be required to set aside under any condition referred to in section 27(2)(b) or (3),

is less than the amount awarded under the order of court, the Board shall pay the first-mentioned amount instead of the amount awarded under the order of court.

[40/2007; 20/2011]

(4) A transfer or payment of money by the Board under subsection (2) or (3) —

- (a) shall be a good and valid discharge of the Board's obligations under the order of court; but
- (b) shall not affect any recourse which the spouse may have against the member for the balance of the amount awarded under the order of court.

[40/2007]

(5) Where the order of court requires any amount to be paid or repaid to the Fund to the credit of the member before the Board makes

any transfer or payment of money under subsection (1), (2) or (3), the Board shall not make the transfer or payment unless —

- (a) that amount has been paid or repaid to the Fund; and
- (b) the Board has been notified, in such manner as may be prescribed by any regulations made under section 77(1), of the payment or repayment of that amount.

[40/2007]

(6) The Board shall make a transfer or payment of money standing to the credit of a member of the Fund under subsection (1)(a)(i) or (b) or (2) —

- (a) notwithstanding sections 24, 25 and 26 and every restriction on withdrawal from the Fund under section 15, 16 or 27 or any regulations made under section 77(1); and
- (b) in priority to —
 - (i) every withdrawal or transfer of money standing to the credit of the member referred to in section 13(7), 15B, 16A, 17, 18, 18A, 18B, 18C, 20, 21, 21A, 21B or 22 or any regulations made under section 23 or 77(1); and
 - (ii) every deduction which the Board is entitled to make under section 27L, 32, 45 or 54 or any regulations made under section 77(1).

[40/2007; 18/2009]

(7) The Board shall make a payment of money standing to the credit of a member of the Fund under subsection (1)(a)(ii) or (3) —

- (a) notwithstanding sections 24, 25 and 26 and every restriction on withdrawal from the Fund under any regulations made under section 77(1); and
- (b) in priority to —
 - (i) every withdrawal or transfer of money standing to the credit of the member referred to in section 13(7), 15B, 16A, 17, 18, 18A, 18B, 18C, 20, 21, 21A, 21B

or 22 or any regulations made under section 23 or 77(1); and

- (ii) every deduction which the Board is entitled to make under section 27L, 32, 45 or 54 or any regulations made under section 77(1).

[40/2007; 18/2009]

(8) The money transferred under subsection (1)(a)(i) or (2) and any interest thereon may be withdrawn in accordance with this Act for such purposes and in such manner as may be prescribed by any regulations made under section 77(1).

[40/2007]

Order of court for transfer or sale of immovable property in relation to which charge has been created under section 15(9) or (9A)

27C.—(1) Where —

- (a) a member of the Fund has withdrawn the amount referred to in section 15(6C)(b) or part thereof from his account with an approved bank or his retirement account, or has surrendered his approved annuity, under section 15(9) or (9A);
 - (b) a charge has been created under section 15(9) or (9A) on an immovable property wholly owned by the member or jointly owned by the member and one or more other persons, as the case may be, to secure the payment to the Board of the member's minimum sum;
 - (c) an order of court is made requiring the transfer (other than by way of sale) of the member's estate or interest in the immovable property to his spouse; and
 - (d) the spouse is a citizen or permanent resident of Singapore,
- then, subject to any regulations made under section 77(1), the following provisions shall apply:
- (i) if the order of court requires any person to pay to the Board any amount towards covering the deficiency in the

member's minimum sum, that person shall pay to the Board that amount;

- (ii) the member shall pay to the Board a further amount sufficient to cover the deficiency in the member's minimum sum, unless the amount paid under paragraph (i), if any, is sufficient to cover that deficiency;
- (iii) if the immovable property is subsequently sold or otherwise disposed of, the spouse shall pay to the Fund such amount as may be determined by the Board in accordance with any regulations made under section 77(1), and the Board shall credit that amount to one or more designated accounts maintained, or to be maintained, for the spouse;
- (iv) notwithstanding section 15(15)(e), upon the transfer of the member's estate or interest in the immovable property to the spouse, and upon payment in accordance with paragraph (i), if applicable —
 - (A) the charge referred to in paragraph (b) shall cease to secure the payment to the Board of the member's minimum sum; and
 - (B) the member, the spouse or any other person having an interest in the immovable property shall be entitled to have that charge cancelled, in so far as it secures the payment to the Board of the member's minimum sum;
- (v) upon the transfer of the member's estate or interest in the immovable property to the spouse —
 - (A) in any case where the transfer occurs before 1st January 2013, there shall be a charge on the spouse's estate or interest in the immovable property to secure the payment referred to in paragraph (iii); and
 - (B) in any case where the transfer occurs on or after 1st January 2013, there shall be a charge constituted on the immovable property to secure the payment referred to in paragraph (iii);

- (vi) sections 15(15)(b) to (e) and 21(12) shall apply, with the necessary modifications, to the charge under paragraph (v)(A), and for the purposes of such application —
- (A) any reference to the charge under section 15(9) or (9A) shall be read as a reference to the charge under paragraph (v)(A); and
 - (B) any reference to the member shall be read as a reference to the spouse;
- (via) sections 15(11F)(b) to (e) and 21(12) shall apply, with the necessary modifications, to the charge under paragraph (v)(B), and for the purposes of such application —
- (A) any reference to the charge under section 15(11D) or (11E) shall be read as a reference to the charge under paragraph (v)(B); and
 - (B) any reference to the member shall be read as a reference to the spouse; and
- (vii) the charge under paragraph (v)(A) or (B) —
- (A) shall be subject to all prior statutory rights and charges of any public authority over the immovable property; and
 - (B) notwithstanding anything in the Land Titles Act (Cap. 157) or the Registration of Deeds Act (Cap. 269) —
 - (BA) shall not be subject to any encumbrance registered or notified on or after the date of the notification of the charge referred to in paragraph (b); and
 - (BB) shall rank equally with the charge referred to in paragraph (b), had it continued or if it continues to be in force, in the order of priority of interests in the immovable property.

[40/2007; 20/2011; 23/2012]

- (2) Except in a case to which subsection (1) applies, where —
- (a) a member of the Fund has withdrawn the amount referred to in section 15(6C)(b) or part thereof from his account with an approved bank or his retirement account, or has surrendered his approved annuity, under section 15(9) or (9A);
 - (b) a charge has been created under section 15(9) or (9A) on an immovable property wholly owned by the member or jointly owned by the member and one or more other persons, as the case may be, to secure the payment to the Board of the member's minimum sum; and
 - (c) an order of court is made requiring the transfer or sale of the member's estate or interest in the immovable property to any person,

the charge shall continue in force until —

- (i) an amount sufficient to cover the deficiency in the member's minimum sum —
 - (A) has been paid to the Board; or
 - (B) is no longer required by any regulations made under section 77(1) to be paid to the Board; or
- (ii) the Board is satisfied of the occurrence of any event prescribed in any regulations made under section 77(1) for the purposes of this paragraph,

in which event the member, the person referred to in paragraph (c) or any other person having an interest in the immovable property shall be entitled to have the charge cancelled.

[40/2007; 20/2011; 23/2012]

Order of court for transfer or sale of immovable property in relation to which undertaking has been given under section 15(10) or (10A)

27D.—(1) Where —

- (a) a member of the Fund has withdrawn the amount referred to in section 15(6C)(b) or part thereof from his account with

an approved bank or his retirement account, or has surrendered his approved annuity, under section 15(10) or (10A);

- (b) the member wholly owns, or the member and one or more other persons jointly own, an immovable property;
- (c) the member has given an undertaking under section 15(10), or the member and the other person or persons have given an undertaking under section 15(10) or (10A), as the case may be, to refund to the Board an amount equal to the member's minimum sum or part thereof which is required to be set aside in the event the immovable property is sold or otherwise disposed of;
- (d) an order of court is made requiring the transfer (other than by way of sale) of the member's estate or interest in the immovable property to his spouse; and
- (e) the spouse is a citizen or permanent resident of Singapore,

then, subject to any regulations made under section 77(1), the following provisions shall apply:

- (i) if the order of court requires any person to pay to the Board any amount towards covering the deficiency in the member's minimum sum, that person shall pay to the Board that amount;
- (ii) the member shall pay to the Board a further amount sufficient to cover the deficiency in the member's minimum sum, unless the amount paid under paragraph (i), if any, is sufficient to cover that deficiency;
- (iii) if the immovable property is subsequently sold or otherwise disposed of, the spouse shall pay to the Fund such amount as may be determined by the Board in accordance with any regulations made under section 77(1), and the Board shall credit that amount to one or more designated accounts maintained, or to be maintained, for the spouse;
- (iv) upon the transfer of the member's estate or interest in the immovable property to the spouse, and upon payment in

accordance with paragraph (i), if applicable, the Board shall not enforce the undertaking under section 15(10) or (10A) against any person who has given that undertaking, in so far as it secures the refund to the Board of the member's minimum sum or part thereof which is required to be set aside;

(v) upon the transfer of the member's estate or interest in the immovable property to the spouse —

(A) in any case where the transfer occurs before 1st January 2013, the spouse shall give an undertaking to pay to the Board, in the event the immovable property is sold or otherwise disposed of, the amount referred to in paragraph (iii); or

(B) in any case where the transfer occurs on or after 1st January 2013, there shall be a charge constituted on the immovable property to secure the payment referred to in paragraph (iii);

(vi) the Board shall not enforce any undertaking under paragraph (v)(A) if there exist such circumstances as may be prescribed in any regulations made under section 77(1) for the purposes of this paragraph; and

(vii) sections 15(11F)(a) to (e) and 21(12) shall apply, with the necessary modifications, to the charge under paragraph (v)(B), and for the purposes of such application —

(A) any reference to the charge under section 15(11D) or (11E) shall be read as a reference to the charge under paragraph (v)(B); and

(B) any reference to the member shall be read as a reference to the spouse.

[40/2007; 18/2009; 22/2010; 20/2011; 23/2012]

(2) Except in a case to which subsection (1) applies, where —

(a) a member of the Fund has withdrawn the amount referred to in section 15(6C)(b) or part thereof from his account with an approved bank or his retirement account, or has

surrendered his approved annuity, under section 15(10) or (10A);

- (b) the member wholly owns, or the member and one or more other persons jointly own, an immovable property;
- (c) the member has given an undertaking under section 15(10), or the member and the other person or persons have given an undertaking under section 15(10) or (10A), as the case may be, to refund to the Board an amount equal to the member's minimum sum or part thereof which is required to be set aside in the event the immovable property is sold or otherwise disposed of; and
- (d) an order of court is made requiring the transfer or sale of the member's estate or interest in the immovable property to any person,

the Board shall be entitled to enforce that undertaking against every person who has given that undertaking, in so far as it secures the refund to the Board of the member's minimum sum or part thereof which is required to be set aside, until —

- (i) the member's minimum sum or part thereof which is required to set aside —
 - (A) has been refunded to the Board; or
 - (B) is no longer required by any regulations made under section 77(1) to be refunded to the Board; or
- (ii) the Board is satisfied of the occurrence of any event prescribed in any regulations made under section 77(1) for the purposes of this paragraph,

in which event the Board shall not enforce that undertaking.

[40/2007; 20/2011; 23/2012]

(3) *[Deleted by Act 23 of 2012]*

Order of court for transfer or sale of immovable property in relation to which charge has been created under section 15(11D) or (11E)

27DA.—(1) Where —

- (a) a member of the Fund has withdrawn the amount referred to in section 15(6C)(b) or part thereof from his account with an approved bank or his retirement account, or has surrendered his approved annuity, under section 15(11), (11A), (11B) or (11C);
- (b) a charge has been constituted under section 15(11D) or (11E) on an immovable property wholly owned by the member or jointly owned by the member and one or more other persons, as the case may be, to secure the payment to the Board of the amount withdrawn by the member;
- (c) an order of court is made requiring the transfer (other than by way of sale) of the member's estate or interest in the immovable property to his spouse; and
- (d) the spouse is a citizen or permanent resident of Singapore, then, subject to any regulations made under section 77(1), the following provisions shall apply:
 - (i) if the order of court requires any person to pay to the Board any amount towards covering the deficiency in the member's minimum sum, that person shall pay to the Board that amount;
 - (ii) the member shall pay to the Board a further amount sufficient to cover the deficiency in the member's minimum sum, unless the amount paid under paragraph (i), if any, is sufficient to cover that deficiency;
 - (iii) if the immovable property is subsequently sold or otherwise disposed of, the spouse shall pay to the Fund such amount as may be determined by the Board in accordance with any regulations made under section 77(1), and the Board shall credit that amount to one or more designated accounts maintained, or to be maintained, for the spouse;

- (iv) notwithstanding section 15(11F)(e), upon the transfer of the member's estate or interest in the immovable property to the spouse, and upon payment in accordance with paragraph (i), if applicable —
 - (A) the charge referred to in paragraph (b) shall cease to secure the payment to the Board of the amount withdrawn by the member; and
 - (B) the member, the spouse or any other person having an interest in the immovable property shall be entitled to have any registration or notification of the charge in the appropriate register under the Land Titles Act (Cap. 157), the Land Titles (Strata) Act (Cap. 158) or the Registration of Deeds Act (Cap. 269), as the case may be, cancelled, in so far as it secures the payment to the Board of the amount withdrawn by the member;
- (v) upon the transfer of the member's estate or interest in the immovable property to the spouse, there shall be a charge constituted on the immovable property to secure the payment referred to in paragraph (iii);
- (vi) sections 15(11F)(b) to (e) and 21(12) shall apply, with the necessary modifications, to the charge under paragraph (v), and for the purposes of such application —
 - (A) any reference to the charge under section 15(11D) or (11E) shall be read as a reference to the charge under paragraph (v); and
 - (B) any reference to the member shall be read as a reference to the spouse; and
- (vii) the charge under paragraph (v) —
 - (A) shall be subject to all prior statutory rights and charges of any public authority over the immovable property; and
 - (B) notwithstanding anything in the Land Titles Act or the Registration of Deeds Act —

(BA) shall not be subject to any encumbrance registered or notified on or after the date of the notification of the charge referred to in paragraph (b); and

(BB) shall rank equally with the charge referred to in paragraph (b), had it continued or if it continues to be in force, in the order of priority of interests in the immovable property.

[23/2012]

(2) Except in a case to which subsection (1) applies, where —

(a) a member of the Fund has withdrawn the amount referred to in section 15(6C)(b) or part thereof from his account with an approved bank or his retirement account, or has surrendered his approved annuity, under section 15(11), (11A), (11B) or (11C);

(b) a charge has been constituted under section 15(11D) or (11E) on an immovable property wholly owned by the member or jointly owned by the member and one or more other persons, as the case may be, to secure the payment to the Board of the amount withdrawn by the member; and

(c) an order of court is made requiring the transfer or sale of the member's estate or interest in the immovable property to any person,

the charge shall continue in force until, and the member, the person referred to in paragraph (c) or any other person having an interest in the immovable property shall be entitled to have any registration or notification of the charge in the appropriate register under the Land Titles Act, the Land Titles (Strata) Act or the Registration of Deeds Act, as the case may be, cancelled in the event that —

(i) the amount withdrawn by the member —

(A) has been paid to the Board; or

(B) is no longer required by any regulations made under section 77(1) to be paid to the Board; or

- (ii) the Board is satisfied of the occurrence of any event prescribed in any regulations made under section 77(1) for the purposes of this paragraph.

[23/2012]

Order of court for transfer or sale of immovable property in relation to which charge under section 21(1) or 21A(1) exists

27E.—(1) Where —

- (a) a member of the Fund has withdrawn any money standing to his credit in the Fund for all or any of the purposes referred to in section 21(1) or 21A(1);
- (b) the immovable property in relation to which the money was withdrawn is purchased or owned by the member, whether solely or as a co-purchaser, joint-tenant or tenant-in-common, as the case may be, with one or more other persons;
- (c) an order of court is made requiring the transfer (other than by way of sale) of the member's estate or interest in the immovable property to his spouse; and
- (d) the spouse is a citizen or permanent resident of Singapore,
- then, subject to any regulations made under section 77(1), the following provisions shall apply:
- (i) the member or, if the order of court requires any person to do so, that person shall pay to the Fund to the credit of the member —
- (A) any amount which the Board is entitled to recover on behalf of the Government under section 14(3);
- (B) any amount which the Board is entitled to receive or recover on behalf of the Government under section 14A(5) or (6); and
- (C) such other amount, if any, as the order of court may require to be paid to the Fund to the credit of the member;

- (ii) if the immovable property is subsequently sold or otherwise disposed of, the spouse shall pay to the Fund such amount as may be determined by the Board in accordance with any regulations made under section 77(1), and the Board shall credit that amount to one or more designated accounts maintained, or to be maintained, for the spouse;
- (iii) notwithstanding sections 21(10) and 21A(9), upon the transfer of the member's estate or interest in the immovable property to his spouse and upon payment in accordance with paragraph (i), if applicable —
 - (A) any charge under section 21(1) or 21A(1) on any estate or interest in the immovable property shall cease to secure the repayment of the money withdrawn from the Fund by the member (including the whole or such part, as the Board may determine, of the interest that would have been payable thereon if the withdrawal had not been made); and
 - (B) the member, the spouse or any other person having an interest in the immovable property shall be entitled to have that charge cancelled, in so far as it secures the repayment of the money withdrawn from the Fund by the member (including the whole or such part, as the Board may determine, of the interest that would have been payable thereon if the withdrawal had not been made);
- (iv) there shall be a charge on the spouse's estate or interest in the immovable property to secure the payment referred to in paragraph (ii);
- (v) section 21(1A), (2), (4), (5) and (8) to (12) or sections 21(12) and 21A(1A) to (4) and (7) to (9), as the case may be, shall apply, with the necessary modifications, to the charge under paragraph (iv), and for the purposes of such application —

- (A) any reference to the charge under section 21(1) or 21A(1) shall be read as a reference to the charge under paragraph (iv); and
 - (B) any reference to the member shall be read as a reference to the spouse; and
- (vi) the charge under paragraph (iv) —
- (A) shall be in addition to any charge under section 21(1) or 21A(1) on any estate or interest in the immovable property to secure the repayment of any money withdrawn from the Fund (for all or any of the purposes referred to in section 21(1) or 21A(1)) by any person other than the member (including the whole or such part, as the Board may determine, of the interest that would have been payable thereon if the withdrawal had not been made);
 - (B) shall be subject to all statutory rights and charges of any public authority over the immovable property; and
 - (C) notwithstanding anything in the Land Titles Act (Cap. 157) or the Registration of Deeds Act (Cap. 269), in the absence of any agreement as to priority —
 - (CA) shall not be subject to any encumbrance registered or notified on or after the date of acceptance by the Registrar of the instrument to register or notify the charge referred to in paragraph (iii); and
 - (CB) shall rank equally with the charge referred to in paragraph (iii), had it continued or if it continues to be in force, in the order of priority of interests in the immovable property.
[40/2007; 57/2007; 23/2012]

- (2) Except in a case to which subsection (1) applies, where —
- (a) a member of the Fund has withdrawn any money standing to his credit in the Fund for all or any of the purposes referred to in section 21(1) or 21A(1);
 - (b) the immovable property in relation to which the money was withdrawn is purchased or owned by the member, whether solely or as a co-purchaser, joint-tenant or tenant-in-common, as the case may be, with one or more other persons; and
 - (c) an order of court is made requiring the transfer or sale of the member's estate or interest in the immovable property to any person,

the following shall apply:

- (i) any charge under section 21(1) or 21A(1) on any estate or interest in the immovable property shall continue in force until, and the member, the person referred to in paragraph (c) or any other person having an interest in the immovable property shall be entitled to have the charge cancelled in the event that, all moneys secured by the charge —
 - (A) have been repaid to the Fund; or
 - (B) are no longer required by any regulations made under section 77(1) to be repaid to the Fund; and
- (ii) notwithstanding paragraph (i), where the Board is satisfied of the occurrence of any event prescribed in any regulations made under section 77(1) for the purposes of this paragraph, the member, the person referred to in paragraph (c) or any other person having an interest in the immovable property may, with the approval of the Board, have the charge cancelled.

[23/2012]

Order of court for transfer or sale of HDB flat in relation to which charge has been constituted under section 21B(1)

27F.—(1) Where —

- (a) a member of the Fund has withdrawn any money standing to his credit in the Fund for all or any of the purposes referred to in section 21B(1);
 - (b) the HDB flat in relation to which the money was withdrawn is owned by the member, whether solely or jointly with one or more other persons;
 - (c) an order of court is made requiring the transfer (other than by way of sale) of the member's interest in the HDB flat to his spouse; and
 - (d) the spouse is a citizen or permanent resident of Singapore,
- then, subject to any regulations made under section 77(1), the following provisions shall apply:

- (i) the member or, if the order of court requires any person to do so, that person shall pay to the Fund to the credit of the member —
 - (A) any amount which the Board is entitled to recover on behalf of the Government under section 14(3);
 - (B) any amount which the Board is entitled to receive or recover on behalf of the Government under section 14A(5) or (6); and
 - (C) such other amount, if any, as the order of court may require to be paid to the Fund to the credit of the member;
- (ii) if the HDB flat is subsequently sold or otherwise disposed of, the spouse shall pay to the Fund such amount as may be determined by the Board in accordance with any regulations made under section 77(1), and the Board shall credit that amount to one or more designated accounts maintained, or to be maintained, for the spouse;

- (iii) notwithstanding section 21B(11), upon the transfer of the member's interest in the HDB flat to his spouse and upon payment in accordance with paragraph (i), if applicable, any charge constituted on the HDB flat under section 21B(1) shall cease to secure the repayment of the money withdrawn from the Fund by the member, including the whole or such part, as the Board may determine, of the interest that would have been payable thereon if the withdrawal had not been made, and, if that is the only money secured by that charge, shall cease to be in force;
- (iv) there shall be a charge constituted on the HDB flat to secure the payment referred to in paragraph (ii);
- (v) sections 21(12) and 21B(2), (3)(a), (b) and (d) and (5) to (11) shall apply, with the necessary modifications, to the charge under paragraph (iv), and for the purposes of such application —
 - (A) any reference to the charge under section 21B(1) shall be read as a reference to the charge under paragraph (iv);
 - (B) any reference to the member shall be read as a reference to the spouse; and
 - (C) any reference to an encumbrance specified in section 21B(3)(c) shall be read as a reference to an encumbrance referred to in paragraph (vii);
- (vi) the charge under paragraph (iv) shall be in addition to the charge referred to in paragraph (iii), if the charge referred to in paragraph (iii) continues to be in force; and
- (vii) notwithstanding anything in the Land Titles Act (Cap. 157) or the Registration of Deeds Act (Cap. 269), in the absence of any agreement as to priority, the charge under paragraph (iv) —
 - (A) shall not be subject to any encumbrance registered or notified on or after the date of the constitution of the charge referred to in paragraph (iii); and

(B) shall rank equally with the charge referred to in paragraph (iii), had it continued or if it continues to be in force, in the order of priority of interests in the HDB flat.

[40/2007; 57/2007; 23/2012]

(2) Except in a case to which subsection (1) applies, where —

- (a) a member of the Fund has withdrawn any money standing to his credit in the Fund for all or any of the purposes referred to in section 21B(1);
- (b) the HDB flat in relation to which the money was withdrawn is owned by the member, whether solely or jointly with one or more other persons; and
- (c) an order of court is made requiring the transfer or sale of the member's interest in the HDB flat to any person,

the following shall apply:

- (i) any charge constituted on the HDB flat under section 21B(1) shall continue in force until all moneys secured by the charge —
 - (A) have been repaid to the Fund; or
 - (B) are no longer required by any regulations made under section 77(1) to be repaid to the Fund; and
- (ii) notwithstanding paragraph (i), where the Board is satisfied of the occurrence of any event prescribed in any regulations made under section 77(1) for the purposes of this paragraph, the charge shall, on the application of the member, the person referred to in paragraph (c) or any other person having an interest in the HDB flat, cease to be in force if the Board approves the application.

[23/2012]

Order of court for transfer of investments

27G.—(1) Where —

- (a) a member of the Fund has made any investment under any scheme in accordance with any regulations made under

section 77(1)(n) (referred to in this section as the relevant regulations) which, but for section 24, would have been transferable to another person;

(b) an order of court is made requiring the transfer of the member's interest in the investment to his spouse; and

(c) the spouse is a citizen or permanent resident of Singapore, then, subject to subsection (2) and any regulations made under section 77(1), the following provisions shall apply:

(i) the obligation to effect the transfer of the member's interest in the investment to the spouse shall lie with the member and not the Board;

(ii) upon the transfer of the member's interest in the investment to the spouse —

(A) the spouse shall be deemed to have made the investment under the scheme and to have assumed the member's obligations under the relevant regulations in relation to the investment; and

(B) the member shall cease to be liable to perform any obligation under the relevant regulations in relation to the investment; and

(iii) if the investment is subsequently sold or otherwise disposed of, the proceeds from the sale or disposal shall be dealt with in such manner as may be prescribed by any regulations made under section 77(1).

[40/2007]

(2) A member's interest in an investment shall not be transferred to his spouse under subsection (1) unless and until the spouse meets such criteria and has complied with such requirements as may be prescribed in any regulations made under section 77(1).

[40/2007]

Order of court for sale of investments

27H. Where —

- (a) a member of the Fund has made any investment under any scheme in accordance with any regulations made under section 77(1)(n) (referred to in this section as the relevant regulations); and
- (b) an order of court is made requiring the sale of the member's interest in the investment,

then, subject to any regulations made under section 77(1), the following provisions shall apply:

- (i) the obligation to effect the sale of the member's interest in the investment shall lie with the member and not the Board;
- (ii) upon the sale of the member's interest in the investment, the proceeds from the sale shall be dealt with in accordance with the relevant regulations; and
- (iii) if, under any order of court, the member's spouse is awarded the proceeds from the sale of the member's interest in the investment or any part thereof, or any other amount to be paid out from the money standing to the credit of the member in the Fund after the proceeds have been repaid to the Fund to the credit of the member —
 - (A) section 27B shall apply to the proceeds or part thereof or other amount, and the proceeds or part thereof or other amount shall be regarded as money repayable to the Fund to the credit of the member for the purposes of section 27B(1) and (5);
 - (B) where under the relevant regulations the proceeds are not immediately repayable to the Fund to the credit of the member, the obligation to initiate the repayment of the proceeds or part thereof to the Fund to the credit of the member shall lie with the member and not the Board;

- (C) when the proceeds or part thereof have been repaid to the Fund, the member shall notify the Board of the repayment for the purposes of section 27B(5); and
- (D) the Board shall be under no obligation to ascertain whether, or to ensure that —
 - (DA) the member has complied with the order of court requiring the sale of the member's interest in the investment;
 - (DB) the proceeds or part thereof awarded to the member's spouse, or required to be repaid to the Fund to the credit of the member, have been repaid to the Fund; or
 - (DC) the contents of any notification of repayment given by the member for the purposes of section 27B(5) are true and correct.

[40/2007]

Miscellaneous matters

27I.—(1) Any obligation of a member of the Fund to set aside any amount under section 15 or 16, or under any condition referred to in section 27(2)(b) or (3), shall not be affected by —

- (a) any transfer or payment of any money standing to the credit of the member under section 27B(1), (2) or (3);
- (b) any transfer (other than by way of sale) of the member's estate or interest in any immovable property under section 27C(1), 27D(1), 27DA(1) or 27E(1);
- (c) any transfer (other than by way of sale) of the member's interest in any HDB flat under section 27F(1);
- (d) any transfer of the member's interest in any investment under section 27G; or
- (e) any sale of the member's interest in any investment under section 27H.

[40/2007; 23/2012]

- (2) Where an order of court requires the Board to do anything —
- (a) the Board shall not be liable to give effect to that requirement unless the order of court has been served on the Board in such manner as may be prescribed by any regulations made under section 77(1); and
 - (b) the Board shall not be liable for any act or omission of the Board contrary to that requirement which was committed on or before the date of such service.

[40/2007]

(3) Where an order of court requires the Board to do anything in contravention of this Act, the Board shall not be liable to give effect to that requirement.

[40/2007]

PART IIIB

LIFELONG INCOME SCHEME

Interpretation of this Part

27J. In this Part —

“annuity plan” means an annuity plan under the Scheme, pursuant to which the Board will pay a relevant member his monthly income under section 27K(6);

“premium” means a premium under section 27L(1) or (1A) for an annuity plan;

“relevant age” means the age at which a relevant member becomes entitled to receive a monthly income under section 27K(6);

“relevant member” means a member of the Fund to whom the Scheme applies;

“relevant regulations” means any regulations made under section 27Q;

“Scheme” means the Lifelong Income Scheme established and maintained by the Board under section 27K.

[18/2009; 22/2010; 23/2012]

Establishment of Lifelong Income Scheme

27K.—(1) The Board is hereby authorised to establish and maintain a Lifelong Income Scheme for the purpose of providing, to every relevant member who has an annuity plan that is in force and who has attained the relevant age applicable to him, a monthly income for the remainder of his life.

[18/2009; 23/2012]

(2) Subject to subsections (3), (4) and (5) and the relevant regulations, the Scheme shall apply to every member who —

- (a) attains, on or after 1st January 2013, such age as may be prescribed in the relevant regulations; and
- (b) on attaining the age referred to in paragraph (a) or at such time as may be prescribed in the relevant regulations, satisfies all of the following requirements:
 - (i) he is a citizen or permanent resident of Singapore;
 - (ii) he is required to comply with section 15(6)(a);
 - (iii) the amount standing to his credit in his retirement account is not less than such amount as may be prescribed in the relevant regulations for the purposes of this sub-paragraph.

[23/2012]

(2A) For the purposes of subsection (2)(b), different times and amounts may be prescribed for different classes of members.

[22/2010; 23/2012]

(3) The Board may, on the application of a member who is a citizen or permanent resident of Singapore at the time the Board considers the application, but does not satisfy one or more of the requirements under subsection (2), permit him to join the Scheme —

- (a) on or after the date he attains the age referred to in subsection (2)(a); and
- (b) subject to such terms and conditions as the Board may impose.

[18/2009; 23/2012]

(4) The Scheme shall not apply to any member whom, or any class of members which, the Minister may prescribe under the relevant regulations.

[18/2009]

(5) The Scheme shall not apply, or shall cease to apply, to a member if —

(a) the Board, on the application of the member, so approves; and

(b) the member complies with such terms and conditions for the Board's approval as the Board may impose.

[18/2009]

(6) Subject to subsection (7), sections 27N and 27P and the relevant regulations, where a relevant member has paid a premium and an annuity plan has been issued to him, then for so long as the annuity plan remains in force and he is alive, the Board shall pay to him, after he has attained the relevant age applicable to him, such monthly income as the Minister may determine.

[18/2009; 23/2012]

(7) The Board shall not be required to pay a relevant member an amount due to him under subsection (6) if, at the time the amount is due, he fails to satisfy the Board, in accordance with the relevant regulations, that he is alive.

[18/2009]

(8) Subject to sections 27N and 27P, no monthly income paid to a relevant member under subsection (6) shall —

(a) be liable to be attached, sequestered or levied upon for or in respect of any debt or claim;

(b) be subject to any set-off of any nature for any debt owing by the relevant member; or

(c) pass to the Official Assignee on the bankruptcy of the relevant member.

[18/2009]

Premium

27L.—(1) Every relevant member shall pay a premium of such amount as the Minister may determine, and the Minister may

determine different premiums for different classes of relevant members.

[18/2009]

(1A) Where a relevant member has been issued an annuity plan before such time as may be prescribed in the relevant regulations, he shall, if required by the Board, pay one or more additional premiums, each within such time as the Board may determine and of such amount as the Minister may determine, and the Minister may determine different additional premiums for different classes of relevant members.

[23/2012]

(2) Notwithstanding anything in this Act, the Board shall be entitled to deduct the whole or any part of the premium payable by a relevant member from the amount standing to his credit in his retirement account.

[18/2009]

(3) Where any deduction has been made by the Board under subsection (2), the Board shall as soon as practicable give to the relevant member a notice in writing to that effect.

[18/2009]

(4) The Board may permit a relevant member to pay the whole or any part of the premium in such other manner and within such time as the Board may determine.

[18/2009]

(5) Subject to subsection (7) and sections 27N and 27P, where the Board is liable to refund the whole or any part of the premium paid by a relevant member, the Board may pay the amount to be refunded —

(a) into his account in the Fund; or

(b) in such other manner as the Board may determine.

[18/2009]

(6) Subject to subsection (7) and sections 27N and 27P, no amount refunded under subsection (5)(a) shall —

(a) be liable to be attached, sequestered or levied upon for or in respect of any debt or claim;

(b) be subject to any set-off of any nature for any debt owing by the relevant member; or

- (c) pass to the Official Assignee on the bankruptcy of the relevant member.

[18/2009]

(7) The Board shall be entitled to recover on behalf of the Government any cash grant made by the Government to a relevant member for the payment of the premium, together with any interest which he is liable to pay the Government under the terms of the cash grant, from any amount which the Board is liable to refund under subsection (5).

[18/2009]

(8) Where a relevant member who has paid in cash any sum towards the premium dies before an annuity plan has been issued to him, and the sum does not exceed such amount as the Minister may, by notification in the *Gazette*, specify —

- (a) the Board may pay to a proper claimant the whole or any part, as the Board may determine, of the sum; and
- (b) the receipt of the proper claimant shall be a discharge to the Board for the payment to the proper claimant under paragraph (a).

[18/2009]

(9) Subsection (8) shall not affect any recourse which any person may have against a proper claimant for an amount paid to the proper claimant under subsection (8)(a).

[18/2009]

(10) In this section —

“child” means a legitimate child and includes any child adopted by virtue of an order of court under any written law for the time being in force in Singapore, Malaysia or Brunei Darussalam;

“parent” includes an adoptive parent;

“proper claimant” means a person who —

- (a) claims to be entitled to a sum referred to in subsection (8) on the death of a relevant member as executor of the deceased relevant member; or

- (b) claims to be entitled to a sum referred to in subsection (8) on the death of a relevant member (whether for his own benefit or not), and is the widower, widow, child, grandchild, parent, brother, sister, nephew, niece, grandparent, uncle or aunt of the deceased relevant member.

[18/2009; 22/2010; 23/2012]

Minister may delegate functions and powers under sections 27K(6) and 27L(1) and (1A)

27M. The Minister may in writing delegate to the Board, or to any person or group of persons appointed by the Minister, all or any of his functions and powers under sections 27K(6) and 27L(1) and (1A).

[18/2009; 22/2010]

Establishment of Lifelong Income Fund

27N.—(1) The Board shall establish and maintain a fund to be known as the Lifelong Income Fund, into which shall be paid all premiums collected under section 27L, and out of which shall be met all payments to be made by the Board under this Part (including any costs and expenses incurred by the Board in establishing and maintaining the Scheme).

[18/2009]

(2) The Lifelong Income Fund shall be controlled and administered by the Board.

[18/2009]

(3) The moneys in the Lifelong Income Fund may be invested by the Board in accordance with the standard investment power of statutory bodies as defined in section 33A of the Interpretation Act (Cap. 1).

[18/2009]

(4) Where a member is not entitled to any amount paid to him, or into his account in the Fund, under or purportedly under section 27K(6) or 27L(5), the Board may recover that amount —

- (a) from any money standing to his credit in the Fund; or
- (b) on his death, notwithstanding section 24(3A), from —
 - (i) his estate;

- (ii) the moneys payable out of the Fund on his death; or
- (iii) any person to whom any moneys referred to in sub-paragraph (ii) have been paid.

[18/2009]

(5) Subsection (4) is without prejudice to any other right of action which the Board may have under any written law or rule of law.

[18/2009]

(6) Any money recovered by the Board under subsection (4) shall be refunded to the Lifelong Income Fund.

[18/2009]

(7) Notwithstanding anything in this Part or the relevant regulations, the Board shall not make any payment under this Part unless the Lifelong Income Fund is solvent.

[18/2009]

Non-application of Insurance Act

27O. The Insurance Act (Cap. 142) shall not apply to the Scheme or to anything done by the Board under this Part.

[18/2009]

Order of court for payment of moneys received by relevant member under Scheme

27P.—(1) Subject to section 27N and subsection (2), where, under an order of court, the spouse of a relevant member has been awarded any amount to be paid to the relevant member under section 27K(6) or 27L(5), the Board shall pay the amount to the spouse, such payment to take place —

- (a) after the relevant member has become entitled to the amount; and
- (b) upon an application by the spouse for the payment of the amount.

[18/2009]

(2) Subject to section 27N, where the amount to be paid to the relevant member under section 27K(6) or 27L(5) is less than the amount awarded under the order of court, the Board shall pay the first-

mentioned amount instead of the amount awarded under the order of court.

[18/2009]

(3) A payment of money by the Board under subsection (1) or (2) —

(a) shall be a good and valid discharge of the Board's obligations under the order of court; but

(b) shall not affect any recourse which the spouse may have against the relevant member for the balance of the amount awarded under the order of court.

[18/2009]

(4) Where an order of court requires the Board to do anything —

(a) the Board shall not be liable to give effect to that requirement unless the order of court has been served on the Board in such manner as may be prescribed by the relevant regulations; and

(b) the Board shall not be liable for any act or omission of the Board contrary to that requirement which was committed on or before the date of such service.

[18/2009]

(5) Where an order of court requires the Board to do anything in contravention of this Act, the Board shall not be liable to give effect to that requirement.

[18/2009]

(6) In this section, “order of court” and “spouse” have the same meanings as in section 27A.

[18/2009]

Regulations for purposes of this Part and section 6(4B)(a)(ii)

27Q.—(1) The Minister may make such regulations as are necessary or expedient for the purpose of carrying out the provisions of this Part and section 6(4B)(a)(ii).

[18/2009; 23/2012]

(2) Without prejudice to the generality of subsection (1), such regulations may —

(a) provide for different classes of relevant members;

- (b) provide for the manner of, and time for, payment of the premium by each class of relevant members;
- (c) provide for the manner by which a relevant member may designate his relevant age;
- (d) provide for the different types of annuity plans which a relevant member may apply for under the Scheme;
- (da) provide for the cancellation or termination of annuity plans, and for the manner in which a relevant member may apply to terminate an annuity plan issued to him;
- (db) provide for the circumstances in which the Board is liable to refund the whole or any part of the premium paid by a relevant member;
- (e) provide for the manner by which the Board will pay a relevant member his monthly income under section 27K(6) or any amount to be refunded to him;
- (ea) without prejudice to the generality of paragraph (e), provide for the Board to pay a relevant member's monthly income under section 27K(6), or any amount to be refunded to a relevant member, into the relevant member's account in the Fund, and for the circumstances in which payment will be made to a relevant member in this manner;
- (f) provide for the manner by which a relevant member is to satisfy the Board that he is alive;
- (g) provide for the withdrawal of any amount paid into a relevant member's account in the Fund under section 27L(5)(a);
- (h) without prejudice to section 27L(8) and the generality of paragraph (db), provide for the refund of the whole or any part of the premium on the death of a relevant member, and for the circumstances in which no such refund will be made;
- (i) empower the Board to impose terms and conditions for the purposes of the Scheme;

- (j) prescribe the evidence to be produced, and the person, officer or authority to whom that evidence is to be produced, for the purposes of this Part;
- (k) provide for the information, evidence and documents that the Board may require a relevant member to furnish for the purposes of this Part;
- (l) provide for the manner in which, and the processes (apart from those referred to in section 27N) by which, any amount received by a member (being an amount to which he is not entitled), or any part thereof, is to be recovered, including recovery from —
 - (i) any money standing to his credit in the Fund; or
 - (ii) any monthly income under section 27K(6) which he may be entitled to receive subsequently;
- (m) provide for the purposes of section 27P and, in particular, prescribe the procedure and requirements for and manner of effecting, and any other matter relating to, the payment of money under that section; and
- (n) prescribe anything which under this Part or section 6(4B)(a)(ii) may be prescribed by the Minister.

[18/2009; 20/2011; 23/2012]

PART IV

HOME PROTECTION INSURANCE SCHEME

Interpretation of this Part

28.—(1) In this Part —

“approved mortgagee” means a mortgagee approved by the Minister by notification in the *Gazette*;

“Home Protection Fund” means the Home Protection Fund established and maintained by the Board under section 33(1);

“Housing Authority” means any of the following:

- (a) the Housing and Development Board;

- (b) the Jurong Town Corporation constituted under section 3 of the Jurong Town Corporation Act (Cap. 150);
- (c) the Minister for Finance incorporated under the Minister for Finance (Incorporation) Act (Cap. 183);
- (d) the Housing and Urban Development Company Private Limited, a company incorporated under the Companies Act (Cap. 50);

“incapacitated” means to be physically or mentally incapacitated from ever continuing in any employment and “incapacity” shall be construed accordingly;

“member of the Scheme” means a person who is insured under the Scheme;

“premium” means the premium payable by a member of the Scheme;

“Scheme” means the Home Protection Insurance Scheme established and maintained by the Board under section 29(1).

[32/84; 30/87; 29/2005; 18/2009]

(2) Except where expressly provided in this Part, the provisions of this Part shall, with such exceptions, modifications and adaptations as the Minister may by order published in the *Gazette* prescribe, apply (so far as relevant) in relation to any housing accommodation sold or to be sold by an approved developer under Part IVB of the Housing and Development Act (Cap. 129).

[29/2005]

(3) An order made under subsection (2) shall be presented to Parliament as soon as possible after publication in the *Gazette*.

[29/2005]

Establishment of Home Protection Insurance Scheme

29.—(1) The Board is hereby authorised to establish and maintain a Home Protection Insurance Scheme for the purpose of providing that on the death or incapacity of a member of the Scheme at any time during the period in which the member is insured under the Scheme —

- (a) his liability to repay his housing loan to a Housing Authority or an approved mortgagee secured by a mortgage of the immovable property to that Authority or approved mortgagee (as the case may be) shall be discharged by the Board in accordance with the Scheme; or
- (b) if that liability has been discharged, such person or persons whom the Board is satisfied have discharged that liability shall be reimbursed by the Board in such manner as may be prescribed by regulations made under this Part.

[30/87]

[Act 24 of 2013 wef 01/09/2014]

(2) Subject to section 31, the Scheme shall apply to every member who has withdrawn moneys standing to his credit in the Fund to repay any instalment of housing loan taken by the member from a Housing Authority or an approved mortgagee for the purchase of any immovable property from a Housing Authority.

[30/87]

(3) The Board may permit any person who has purchased from a Housing Authority an immovable property jointly with a member of the Fund to join the Scheme subject to such term, condition and restriction as the Board may impose.

[30/87]

(4) The Board may, on the application being made to it by a member, exempt the member from the Scheme.

[39/2000]

(4A) Any exemption by the Board under subsection (4) shall be subject to such terms and conditions as may be prescribed by the Minister.

[39/2000]

(5) The Scheme shall not apply to —

- (a) any member if he is 65 years of age or above or such other age as the Minister may prescribe at the time he is required to join the Scheme; and
- (b) any member or class of members whom the Minister may, by notification in the *Gazette*, specify.

[30/87; 10/94; 39/2000]

(5A) Notwithstanding subsection (5), the Scheme shall not apply to any member who is 60 years of age or above but below 65 years of age on 1st March 2001 unless that member opts, in such manner as the Board may determine, to join the Scheme.

[39/2000]

(6) Any person who became a member of the Scheme prior to 1st March 1988 shall continue to be a member of the Scheme subject to the same term, condition and restriction which were in force before that date.

[30/87]

(7) The Board may cancel or terminate a member's cover under the Scheme in such circumstances as may be prescribed by regulations made under this Part.

[23/2012]

Double insurance cover under Scheme prohibited

30.—(1) No person shall be insured under the Scheme for more than one immovable property at the same time.

[30/98]

(2) Where a member who is insured under the Scheme in respect of any immovable property purchases another immovable property from a Housing Authority, the member shall, notwithstanding anything in this Act or in regulations made under this Part, cease to be covered under the Scheme in respect of the first-mentioned immovable property immediately upon the commencement of cover under the Scheme in respect of the second-mentioned immovable property.

[30/98; 39/2000]

(3) Where a member's cover under the Scheme in respect of any immovable property ceases by virtue of subsection (2), the Board shall refund to the member or pay to such other person as may be prescribed by regulations made under this Part, subject to such terms and conditions as the Board may impose and in such manner as may be prescribed by those regulations, an amount representing the surrender value of that cover or the unexpired portion of that cover, if any, calculated in accordance with those regulations as if the member had redeemed the housing loan on that property on the date of the cessation of that cover.

[23/2012]

(4) Where before 1st August 1998 a member is insured under the Scheme in respect of 2 immovable properties at the same time —

- (a) the member's cover under the Scheme in respect of the immovable property purchased by the member earlier (referred to in this subsection as the earlier property) shall cease on that date; and
- (b) the Board shall refund to the member or pay to such other person as may be prescribed by regulations made under this Part, subject to such terms and conditions as the Board may impose and in such manner as may be prescribed by those regulations, an amount representing the surrender value of that cover, if any, calculated in accordance with those regulations as if the member had redeemed the housing loan on the earlier property on that date.

[23/2012]

Medical condition of member of Scheme

31.—(1) Subject to subsection (2), no person shall be entitled to join the Scheme unless the Board is satisfied that he is in good health at the time he joins the Scheme.

[30/87; 20/2011]

(2) The Board may, on the application of a person who is not entitled to join the Scheme solely by reason that the Board is not satisfied that the person is in good health, and subject to such terms and conditions as the Board may impose either generally or in a particular case, permit the person to join the Scheme.

[20/2011]

(3) A member of the Scheme or person who wishes to join the Scheme shall —

- (a) if required by the Board, undergo such medical examination as the Board thinks fit; and
- (b) disclose to the Board such facts or information concerning his health as the Board may require.

[20/2011]

Premium

32.—(1) Every member of the Scheme shall pay a premium of an amount prescribed by regulations made under this Part.

[30/87]

(2) Notwithstanding anything in this Act, the Board shall be entitled to deduct the amount of the premium payable by a member of the Scheme from the contributions standing to the credit of that member in the Fund and where any such deduction has been made by the Board, the Board shall as soon as practicable give to the member concerned notice in writing to that effect.

[30/87]

(3) The deduction referred to in subsection (2) shall have priority to the deductions which the Board is authorised to make under all other provisions of this Act except section 27B.

[39/2000; 40/2007]

(4) Where the amount of the premium which a member is liable to pay under the Scheme exceeds the amount standing to his credit in the Fund, the deficiency may be paid in such manner and within such time as the Board may determine.

[39/2000]

(5) Where a joint-owner of an immovable property is insured under the Scheme, the Board may permit a joint-owner who is a spouse of the first-mentioned joint-owner to use his contributions in the Fund to pay for the whole or part of the premium which the first-mentioned joint-owner is liable to pay under the Scheme.

[39/2000]

Establishment of Home Protection Fund

33.—(1) The Board shall establish and maintain a fund to be known as the Home Protection Fund into which shall be paid all premiums collected under this Part and out of which shall be met all payments to be paid by the Board under the Scheme (including any costs and expenses incurred by the Board in establishing and maintaining the Scheme).

[20/2011]

(2) The Home Protection Fund shall be controlled and administered by the Board.

(3) Every amount paid by the Board out of the Home Protection Fund before 30th December 2011 to defray the costs and expenses incurred by the Board in establishing and maintaining the Scheme shall be deemed to be and always to have been validly paid, and no legal proceedings shall lie or be instituted or maintained in any court of law on account of or in respect of any such payment.

[20/2011]

34. [Repealed by Act 39 of 2000]

35. [Repealed by Act 39 of 2000]

Amount payable by Board on death or incapacity of member of Scheme

36.—(1) Where a member of the Scheme dies at any time during the period he is insured under the Scheme, the Board shall, upon proof of death, forthwith pay such amount as may be prescribed by regulations made under this Part —

- (a) in any case where there exist such circumstances as may be prescribed by those regulations —
 - (i) to such person or persons (other than the Housing Authority or the approved mortgagee) and in such manner as may be prescribed by those regulations; and
 - (ii) if that amount is payable to 2 or more persons, in such proportion as may be determined by the Board; or
- (b) in any other case, to the Housing Authority or the approved mortgagee.

[30/87]

[Act 24 of 2013 wef 01/09/2014]

(2) Subject to subsections (3), (4) and (5), where there is a claim made to the Board by a member of the Scheme on the ground of incapacity at any time during the period he is insured under the Scheme, the Board shall, upon proof of incapacity —

- (a) in any case where there exist such circumstances as may be prescribed by regulations made under this Part, pay such

amount as may be prescribed by those regulations to be payable at the time of incapacity of the member —

- (i) to such person or persons (other than the Housing Authority or the approved mortgagee) and in such manner as may be prescribed by those regulations; and
 - (ii) if that amount is payable to 2 or more persons, in such proportion as may be determined by the Board; or
- (b) in any other case, pay to the Housing Authority or the approved mortgagee the monthly or other periodic loan instalments which the member of the Scheme is liable to pay to the Housing Authority or the approved mortgagee under the housing loan for a period not exceeding 2 years.

[39/2000]

[Act 24 of 2013 wef 01/09/2014]

(3) For the avoidance of doubt, where the housing loan is taken from a Housing Authority or an approved mortgagee by 2 or more members of the Scheme in respect of property purchased jointly by the members, the monthly or other periodic loan instalments payable by the Board under subsection (2)(b) on account of the incapacity of a member shall be in proportion to that member's liability for the repayment of the housing loan as declared by that member to, and accepted by, the Board.

[39/2000]

[Act 24 of 2013 wef 01/09/2014]

(4) The Board shall cease payment to the Housing Authority or the approved mortgagee under subsection (2)(b) if the member of the Scheme is no longer incapacitated.

[39/2000]

[Act 24 of 2013 wef 01/09/2014]

(5) Where the Board ceases payment to the Housing Authority or the approved mortgagee under subsection (4), the member of the Scheme shall remain insured under the Scheme for such an amount as is prescribed under regulations made under this Part less any amount that the Board has paid under subsection (2)(b).

[39/2000]

[Act 24 of 2013 wef 01/09/2014]

(6) Notwithstanding subsection (2)(b), if the incapacity of the member of the Scheme is in the opinion of the Board likely to continue for more than 2 years, the Board shall pay the Housing Authority or the approved mortgagee such an amount as is determined in accordance with the formula —

$$(A + B) - C,$$

where A is the amount prescribed under regulations made under this Part to be payable at the time of incapacity of the member;

B is the amount of interest accrued on A as determined by the Board from the time the first monthly or other periodic loan instalment is made under subsection (2)(b) to the time the amount under this subsection is paid by the Board;

C is the total amount paid by the Board to the Housing Authority or the approved mortgagee under subsection (2)(b).

[39/2000]

[Act 24 of 2013 wef 01/09/2014]

(7) Where a claim under the Scheme is made in respect of the incapacity of a member of the Scheme, the Board may backdate any payment to be made by the Board to the Housing Authority or the approved mortgagee under this section to the date on which the incapacity occurred.

[39/2000]

(8) The amount payable by the Board under this section on the death or incapacity of a member of the Scheme shall in no case exceed the amount which is necessary to repay the outstanding amount of any loan and interest accruing thereon in order to secure the discharge of the mortgage of the immovable property at the time of the death or incapacity.

[30/87]

[Act 24 of 2013 wef 01/09/2014]

(9) The Board shall not be required to make any payment in respect of any member of the Scheme —

- (a) if the death or incapacity of the member —
- (i) in the case of a member who was insured under the Scheme before 1st March 2001, occurs within one year from the date he is insured under the Scheme and the death is the result of suicide or the incapacity is the result of deliberate self-injury; or
 - (ii) in the case of a member who was insured under the Scheme on or after 1st March 2001, is the result of suicide or deliberate self-injury committed within one year from the date that he is insured under the Scheme;
- (b) if the member suffered capital punishment for any criminal act committed within one year from the date that he is insured under the Scheme;
- (c) if the death or incapacity of the member, directly or indirectly, arose out of or is consequent upon or contributed by his own intentional criminal act committed within one year from the date that he is insured under the Scheme; or
- (d) if the death or incapacity of that member arises from war or any warlike operations or participation in any riot.

[23/89; 39/2000]

(10) The Board shall not be required to make any payment in respect of any member of the Scheme if the member —

- (a) makes or furnishes to the Board any statement or fact that is false or misleading in a material particular; or
- (b) fails to disclose to the Board any material fact or circumstance known to him at the time he is required to be insured under the Scheme which might influence the Board as to whether he should be insured under the Scheme.

[30/87]

Housing Authority or approved mortgagee to send notice to Board on payment of premium

37.—(1) Where a member of the Scheme is required to pay a premium to the Home Protection Fund under section 32, the Housing Authority or the approved mortgagee, as the case may be, shall send a written notice thereof to the Board within 14 days from the date the premium is payable by the member of the Scheme.

[30/87]

(2) Every notice under subsection (1) shall be in such form as the Board may require.

Non-application of Insurance Act

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

Regulations for purposes of this Part

39. The Minister may make such regulations as are necessary or expedient for the purpose of carrying out the provisions of this Part and, in particular, such regulations may —

- (a) provide for the different classes of members of the Scheme and the rates of premium payable by such members;
- (b) provide for the manner and time for payment of premiums by the different classes of members of the Scheme;
- (c) provide for the period and commencement of cover under the Scheme;
- (ca) provide, in respect of each class of members of the Scheme, for the amount of money for which a member of the Scheme may be insured under the Scheme;
- (d) provide, in respect of each class of members of the Scheme, for the amount of money payable by the Board to the Housing Authority or the approved mortgagee in the event of the death or incapacity of a member of the Scheme;
- (da) prescribe the circumstances referred to in section 36(1)(a) and (2)(a) under which the Board may make payment to any person other than the Housing Authority or the

approved mortgagee, the person or persons to whom such payment may be made and the manner in which such payment may be made;

[Act 24 of 2013 wef 01/09/2014]

- (e) provide, in respect of each class of members of the Scheme, for the amount of money payable by the Board under the Scheme where the prescribed premium has not been fully paid;
- (ea) prescribe the circumstances under which the Board may cancel or terminate a member's cover under the Scheme;
- (f) provide for the refund of any premium, the manner in which the premium is to be refunded and the circumstances under which the refund shall be made and at such rates as may be prescribed by the Minister;
- (g) prescribe the evidence to be produced and the person, officer or authority to whom that evidence is to be produced for the purposes of this Part;
- (h) provide for the manner in which money in the Home Protection Fund may be invested;
- (i) provide for the premium payable by members of the Scheme in cases where the immovable property is purchased in joint names;
- (j) provide for such information, evidence and documents that the Board may require a member of the Scheme to furnish for the purposes of this Part; and
- (k) prescribe anything which under this Part may be prescribed by the Minister.

[30/87; 39/2000; 20/2011; 23/2012]

PART V

DEPENDANTS' PROTECTION INSURANCE SCHEME

Interpretation of this Part

40. In this Part —

“appointed insurer” means any person who is licensed under the Insurance Act (Cap. 142) to carry on insurance business in Singapore and who is appointed by the Board to take over the whole or any part of the Board’s liabilities under the Scheme or to provide insurance cover to any person under the Scheme;

“incapacitated” has the same meaning as in section 28;

“insured person” means a person who is insured under the Scheme;

“insured sum” means the sum prescribed in regulations made under this Part which is payable on the incapacity or death of the insured person;

“premium” means the annual premium payable by an insured person;

“Scheme” means the Dependants’ Protection Insurance Scheme established and maintained by the Board under section 41.

[23/89; 24/2005; 11/2013]

Establishment of Dependants’ Protection Insurance Scheme

41. The Board may establish and maintain a Dependants’ Protection Insurance Scheme for the purpose of providing that, on the incapacity or death of an insured person at any time during the period in which he is insured under the Scheme, the insured sum shall be paid in respect of that insured person in accordance with the provisions of this Part.

[23/89; 24/2005]

Persons insured under Scheme

42.—(1) Subject to the provisions of this Part, every member of the Fund for whom any contribution has been paid into the Fund on or after 14th May 1989 shall be insured under the Scheme.

[23/89]

(2) Subsection (1) shall not apply to —

- (a) any member of the Fund who has not attained the age of 16 years or who has attained the age of 60 years or such other age as the Minister may in either case prescribe;
- (b) any member of the Fund who is neither a citizen nor a permanent resident of Singapore;
- (c) any member of the Fund who has lodged a written notice under subsection (3) stating that he does not wish to be insured under the Scheme; and
- (d) any member or class of members of the Fund whom the Minister may, by notification in the *Gazette*, specify.

[23/89; 10/94; 24/2005]

(3) Any person referred to in subsection (1) who does not wish to be insured under the Scheme may lodge a written notice in the prescribed manner stating that he does not wish to be insured under the Scheme.

[23/89; 24/2005]

(4) Notwithstanding subsection (2), any member of the Fund who is not insured under the Scheme may apply in the prescribed manner to be insured under the Scheme.

[23/89; 24/2005]

(5) The Board or an appointed insurer, as the case may be, may approve any application under subsection (4) in the prescribed manner.

[24/2005]

Application to persons below 21 years of age

42A.—(1) On or after the date of commencement of section 14 of the Central Provident Fund (Amendment) Act 2013 —

- (a) where any person has attained the age of 16 years (or such other age as the Minister may prescribe in place thereof) but is below the age of 21 years, he may do any thing under this Part, or any regulations made under section 51, as if he were of full age; and
- (b) the provisions of this Part and any regulations made under section 51 shall apply to any person who has attained the age of 16 years (or such other age as the Minister may

prescribe in place thereof) but is below the age of 21 years, as if he were of full age.

(2) Where, before the date of commencement of section 14 of the Central Provident Fund (Amendment) Act 2013, a person below the age of 21 years did any thing under this Part, or any regulations made under section 51, which would have been validly done if he were of full age, that thing shall be deemed to be and always to have been validly done by him.

(3) Section 42(4) and (5) shall not apply to any member of the Fund unless he has attained the age of 16 years (or such other age as the Minister may prescribe in place thereof).

(4) This section shall apply subject to any contrary age requirement expressly provided under this Act in respect of —

(a) any thing done under this Part, or any regulations made under section 51; or

(b) any provision of this Part or of any regulations made under section 51.

(5) Section 58 of the Insurance Act (Cap. 142) shall not apply to —

(a) any thing done under this Part, or any regulations made under section 51; or

(b) the application of any provision of this Part and of any regulations made under section 51.

[Act 24 of 2013 wef 01/01/2014]

Board may cancel insurance cover

43.—(1) If the Board has reason to believe that an insured person is incapacitated or suffering from terminal illness on or before the date of commencement of his insurance cover under the Scheme, the Board may cancel the cover of that person under the Scheme and upon such cancellation that person shall cease immediately to be insured under the Scheme.

[23/89]

(2) All premiums paid by any person whose cover under the Scheme has been cancelled under subsection (1), together with the whole or such part, as the Board may determine, of the interest that would have

been payable if the amount of such premiums had been standing to the credit of that person's account in the Fund, shall be refunded in such manner as may be prescribed by regulations made under this Part.

[57/2007; 23/2012]

(3) No refund shall be made under subsection (2) if the person has made or furnished to the Board any statement or fact that is false or misleading in a material particular.

[23/89]

(4) This section shall apply only in relation to an insured person for whose insurance cover under the Scheme the Board remains liable to pay the insured sum by virtue of section 49A(2)(a).

[24/2005]

Board may require insured person to furnish information

44.—(1) The Board may require any insured person to furnish to the Board such information as the Board thinks fit regarding the life and health of the insured person or members of his family.

[23/89]

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

[23/89]

(3) This section shall apply only in relation to an insured person for whose insurance cover under the Scheme the Board remains liable to pay the insured sum by virtue of section 49A(2)(a).

[24/2005]

Premium

45.—(1) Every insured person shall pay a premium of an amount prescribed by regulations made under this Part.

[23/89]

(2) Notwithstanding anything in this Act, the Board shall be entitled to deduct the amount of the premium payable by an insured person from the contributions standing to the credit of that person in his ordinary and special accounts.

[23/89; 24/2005]

(3) Where, by virtue of section 49A, the insurance cover of an insured person under the Scheme is being provided by an appointed

insurer, the Board shall pay the amount of the premium deducted under subsection (2) to that appointed insurer.

[24/2005]

(4) Where the amount of the premium which an insured person is liable to pay under the Scheme exceeds the amount standing to his credit in his ordinary and special accounts, the deficiency may be paid in such manner and within such time as the Board may prescribe.

[23/89; 24/2005]

46. [Repealed by Act 24 of 2005]

Period of cover

47.—(1) Where the prescribed premium payable under the Scheme has been paid or deducted from an insured person's contributions under section 45, that person shall be covered under the Scheme by an appointed insurer assigned by the Board from the date of such payment or deduction for a period of 12 months after the date of commencement of his insurance cover.

[24/2005]

(2) Subject to the provisions of this Part, the insurance cover under the Scheme shall be renewed annually in accordance with the prescribed requirements.

[24/2005]

Rights and benefits under Scheme not assignable or transferable

48. The rights and benefits of an insured person arising from his insurance cover under the Scheme shall not be assignable or transferable.

[24/2005]

Insurance policy under Scheme not to create trust

48A.—(1) A policy of insurance issued under the Scheme shall not be deemed to create any legal or equitable trust.

[24/2005]

(2) Section 73 of the Conveyancing and Law of Property Act (Cap. 61) and section 49L of the Insurance Act (Cap. 142) shall not apply to any policy of insurance issued under the Scheme.

[24/2005; 3/2009]

Amount payable on death or incapacity of insured person

49.—(1) Where an insured person dies at any time during the period he is insured under the Scheme, the insured sum shall, upon proof of death, be paid by the Board or an appointed insurer, as the case may be, in accordance with the prescribed requirements.

[24/2005]

(2) Where there is a claim made under the Scheme by an insured person on the ground of incapacity at any time during the period he is insured under the Scheme, the insured sum shall, upon proof of incapacity, be paid to him by the Board or an appointed insurer, as the case may be, in accordance with the prescribed requirements.

[24/2005]

Transfer of Board's liabilities under Scheme

49A.—(1) The Minister may make regulations to transfer the whole or any part of the Board's liabilities under the Scheme (including the insurance covers issued under the Scheme that give rise to such liabilities) to one or more appointed insurers.

[24/2005]

(2) Without prejudice to the generality of subsection (1), regulations made under that subsection may —

- (a) prescribe the cases in which or the circumstances under which the Board shall continue to be liable to pay the insured sum in respect of insured persons whose insurance covers under the Scheme have been transferred to an appointed insurer;
- (b) provide for such consequential, saving and transitional provisions as are necessary to facilitate the transfer of the Board's liabilities under the Scheme;
- (c) prescribe the necessary modifications to be made to any other provision of this Act in order to bring such provision into conformity with the transfer of the Board's liabilities under the Scheme; and

- (d) provide for such other matters as the Minister thinks necessary or expedient for the transfer of the Board's liabilities under the Scheme.

[24/2005]

(3) The Board may require any appointed insurer to transfer to another appointed insurer, in such manner and on such terms and conditions as the Board thinks fit, those liabilities of the Board under the Scheme that have been transferred to the first-mentioned appointed insurer under this section.

[24/2005]

(4) The transfer of any liability under the Scheme —

- (a) by the Board to an appointed insurer under subsection (1);
or
(b) by one appointed insurer to another appointed insurer pursuant to the requirement of the Board under subsection (3),

may be made, and shall be valid and effectual, notwithstanding anything to the contrary in any written law or rule of law or the absence of any agreement or consent which would otherwise be necessary.

[24/2005]

(5) If any question arises as to whether any particular liability of the Board under the Scheme has been transferred to an appointed insurer under this section, a certificate under the hand of the Minister shall be conclusive evidence that the liability was or was not so transferred.

[24/2005]

(6) An appointed insurer to whom the whole or any part of the Board's liabilities under the Scheme have been transferred under this section shall provide insurance cover to every transferred insured person in accordance with such requirements as may be specified by the Board, including requirements relating to —

- (a) the minimum benefits and rights that the appointed insurer must confer upon the person; and
(b) the terms and conditions subject to which the appointed insurer may issue insurance cover to the person.

[24/2005]

Application of moneys in dissolved Dependants' Protection Insurance Fund, etc.

49B.—(1) Upon the dissolution of the Dependants' Protection Insurance Fund (referred to in this section as the dissolved Fund), the Board may —

- (a) subject to such terms or conditions as it thinks fit to impose, pay such part of the moneys of the dissolved Fund as the Board may determine to each of the appointed insurers to which the Board's liabilities under the Scheme have been transferred under section 49A; and
- (b) retain such part of the moneys of the dissolved Fund as it thinks necessary for meeting —
 - (i) any of its own liabilities under the Scheme that may have arisen prior to the transfer; and
 - (ii) any costs and expenses incurred by it in maintaining the Scheme.

[24/2005; 20/2011]

(2) Every amount paid by the Board out of the dissolved Fund before the dissolution of that Fund, or out of the moneys of the dissolved Fund upon or after the dissolution of that Fund but before 30th December 2011, to defray the costs and expenses incurred by the Board in establishing and maintaining the Scheme shall be deemed to be and always to have been validly paid, and no legal proceedings shall lie or be instituted or maintained in any court of law on account of or in respect of any such payment.

[24/2005; 20/2011]

(3) The Board may —

- (a) transfer to the Fund such part of the moneys of the dissolved Fund retained under subsection (1)(b) as it thinks fit; and
- (b) apply the transferred moneys towards meeting —
 - (i) any of its own liabilities under the Scheme that may have arisen prior to the transfer under section 49A; and

- (ii) any costs and expenses incurred by it in maintaining the Scheme.

[Act 24 of 2013 wef 15/12/2013]

Disclosure of information

49C.—(1) The Board may, from time to time, give to an appointed insurer to which its liabilities under the Scheme have been transferred under section 49A such information (including medical information) as is in the Board's possession that —

- (a) relates to any member; and
- (b) is required by the appointed insurer in order that the appointed insurer may properly fulfill its obligations in relation to that member under the Scheme.

[24/2005]

(2) An appointed insurer shall not use any information given to it by the Board under subsection (1) except for such purposes as may be approved by the Board.

[24/2005]

(3) For the purposes of ensuring that the provisions of this Part are being complied with, the Board may require an appointed insurer or any member to furnish to the Board such documents or information as the Board thinks necessary.

[24/2005]

Non-application of Insurance Act

50. The Insurance Act (Cap. 142) shall not apply —

- (a) to anything done by the Board under this Part; or
- (b) to the transfer of any of the Board's liabilities under the Scheme under section 49A(1) or (3).

[24/2005]

Regulations for purposes of this Part

51. The Minister may make such regulations as are necessary and expedient for the purpose of carrying out the provisions of this Part and, in particular, such regulations may —

- (a) provide for the rate of premium payable by insured persons;

- (b) provide for the manner and time of payment of premiums;
- (c) prescribe the amount of the insured sum;
- (d) provide for the refund of any premium, the manner in which the premium is to be refunded and the circumstances under which the refund shall be made and at such rates as may be prescribed by the Minister;
- (e) provide for different periods of cover in respect of different amounts of premium paid by an insured person;
- (f) prescribe the evidence to be produced and the person, officer or authority to whom that evidence is to be produced for the purposes of this Part;
- (g) provide for the manner in which the insured sum shall be paid in respect of any insured person under the Scheme;
- (ga) provide for the cases in which or the circumstances under which the insured sum shall not be payable in respect of any insured person under the Scheme;
- (h) provide for such information, evidence and documents that the Board may require an insured person to furnish for the purposes of this Part; and
- (i) prescribe anything which under this Part may be prescribed by the Minister.

[23/89; 24/2005; 23/2012]

PART VI

MEDISHIELD SCHEME

Interpretation of this Part

52. In this Part —

“appointed insurer” means any person who is licensed under the Insurance Act (Cap. 142) to carry on insurance business in Singapore and who is appointed by the Board to take over any part of the Board’s liabilities under the Scheme or to provide insurance cover to any person under the Scheme;

“approved hospital” means any hospital approved by the Minister for Health;

“insured person” means a person who is insured under the Scheme;

“MediShield Fund” means the fund established and maintained by the Board under section 56;

“Scheme” means the medical insurance scheme called the MediShield Scheme established and maintained by the Board under section 53.

[15/90; 24/2005; 11/2013]

Establishment of MediShield Scheme

53. The Board may establish and maintain a medical insurance scheme to be known as the MediShield Scheme for the purpose of paying the full or part of the costs incurred by an insured person for the medical treatment or services received by him in an approved hospital at any time during the period he is insured under the Scheme.

[15/90; 57/2007]

Application to persons below 21 years of age

53A.—(1) Subject to subsection (2), on or after the date of commencement of section 16 of the Central Provident Fund (Amendment) Act 2013 —

- (a) a person below the age of 21 years may do any thing under this Part, or any regulations made under section 57, as if he were of full age; and
- (b) the provisions of this Part and any regulations made under section 57 shall apply to a person below the age of 21 years, as if he were of full age.

(2) Any thing done under this Part or any regulations made under section 57, on or after the date of commencement of section 16 of the Central Provident Fund (Amendment) Act 2013, by a person below the age of 16 years (or such other age as the Minister may prescribe in place thereof) shall be done with the consent of his parent or guardian.

(3) Where, before the date of commencement of section 16 of the Central Provident Fund (Amendment) Act 2013, a person below the age of 21 years did any thing under this Part, or any regulations made under section 57, which would have been validly done if he were of full age, that thing shall be deemed to be and always to have been validly done by him.

(4) This section shall apply subject to any contrary age requirement expressly provided under this Act in respect of —

(a) any thing done under this Part, or any regulations made under section 57; or

(b) any provision of this Part or of any regulations made under section 57.

(5) Section 58 of the Insurance Act (Cap. 142) shall not apply to —

(a) any thing done under this Part, or any regulations made under section 57; or

(b) the application of any provision of this Part and of any regulations made under section 57.

[Act 24 of 2013 wef 01/01/2014]

Premium

54.—(1) Every insured person shall pay a premium of such an amount as may be prescribed by regulations made under this Part.

[15/90]

(2) The Board shall be entitled to deduct the amount of premium payable by a member or his dependant who is insured under the Scheme from the amount standing to the credit of that member's medisave account.

[15/90]

General obligation of insured person to furnish information

55.—(1) An insured person or any other person who wishes to join the Scheme shall, when so required by the Board —

(a) furnish to the Board such information as the Board thinks fit regarding that person's background and health or members of his family; and

(b) undergo such medical examination as the Board thinks fit.
[15/90]

(2) An insured person or any other person who wishes to join the Scheme shall be under a duty to disclose to the Board all material facts, which if known to the Board, would have reasonably affected the decision of the Board to permit that person to join the Scheme or entertain any claim made by the insured person under the Scheme.
[15/90]

(3) An insured person or any other person who wishes to join the Scheme shall be deemed to have —

(a) given his consent to the Board to seek information from any doctor who has attended to him or any hospital where he has received treatment; and

(b) authorised his doctor or the authority of that hospital to give such information to the Board.
[15/90]

Establishment of MediShield Fund

56.—(1) The Board shall establish and maintain a fund to be known as the MediShield Fund into which shall be paid all premiums collected under this Part and out of which shall be met all payments to be paid by the Board under the Scheme (including any costs and expenses incurred by the Board in establishing and maintaining the Scheme).
[15/90; 20/2011]

(2) The MediShield Fund shall be controlled and administered by the Board.
[15/90]

(3) The moneys in the MediShield Fund may be invested by the Board in such manner as the Board thinks fit.
[15/90]

(4) Every amount paid by the Board out of the MediShield Fund before 30th December 2011 to defray the costs and expenses incurred by the Board in establishing and maintaining the Scheme shall be deemed to be and always to have been validly paid, and no legal

proceedings shall lie or be instituted or maintained in any court of law on account of or in respect of any such payment.

[20/2011]

Transfer of liabilities under Scheme

56A.—(1) The Minister may make regulations to transfer any part of the Board's liabilities under the Scheme (including the insurance covers issued under the Scheme that give rise to such liabilities) to one or more appointed insurers.

[24/2005]

(2) Without prejudice to the generality of subsection (1), regulations made under that subsection may —

- (a) prescribe the cases in which or the circumstances under which the Board shall continue to be liable to make payments to insured persons whose insurance covers under the Scheme have been transferred to an appointed insurer;
- (b) provide for such consequential, saving and transitional provisions as are necessary to facilitate the transfer of the Board's liabilities under the Scheme;
- (c) prescribe the necessary modifications to be made to any other provision of this Act in order to bring such provision into conformity with the transfer of the Board's liabilities under the Scheme; and
- (d) provide for such other matters as the Minister thinks necessary or expedient for the transfer of the Board's liabilities under the Scheme.

[24/2005]

(3) The Board may require any appointed insurer to transfer to another appointed insurer, in such manner and on such terms and conditions as the Board thinks fit, those liabilities of the Board under the Scheme that have been transferred to the first-mentioned appointed insurer under this section.

[24/2005]

(4) The transfer of any liability under the Scheme —

- (a) by the Board to an appointed insurer under subsection (1);
or

- (b) by one appointed insurer to another appointed insurer pursuant to the requirement of the Board under subsection (3),

may be made, and shall be valid and effectual, notwithstanding anything to the contrary in any written law or rule of law or the absence of any agreement or consent which would otherwise be necessary.

[24/2005]

(5) If any question arises as to whether any particular liability of the Board under the Scheme has been transferred to an appointed insurer under this section, a certificate under the hand of the Minister shall be conclusive evidence that the liability was or was not so transferred.

[24/2005]

(6) An appointed insurer to whom any part of the Board's liabilities under the Scheme have been transferred under this section shall provide insurance cover to every transferred insured person in accordance with such requirements as may be specified by the Board, including requirements relating to —

- (a) the minimum benefits and rights that the appointed insurer must confer upon the person; and
- (b) the terms and conditions subject to which the appointed insurer may issue insurance cover to the person.

[24/2005]

(7) Upon the transfer of the Board's liabilities under the Scheme to an appointed insurer under subsection (1), the Board may —

- (a) subject to such terms or conditions as it thinks fit to impose, pay to the appointed insurer such part of the moneys in the MediShield Fund as the Board thinks necessary to enable the appointed insurer to meet the liabilities so transferred to it; and
- (b) retain such part of the moneys in the MediShield Fund as it thinks necessary for meeting any of its own liabilities under the Scheme that may have arisen prior to the transfer.

[24/2005]

(8) The Board may, by arrangement with an insurer, take over such of the undertakings of the insurer which, in the opinion of the Board, are suitable and expedient for the purposes of the Scheme.

[24/2005]

(9) Where, in connection with the Board's taking over of the undertakings of an insurer under subsection (8), the insurer transfers any sum to the Board, the Board shall pay the sum so transferred to it by the insurer into the MediShield Fund.

[24/2005]

Non-application of Insurance Act

56B. The Insurance Act (Cap. 142) shall not apply —

- (a) to anything done by the Board under this Part; or
- (b) to the transfer of any liability under section 56A(1), (3) or (8).

[24/2005]

Regulations for purposes of this Part

57. The Minister may make such regulations as are necessary or expedient for the purpose of carrying out the provisions of this Part and, in particular, such regulations may —

- (a) specify the members or class of members or other persons who are entitled to join the Scheme;
- (b) prescribe the conditions under which an insured person is entitled to claim the benefits payable under the Scheme;
- (c) prescribe the benefits payable to an insured person under the Scheme;
- (d) prescribe for the rates of premium payable by insured persons and the manner and time for payment of such premiums;
- (e) provide for the refund of any premium and the method or circumstances under which the refund shall be made and at such rates as may be prescribed;

- (f) provide for such information, evidence and documents that the Board may require an insured person to furnish for the purposes of this Part; and
- (g) provide for all matters which are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Part.

[15/90]

PART VIA

WORKFARE INCOME SUPPLEMENT SCHEME

Interpretation of this Part

57A. In this Part —

“cash payment” means any cash payment made by the Government under the Scheme;

“eligible member” means a member of the Fund who is eligible to receive any cash payment or relevant contribution under the Scheme;

“relevant contribution” means any contribution to the Fund made by the Government under the Scheme;

“relevant regulations” means any regulations made under section 57F;

“Scheme” means the Workfare Income Supplement Scheme established under section 57B.

[57/2007]

Establishment of Workfare Income Supplement Scheme

57B.—(1) There shall be established a scheme to be known as the Workfare Income Supplement Scheme for the purpose of supplementing the income of eligible members.

[57/2007]

(2) The Board shall administer the Scheme on behalf of the Government.

[57/2007]

Cash payments and contributions under Scheme

57C.—(1) Subject to subsection (4) and the relevant regulations, the Board may do either or both of the following:

- (a) make a cash payment, to an eligible member, of such amount as those regulations may prescribe;
- (b) credit, to such account of an eligible member in the Fund as the Minister may direct, a relevant contribution of such amount as those regulations may prescribe.

[57/2007]

(2) The Board may recover on behalf of the Government —

- (a) any cash payment made to a member of the Fund; and
- (b) any relevant contribution credited to any account in the Fund of a member of the Fund, together with the whole or such part, as the Board may determine, of any interest paid thereon,

if —

- (i) the member has obtained the cash payment or relevant contribution by means of any false or misleading statement or any document that is false or misleading in any particular;
- (ii) the member has contravened any provision of the relevant regulations; or
- (iii) the cash payment was made to the member, or the relevant contribution was credited to the account of the member, in error.

[57/2007]

(3) Where the amount of any cash payment or relevant contribution received by an eligible member exceeds that which he is entitled to receive under the relevant regulations, the Board may recover on behalf of the Government the excess amount (together with the whole or such part, as the Board may determine, of any interest paid on any excess amount of relevant contribution).

[57/2007]

(4) Subject to the relevant regulations, on the death of an eligible member, the Board may do either or both of the following:

- (a) make any cash payment which he would have been entitled to receive to his estate or, in lieu thereof, credit an additional relevant contribution, of an amount equivalent to the value of that cash payment, to such account of his in the Fund as the Minister may direct;
- (b) credit any relevant contribution which he would have been entitled to receive (not being an additional relevant contribution referred to in paragraph (a)) to such account of his in the Fund as the Minister may direct.

[57/2007; 23/2012]

(5) Notwithstanding section 24(3A), on the death of a member of the Fund, the Board may recover on behalf of the Government —

- (a) from the member's estate, any cash payment made to him (prior to his death) or to his estate; and
- (b) from the moneys payable out of the Fund on his death or from any person to whom any such moneys have been paid or transferred, any relevant contribution credited to any account of his in the Fund, together with the whole or such part, as the Board may determine, of any interest paid thereon,

if —

- (i) the cash payment was made, or the relevant contribution was credited, in reliance on any false or misleading statement or any document that is false or misleading in any particular;
- (ii) he had contravened any provision of the relevant regulations; or
- (iii) the cash payment was made to him (prior to his death) or to his estate, or the relevant contribution was credited to his account, in error.

[57/2007; 22/2010]

(6) Notwithstanding section 24(3A), on the death of an eligible member —

- (a) where the amount of any cash payment received by him (prior to his death) or by his estate exceeds that which he is or would have been entitled to receive under the relevant regulations, the Board may recover on behalf of the Government, from his estate, the excess amount of cash payment; and
- (b) where the amount of any relevant contribution credited to any account of his in the Fund exceeds that which he is or would have been entitled to receive under the relevant regulations, the Board may recover on behalf of the Government, from the moneys payable out of the Fund on his death or from any person to whom any such moneys have been paid or transferred, the excess amount of relevant contribution, together with the whole or such part, as the Board may determine, of any interest paid thereon.

[57/2007; 22/2010]

(7) The Board may recover on behalf of the Government, from any cash payment or relevant contribution which an eligible member is entitled to receive, by set-off or otherwise, any amount due to the Government from the member.

[57/2007]

(8) Subsections (2), (3), (5), (6) and (7) are without prejudice to any other right of action or remedy which the Board or the Government may have under any written law or rule of law.

[57/2007]

(9) Any money recovered by the Board under subsection (2), (3), (5), (6) or (7) shall be refunded to the Government.

[57/2007]

(10) Notwithstanding anything in this Part or the relevant regulations, no person shall have an absolute right to any cash payment or relevant contribution under the Scheme.

[57/2007]

Recovery of cash payment, etc., upon conviction

57D.—(1) Where —

- (a) a member of the Fund has received any cash payment, or any relevant contribution or interest thereon; and

- (b) the member is convicted of an offence under section 58(a) or (d) or the relevant regulations in connection with the cash payment, relevant contribution or interest,

the court before which the conviction is had may, in addition to the fine prescribed under section 61 or penalty prescribed under the relevant regulations, order that the member pay to the Board the amount certified by an officer appointed by the Board in that behalf to be recoverable from the member, as at the date of the conviction, in respect of the cash payment, relevant contribution or interest.

[57/2007]

(2) Section 61B(2) and (3) shall apply to an amount ordered to be paid under subsection (1) as it applies to an amount ordered to be paid under section 61B(1).

[57/2007]

Certificate of Board on amount of cash payment, etc.

57E. In any proceedings before any court, tribunal, authority or person (including any proceedings for the recovery of any cash payment, or any relevant contribution or interest thereon), a certificate purporting to be issued by the Board certifying —

- (a) the amount of any cash payment, or any relevant contribution or interest thereon, received by any member of the Fund or other person as at any date; or
- (b) the amount recoverable from any member of the Fund or other person as at any date in respect of any cash payment, or any relevant contribution or interest thereon, received by the member or person,

shall be prima facie evidence that the amount so stated was received by the member or person or is recoverable from the member or person, as the case may be, as at that date.

[57/2007]

Regulations for purposes of this Part

57F.—(1) The Minister may make such regulations as are necessary or expedient for the purposes of carrying out the provisions of this Part.

[57/2007]

(2) Without prejudice to the generality of subsection (1), such regulations may provide for —

(a) the criteria to be satisfied by an eligible member and the waiver of the whole or any part of any such criteria, by the Board or such other person as may be prescribed in those regulations;

[Act 24 of 2013 wef 01/01/2014]

(b) the terms and conditions of the Scheme;

(c) the amount of cash payment or relevant contribution which an eligible member is entitled to receive, including different amounts for different classes of eligible members;

(d) the manner in which any cash payment is to be made to an eligible member, or any relevant contribution is to be credited to any account of an eligible member in the Fund, including the making of provisional payments or credits;

(e) the manner in which, and the processes (apart from those referred to in sections 57C and 57D) by which, any cash payment or relevant contribution (including any interest on the relevant contribution) received by a member, or any part thereof, is to be recovered, including recovery from —

(i) any money standing to the credit of the member in the Fund; or

(ii) any cash payment or relevant contribution which the member may be entitled to receive subsequently;

(f) any restriction on the purposes for which any cash payment or relevant contribution may be utilised;

(g) the consequences of contravening any provision of those regulations; and

(h) any act or omission referred to in, or in contravention of, those regulations to be an offence.

[57/2007]

PART VII

OFFENCES, PENALTIES AND PROCEEDINGS

Offences

58. If any person —

(a) for any purpose connected with this Act —

(i) knowingly makes any false statement; or

(ii) produces or furnishes or causes or knowingly allows to be produced or furnished any document which he knows to be false in a material particular;

(b) fails to pay to the Fund within such period as may be prescribed any amount which he is liable under this Act to pay in respect of or on behalf of any employee in any month;

(c) obstructs any officer or employee of the Board in the discharge of his functions as such;

(d) fails to comply with any regulations or rules made under this Act; or

(e) fails to pay to the Board within such period as may be prescribed any amount which he is liable to pay under the provisions of this Act,

he shall be guilty of an offence.

Offences relating to investments

58A.—(1) No person shall, directly or indirectly, in connection with the making of any investment under any scheme in accordance with any regulations made under section 77(1)(n) or the sale or disposal of any such investment —

(a) employ any device, scheme or artifice to defraud; or

(b) engage in any act, practice or course of business which operates as a fraud or deception, or is likely to operate as a fraud or deception, upon any person.

[40/2007]

(2) Any person who contravenes subsection (1) shall be guilty of an offence.

[40/2007]

Publication of information to unauthorised person, etc.

59.—(1) Any person employed by the Board who, without lawful authority, publishes or communicates to any person, otherwise than in the ordinary course of his duty or employment, any information acquired by him in the course of his duty or employment shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$4,000 or to imprisonment for a term not exceeding 12 months or to both.

[22/2010]

(2) The Board may, on an application by a prospective employer who is considering whether or not to employ any person as an employee, give to the prospective employer the following particulars of that person:

- (a) the name of his employer or, if he has been in the employment of more than one employer, the names of all his employers during the past 3 years; and
- (b) the period for which contributions were paid into the Fund for that person by each of his employers.

(3) A prospective employer who wishes to obtain any of the particulars referred to in subsection (2) shall apply to the Board in such form as the Board may determine and shall pay the prescribed fee.

(4) The Board may require an applicant under subsection (3) to furnish proof that he is considering whether to employ the person in respect of whom the application is made.

(5) No refund shall be made of any fee paid under subsection (3).

(6) The Board may, on the request by an insurer administering or operating an insurance scheme referred to in section 77(1)(k), give to the insurer information, in the Board's possession, on any member or his dependant that the insurer requires for the purpose of administering or operating the insurance scheme, including any

medical information and information relating to the amount standing to the credit of the member in his medisave account.

[24/2005]

(7) The insurer may not use the information given under subsection (6) for any other purpose except —

- (a) for the purpose of determining whether a member or his dependant is entitled to be insured under the insurance scheme referred to in section 77(1)(k); or
- (b) for any other purpose connected with the administration or operation of the insurance scheme.

[34/2001; 24/2005]

(8) An insurer who knowingly contravenes subsection (7) shall be guilty of an offence.

[34/2001]

(9) Notwithstanding any provision of the National Registration Act (Cap. 201) or the Registration of Births and Deaths Act (Cap. 267), where a member has died in Singapore, and the Board has received information on the member's death from any officer appointed to perform duties under either or both of those Acts, the Board may, in the course of authorising the payment of any amount under section 20(1)(b) or (1A) to a person nominated by the member in accordance with section 25(1), performing its functions under section 25 in relation to any amount payable on the death of the member, or performing its functions under section 26 or 26A in relation to any shares belonging to the member or any proceeds of the sale of those shares, disclose to any person —

- (a) the name and identity card number of the member;
- (b) the date of the member's death; and
- (c) the source of the Board's information on the member's death.

[22/2010]

Offences by corporations

60. Where an offence under this Act has been committed by a body corporate and is found to have been committed with the consent or connivance of or to be attributable to any act or default on the part of

any director, manager, secretary or other officer of the body corporate, that director, manager, secretary or other officer as well as the body corporate shall be guilty of an offence.

General penalties

61.—(1) Except as otherwise provided in subsection (2), any person convicted of an offence under this Act for which no penalty is provided shall be liable on conviction —

- (a) to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both; and
- (b) if that person is a repeat offender in relation to the same offence, to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

(2) Where any person —

- (a) is guilty of an offence under section 7(5) or 58(b); or
- (b) being a director, manager or secretary or any other officer of a body corporate, is guilty of an offence under section 60 by virtue of the fact that an offence under section 7(3) or (5) or 58(b) has been committed by that body corporate and is found to have been committed with the consent or connivance of or to be attributable to any act or default on the part of that person,

that person shall be liable on conviction —

- (i) to a fine of not less than \$1,000 and not more than \$5,000 or to imprisonment for a term not exceeding 6 months or to both; and
- (ii) if that person is a repeat offender in relation to the same offence, to a fine of not less than \$2,000 and not more than \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

(3) For the purposes of subsections (1) and (2), a person is a repeat offender in relation to an offence (referred to in this subsection as the current offence) if the person has been convicted of the same offence on at least one other occasion (whether before, on or after the date of

commencement of section 18 of the Central Provident Fund (Amendment) Act 2013) before the person is convicted of the current offence.

[Act 24 of 2013 wef 01/01/2014]

Jurisdiction of court

61A. Notwithstanding the provisions of any written law to the contrary, a District Court or a Magistrate's Court shall have the jurisdiction to impose the maximum penalty prescribed for an offence under this Act.

Recovery of contributions, etc., upon conviction

61B.—(1) The court before which any conviction under section 7(3) or 61 is had may in addition to the fine prescribed in those sections order the person convicted to pay the amount of any contributions together with any interest due thereon certified by an officer appointed by the Board in that behalf to be due from that person at the date of the conviction.

[39/2000; 40/2007]

(1A) Where —

- (a) a member of the Fund has withdrawn any amount from his ordinary account or special account in connection with any investment made under any scheme in accordance with any regulations made under section 77(1)(n);
- (b) the member is convicted of an offence under this Act or any other written law in connection with that investment; and
- (c) the Board has required that member to refund or transfer to his ordinary account or special account such amount as may be prescribed by those regulations,

the court before which the conviction is had may, in addition to the fine prescribed under this Act or penalty prescribed under that law, order that member to refund or transfer to his ordinary account or special account, as the case may be, in accordance with such directions as the Board may give, the amount certified by an officer appointed by the Board in that behalf to be due from that member, under paragraph (c), at the date of the refund or transfer.

[40/2007]

(2) The court may order that the amount ordered to be paid under subsection (1), or refunded or transferred under subsection (1A), be recoverable —

(a) according to the law for the time being in force relating to the recovery of fines; or

(b) upon the application by the Board, in like manner as a judgment of a civil court for the payment of money.

[39/2000; 40/2007]

(3) Where the court orders that the amount ordered to be paid under subsection (1), or refunded or transferred under subsection (1A), to be recoverable in the manner mentioned in subsection (2)(b), the court shall certify the amount to be paid, refunded or transferred and the Board may recover the amount so certified in any civil court of competent jurisdiction as though the amount were a judgment debt due to the Board.

[39/2000; 40/2007]

Notice to attend court

62.—(1) Where an officer of the Board has reasonable ground for believing that a person has committed an offence under this Act, he may, in lieu of applying to a court for a summons, serve upon that person a prescribed notice, requiring that person to attend at the court, at the hour and on the date specified in the notice.

[30/98]

(2) A duplicate of the notice shall be prepared by the officer of the Board and, if so required by the court, produced to the court.

[30/98]

(3) The notice may be served on the person alleged to have committed the offence in the manner provided in section 62A(1).

[30/98]

(4) On an accused person appearing before a court in pursuance of such a notice, the court shall proceed as though he were produced before the court in pursuance of section 153 of the Criminal Procedure Code (Cap. 68).

[15/2010]

(5) If a person, upon whom such a notice has been served, fails to appear before a court in person or by counsel in accordance therewith,

the court may, if satisfied that the notice was duly served, issue a warrant for the arrest of the person unless that person has before that date been permitted to compound the offence.

[30/98]

(6) Upon a person arrested in pursuance of a warrant issued under subsection (5) being produced before a court, the court shall —

- (a) proceed as though he were produced in pursuance of section 153 of the Criminal Procedure Code; and
- (b) at the conclusion of the proceedings, call upon him to show cause why he should not be punished for failing to attend in compliance with the notice served upon him and if cause is not shown may order him to pay such fine not exceeding \$2,000 as the court thinks fit or may commit him to prison for a term not exceeding 2 months.

[30/98; 15/2010]

(7) An officer authorised in that behalf by the Board may, at any time before the date specified in the notice, cancel the notice.

[30/98]

(8) The Board may prescribe such form of notice as it may think fit for the purposes of this section.

[30/98]

Service of notice and summons

62A.—(1) Every notice to attend court issued under section 62, and every summons issued by a court, against any person in connection with any offence under this Act may be served on the person —

- (a) by delivering it to the person or to some adult member of his family at his last known place of residence;
- (b) by leaving it at or sending it by registered post to his usual or last known place of residence or business in an envelope addressed to the person;
- (c) where the person is a body of persons or a company —
 - (i) by delivering it to the secretary or other like officer of the body of persons or company at its registered office or principal place of business; or

- (ii) by sending it by registered post addressed to the body of persons or company at its registered office or principal place of business.

[30/98]

(2) Any notice to attend court, or summons, sent by registered post to any person in accordance with subsection (1) shall be deemed to be duly served on the person to whom the letter is addressed at the time when the letter would, in the ordinary course of post, be delivered and, in proving service of the summons, it shall be sufficient to prove that the envelope containing the summons was properly addressed, stamped and posted by registered post.

[30/98]

Composition of offences

63.—(1) The Board or any person authorised by the Board in writing may, in its discretion, compound any offence under this Act which is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding \$1,000.

[32/86; 27/92; 30/98]

[Act 24 of 2013 wef 01/01/2014]

(2) The Board may make rules to prescribe the offences which may be compounded.

[32/86]

(3) All sums collected under this section shall be paid to the Board.

[5/89]

Saving of proceedings under other laws

64. The provisions of this Act shall be without prejudice to any other proceedings under any other written law.

Recovery of sums due to Fund

65. Any sum due to the Fund, including any sum required by the Board or ordered by a court to be paid, repaid, refunded or transferred to any account maintained for a member of the Fund in respect of the moneys standing to the credit of the member in the Fund, may be sued

for and recovered by the Board under the Government Proceedings Act (Cap. 121) as if it were a debt due to the Government.

[40/2007]

Certificate of authorised officer to be evidence

66. In any legal proceedings, a copy of an entry in the accounts of the Fund, the Lifelong Income Fund, the Home Protection Fund or the MediShield Fund, as the case may be, duly certified under the hand of such officer of the Board as it may authorise shall be prima facie evidence of the entry having been made and of the truth of the contents thereof.

[36/2002; 24/2005; 23/2012]

Certificate of Board

66A.—(1) In any proceedings relating to the recovery or non-payment of contributions under section 7, a certificate purporting to be issued by the Board certifying the amount of the contributions and interest due thereon and payable by an employer or other person shall be prima facie evidence that the amount of contributions and interest so stated is due and payable by the employer or other person so named in the certificate as at the date of the certificate.

[30/98; 40/2007]

(2) Where the Board has required a member of the Fund to refund or transfer to his ordinary account or special account such amount as may be prescribed by any regulations made under section 77(1)(n), a certificate purporting to be issued by the Board certifying the amount due from the member at any date shall, in any proceedings relating to the recovery of that amount, be prima facie evidence that the amount so stated is due and payable by the member named in the certificate at that date.

[40/2007]

Conduct of prosecutions

67. Proceedings in respect of any offence under the provisions of this Act may, with the authorisation of the Public Prosecutor, be conducted by any officer authorised in writing in that behalf by the Chairman of the Board.

[15/2010]

PART VIII

MISCELLANEOUS

Protection of employee's or member's interest in execution proceedings and sale under mortgage or charge

68.—(1) Where —

- (a) a writ of seizure and sale` has been issued in execution of a judgment against an employer or a member and any movable or immovable property or other assets belonging to the employer or member has been seized or sold or otherwise realised in pursuance of the execution; and
- (b) prior to the payment of the proceeds of the sale or other realisation to an execution creditor, notice has been given to the Sheriff or other officer charged with the execution of the writ by the Board that any sum is due to the Fund,

no part of the proceeds shall be paid to an execution creditor, unless the court issuing the writ has ascertained and provided for the sum due to the Fund at the date of the sale or other realisation.

[40/2007]

(2) Where —

- (a) a writ of distress has been issued under the Distress Act (Cap. 84) to distrain the property of a tenant who is an employer or a member and any movable property belonging to the employer or member is seized in execution of the writ; and
- (b) prior to the payment of the proceeds of the sale or other realisation to the landlord entitled to the distraint, notice has been given to the Sheriff or other officer charged with the execution of the writ by the Board that any sum is due to the Fund,

no part of the proceeds shall be paid to the landlord unless the court issuing the writ has ascertained and provided for the sum due to the Fund at the date of the sale or other realisation.

[30/98; 40/2007]

(3) Where —

- (a) a garnishee order has been issued in execution of a judgment against an employer or a member; and
- (b) prior to the payment of the amount due or accruing due to the judgment debtor from the garnishee, notice has been given to the garnishee by the Board that any sum is due to the Fund,

no amount of the debt sought to be attached under the garnishee order shall be paid to the execution creditor unless the court issuing the garnishee order has ascertained and provided for the sum due to the Fund at the date the debt is due to be paid.

[30/98; 40/2007]

(4) Where —

- (a) any interest in any place of employment is being sold on the application of a secured creditor under any written law for the time being in force; and
- (b) the Board gives notice to the Sheriff or other officer charged with the conduct of the sale that a sum of money is due by the debtor to the Fund,

the proceeds of the sale shall not be paid to any creditor other than to the Government or a secured creditor unless the court ordering the sale has ascertained and provided for the amount due to the Fund at the date of the sale or unless the court is satisfied that all sums due to the Fund have been paid up to the date of sale.

(5) In any distribution of —

- (a) any proceeds referred to in subsection (1), (2) or (4); or
- (b) any amount sought to be attached under a garnishee order referred to in subsection (3),

any sum due to the Fund under section 7 or 61B(1) shall be paid in priority to any sum due to the Fund under section 61B(1A).

[40/2007]

(6) For the purposes of this section, any reference to an amount or a sum due to the Fund shall be construed as including a reference to an amount or a sum required by the Board or ordered by a court to be

paid, repaid, refunded or transferred to any account maintained for a member of the Fund in respect of the moneys standing to the credit of the member in the Fund.

[40/2007]

Power to exempt

69. The Minister may, by order published in the *Gazette*, with or without conditions, exempt any person or class of persons from all or any of the provisions of this Act.

[23/2012]

Application made, or information furnished, to Board by approved caregiver, etc.

70.—(1) Subject to subsections (2) and (3), the Board may —

- (a) approve any application to the Board under this Act that is made on behalf of a relevant person by an approved caregiver of that person; or
- (b) permit any information for the purposes of this Act to be furnished to the Board on behalf of a relevant person by an approved caregiver of that person.

[23/2012]

(2) Any approval or permission given by the Board under subsection (1) shall be subject to such terms and conditions as the Board may, with the approval of the Minister, impose.

[23/2012]

(3) Where any application under this Act for, or which will result in, any transfer, withdrawal or refund of any money standing to the credit of a relevant person in the Fund, or any payment or refund of any money to a relevant person or his account in the Fund, is made to the Board on behalf of that person by an approved caregiver of that person, and that application is an application to which this subsection applies, the Board shall not approve that application if the amount of the money, or the aggregate of that amount and of such other amounts as the Board may determine, exceeds such sum as the Minister may, by notification in the *Gazette*, specify.

[23/2012]

(4) Where any application under this Act for, or which will result in, any withdrawal or refund of any money standing to the credit of a relevant person in the Fund, or any payment or refund of any money to a relevant person, is made to the Board on behalf of that person by an approved caregiver of that person, that application is an application to which this subsection applies, and the Board has approved that application in accordance with subsections (2) and (3), the Board may pay the amount of the money to the approved caregiver.

[23/2012]

(5) The receipt of the approved caregiver shall be a discharge to the Board for the amount paid to the approved caregiver under subsection (4).

[23/2012]

(6) Subsection (4) shall not affect any recourse which any person may have against the approved caregiver for the amount paid to the approved caregiver under that subsection.

[23/2012]

(7) The approved caregiver shall apply the amount paid to him under subsection (4) towards the costs of the relevant person's maintenance.

[23/2012]

(8) Any approved caregiver who contravenes subsection (7) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

[23/2012]

(9) The Board may —

- (a) determine the applications to which subsection (3) applies;
- (b) determine different amounts under subsection (3) for different applications to which that subsection applies; and
- (c) determine the applications to which subsection (4) applies.

[23/2012]

(10) In this section —

“approved caregiver”, in relation to a relevant person, means any person who —

- (a) satisfies the Board that he is a caregiver of the relevant person; and
- (b) is approved by the Board for the purposes of this section;

“relevant person” means a person —

- (a) whom the Board is satisfied —
 - (i) is entitled, but is unable, to make any application to the Board under this Act; or
 - (ii) is unable to furnish any information to the Board for the purposes of this Act;
- (b) whose inability under paragraph (a)(i) or (ii), as the case may be, the Board is satisfied, is likely to be permanent; and
- (c) who, to the best of the Board’s knowledge, has neither of the following:
 - (i) a deputy appointed or deemed to be appointed for the person by the court under the Mental Capacity Act (Cap. 177A) with power in relation to the person for the purposes of this Act;
[Act 27 of 2014 wef 01/10/2014]
 - (ii) a donee under a lasting power of attorney registered under the Mental Capacity Act with power in relation to the person for the purposes of this Act.
[23/2012]

71. *[Repealed by Act 31 of 2003]*

Refund of contributions to Government

72.—(1) Notwithstanding sections 20(1)(b) and (1A) and 25 but subject to this section, the Board may, when a public officer is confirmed in a pensionable office in the service of the Government, refund to the Government such contributions paid by the Government in respect of the period before his confirmation (referred to in this

section as the excess contributions) as have not been recovered from the public officer's wages and are credited to any account in the Fund of the public officer, together with the whole or such part, as the Board may determine, of the interest paid on the excess contributions, except that no refund shall exceed the amount standing to the credit of the public officer in that account at the time a claim for the refund is approved by the Board.

[23/2012]

(2) Notwithstanding sections 20(1)(b) and (1A) and 25, if the excess contributions are credited to any account in the Fund of the public officer, the public officer has died and, at the time a claim for a refund of the whole or any part of the excess contributions and interest thereon is approved by the Board, the Board has made any payment or transfer under section 20(1)(b) or (1A), or any payment to the Public Trustee under section 25(2), from the amount standing to the credit of the public officer in that account —

- (a) the Board may refund to the Government the whole or such part, as the Board may determine, of the amount claimed, having regard to —
 - (i) the amount standing to the credit of the public officer in that account at the time the claim is approved by the Board; and
 - (ii) the portion of the amount payable on the public officer's death out of the Fund that remains in that account at the time the claim is approved by the Board; and
- (b) every payment or transfer made by the Board under section 20(1)(b) or (1A) or 25(2) before the time the claim is approved by the Board shall be deemed to have been properly made under the provisions of this Act.

[23/2012]

(3) Where any person makes, for and on behalf of the Government, a claim for a refund under this section, the Board may require the person to furnish such information to the Board as may be necessary.

[23/2012]

Transfer to Fund from provident fund or other scheme

73. Where any member of the Fund has acquired a right to any pecuniary benefit in a provident fund or other scheme by virtue of his employment as an employee, or by virtue of his engagement outside Singapore under any contract of service or apprenticeship or in any trade, business, profession or vocation, the Board may, in its discretion and subject to such terms and conditions as it may impose, permit the whole or any part of that benefit —

- (a) to be transferred to his account in the Fund, if he is a citizen or permanent resident of Singapore at the time of the transfer; and
- (b) to be treated as an excess contribution paid for him under section 7(4).

[23/2012]

Refund or payment of contributions paid in error

74.—(1) Notwithstanding sections 20(1)(b) and (1A) and 25 but subject to this section, where the Board is satisfied that any money has been paid in error to the Fund in respect of any person or as interest under section 9, the Board may —

- (a) refund the amount of the money to the person who paid the money; or
- (b) pay the whole or any part of the amount of the money to any person whom the Board is satisfied is entitled to that payment.

[23/2012]

(2) If any money has been paid in error to the Fund in respect of any person or as interest under section 9, but a claim for a refund or payment of the whole or any part of the money is not received by the Board within one year after the date on which the money was paid in error, the amount claimed shall not be refunded or paid to the claimant but shall be deemed to have been properly paid under the provisions of this Act in respect of that person or as interest, as the case may be.

[23/2012]

(2A) Notwithstanding sections 20(1)(b) and (1A) and 25 but subject to subsection (2B), if any money paid in error to the Fund is credited to

any account of a member in the Fund at the time the money is so paid, but the amount standing to the credit of the member in that account, at the time a claim for a refund or payment of the whole or any part of the money is approved by the Board, is less than the amount claimed, the Board may refund or pay to the claimant, or pay to any other person whom the Board is satisfied is entitled to that payment, an amount not exceeding the amount standing to the credit of the member in that account at the time the claim is approved by the Board.

[23/2012]

(2B) Notwithstanding sections 20(1)(b) and (1A) and 25, if any money paid in error to the Fund is credited to any account of a member in the Fund, the member has died and, at the time a claim for a refund or payment of the whole or any part of the money is approved by the Board, the Board has made any payment or transfer under section 20(1)(b) or (1A), or any payment to the Public Trustee under section 25(2), from the amount standing to the credit of the member in that account —

- (a) the Board may refund or pay to the claimant, or pay to any other person whom the Board is satisfied is entitled to that payment, the whole or such part, as the Board may determine, of the amount claimed, having regard to —
 - (i) the amount standing to the credit of the member in that account at the time the claim is approved by the Board; and
 - (ii) the portion of the amount payable on the member's death out of the Fund that remains in that account at the time the claim is approved by the Board; and
- (b) every payment or transfer made by the Board under section 20(1)(b) or (1A) or 25(2) before the time the claim is approved by the Board shall be deemed to have been properly made under the provisions of this Act.

[23/2012]

(3) If any sum is due to the Fund from any person to whom a refund or payment of any amount of any money paid in error would otherwise be made, the Board may retain the whole or any part of that amount and set it off against the sum due to the Fund.

[23/2012]

(4) No refund or payment to a claimant, or to any other person, shall be made and no amount shall be set-off under this section except with the consent of the Board.

[23/2012]

(5) The Board may require any person who claims to have paid any money to the Fund in error, or to be entitled to be paid the whole or any part of the money —

- (a) to make a written application for the refund or payment of the money; and
- (b) to furnish such information as the Board may require to determine the amount of the money so paid.

[23/2012]

Refund or payment of excess contributions on additional wages

75.—(1) Notwithstanding sections 20(1)(b) and (1A) and 25 but subject to this section and such terms and conditions as the Board may impose, where the Board is satisfied that the amount of contributions paid for any year on additional wages exceeds the amount of contributions payable on such additional wages after recomputation in accordance with the First Schedule, the Board may, in such manner as the Minister may prescribe by regulations made under section 77(1) —

- (a) refund the amount of the excess contributions, together with the whole or such part, as the Board may determine, of any interest paid on the excess contributions, to the person who paid the excess contributions; or
- (b) pay the whole or any part of the amount of the excess contributions, together with the whole or such part, as the Board may determine, of any interest paid on the excess contributions, to any person whom the Board is satisfied is entitled to that payment.

[23/2012]

(1A) Notwithstanding sections 20(1)(b) and (1A) and 25 but subject to subsection (1B) and such terms and conditions as the Board may impose, if any excess contributions referred to in subsection (1) are credited to any account of a member in the Fund at the time the excess

contributions are paid to the Fund, but the amount standing to the credit of the member in that account, at the time a claim for a refund or payment of the whole or any part of the excess contributions and interest thereon is approved by the Board, is less than the amount claimed, the Board may refund or pay to the claimant, or pay to any other person whom the Board is satisfied is entitled to that payment, an amount not exceeding the amount standing to the credit of the member in that account at the time the claim is approved by the Board.

[23/2012]

(1B) Notwithstanding sections 20(1)(b) and (1A) and 25 but subject to such terms and conditions as the Board may impose, if any excess contributions referred to in subsection (1) are credited to any account of a member in the Fund, the member has died and, at the time a claim for a refund or payment of the whole or any part of the excess contributions and interest thereon is approved by the Board, the Board has made any payment or transfer under section 20(1)(b) or (1A), or any payment to the Public Trustee under section 25(2), from the amount standing to the credit of the member in that account —

- (a) the Board may refund or pay to the claimant, or pay to any other person whom the Board is satisfied is entitled to that payment, the whole or such part, as the Board may determine, of the amount claimed, having regard to —
 - (i) the amount standing to the credit of the member in that account at the time the claim is approved by the Board; and
 - (ii) the portion of the amount payable on the member's death out of the Fund that remains in that account at the time the claim is approved by the Board; and
- (b) every payment or transfer made by the Board under section 20(1)(b) or (1A) or 25(2) before the time the claim is approved by the Board shall be deemed to have been properly made under the provisions of this Act.

[23/2012]

(2) If any sum is due to the Fund from any person to whom a refund or payment of any amount of any excess contributions and interest

thereon would otherwise be made, the Board may retain the whole or any part of that amount and set it off against the sum due to the Fund.

[23/2012]

(3) The Board may require any person who claims to be entitled to any refund or payment under this section or to have paid any excess contributions to the Fund to furnish such information to the Board as may be necessary.

[22/90; 23/2012]

Refund of excess contributions paid by self-employed person who has died

75A.—(1) This section applies where the Board is satisfied that the amount of contributions paid for any year by a member who is a self-employed person, under any regulations made under section 77(1)(e), exceeds the amount of contributions payable by him after recomputation in accordance with those regulations.

[23/2012]

(2) Notwithstanding sections 20(1)(b) and (1A) and 25 but subject to such terms and conditions as the Board may impose, if any excess contributions referred to in subsection (1) are credited to any account in the Fund of a member who is a self-employed person, the member has died and, at the time a claim by a personal representative of the member for a refund of the whole or any part of the excess contributions and interest thereon is approved by the Board, the Board has made any payment or transfer under section 20(1)(b) or (1A), or any payment to the Public Trustee under section 25(2), from the amount standing to the credit of the member in that account —

- (a) the Board may refund to the personal representative the whole or such part, as the Board may determine, of the amount claimed, having regard to —
 - (i) the amount standing to the credit of the member in that account at the time the claim is approved by the Board; and
 - (ii) the portion of the amount payable on the member's death out of the Fund that remains in that account at the time the claim is approved by the Board; and

(b) every payment or transfer made by the Board under section 20(1)(b) or (1A) or 25(2) before the time the claim is approved by the Board shall be deemed to have been properly made under the provisions of this Act.

[23/2012]

(3) If a member who is a self-employed person has died, any sum is due to the Fund from the member or his personal representative, and a refund of any amount of any excess contributions and interest thereon would otherwise be made to the personal representative under subsection (2), the Board may retain the whole or any part of that amount and set it off against the sum due to the Fund.

[23/2012]

(4) Where a member who is a self-employed person has died, and a personal representative of the member claims any refund under subsection (2), the Board may require the personal representative to furnish such information to the Board as may be necessary.

[23/2012]

(5) In this section, “self-employed person” has the meaning given to it in any regulations made under section 77(1)(e).

[23/2012]

Refund or payment of excess voluntary contributions where member has died

75B.—(1) This section applies where the aggregate of the amounts referred to in section 13B(3)(a), (b) and (c) which are contributed by or for a member in any year exceeds the sum referred to in section 13B(3).

[23/2012]

(2) Notwithstanding sections 20(1)(b) and (1A) and 25 but subject to such terms and conditions as the Board may impose, if any excess contributions referred to in subsection (1) are credited to any account of a member in the Fund, the member has died and, at the time a claim for a refund or payment of the whole or any part of the excess contributions and interest thereon is approved by the Board, the Board has made any payment or transfer under section 20(1)(b) or (1A), or any payment to the Public Trustee under section 25(2), from the amount standing to the credit of the member in that account —

- (a) the Board may refund or pay to the claimant, or pay to any other person whom the Board is satisfied is entitled to that payment, the whole or such part, as the Board may determine, of the amount claimed, having regard to —
- (i) the amount standing to the credit of the member in that account at the time the claim is approved by the Board; and
 - (ii) the portion of the amount payable on the member's death out of the Fund that remains in that account at the time the claim is approved by the Board; and
- (b) every payment or transfer made by the Board under section 20(1)(b) or (1A) or 25(2) before the time the claim is approved by the Board shall be deemed to have been properly made under the provisions of this Act.

[23/2012]

(3) If any sum is due to the Fund from any person to whom a refund or payment of any amount of any excess contributions and interest thereon would otherwise be made under subsection (2), the Board may retain the whole or any part of that amount and set it off against the sum due to the Fund.

[23/2012]

(4) The Board may require any person who claims to be entitled to any refund or payment under subsection (2), or to have paid any excess contributions referred to in subsection (1), to furnish such information to the Board as may be necessary.

[23/2012]

Board may engage in activities not directly related to Fund and may call for information

76.—(1) The Board may, if the Minister is satisfied that it is in the public interest for the Board to do so, engage in either or both of the following:

- (a) activities that are not related to, or that are not directly related to, the Fund or the administration of the Fund;

- (b) the compilation of information of a statistical nature or otherwise relating to members, employers and employees.

[18/2009]

(2) For the purpose of subsection (1), the Board may require members, employers and employees to furnish such particulars as may be necessary.

[57/2007]

(3) Notwithstanding the provisions of any written law but subject to any rules made under subsection (4), where a fund for the educational, social or economic advancement of any community has been approved by the Minister for the purposes of this subsection, an employer shall deduct from the monthly wages of an employee who belongs to that community such amount of contributions as may be prescribed and pay such contributions into the fund unless an employee notifies his employer in writing that he does not wish to contribute to the fund.

[3/92]

(4) The Board may, with the approval of the Minister, make such rules as are necessary or expedient for carrying out the provisions of subsection (3) relating to the fund referred to in that subsection and, in particular, such rules may —

- (a) provide for different amounts of contributions to be made by different categories of employees;
- (b) provide for the manner and time of payment and collection of contributions to the fund and any matters incidental thereto;
- (c) provide for the return of any contributions paid in error or for the payment of any contributions omitted to be paid;
- (d) provide for the keeping of books, accounts or records by employers;
- (e) provide, in cases where an employee is employed concurrently by 2 or more employers, for the extent of the obligation of such employers as to payment of contributions to the fund; and

- (f) provide that an employer who fails to deduct any contributions from an employee's monthly wages or fails to pay such deductions into the fund within the prescribed time shall be guilty of an offence.

[3/92]

Regulations and rules

77.—(1) The Minister may, after consulting with the Board, make regulations —

- (a) to provide for the manner of payment, collection and refund of contributions and any matters incidental thereto, including by electronic or other means;
- (b) to provide for the disposal of amounts which are unclaimed, unpaid or otherwise remain in the Fund;
- (ba) without prejudice to the generality of paragraph (b), for the transfer of any amount standing to the credit of a member to the general moneys of the Fund, and the restoration of that amount to the member's accounts in the Fund, and for the purposes of sections 2(1B), 6(4C) to (4I) and 13(7A) to (7G);
- (c) to provide for the classification of any employment, not being employment under a contract of service or apprenticeship, as an employment in respect of which contributions are payable under the provisions of this Act;
- (d) to provide that where an employee is employed in a specified employment a person specified as the principal employer shall be deemed to be his employer for the purposes of this Act notwithstanding that the principal employer is not the immediate employer of the employee;
- (e) to require such person as the Minister may specify who derives income from any trade, business, profession or vocation, or from any other source or sources as the Minister may prescribe, to contribute to the Fund in respect of such income in such a manner and at such rate as may be prescribed by the Minister;

- (f) to provide that the Comptroller of Income Tax, appointed under the Income Tax Act (Cap. 134), may transmit to the Board such information, documents or records as may be required to enable the incomes of the persons referred to in paragraph (e) to be ascertained and to provide for the Board, its officers and employees, when dealing with the information, documents or records to be bound by the same conditions as to secrecy as are the persons mentioned in section 6 of that Act;
- (g) to provide that the Board may, with the approval of the Minister, appoint any agent (including the Government or any statutory body) for the assessment, collection or recovery of contributions payable under this Act and any interest thereon and that such agent may be delegated such duties, powers and functions of the Board or its officers under this Act as may be prescribed;
- (h) to provide for a member of the Fund to apply, assign or withdraw all or part of the moneys standing to his credit in the Fund, and for the repayment into the member's account in the Fund of all or part of the moneys applied, assigned or withdrawn —
 - (i) for the purchase or acquisition of any immovable property;
 - (ii) for the repayment of any loan taken to finance or re-finance the purchase or acquisition of any immovable property;
 - (iii) for the payment of —
 - (A) any improvement contribution due to the Housing and Development Board in respect of upgrading works carried out under Part IVA of the Housing and Development Act (Cap. 129), or any improvement contribution due to a Town Council in respect of upgrading works carried out under Part IVA of the Town Councils Act (Cap. 329A); and

- (B) any costs, fees or other incidental expenses arising from such works; and
- (iv) for the payment of costs, fees or other expenses incurred —
 - (A) for the purchase or acquisition of an immovable property;
 - (B) to change the manner of holding of an immovable property from a joint tenancy to a tenancy in common, or vice versa;
 - (C) for the transfer of any part (but not the whole) of the member's estate or interest in an immovable property to any other person;
 - (D) for obtaining any loan to finance or re-finance any purchase or acquisition referred to in sub-paragraph (A); or
 - (E) in connection with withdrawals of any money from the Fund;
- (i) to provide for a member of the Fund to apply or withdraw all or part of the moneys standing to his credit in the Fund, and for the repayment into the member's account in the Fund of all or part of the moneys applied or withdrawn —
 - (i) for the repayment of any loan taken to finance or re-finance the purchase or acquisition of any land (with or without any building thereon) and the cost incurred for the construction of any dwelling-house thereon, including the payment of any cost, fee or other incidental expense incurred for the purchase or acquisition of that land and the construction of the dwelling-house; and
 - (ii) for the reimbursement of the cost for the purchase or acquisition of any land (with or without any building thereon) and the construction of any dwelling-house thereon, including the payment of any cost, fee or other incidental expense incurred for the purchase or

acquisition of that land and the construction of the dwelling-house;

- (j) with respect to the withdrawal of money from the medisave account of a member for such medical, psychiatric or other treatment or services received, or to be received, by him, his spouse, child, parent or such other persons as may be prescribed;
- (k) to provide, in any case where a member or his dependant is insured under a medical insurance scheme or other insurance scheme approved by the Minister charged with the responsibility for health, for —
 - (i) the withdrawal of money from the member's medisave account for the payment of any premium payable by the member or his dependant in respect of the medical insurance scheme or other insurance scheme;
 - (ii) the refund of any premium paid by the member or his dependant in respect of the medical insurance scheme or other insurance scheme, the circumstances under which any such refund will be made, and the determination of the manner in which any such refund will be made (including the person who will make any such determination); and
 - (iii) the payment of any rebate given in respect of the medical insurance scheme or other insurance scheme, the circumstances under which any such payment will be made, and the determination of the manner in which any such payment will be made (including the person who will make any such determination);
- (ka) to provide for the transfer of money from the medisave account of a member to his ordinary account, special account and retirement account (if any);
- (l) to provide for rates of contributions, other than those specified in the First Schedule, in respect of employees

- declared by the President to be employees for the purposes of this Act by notification in the *Gazette* under section 2(1);
- (m) for the purposes of sections 20(1)(b)(iii), (1A)(c), (1B), (1C) and (1D) and 25(1)(a)(iii), (1B)(b) and (1C) to (1H) and, in particular, to provide for the determination of the amount of any periodic instalment referred to in section 20(1)(b)(iii) or (1A)(c) or 25(1)(a)(iii);
 - (n) to provide for members of the Fund to apply, assign or withdraw all or part of the contributions and interest standing to their credit in the Fund for the purpose of making such investments as may be approved by the Minister, or for the reimbursement of the cost of the making of any such investments, including the payment of any fees, charges or incidental expenses incurred for such investments;
 - (na) without prejudice to the generality of paragraph (n), for the purposes of sections 26 to 26D;
 - (o) for the purposes of sections 15(6)(a), (6C), (6CA), (6CB), (7), (9), (9A), (10), (10A) and (11) to (11F), 18(1) and (1A) and 18A(1) and (1A) and, in particular, to —
 - (i) prescribe the minimum sum referred to in section 15(6)(a), including different minimum sums for different classes of members;
 - (ii) prescribe the method of computing the minimum sum, and provide for certain amounts standing to the credit of a member in his retirement account to be disregarded when determining whether the member has set aside the minimum sum;
 - (iii) prescribe the amount which may be withdrawn under section 15(7), and provide for the manner in which that amount may be withdrawn, after a member has attained the prescribed age;
 - (iv) without prejudice to the generality of sub-paragraph (iii), provide for the Board to pay an amount withdrawn by a member under section 15(7)

into the member's account in the Fund, and for the circumstances in which payment will be made to a member in this manner; and

(v) provide for the payment into a member's account in the Fund of any payment to the Board that is secured under section 15(9), (9A), (10), (10A), (11D) or (11E), 27C(1) or (2), 27D(1) or (2) or 27DA(1) or (2);

(oa) for the purposes of section 18(3), (6)(b) and (7) and, in particular, to prescribe —

(i) the method of computing the amount of moneys which may be transferred to or paid into a special account under section 18(3);

[Act 24 of 2013 wef 28/06/2014]

(ia) the order of priority in which the moneys and interest referred to in section 18(4)(a) and (b) and (5)(a) and (b) shall be transferred by the Board to a member's retirement account; and

[Act 24 of 2013 wef 28/06/2014]

(ii) the purposes for which any moneys transferred to or paid into a special account under section 18(3) may be applied, the amount which may be applied for each such purpose, and the manner in which any such amount may be withdrawn;

[Act 24 of 2013 wef 28/06/2014]

(ob) to provide for the reserved amount to be set aside or topped-up in an ordinary account;

[Act 24 of 2013 wef 01/06/2014]

(p) to prescribe for the purposes of section 15B the manner of application to set aside the additional sum, the conditions on which the additional sum may be set aside, the time at which the additional sum may be set aside, and the amount of and the manner in which the additional sum may be withdrawn;

(q) to provide for rates of contributions, other than those specified in the First Schedule, in respect of such

categories, classes or descriptions of employees as the Minister may specify;

(qa) to prescribe the fees and charges that may be levied by the Board for the purposes of this Act;

(r) [*Deleted by Act 23 of 2012*]

(ra) for the purposes of Part IIIA and, in particular, to prescribe —

(i) the procedure and requirements for and manner of effecting, and any other matter relating to, the transfer of money standing to the credit of a member to any designated account of his spouse;

(ii) the procedure and requirements for and manner of effecting, and any other matter relating to, the payment of money standing to the credit of a member to his spouse;

(iii) any matter relating to the transfer (other than by way of sale) of a member's estate or interest in any immovable property or HDB flat to his spouse pursuant to an order of court;

(iv) any matter relating to the transfer of a member's interest in any investment to his spouse under section 27G; and

(v) any matter relating to the sale of a member's interest in any investment under section 27H; and

(s) as are necessary or expedient for giving full effect to the purposes and provisions of this Act.

[19/83; 32/84; 16/86; 5/87; 22/90; 27/92; 29/93; 10/94; 39/2000; 34/2001; 36/2002; 23/2005; 15/2006; 40/2007; 25/2008; 18/2009; 22/2010; 20/2011; 23/2012]

(2) The Board may, in addition to the other duties imposed and powers conferred upon it under this Act, make rules —

(a) to provide for —

(i) the return of contributions under this Act, or of any part of those contributions, paid in error; and

- (ii) the payment of contributions under this Act, or of any part of those contributions, omitted to be paid in error;
- (b) to provide for the keeping of books, accounts or records by employers;
- (c) to provide for the appointment of medical boards for the purpose of determining whether a member of the Fund satisfies any ground under section 15(2)(d), (e), (f) or (g), (6B)(a), (7A) (a), (b), (c) or (d), (8) (a), (b), (c) or (d), 36(2) or 49(2);
- (d) to prescribe the procedure for the withdrawal of amounts from the Fund;
- (e) to prescribe the evidence to be produced and the person, officer or authority to whom the evidence is to be produced for the purposes of section 15;
- (ea) to provide for the exercise of the court's powers under section 20 of the Mental Capacity Act (Cap. 177A) in relation to —
 - (i) the executing under section 15(6A) or 25(1), on a member's behalf, of any memorandum under section 25(1); and
 - (ii) where any such memorandum has been executed, or any nomination has been made under section 25(1), by a member or by the court on behalf of a member, the revoking, on the member's behalf, of that memorandum or nomination, as the case may be;
- (f) to prescribe the procedure to be followed when contributions are paid into the Fund;
- (g) to provide, in cases where an employee is employed concurrently by 2 or more employers, the extent of the obligation of those employers as to payment of contributions under this Act;
- (h) to prescribe the form and period of any notice to be given by an employee to his employer under section 7;

- (i) to prescribe the procedure to be followed when any voluntary contribution is paid to the Fund;
- (j) to prescribe the returns to be made and the forms and registers to be used in the carrying out of the provisions of this Act; and
- (k) to prescribe anything which under this Act may be prescribed by the Board.

[15/2006; 40/2007; 18/2009; 22/2010]

(3) No withdrawal shall be allowed to any member pursuant to regulations made under subsection (1)(i) unless the construction of his dwelling-house has been completed and a temporary occupation permit in respect of the dwelling-house has been issued by the relevant Government authority.

(4) In subsections (1)(i) and (3), “dwelling-house” means any building which is constructed to be used for human habitation.

[29/93]

Regulations and rules to be presented to Parliament

78.—(1) All regulations and rules made under this Act shall, unless it is otherwise provided by those regulations and rules, come into operation on the date of their publication in the *Gazette*.

(2) Such regulations and rules shall be presented to Parliament as soon as possible after publication.

(3) Such regulations and rules shall remain in force until disapproved or altered by resolution of Parliament.

(4) Any regulation or rule altered by a resolution of Parliament shall come into operation as altered from the date of the passing of the resolution.

Reciprocal agreements

79.—(1) The Minister may, after consulting with the Board, enter into a reciprocal agreement with the government of any other territory in which a fund similar to the Fund has been established and the agreement may provide, amongst other matters, that —

- (a) any period of employment by an employer in the territory of that government shall be treated as a period of employment in Singapore by that employer for the purpose of the definition of “employee” in section 2;
 - (b) subject to such conditions as may be laid down in the reciprocal agreement, any amount standing to the credit of any member of the Fund who is employed by any employer in the territory of that government may be transferred to his credit in the fund; and
 - (c) any amount standing to the credit in the fund of any person who becomes a member of the Fund may be transferred to his credit in the Fund.
- (2) If any such reciprocal agreement containing such provisions is entered into, the definition of employee in section 2 shall be deemed to be modified accordingly, so that —
- (a) no person shall be required to contribute to the Fund in respect of any period during which he was not employed in Singapore;
 - (b) no employer shall be required to contribute in respect of any employee during that period; and
 - (c) the transfer by the Board of credits to and from the Fund in that manner shall be permitted.
- (3) Any reciprocal agreement made under subsection (1) shall be published in the *Gazette* and shall come into operation on the date of the publication or on such later date as may be provided in the agreement.

FIRST SCHEDULE

Sections 7, 8, 70, 75 and 77

RATES OF CONTRIBUTION

1. Subject to paragraphs 1A to 7, with effect from 1 January 2015, the contributions payable by the employer and the amount recoverable from the employee’s wages are as follows:

- (a) where the employee is not more than 60 years of age:

FIRST SCHEDULE — continued

	<i>50 years of age and below</i>	<i>Above 50 but not more than 55 years of age</i>	<i>Above 55 but not more than 60 years of age</i>
<i>Total amount of the employee's wages for the calendar month</i>	<i>Amount recoverable from the employee's wages for the calendar month</i>	<i>Amount recoverable from the employee's wages for the calendar month</i>	<i>Amount recoverable from the employee's wages for the calendar month</i>
(1)	(2)	(3)	(4)
<i>Contributions payable by the employer for the calendar month</i>	<i>Contributions payable by the employer for the calendar month</i>	<i>Contributions payable by the employer for the calendar month</i>	<i>Contributions payable by the employer for the calendar month</i>
<i>Additional Wages.</i>	<i>Additional Wages.</i>	<i>Additional Wages.</i>	<i>Additional Wages.</i>
(5)	(6)	(7)	(8)

(b) where the employee is above 60 years of age:

	<i>Above 60 but not more than 65 years of age</i>	<i>Above 65 years of age</i>
<i>Total amount of the employee's wages for the calendar month</i>	<i>Amount recoverable from the employee's wages for the calendar month</i>	<i>Amount recoverable from the employee's wages for the calendar month</i>
(1)	(2)	(3)
<i>Contributions payable by the employer for the calendar month</i>	<i>Contributions payable by the employer for the calendar month</i>	<i>Contributions payable by the employer for the calendar month</i>
<i>Additional Wages.</i>	<i>Additional Wages.</i>	<i>Additional Wages.</i>
(4)	(5)	(6)
<i>Exceeding \$50 but not exceeding \$500</i>	<i>An amount equal to 8.5% of the Total Wages.</i>	<i>An amount equal to 7.5% of the Total Wages.</i>
<i>Exceeding \$500 but not exceeding \$750</i>	<i>An amount equal to the sum of — (a) 8.5% of the Total Wages; and (b) 0.225 of the difference between the Total Wages and \$500.</i>	<i>An amount equal to 0.15 of the difference between the Total Wages and \$500.</i>
<i>Exceeding \$750</i>	<i>An amount equal to the sum of — (a) 8.5% of the Total Wages; and (b) 0.15 of the difference between the Total Wages and \$500.</i>	<i>An amount equal to the sum of — (a) 7.5% of the Total Wages; and (b) 0.15 of the difference between the Total Wages and \$500.</i>

FIRST SCHEDULE — continued

<i>Total amount of the employee's wages for the calendar month</i>	<i>Above 60 but not more than 65 years of age</i>	<i>Amount recoverable from the employee's wages for the calendar month</i>	<i>Above 65 years of age</i>	<i>Amount recoverable from the employee's wages for the calendar month</i>
(1)	(2)	(3)	(4)	(5)
(a) 16% of the employee's ordinary wages for the month subject to a maximum of \$800; and	(a) 16% of the employee's ordinary wages for the month subject to a maximum of \$375; and	(a) 7.5% of the employee's ordinary wages for the month subject to a maximum of \$625; and	(a) 12.5% of the employee's ordinary wages for the month subject to a maximum of \$250; and	(a) 5% of the employee's ordinary wages for the month subject to a maximum of \$250; and
(b) 16% of the Relevant Additional Wages.	(b) 7.5% of the Relevant Additional Wages.	(b) 12.5% of the Relevant Additional Wages.	(b) 5% of the Relevant Additional Wages.	

[S 860/2014 wef 01/01/2015]

1A. Subject to paragraphs 1E to 7, with effect from 1 January 2015, the contributions payable by the employer (at graduated rates) and the amount recoverable from the employee's wages (at graduated rates), during the period beginning on the date the employee becomes a permanent resident and ending on the last day of the first anniversary month, are as follows:

- (a) where the employee is not more than 60 years of age:

FIRST SCHEDULE — continued

	<i>50 years of age and below</i>	<i>Above 50 but not more than 55 years of age</i>	<i>Above 55 but not more than 60 years of age</i>
(1)	(2)	(3)	(4)
<i>Total amount of the employee's wages for the calendar month</i>	<i>Contributions payable by the employer for the calendar month</i>	<i>Amount recoverable from the employee's wages for the calendar month</i>	<i>Contributions payable by the employer for the calendar month</i>
(1)	(2)	(3)	(4)
Exceeding \$50 but not exceeding \$500	An amount equal to 4% of the Total Wages.	NIL	An amount equal to 4% of the Total Wages.
Exceeding \$500 but not exceeding \$750	An amount equal to the sum of — (a) 4% of the Total Wages; and (b) 0.15 of the difference between the Total Wages and \$500.	An amount equal to 0.15 of the difference between the Total Wages and \$500.	An amount equal to the sum of — (a) 4% of the Total Wages; and (b) 0.15 of the difference between the Total Wages and \$500.
Exceeding \$750	An amount equal to the sum of — (a) 9% of the employee's ordinary wages for the month subject to a maximum of \$450; and (b) 5% of the employee's ordinary wages for the month subject to a maximum of \$250; and	An amount equal to the sum of — (a) 5% of the employee's ordinary wages for the month subject to a maximum of \$250; and	An amount equal to the sum of — (a) 9% of the employee's ordinary wages for the month subject to a maximum of \$450; and (b) 5% of the employee's ordinary wages for the month subject to a maximum of \$250; and

FIRST SCHEDULE — continued

	<i>50 years of age and below</i>		<i>Above 50 but not more than 55 years of age</i>		<i>Above 55 but not more than 60 years of age</i>	
<i>Total amount of the employee's wages for the calendar month</i>	(1)	(2)	(3)	(4)	(5)	(6)
		<i>(b)</i>	<i>(b)</i>	<i>(b)</i>	<i>(b)</i>	<i>(b)</i>
		9% of the Relevant Additional Wages.	5% of the Relevant Additional Wages.	9% of the Relevant Additional Wages.	5% of the Relevant Additional Wages.	9% of the Relevant Additional Wages.
		<i>Contributions payable by the employer for the calendar month</i>	<i>Contributions payable by the employer for the calendar month</i>	<i>Contributions payable by the employer for the calendar month</i>	<i>Contributions payable by the employer for the calendar month</i>	<i>Contributions payable by the employer for the calendar month</i>
		<i>Amount recoverable from the employee's wages for the calendar month</i>	<i>Amount recoverable from the employee's wages for the calendar month</i>	<i>Amount recoverable from the employee's wages for the calendar month</i>	<i>Amount recoverable from the employee's wages for the calendar month</i>	<i>Amount recoverable from the employee's wages for the calendar month</i>

(b) where the employee is above 60 years of age:

	<i>Above 60 but not more than 65 years of age</i>		<i>Above 65 years of age</i>	
<i>Total amount of the employee's wages for the calendar month</i>	(1)	(2)	(3)	(4)
		<i>(b)</i>	<i>(b)</i>	<i>(b)</i>
		An amount equal to 3.5% of the Total Wages.	An amount equal to 0.15 of the difference between the Total Wages and \$500.	An amount equal to 0.15 of the difference between the Total Wages and \$500.
		<i>Contributions payable by the employer for the calendar month</i>	<i>Contributions payable by the employer for the calendar month</i>	<i>Contributions payable by the employer for the calendar month</i>
		<i>Amount recoverable from the employee's wages for the calendar month</i>	<i>Amount recoverable from the employee's wages for the calendar month</i>	<i>Amount recoverable from the employee's wages for the calendar month</i>
Exceeding \$50 but not exceeding \$500		NIL	An amount equal to 3.5% of the Total Wages.	NIL
Exceeding \$500 but not exceeding \$750		An amount equal to the sum of — <i>(a)</i> 3.5% of the Total Wages; and	An amount equal to the sum of — <i>(a)</i> 3.5% of the Total Wages; and	An amount equal to 0.15 of the difference between the Total Wages and \$500.

FIRST SCHEDULE — continued

<p><i>Total amount of the employee's wages for the calendar month</i></p> <p>(1)</p>	<p><i>Contributions payable by the employer for the calendar month</i></p> <p>(2)</p> <p>(b) 0.15 of the difference between the Total Wages and \$500.</p>	<p><i>Amount recoverable from the employee's wages for the calendar month</i></p> <p>(3)</p>	<p><i>Contributions payable by the employer for the calendar month</i></p> <p>(4)</p> <p>(b) 0.15 of the difference between the Total Wages and \$500.</p>	<p><i>Amount recoverable from the employee's wages for the calendar month</i></p> <p>(5)</p>
<p>Exceeding \$750</p>	<p>An amount equal to the sum of —</p> <p>(a) 8.5% of the employee's ordinary wages for the month subject to a maximum of \$425; and</p> <p>(b) 8.5% of the Relevant Additional Wages.</p>	<p>An amount equal to the sum of —</p> <p>(a) 5% of the employee's ordinary wages for the month subject to a maximum of \$250; and</p> <p>(b) 5% of the Relevant Additional Wages.</p>	<p>An amount equal to the sum of —</p> <p>(a) 8.5% of the employee's ordinary wages for the month subject to a maximum of \$425; and</p> <p>(b) 8.5% of the Relevant Additional Wages.</p>	<p>An amount equal to the sum of —</p> <p>(a) 5% of the employee's ordinary wages for the month subject to a maximum of \$250; and</p> <p>(b) 5% of the Relevant Additional Wages.</p>

[S 860/2014 wef 01/01/2015]

1B. Subject to paragraphs 1E to 7, with effect from 1 January 2015, the contributions payable by the employer (at graduated rates) and the amount recoverable from the employee's wages (at graduated rates), during the period beginning on the first day of the calendar month following the first anniversary month and ending on the last day of the second anniversary month, are as follows:

- (a) where the employee is not more than 60 years of age:

FIRST SCHEDULE — continued

	<i>50 years of age and below</i>	<i>Above 50 but not more than 55 years of age</i>	<i>Above 55 but not more than 60 years of age</i>
<p>(1) Total amount of the employee's wages for the calendar month</p> <p>(2) Contributions payable by the employer for the calendar month</p> <p>(3) Amount recoverable from the employee's wages for the calendar month</p> <p>(4) Contributions payable by the employer for the calendar month</p> <p>(5) Amount recoverable from the employee's wages for the calendar month</p> <p>(6) Contributions payable by the employer for the calendar month</p> <p>(7) Amount recoverable from the employee's wages for the calendar month</p>	<p>(b) 24% of the Relevant Additional Wages.</p> <p>(b) 15% of the Relevant Additional Wages.</p> <p>(b) 24% of the Relevant Additional Wages.</p> <p>(b) 15% of the Relevant Additional Wages.</p> <p>(b) 18.5% of the Relevant Additional Wages.</p> <p>(b) 12.5% of the Relevant Additional Wages.</p>		

(b) where the employee is above 60 years of age:

	<i>Above 60 but not more than 65 years of age</i>	<i>Above 65 years of age</i>
<p>(1) Exceeding \$50 but not exceeding \$500</p> <p>(2) Exceeding \$500 but not exceeding \$750</p>	<p>(3) Amount recoverable from the employee's wages for the calendar month</p> <p>(4) Contributions payable by the employer for the calendar month</p> <p>(5) Amount recoverable from the employee's wages for the calendar month</p>	<p>(3) Amount recoverable from the employee's wages for the calendar month</p> <p>(4) Contributions payable by the employer for the calendar month</p> <p>(5) Amount recoverable from the employee's wages for the calendar month</p>

An amount equal to 3.5% of the Total Wages.

An amount equal to the sum of —
 (a) 3.5% of the Total Wages; and
 and \$500.

An amount equal to 0.225 of the difference between the Total Wages and \$500.

An amount equal to 0.15 of the difference between the Total Wages and \$500.

FIRST SCHEDULE — continued

<i>Total amount of the employee's wages for the calendar month</i>	<i>Above 60 but not more than 65 years of age</i>	<i>Above 65 years of age</i>
(1)	(2)	(3)
<p>(a) 11% of the employee's ordinary wages for the month subject to a maximum of \$550; and</p> <p>(b) 11% of the Relevant Additional Wages.</p>	<p>(a) 7.5% of the employee's ordinary wages for the month subject to a maximum of \$375; and</p> <p>(b) 7.5% of the Relevant Additional Wages.</p>	<p>(a) 5% of the employee's ordinary wages for the month subject to a maximum of \$250; and</p> <p>(b) 5% of the Relevant Additional Wages.</p>
<p>Exceeding \$750</p>	<p>An amount equal to the sum of —</p> <p>(a) 0.225 of the difference between the Total Wages and \$500.</p> <p>(b) 0.15 of the difference between the Total Wages and \$500.</p>	<p>An amount equal to the sum of —</p> <p>(a) 8.5% of the employee's ordinary wages for the month subject to a maximum of \$425; and</p> <p>(b) 8.5% of the Relevant Additional Wages.</p>

[S 860/2014 wef 01/01/2015]

1C. Subject to paragraphs 1E to 7, with effect from 1 January 2015, the contributions payable by the employer (at full rates) and the amount recoverable from the employee's wages (at graduated rates), during the period beginning on the date the employee becomes a permanent resident and ending on the last day of the first anniversary month, are as follows:

- (a) where the employee is not more than 60 years of age:

FIRST SCHEDULE — continued

<i>Total amount of the employee's wages for the calendar month</i>	(1)	<i>Contributions payable by the employer for the calendar month</i>	<i>Amount recoverable from the employee's wages for the calendar month</i>	<i>Contributions payable by the employer for the calendar month</i>	<i>Amount recoverable from the employee's wages for the calendar month</i>
		(2)	(3)	(4)	(5)
		(a) 13.5% of the employee's ordinary wages for the month subject to a maximum of \$675; and	(a) 5% of the employee's ordinary wages for the month subject to a maximum of \$250; and	(a) 12.5% of the employee's ordinary wages for the month subject to a maximum of \$625; and	(a) 5% of the employee's ordinary wages for the month subject to a maximum of \$250; and
		(b) 13.5% of the Relevant Additional Wages.	(b) 5% of the Relevant Additional Wages.	(b) 12.5% of the Relevant Additional Wages.	(b) 5% of the Relevant Additional Wages.

[S 860/2014 wef 01/01/2015]

1D. Subject to paragraphs 1E to 7, with effect from 1 January 2015, the contributions payable by the employer (at full rates) and the amount recoverable from the employee's wages (at graduated rates), for the period beginning on the first day of the calendar month following the first anniversary month and ending on the last day of the second anniversary month, are as follows:

- (a) where the employee is not more than 60 years of age:

FIRST SCHEDULE — continued

	<i>50 years of age and below</i>	<i>Above 50 but not more than 55 years of age</i>	<i>Above 55 but not more than 60 years of age</i>
<i>Total amount of the employee's wages for the calendar month</i>	(1)	(2)	(3)
	<i>Additional Wages.</i>	<i>Additional Wages.</i>	<i>Additional Wages.</i>
	<i>Contributions payable by the employer for the calendar month</i>	<i>Contributions payable by the employer for the calendar month</i>	<i>Contributions payable by the employer for the calendar month</i>
	<i>Amount recoverable from the employee's wages for the calendar month</i>	<i>Amount recoverable from the employee's wages for the calendar month</i>	<i>Amount recoverable from the employee's wages for the calendar month</i>
	(4)	(5)	(6)
	<i>Additional Wages.</i>	<i>Additional Wages.</i>	<i>Additional Wages.</i>
	(7)		

(b) where the employee is above 60 years of age:

	<i>Above 60 but not more than 65 years of age</i>	<i>Above 65 years of age</i>
<i>Total amount of the employee's wages for the calendar month</i>	(1)	(2)
	<i>Additional Wages.</i>	<i>Additional Wages.</i>
	<i>Contributions payable by the employer for the calendar month</i>	<i>Contributions payable by the employer for the calendar month</i>
	<i>Amount recoverable from the employee's wages for the calendar month</i>	<i>Amount recoverable from the employee's wages for the calendar month</i>
	(3)	(4)
	<i>Additional Wages.</i>	<i>Additional Wages.</i>
	(5)	
Exceeding \$50 but not exceeding \$500	An amount equal to 8.5% of the Total Wages; and	An amount equal to 7.5% of the Total Wages.
Exceeding \$500 but not exceeding \$750	(a) 8.5% of the Total Wages; and (b) 0.225 of the difference between the Total Wages and \$500.	(a) An amount equal to the sum of — (b) 0.15 of the difference between the Total Wages and \$500.
Exceeding \$750	An amount equal to the sum of —	An amount equal to the sum of —

FIRST SCHEDULE — continued

<i>Total amount of the employee's wages for the calendar month</i>	<i>Above 60 but not more than 65 years of age</i>	<i>Above 65 years of age</i>
(1)	(2)	(3)
<p><i>Contributions payable by the employer for the calendar month</i></p> <p>(a) 16% of the employee's ordinary wages for the month subject to a maximum of \$800; and</p> <p>(b) 16% of the Relevant Additional Wages.</p>	<p><i>Contributions payable by the employer for the calendar month</i></p> <p>(a) 12.5% of the employee's ordinary wages for the month subject to a maximum of \$625; and</p> <p>(b) 12.5% of the Relevant Additional Wages.</p>	<p><i>Amount recoverable from the employee's wages for the calendar month</i></p> <p>(a) 5% of the employee's ordinary wages for the month subject to a maximum of \$250; and</p> <p>(b) 5% of the Relevant Additional Wages.</p>
(1)	(2)	(3)

[S 860/2014 wef 01/01/2015]

1E. Subject to paragraphs 1F to 7, where a foreign employee becomes a permanent resident after 1st March 2009 but before 1st March 2011, or where a person becomes a permanent resident after 1st March 2009 but before 1st March 2011 and subsequently becomes an employee, the contributions payable in respect of that employee during the period beginning on 1st March 2011 and ending on the last day of the second anniversary month, shall be in accordance with the rates of contributions set out in paragraphs 1A and 1B.

1F. Subject to paragraphs 1H to 7, where the employer and the employee who is a permanent resident have agreed on or after 1st March 2011 —

- (a) in a case where the contributions payable in respect of that employee would (but for this paragraph) have been in accordance with paragraph 1A, that those contributions shall be in accordance with the rates set out in paragraph 1 or 1C instead; or

FIRST SCHEDULE — *continued*

(b) in a case where the contributions payable in respect of that employee would (but for this paragraph) have been in accordance with paragraph 1B, that those contributions shall be in accordance with the rates set out in paragraph 1 or 1D instead,

and have, in the manner determined by the Board, informed the Board of such agreement, then the agreed rates of contribution shall apply in respect of that employee until —

- (i) the employee leaves the employment of the employer; or
- (ii) the agreement expires or is lawfully terminated,

whichever is the earlier.

1G. Notwithstanding anything in this Schedule, where any agreement —

- (a) was entered into on or after 1st October 2002 between an employer and an employee who is a permanent resident under regulation 5 of the revoked Central Provident Fund (Permanent Residents — Employees) Regulations (Rg 21, 2010 Ed.) in relation to the contributions payable in respect of that employee; and
- (b) was in force immediately before 1st March 2011,

then —

- (i) if the agreement is for those contributions to be in accordance with the rates set out in the First Schedule to the Act, the rates in this Schedule shall apply in relation to that employee; or
- (ii) if the agreement is for those contributions to be in accordance with the rates set out in paragraphs 3 and 4 of the Schedule to those Regulations, the rates set out in paragraphs 1C and 1D of this Schedule shall apply in relation to that employee,

until the employee leaves the employment of the employer or the agreement expires or is lawfully terminated, whichever is the earlier.

FIRST SCHEDULE — *continued*

1H. Notwithstanding anything in this Schedule, where any agreement —

- (a) was entered into before 1st October 2002 between an employer and an employee who is a permanent resident under regulation 3(2)(b) of the revoked Central Provident Fund (Permanent Residents — Employees) Regulations (Rg 21, 1998 Ed.) in relation to the contributions payable in respect of that employee; and
- (b) was in force immediately before 1st March 2011,

then the agreed rates of the contribution shall continue to apply in relation to that employee until the employee leaves the employment of the employer, or the agreement expires or is lawfully terminated, whichever is the earlier.

2. No contributions shall be payable by an employer on the additional wages in a year which are in excess of the applicable amount less the amount of ordinary wages for that year.

3. Where the additional wages of an employee, other than an employee referred to in paragraph 7, are paid at any time before the relevant time and before the amount of his ordinary wages for that year is computed, no contributions shall be payable by an employer on the additional wages which are in excess of an amount computed as follows:
the applicable amount less —

- (a) the ordinary wages of the employee for the preceding year; and
- (b) the additional wages of the employee already paid for the current year.

3A. Where the additional wages of an employee referred to in paragraph 7 are paid at any time before the relevant time and before the amount of his ordinary wages for that year is computed, no contributions shall be payable by an employer on the additional wages which are in excess of the amount computed in the manner prescribed in the Central Provident Fund (Public Sector Employees) Regulations 2011 (G.N. No. S 106/2011).

FIRST SCHEDULE — *continued*

- 4.—(1) Where the contributions on additional wages for any year have been paid at any time before the relevant time and before the amount of ordinary wages for that year is computed, the amount of contributions payable on the additional wages for that year shall be recomputed at the relevant time, subject to the limit in paragraph 2.
- (2) Where the contributions on additional wages recomputed under sub-paragraph (1) exceed the contributions already paid on additional wages for that year, the employer shall contribute the difference to the Fund at the relevant time, subject to the limit in paragraph 2.
- (3) Where the employer is required to make additional contributions under sub-paragraph (2), he shall be entitled to recover from the employee's wages, at the rate of recovery for additional wages applicable to the employee, the amount of additional contributions paid by the employer under that sub-paragraph.
- 4A. In computing the amount of ordinary wages for the purposes of paragraphs 2, 3 and 4 —
- (a) for the year beginning 1st January 2011, the amount of ordinary wages for any month which is in excess of —
- (i) \$4,500 for the months of January to August; and
 - (ii) \$5,000 for the months of September to December,
- shall be disregarded; and
- (b) for the year beginning 1st January 2012 and every subsequent year, the amount of ordinary wages for any month which is in excess of \$5,000 shall be disregarded.
5. For the purpose of this Schedule —
- (a) a person is deemed to have attained 50, 55, 60 or 65 years of age on the fiftieth, fifty-fifth, sixtieth or sixty-fifth anniversary, respectively, of the day of the person's birth and the contributions payable in respect of an employee above

FIRST SCHEDULE — *continued*

50, 55, 60 or 65 years of age are payable from the first day of the month following the month in which the employee attains that age;

[S 860/2014 wef 01/01/2015]

- (b) the contribution payable by the employer shall be rounded off to the nearest dollar except where the fraction of a dollar is 50 cents, it shall be regarded as a dollar;
- (c) in calculating the amount recoverable by the employer from the employee's wages, fraction of a dollar shall be ignored;
- (d) "additional wages" means any remuneration other than ordinary wages;
- (da) "applicable amount" —
 - (i) in respect of the year beginning 1st January 2011, means the sum of \$79,333; and
 - (ii) in respect of the year beginning 1st January 2012 and every subsequent year, means the sum of \$85,000;
- (db) "first anniversary month", in relation to an employee who becomes a permanent resident, means the calendar month in which the first anniversary of the day the employee becomes a permanent resident falls;
- (dc) "foreign employee" means an employee who is not a citizen of Singapore or permanent resident;
- (dd) "Relevant Additional Wages", in relation to an employee, means the amount of any additional wages payable to the employee in a calendar month;
- (e) "ordinary wages for the month" means the amount of remuneration due or granted wholly or exclusively in respect of employment during that month and payable before the due date for the payment of contribution for that month;
- (ea) "relevant time" means the end of the current year or the last month of the employee's employment with that employer, as the case may be;
- (eb) "permanent resident" means a person who holds a valid entry permit or re-entry permit issued by the Controller of Immigration under the Immigration Act (Cap. 133);

FIRST SCHEDULE — *continued*

- (ec) “second anniversary month”, in relation to an employee who becomes a permanent resident, means the calendar month in which the second anniversary of the day the employee becomes a permanent resident falls;
- (f) “Total Wages”, in relation to an employee, means the total amount of the employee’s ordinary wages for a calendar month and any additional wages payable to him in that same month;
- (g) [*Deleted by S 657/2003*]
- (h) “year” means the period beginning on 1st January and ending on 31st December.
6. The rates of contribution specified in paragraph 1 shall not apply to the employees of the following:
- (1) The managers of any aided school other than a school that is set out in the Schedule to the Education (Grant-in-Aid) Regulations (Cap. 87, Rg 3).
 - (2) Accounting and Corporate Regulatory Authority.
 - (3) Agency for Science, Technology and Research (A*Star).
 - (4) Agri-Food and Veterinary Authority of Singapore.
 - (5) Board of Architects.
 - (6) Building and Construction Authority.
 - (6A) Casino Regulatory Authority of Singapore.
 - (7) Central Provident Fund Board.
 - (8) Civil Aviation Authority of Singapore.
 - (9) Civil Service College.
 - (10) Competition Commission of Singapore.

FIRST SCHEDULE — *continued*

- (11) Council for Private Education.
- (11A) Council for Estate Agencies.
- (12) Defence Science and Technology Agency.
- (13) Economic Development Board.
- (14) Energy Market Authority of Singapore.
- (15) Health Promotion Board.
- (16) Health Sciences Authority.
- (17) Hindu Advisory Board.
- (18) Hindu Endowments Board.
- (19) Hotels Licensing Board.
- (20) Housing and Development Board.
- (21) Info-communications Development Authority of Singapore.
- (22) Inland Revenue Authority of Singapore.
- (23) Institute of Southeast Asian Studies.
- (24) Institute of Technical Education, Singapore.
- (25) Intellectual Property Office of Singapore.
- (26) International Enterprise Singapore Board.
- (27) Jurong Town Corporation.

FIRST SCHEDULE — *continued*

- (28) Land Transport Authority of Singapore.
- (29) Majlis Ugama Islam, Singapura.
- (30) Maritime and Port Authority of Singapore.
- (31) Media Development Authority of Singapore.
- (32) Monetary Authority of Singapore.
- (33) Nanyang Polytechnic.
- (34) [Deleted by S 193/2006]
- (35) National Arts Council.
- (36) National Council of Social Service.
- (37) National Environment Agency.
- (38) National Heritage Board.
- (39) National Institute of Education.
- (40) National Library Board.
- (41) National Parks Board.
- (42) [Deleted by S 193/2006]
- (43) Ngee Ann Polytechnic.
- (44) People's Association.
- (45) [Deleted by Act 16 of 2009]

FIRST SCHEDULE — *continued*

- (46) Professional Engineers Board.
- (47) Public Transport Council.
- (48) Public Utilities Board.
- (49) Republic Polytechnic.
- (50) Science Centre Board.
- (51) Sentosa Development Corporation.
- (52) Sikh Advisory Board.
- (52A) Singapore Accountancy Commission.
- (53) Singapore Corporation of Rehabilitative Enterprises.
- (54) Singapore Dental Council.
- (55) Singapore Examinations and Assessment Board.
- (56) Singapore Labour Foundation.
- (57) Singapore Land Authority.
- (58) Singapore Medical Council.
- (59) Singapore Nursing Board.
- (60) Singapore Pharmacy Board.
- (61) Singapore Polytechnic.
- (62) Singapore Sports Council.

FIRST SCHEDULE — *continued*

- (63) Singapore Totalisator Board.
- (64) Singapore Tourism Board.
- (65) Singapore Workforce Development Agency.
- (66) Specialist Accreditation Board.
- (67) Standards, Productivity and Innovation Board (Spring Singapore).
- (68) Temasek Polytechnic.
- (69) Traditional Chinese Medicine Practitioners Board.
- (70) Urban Redevelopment Authority.

7. Contributions shall be payable for and recoverable from the wages of such employees who are —

- (a) employees of the Government;
- (b) employees of a statutory body; and
- (c) persons employed in an aided school by the managers of the school, other than a school that is set out in the Schedule to the Education (Grant-in-Aid) Regulations,

at the rates prescribed in the Central Provident Fund (Public Sector Employees) Regulations 2011.

/29/95; 1/96; 7/96; 4/99; 41/99; 9/2000; 3/2001; 17/2001; 25/2002; 3/2004; 3/2005; 36/2007; 16/2009; 25/2010; S 273/94; S 570/95; S 645/98; S 156/2000; S 612/2000; S 167/2001; S 313/2001; S 550/2001; S 524/2002; S 468/2003; S 657/2003; S 801/2004; S 830/2005; S 193/2006; S 324/2007; S 415/2008; S 581/2009; S 486/2010; S 107/2011; S 508/2011; S 441/2012; S 315/2013]

Sections 10 and 11

SECOND SCHEDULE

FINANCIAL PROVISIONS

- 1.—(1) The Board shall keep proper accounts and records of its transactions and affairs and shall do all things necessary to ensure that all payments out of its moneys are correctly made, properly authorised and that adequate control is maintained over the assets of, or in the custody of, the Board and over the expenditure incurred by the Board.
- (2) The Board shall, as soon as practicable after the close of each financial year, prepare and submit financial statements in respect of that year to the auditor of the Board.
- 2.—(1) The accounts of the Board shall be audited at least once annually by the Auditor-General or such other auditor as may be appointed annually by the Minister in consultation with the Auditor-General.
- (2) A person shall not be qualified for appointment as an auditor under sub-paragraph (1) unless he is a public accountant within the meaning of the Companies Act (Cap. 50).
- (3) The remuneration of the auditor shall be paid out of the funds of the Board.
3. The auditor or any person authorised by him is entitled at all reasonable times to full and free access to all accounting and other records relating, directly or indirectly, to the financial transactions of the Board and may make copies of or extracts from any such accounting and other records.
- 4.—(1) The auditor shall in his report state —
 - (a) whether the financial statements show fairly the financial transactions and the state of affairs of the Board;
 - (b) whether proper accounting and other records have been kept, including records of all assets of the Board whether purchased, donated or otherwise;
 - (c) whether receipts, expenditure and investment of moneys and the acquisition and disposal of assets by the Board during the financial year were in accordance with the provisions of this Act; and

SECOND SCHEDULE — *continued*

- (d) such other matters arising from the audit as he considers necessary.
- (2) The auditor shall, as soon as practicable after the accounts have been submitted for audit, send a report of his audit to the Board, and shall also submit such periodical and special reports to the Minister and to the Board as may appear to him to be necessary or as the Minister or the Board may require.
- 5.—(1) The auditor or any person authorised by him may require any person to furnish him with such information in the possession of that person or to which that person has access as the auditor considers necessary for the purposes of his functions under this Act.
- (2) Any person who fails, without reasonable excuse, to comply with any requirement of the auditor under sub-paragraph (1) or who otherwise hinders, obstructs or delays the auditor in the performance of his duties or the exercise of his powers shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.
- 6.—(1) The Board shall, as soon as the financial statements have been audited in accordance with the provisions of this Act, send to the Minister a copy of the audited financial statements, signed by the Chairman, together with a copy of the auditor's report.
- (2) Where the Auditor-General is not the auditor of the Board, a copy of the audited financial statements and any report made by the auditor shall be forwarded to the Auditor-General when they are submitted to the Board.
- (3) The Minister shall, as soon as practicable, cause a copy of the audited financial statements and of the auditor's report to be published in the *Gazette* and presented to Parliament.
7. The Chairman of the Board shall, as soon as practicable after the end of each financial year, submit to the Board an account of the revenue and expenditure of the Fund, of the contributions received, of withdrawals made and of interest credited to members during the preceding financial year together with a statement of the assets and liabilities of the Fund.
- 8.—(1) The Board shall, as soon as practicable after the end of each financial year, cause to be prepared and transmitted to the Minister a report dealing generally with the activities of the Board during the preceding financial year and containing such information relating to the proceedings and policy of the Board as the Minister may from time to time direct.
- (2) The Minister shall, as soon as practicable, cause a copy of every such report to be presented to Parliament.

SECOND SCHEDULE — *continued*

9. The financial year of the Board shall be determined by the Board.

[27/92]

THIRD SCHEDULE

Section 13A

SPECIFIED ACTS RELATING TO
SELF-EMPLOYED PERSONS

1. Animals and Birds Act (Cap. 7).
2. Appraisers Act (Cap. 16).
3. Arms and Explosives Act (Cap. 13).
4. Business Registration Act (Cap. 32).
5. Child Care Centres Act (Cap. 37A).
6. Commodity Trading Act (Cap. 48A).
7. Control of Plants Act (Cap. 57A).
8. Control of Vectors and Pesticides Act (Cap. 59).
9. Customs Act (Cap. 70).
10. Electricity Act (Cap. 89A).
11. Employment Agencies Act (Cap. 92).
12. Environmental Protection and Management Act (Cap. 94A).

THIRD SCHEDULE — *continued*

13. Environmental Public Health Act (Cap. 95).
14. Estate Agents Act (Cap. 95A).
15. Films Act (Cap. 107).
16. Financial Advisers Act (Cap. 110).
17. Fisheries Act (Cap. 111).
18. Gas Act (Cap. 116A).
19. Homes for the Aged Act (Cap. 126A).
20. Limited Liability Partnerships Act (Cap. 163A).
21. Limited Partnerships Act (Cap. 163B).
22. Maritime and Port Authority of Singapore Act (Cap. 170A).
23. Massage Establishments Act (Cap. 173).
24. Money-changing and Remittance Businesses Act (Cap. 187).
25. Moneylenders Act (Cap. 188).
26. Parking Places Act (Cap. 214).
27. Pawnbrokers Act (Cap. 222).
28. Planning Act (Cap. 232).
29. Postal Services Act (Cap. 237A).
30. Price Control Act (Cap. 244).

THIRD SCHEDULE — *continued*

31. Private Security Industry Act (Cap. 250A).
32. Public Entertainments and Meetings Act (Cap. 257).
33. Public Utilities Act (Cap. 261).
34. Road Traffic Act (Cap. 276).
35. Rubber Industry Act (Cap. 280).
36. Sale of Food Act (Cap. 283).
37. Secondhand Goods Dealers Act (Cap. 288A).
38. Securities and Futures Act (Cap. 289).
39. Sewerage and Drainage Act (Cap. 294).
40. Singapore Tourism Board Act (Cap. 305B).
41. Telecommunications Act (Cap. 323).
42. Wholesome Meat and Fish Act (Cap. 349A).
43. Workplace Safety and Health Act (Cap. 354A).
[27/92; 7/96; 43/99; 22/2000; 42/2001; 7/2006; 4/2007; 26/2007; 38/2007; 25/2010; S 34/93; S 520/99; S 258/2000; S 457/2004; S 660/2004; S 243/2005; S 191/2009; S 154/2010]

LEGISLATIVE HISTORY
CENTRAL PROVIDENT FUND ACT
(CHAPTER 36)

This Legislative History is provided for the convenience of users of the Central Provident Fund Act. It is not part of the Act.

1. Ordinance 34 of 1953 — Central Provident Fund Ordinance 1953

Date of First Reading : 22 May 1951
(Bill published on 25 May 1951.
No Bill number given)

Date Committed to Select Committee : 22 May 1951 (Council Paper No.
65 of 1953)

Date of Second and Third Readings : 24 November 1953

Date of commencement : 11 December 1953

2. Ordinance 4 of 1955 — Central Provident Fund (Amendment) Ordinance 1955

Date of First, Second and Third Readings : 28 January 1955

Date of commencement : 11 February 1955

3. Ordinance 15 of 1955 — Central Provident Fund (Amendment No. 2) Ordinance 1955

Date of First, Second and Third Readings : 29 June 1955

Date of commencement : 1 July 1955

**4. G. N. No. S 265/55 — Singapore Colony Order in Council 1955
(Consequential Provisions) (Miscellaneous)
Order 1955**

Date of commencement : 17 September 1955

**5. Ordinance 16 of 1957 — Central Provident Fund (Amendment)
Ordinance 1957**

Date of First Reading : 24 April 1957
(Bill No. 99/57 published on
7 May 1957)

Date of Second and Third Readings : 22 May 1957

Date of commencement : 1 June 1957

**6. Ordinance 31 of 1958 — Legislative Assembly (Presentation of
Subsidiary Legislation) Ordinance 1958**

Date of First Reading : 16 July 1958
(Bill No. 158/58 published on
22 July 1958)

Date of Second Reading : 13 August 1958

Date of Third Reading : 10 September 1958

Date of commencement : 25 September 1958

7. G. N. No. S 223/1959 — Singapore Constitution (Modification of Laws) Order 1959

Date of commencement : 29 May 1959

8. S (NS) 67/1959 — Singapore Constitution (Modification of Laws) (No. 2) Order 1959

Date of commencement : 16 August 1959

9. Ordinance 71 of 1959 — Transfer of Powers Ordinance 1959

Date of First Reading : 22 September 1959
(Bill No. 30/59 published on
30 September 1959)

Date of Second and Third Readings : 11 November 1959

Date of commencement : 20 November 1959

10. Ordinance 72 of 1959 — Transfer of Powers (No. 2) Ordinance 1959

Date of First Reading : 22 September 1959
(Bill No. 31/59 published on
30 September 1959)

Date of Second and Third Readings : 11 November 1959

Date of commencement : 20 November 1959

11. Ordinance 32 of 1963 — Central Provident Fund (Amendment) Ordinance 1963

Date of First Reading : 28 November 1963
 (Bill No. 13/63 published on
 6 December 1963)

Date of Second and Third Readings : 20 December 1963

Date of commencement : 1 February 1964 (sections 2, 3
 and 5 to 11)

12. Act 25 of 1968 — Central Provident Fund (Amendment) Act 1968

Date of First Reading : 10 July 1968
 (Bill No. 26/68 published on
 13 July 1968)

Date of Second and Third Readings : 1 August 1968

Date of commencement : 1 September 1968

13. G. N. No. S 273/1969 — Central Provident Fund (Substitution of Schedule) Notification 1969

Date of commencement : 1 January 1970

14. G. N. No. S 354/1970 — Central Provident Fund (Substitution of Schedule) Notification 1970

Date of commencement : 1 January 1971

- 15. Act 55 of 1970 — Central Provident Fund (Amendment) Act 1970**
Date of First Reading : 4 November 1970
(Bill No. 43/70 published on
9 November 1970)
Date of Second and Third Readings : 30 December 1970
Date of commencement : 1 January 1971
- 16. 1970 Revised Edition — Central Provident Fund Act (Chapter 121)**
Date of operation : 30 April 1971
- 17. G. N. No. S 114/1972 — Central Provident Fund (Amendment of
Schedule) Notification 1972**
Date of commencement : 1 March 1972
- 18. G. N. No. S 131/1972 — Central Provident Fund (Amendment of
Schedule) (No. 2) Notification 1972**
Date of commencement : 1 March 1972
- 19. G. N. No. S 283/1972 — Central Provident Fund (Amendment of
Schedule) (No. 4) Notification 1972**
Date of commencement : 1 April 1972
- 20. G. N. No. S 284/1972 — Central Provident Fund (Amendment of
Schedule) (No. 5) Notification 1972**
Date of commencement : 12 May 1972

- 21. G. N. No. S 170/1972 — Central Provident Fund (Substitution of Schedule) Notification 1972**
Date of commencement : 1 July 1972
- 22. G. N. No. S 201/1972 — Central Provident Fund (Amendment of Schedule) (No. 3) Notification 1972**
Date of commencement : 1 July 1972
- 23. G. N. No. S 285/1972 — Central Provident Fund (Amendment of Schedule) (No. 6) Notification 1972**
Date of commencement : 1 July 1972
- 24. G. N. No. S 115/1973 — Central Provident Fund (Amendment of Schedule) Notification 1973**
Date of commencement : 1 April 1973
- 25. G. N. No. S 216/1973 — Central Provident Fund (Substitution of Schedule) Notification 1973**
Date of commencement : 1 July 1973
- 26. Act 42 of 1973 — Central Provident Fund (Amendment) Act 1973**
Date of First Reading : 11 July 1973
(Bill No. 21/73 published on 13 July 1973)
Date of Second and Third Readings : 25 July 1973
Date of commencement : 1 September 1973

- 27. G. N. No. S 173/1974 — Central Provident Fund (Substitution of Schedule) Notification 1974**
Date of commencement : 1 July 1974
- 28. G. N. No. S 184/1974 — Central Provident Fund (Amendment of Amendment) Notification**
Date of commencement : 1 July 1974
- 29. G. N. No. S 133/1975 — Central Provident Fund (Amendment of Schedule) Notification 1975**
Date of commencement : 1 July 1975
- 30. G. N. No. S 178/1977 — Central Provident Fund (Substitution of Schedule) Notification 1977**
Date of commencement : 1 July 1977
- 31. Act 22 of 1978 — Central Provident Fund (Amendment) Act 1978**
Date of First Reading : 22 March 1978
(Bill No. 16/78 published on
23 March 1978)
- Date of Second and Third Readings : 7 April 1978
Date of commencement : 26 April 1978
- 32. G. N. No. S 155/1978 — Central Provident Fund (Substitution of Schedule) Notification 1978**
Date of commencement : 1 July 1978

- 33. G. N. No. S 133/1979 — Central Provident Fund (Substitution of Schedule) Notification 1979**
 Date of commencement : 1 July 1979
- 34. G. N. No. S 165/1980 — Central Provident Fund (Amendment of Schedule) Notification 1980**
 Date of commencement : 1 February 1980
- 35. Act 15 of 1980 — Central Provident Fund (Amendment) Act 1980**
 Date of First Reading : 26 February 1980
 (Bill No. 4/80 published on
 29 February 1980)
 Date of Second and Third Readings : 25 March 1980
 Date of commencement : 15 May 1980
- 36. G. N. No. S 187/1980 — Central Provident Fund (Substitution of Schedule) Notification 1980**
 Date of commencement : 1 July 1980
- 37. Act 20 of 1981 — Central Provident Fund (Amendment No. 2) Act 1981**
 Date of First Reading : 21 July 1981
 (Bill No. 21/81 published on
 24 July 1981)
 Date of Second and Third Readings : 14 August 1981
 Date of commencement : 1 January 1981 (section 5)

- 38. Act 20 of 1981 — Central Provident Fund (Amendment No. 2) Act 1981**
- Date of First Reading : 21 July 1981
(Bill No. 21/81 published on
24 July 1981)
- Date of Second and Third Readings : 14 August 1981
- Date of commencement : 1 June 1981 (sections 4 and 7)
- 39. G. N. No. S 188/1981 — Central Provident Fund Act (Substitution of
Schedule) Notification 1981**
- Date of commencement : 1 July 1981
- 40. Act 20 of 1981 — Central Provident Fund (Amendment No. 2) Act 1981**
- Date of First Reading : 21 July 1981
(Bill No. 21/81 published on
24 July 1981)
- Date of Second and Third Readings : 14 August 1981
- Date of commencement : 4 September 1981 (except
sections 4, 5 and 7)
- 41. Act 19 of 1981 — Central Provident Fund (Amendment) Act 1981**
- Date of First Reading : 18 February 1981
(Bill No. 3/81 published on
20 February 1981)
- Date of Second Reading : 6 March 1981

- Date Committed to Select Committee : 6 March 1981
- Date of Third Reading : 14 August 1981
- Date of commencement : 1 November 1981
- 42. Reprint 1981 — Central Provident Fund (Chapter 121)**
Date of operation : 10 November 1981
- 43. G. N. No. S 174/1982 — Central Provident Fund Act (Substitution of Schedule) Notification 1982**
Date of commencement : 1 July 1982
- 44. G. N. No. S 159/1983 — Central Provident Fund Act (Substitution of Schedule) Notification 1983**
Date of commencement : 1 July 1983
- 45. G. N. No. S 245/1983 — Central Provident Fund Act (Amendment of Schedule) Notification 1983**
Date of commencement : 1 November 1983
- 46. Act 19 of 1983 — Central Provident Fund (Amendment) Act 1983**
Date of First Reading : 30 August 1983
(Bill No. 14/83 published on
7 September 1983)
- Date of Second and Third Readings : 20 December 1983
- Date of commencement : 21 January 1984

- 47. G. N. No. S 169/1984 — Central Provident Fund Act (Substitution of Schedule) Notification 1984**
Date of commencement : 1 July 1984
- 48. G. N. No. S 265/1984 — Central Provident Fund Act (Amendment of Schedule) Notification 1984**
Date of commencement : 1 September 1984
- 49. Act 32 of 1984 — Central Provident Fund (Amendment) Act 1984**
Date of First Reading : 24 July 1984
(Bill No. 27/84 published on
3 August 1984)
Date of Second and Third Readings : 24 August 1984
Date of commencement : 28 September 1984
- 50. G. N. No. S 183/1985 — Central Provident Fund Act (Amendment of Schedule) Notification 1985**
Date of commencement : 1 July 1985
- 51. G. N. No. S 65/1986 — Central Provident Fund Act (Amendment of Schedule) Notification 1986**
Date of commencement : 1 April 1986

52. Act 16 of 1986 — Central Provident Fund (Amendment) Act 1986

Date of First Reading : 7 March 1986
 (Bill No. 6/86 published on
 14 March 1986)

Date of Second and Third Readings : 31 March 1986

Date of commencement : 1 April 1986 (sections 3(b) and
 (c) and 4)

53. Act 16 of 1986 — Central Provident Fund (Amendment) Act 1986

Date of First Reading : 7 March 1986
 (Bill No. 6/86 published on
 14 March 1986)

Date of Second and Third Readings : 31 March 1986

Date of commencement : 1 May 1986 (except
 sections 3(b) and (c) and 4)

54. Act 5 of 1987 — Central Provident Fund (Amendment) Act 1987

Date of First Reading : 9 December 1986
 (Bill No. 30/86 published on
 10 December 1986)

Date of Second and Third Readings : 26 January 1987

Date of commencement : 1 January 1987 (except
 section 5)

55. Act 32 of 1986 — Statutes (Miscellaneous Amendments) Act 1986

Date of First Reading : 27 October 1986
(Bill No. 24/86 published on
31 October 1986)

Date of Second and Third Readings : 9 December 1986

Date of commencement : 23 January 1987 (Item (2) of the
Schedule — Amendment of
Central Provident Fund Act)

56. 1985 Revised Edition — Central Provident Fund Act (Chapter 36)

Date of operation : 30 March 1987

**57. G. N. No. S 22/1989 — Revised Edition of the Laws (Rectification)
Order 1989**

Date of commencement : 30 March 1987

58. Act 5 of 1987 — Central Provident Fund (Amendment) Act 1987

Date of First Reading : 9 December 1986
(Bill No. 30/86 published on
10 December 1986)

Date of Second and Third Readings : 26 January 1987

Date of commencement : 1 April 1987 (section 5)

- 59. Act 30 of 1987 — Central Provident Fund (Amendment No. 2) Act 1987**
 Date of First Reading : 9 November 1987
 (Bill No. 20/87 published on
 11 November 1987)
 Date of Second and Third Readings : 30 November 1987
 Date of commencement : 1 March 1988
- 60. 1988 Revised Edition — Central Provident Fund Act (Chapter 36)**
 Date of operation : 30 April 1988
- 61. G. N. No. S 161/1988 — Central Provident Fund Act (Substitution of
 Schedule) Notification 1988**
 Date of commencement : 1 July 1988
- 62. Act 5 of 1989 — Statutes (Miscellaneous Amendments) Act 1989**
 Date of First Reading : 16 January 1989
 (Bill No. 2/89 published on
 16 January 1989)
 Date of Second and Third Readings : 26 January 1989
 Date of commencement : 3 March 1989 (Item (1) of the
 Schedule — Amendment of
 Central Provident Fund Act)

- 63. Act 23 of 1989 — Central Provident Fund (Amendment) Act 1989**
 Date of First Reading : 13 March 1989
 (Bill No. 22/89 published on
 14 March 1989)
- Date of Second and Third Readings : 7 April 1989
 Date of commencement : 14 May 1989
- 64. Act 30 of 1989 — Central Provident Fund (Amendment No. 2) Act 1989**
 Date of First Reading : 29 May 1989
 (Bill No. 29/89 published on
 31 May 1989)
- Date of Second and Third Readings : 11 July 1989
 Date of commencement : 1 June 1989
- 65. G. N. No. S 261/1989 — Central Provident Fund Act (Amendment of
 Schedule) Notification 1989**
 Date of commencement : 1 July 1989
- 66. G. N. No. S 104/1991 — Central Provident Fund Act (Amendment of
 Schedule) Notification 1991**
 Date of commencement : 1 January 1990

- 67. Act 22 of 1990 — Central Provident Fund (Amendment No. 2) Act 1990**
 Date of First Reading : 30 August 1990
 (Bill No. 21/90 published on
 31 August 1990)
- Date of Second and Third Readings : 4 October 1990
 Date of commencement : 1 January 1990
- 68. G. N. No. S 293/1991 — Central Provident Fund Act (Amendment of
 Schedule) (No. 2) Notification 1991**
 Date of commencement : 6 April 1990
- 69. G. N. No. S 256/1990 — Central Provident Fund Act (Amendment of
 Schedule) Notification 1990**
 Date of commencement : 6 June 1990
- 70. Act 15 of 1990 — Central Provident Fund (Amendment) Act 1990**
 Date of First Reading : 12 June 1990
 (Bill No. 15/90 published on
 15 June 1990)
- Date of Second and Third Readings : 18 July 1990
 Date of commencement : 1 July 1990
- 71. G. N. No. S 293/1991 — Central Provident Fund Act (Amendment of
 Schedule) (No. 2) Notification 1991**
 Date of commencement : 11 January 1991

- 72. 1991 Revised Edition — Central Provident Fund Act (Chapter 36)**
 Date of operation : 25 January 1991
- 73. G. N. No. S 293/1991 — Central Provident Fund Act (Amendment of Schedule) (No. 2) Notification 1991**
 Date of commencement : 1 July 1991
- 74. G. N. No. S 266/1992 — Central Provident Fund Act (Amendment of Schedule) Notification 1992**
 Date of commencement : 17 August 1991
- 75. G. N. No. S 266/1992 — Central Provident Fund Act (Amendment of Schedule) Notification 1992**
 Date of commencement : 15 October 1991
- 76. Act 11 of 1991 — Statutes (Miscellaneous Amendments) Act 1991**
 Date of First Reading : 3 January 1991
 (Bill No. 4/91 published on
 4 January 1991)
- Date of Second and Third Readings : 14 January 1991
- Date of commencement : 30 November 1991
- 77. Act 3 of 1992 — Central Provident Fund (Amendment) Act 1992**
 Date of First Reading : 13 January 1992
 (Bill No. 4/92 published on
 14 January 1992)

- Date of Second and Third Readings : 27 February 1992
 Date of commencement : 1 April 1992
- 78. G. N. No. S 266/1992 — Central Provident Fund Act (Amendment of Schedule) Notification 1992**
 Date of commencement : 1 April 1992
- 79. Act 27 of 1992 — Central Provident Fund (Amendment No. 2) Act 1992**
 Date of First Reading : 29 May 1992
 (Bill No. 28/92 published on 1 June 1992)
- Date of Second and Third Readings : 31 July 1992
 Date of commencement : 28 August 1992
- 80. G. N. No. S 273/1993 — Central Provident Fund Act (Amendment of Schedule) Notification 1993**
 Date of commencement : 1 September 1992
- 81. G.N. No. S 34/93 — Central Provident Fund Act (Amendment of Third Schedule) Notification 1993**
 Date of commencement : 1 January 1993
- 82. G. N. No. S 273/1993 — Central Provident Fund Act (Amendment of Schedule) Notification 1993**
 Date of commencement : 1 July 1993

- 83. Act 29 of 1993 — Central Provident Fund (Amendment) Act 1993**
 Date of First Reading : 30 July 1993
 (Bill No. 24/93 published on
 31 July 1993)
- Date of Second and Third Readings : 30 August 1993
 Date of commencement : 1 October 1993
- 84. G.N. No. S 258/2000 — Central Provident Fund Act (Amendment of
 Third Schedule) Notification 2000**
 Dates of commencement : 18 February 1994 (paragraph
 2(a))
- 85. 1994 Revised Edition — Central Provident Fund Act (Chapter 36)**
 Date of operation : 15 March 1994
- 86. Act 10 of 1994 — Central Provident Fund (Amendment) Act 1994**
 Date of First Reading : 23 May 1994
 (Bill No. 11/94 published on
 24 May 1994)
- Date of Second and Third Readings : 25 July 1994
 Date of commencement : 1 July 1994 (sections 3 and 11)
- 87. G.N. No. S 273/94 — Central Provident Fund Act (Amendment of First
 Schedule) Notification 1994**
 Date of commencement : 1 July 1994

- 88. Act 10 of 1994 — Central Provident Fund (Amendment) Act 1994**
 Date of First Reading : 23 May 1994
 (Bill No. 11/94 published on
 24 May 1994)
 Date of Second and Third Readings : 25 July 1994
 Date of commencement : 1 March 1995 (sections 7, 8 and
 10)
- 89. G. N. No. S 227/1995 — Revised Edition of the Laws (Rectification)
 Order 1995**
 Date of commencement : 11 May 1995
- 90. Act 10 of 1994 — Central Provident Fund (Amendment) Act 1994**
 Date of First Reading : 23 May 1994
 (Bill No. 11/94 published on
 24 May 1994)
 Date of Second and Third Readings : 25 July 1994
 Date of commencement : 14 May 1995 (section 9)
- 91. Act 10 of 1994 — Central Provident Fund (Amendment) Act 1994**
 Date of First Reading : 23 May 1994
 (Bill No. 11/94 published on
 24 May 1994)
 Date of Second and Third Readings : 25 July 1994

Date of commencement : 1 July 1995 (sections 2, 4, 5 and 6)

92. Act 27 of 1995 — Land Titles (Strata) (Amendment) Act 1995
(Related amendments made to Act by)

Date of First Reading : 25 May 1995
(Bill No. 22/95 published on 26 May 1995)

Date of Second and Third Readings : 7 July 1995

Date of commencement : 4 August 1995

93. Act 29 of 1995 — Rapid Transit Systems Act 1995
(Consequential amendments made to Act by)

Date of First Reading : 7 July 1995
(Bill No. 25/95 published on 8 July 1995)

Date of Second and Third Readings : 7 August 1995

Date of commencement : 1 September 1995

94. Act 31 of 1995 — Central Provident Fund (Amendment) Act 1995

Date of First Reading : 7 July 1995
(Bill No. 23/95 published on 8 July 1995)

Date of Second and Third Readings : 7 August 1995

Date of commencement : 1 January 1996

95. G.N. No. S 570/95 — Central Provident Fund Act (Amendment of First Schedule) Notification 1995

Date of commencement : 1 January 1996

96. Act 1 of 1996 — Singapore Productivity and Standards Board Act 1996
(Consequential amendments made to Act by)

Date of First Reading : 1 November 1995
(Bill No. 39/95 published on
2 November 1995)

Date of Second and Third Readings : 5 December 1995

Date of commencement : 1 April 1996

97. Act 7 of 1996 — Maritime and Port Authority of Singapore Act 1996
(Consequential amendments made to Act by)

Date of First Reading : 5 December 1995
(Bill No. 46/95 published on
6 December 1995)

Date of Second and Third Readings : 18 January 1996

Date of commencement : 2 February 1996

98. 1997 Revised Edition — Central Provident Fund Act (Chapter 36)

Date of operation : 20 December 1997

- 99. Act 30 of 1998 — Central Provident Fund (Amendment) Act 1998**
 Date of First Reading : 1 June 1998
 (Bill No. 26/98 published on
 2 June 1998)
- Date of Second and Third Readings : 29 June 1998
 Date of commencement : 1 August 1998
- 100. G.N. No. S 258/2000 — Central Provident Fund Act (Amendment of
 Third Schedule) Notification 2000**
 Dates of commencement : 1 September 1998 (paragraph
 2(b))
- 101. G. N. No. S 645/1998 — Central Provident Fund Act (Amendment of
 Schedule) Notification 1998**
 Date of commencement : 1 January 1999
- 102. Act 12 of 1999 — Central Provident Fund (Amendment) Act 1999**
 Date of First Reading : 20 January 1999
 (Bill No. 4/99 published on
 21 January 1999)
- Date of Second and Third Readings : 11 February 1999
 Date of commencement : 1 March 1999

- 103. Act 4 of 1999 — Building and Construction Authority Act 1999**
(Consequential amendments made to Act by)
- Date of First Reading : 23 November 1998
(Bill No. 51/98 published on
24 November 1998)
- Date of Second and Third Readings : 20 January 1999
- Date of commencement : 1 April 1999
- 104. G.N.No. S 520/99 — Central Provident Fund Act (Amendment of Third
Schedule) Notification 1999**
- Date of commencement : 29 November 1999
- 105. Act 41 of 1999 — Info-communications Development Authority of
Singapore Act 1999**
(Consequential amendments made to Act by)
- Date of First Reading : 11 October 1999
(Bill No. 36/99 published on
12 October 1999)
- Date of Second and Third Readings : 23 November 1999
- Date of commencement : 1 December 1999

- 106. Act 43 of 1999 — Telecommunications Act 1999**
(Consequential amendments made to Act by)
- Date of First Reading : 11 October 1999
(Bill No. 33/99 published on
12 October 1999)
- Date of Second and Third Readings : 23 November 1999
- Date of commencement : 1 December 1999
- 107. G.N. No. S 258/2000 — Central Provident Fund Act (Amendment of
Third Schedule) Notification 2000**
- Dates of commencement : 10 December 1999 (paragraph
2(c))
- 108. 1999 Revised Edition — Central Provident Fund Act (Chapter 36)**
- Date of operation : 30 December 1999
- 109. Act 9 of 2000 — Defence Science and Technology Agency Act 2000**
(Consequential amendments made to Act by)
- Date of First Reading : 17 January 2000
(Bill No. 1/2000 published on
18 January 2000)
- Date of Second and Third Readings : 21 February 2000
- Date of commencement : 15 March 2000

110. G.N. No. S 156/2000 — Central Provident Fund Act (Amendment of First Schedule) Notification 2000

Date of commencement : 1 April 2000

111. Act 22 of 2000 — Auctioneers' Licences (Amendment) Act 2000
(Consequential amendments made to Act by)

Date of First Reading : 22 May 2000
(Bill No. 17/2000 published on 23 May 2000)

Date of Second and Third Readings : 3 July 2000

Date of commencement : 1 August 2000

112. Act 39 of 2000 — Central Provident Fund (Amendment) Act 2000

Date of First Reading : 13 November 2000
(Bill No. 34/2000 published on 13 November 2000)

Date of Second and Third Readings : 22 November 2000

Date of commencement : 28 December 2000 (except sections 2, 3, 4, 6, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19)

113. G.N. No. S 612/2000 — Central Provident Fund Act (Amendment of First Schedule) (No. 2) Notification 2000

Date of commencement : 1 January 2001

114. Act 39 of 2000 — Central Provident Fund (Amendment) Act 2000

Date of First Reading : 13 November 2000
(Bill No. 34/2000 published on
13 November 2000)

Date of Second and Third Readings : 22 November 2000

Date of commencement : 1 January 2001 (sections 2, 3, 4,
6, 8, 17, 18 and 19 (*b*))

115. Act 39 of 2000 — Central Provident Fund (Amendment) Act 2000

Date of First Reading : 13 November 2000
(Bill No. 34/2000 published on
13 November 2000)

Date of Second and Third Readings : 22 November 2000

Date of commencement : 1 March 2001 (sections 10, 11,
12, 13, 14, 15, 16 and 19 (*a*))

116. Act 3 of 2001 — Intellectual Property Office of Singapore Act 2001
(Consequential amendments made to Act by)

Date of First Reading : 12 January 2001
(Bill No. 1/2001 published on
13 January 2001)

Date of Second and Third Readings : 22 February 2001

Date of commencement : 1 April 2001

117. G.N. No. S 167/2001 — Central Provident Fund Act (Amendment of First Schedule) Notification 2001

Date of commencement : 1 April 2001

118. G.N. No. S 313/2001 — Central Provident Fund Act (Amendment of First Schedule) (No. 2) Notification 2001

Date of commencement : 1 April 2001

119. Act 17 of 2001 — Singapore Land Authority Act 2001
(Consequential amendments made to Act by)

Date of First Reading : 5 March 2001
(Bill No. 17/2001 published on
7 March 2001)

Date of Second and Third Readings : 19 April 2001

Date of commencement : 1 June 2001

120. G.N. No. S 550/2001 — Central Provident Fund Act (Amendment of First Schedule) (No. 3) Notification 2001

Date of commencement : 1 October 2001

121. 2001 Revised Edition — Central Provident Fund Act (Chapter 36)

Date of operation : 31 December 2001

- 122. Act 34 of 2001 — Central Provident Fund (Amendment) Act 2001**
- Date of First Reading : 13 August 2001
(Bill No. 32/2001 published on
14 August 2001)
- Date of Second and Third Readings : 25 September 2001
- Date of commencement : 1 January 2002
- 123. Act 5 of 2002 — Statutory Corporations (Capital Contribution) Act
2002**
- (Consequential amendments made to Act by)
- Date of First Reading : 3 May 2002
(Bill No. 7/2002 published on
4 May 2002)
- Date of Second and Third Readings : 24 May 2002
- Date of commencement : 15 July 2002 (except item (18) of
the Schedule)
- 124. Act 5 of 2002 — Statutory Corporations (Capital Contribution) Act
2002**
- (Consequential amendments made to Act by)
- Date of First Reading : 3 May 2002
(Bill No. 7/2002 published on
4 May 2002)
- Date of Second and Third Readings : 24 May 2002

Dates of commencement : 29 July 2002 (Item (18) of the Schedule)

125. Act 25 of 2002 — Currency (Amendment) Act 2002
(Consequential amendments made to Act by)

Date of First Reading : 8 July 2002
(Bill No. 23/2002 published on 9 July 2002)

Date of Second and Third Readings : 23 July 2002

Date of commencement : 1 October 2002

126. G.N. No. S 524/2002 — Central Provident Fund Act (Amendment of First Schedule) Notification 2002

Date of commencement : 1 October 2002

127. Act 42 of 2001 — Securities and Futures Act 2001
(Consequential amendments made to Act by)

Date of First Reading : 25 September 2001
(Bill No. 33/2001 published on 26 September 2001)

Date of Second and Third Readings : 5 October 2001

Date of commencement : 1 October 2002 (Item (2) of the Fourth Schedule — Amendment of Central Provident Fund Act)

- 128. Act 36 of 2002 — Central Provident Fund (Amendment) Act 2002**
 Date of First Reading : 1 October 2002
 (Bill No. 34/2002 published on
 2 October 2002)
 Date of Second and Third Readings : 31 October 2002
 Dates of commencement : 1 January 2003 (except
 sections 2 and 3)
- 129. Act 36 of 2002 — Central Provident Fund (Amendment) Act 2002**
 Date of First Reading : 1 October 2002
 (Bill No. 34/2002 published on
 2 October 2002)
 Date of Second and Third Readings : 31 October 2002
 Dates of commencement : 1 March 2003 (sections 2 and 3)
- 130. G.N. No. S 468/2003 — Central Provident Fund Act (Amendment of
 First Schedule) Notification 2003**
 Date of commencement : 1 October 2003
- 131. G. N. No. S 457/2004 — Central Provident Fund Act (Amendment of
 Third Schedule) Notification 2004**
 Date of commencement : 22 December 2003

- 132. Act 31 of 2003 — Central Provident Fund (Amendment) Act 2003**
 Date of First Reading : 16 October 2003
 (Bill No. 30/2003 published on
 17 October 2003)
- Date of Second and Third Readings : 11 November 2003
- Dates of commencement : 1 January 2004 (except
 sections 3, 6 and 10(a))
- 133. G.N. No. S 657/2003 — Central Provident Fund Act (Amendment of
 First Schedule) (No. 2) Notification 2003**
 Date of commencement : 1 January 2004
- 134. Act 3 of 2004 — Accounting and Corporate Regulatory Authority Act
 2004**
 (Consequential amendments made to Act by)
 Date of First Reading : 5 January 2004
 (Bill No. 1/2004 published on
 6 January 2004)
- Date of Second and Third Readings : 6 February 2004
- Date of commencement : 1 April 2004
- 135. Act 31 of 2003 — Central Provident Fund (Amendment) Act 2003**
 Date of First Reading : 16 October 2003
 (Bill No. 30/2003 published on
 17 October 2003)

- Date of Second and Third Readings : 11 November 2003
 Dates of commencement : 1 July 2004 (sections 3, 6 and 10(a))
- 136. G.N. No. S 660/2004 — Central Provident Fund Act (Amendment of Third Schedule) (No. 2) Notification 2004**
 Date of commencement : 1 November 2004
- 137. Act 45 of 2004 — Trustees (Amendment) Act 2004**
 (Consequential amendments made to Act by)
 Date of First Reading : 21 September 2004
 (Bill No. 43/2004 published on 22 September 2004)
 Date of Second and Third Readings : 19 October 2004
 Date of commencement : 15 December 2004
- 138. G.N. No. S 801/2004 — Central Provident Fund Act (Amendment of First Schedule) Notification 2004**
 Date of commencement : 1 January 2005
- 139. G.N. No. S 243/2005 — Central Provident Fund Act (Amendment of Third Schedule) Notification 2005**
 Date of commencement : 11 April 2005

140. Act 3 of 2005 — CISCO (Dissolution) Act 2005

(Consequential amendments made to Act by)

Date of First Reading : 19 October 2004
 (Bill No. 52/2004 published on
 20 October 2004)

Date of Second and Third Readings : 25 January 2005

Date of commencement : 10 June 2005

141. Act 23 of 2005 — Town Councils (Amendment) Act 2005

(Related amendments made to Act by)

Date of First Reading : 16 May 2005
 (Bill No. 13/2005 published on
 17 May 2005)

Date of Second and Third Readings : 18 July 2005

Date of commencement : 15 August 2005

142. Act 24 of 2005 — Central Provident Fund (Amendment) Act 2005

Date of First Reading : 16 May 2005
 (Bill No. 14/2005 published on
 17 May 2005)

Date of Second and Third Readings : 19 July 2005

Dates of commencement : 22 August 2005 (except
 sections 3 to 13 and 17)

- 143. Act 29 of 2005 — Housing and Development (Amendment) Act 2005**
(Related amendments made to Act by)
- Date of First Reading : 18 July 2005
(Bill No. 19/2005 published on
19 July 2005)
- Date of Second and Third Readings : 15 August 2005
- Date of commencement : 15 September 2005
- 144. Act 24 of 2005 — Central Provident Fund (Amendment) Act 2005**
- Date of First Reading : 16 May 2005
(Bill No. 14/2005 published on
17 May 2005)
- Date of Second and Third Readings : 19 July 2005
- Dates of commencement : 17 September 2005 (sections 3 to
13 and 17)
- 145. G.N. No. S 830/2005 — Central Provident Fund Act (Amendment of
First Schedule) Notification 2005**
- Date of commencement : 1 January 2006
- 146. Act 7 of 2006 — Workplace Safety and Health Act 2006**
(Consequential amendments made to Act by)
- Date of First Reading : 17 October 2005
(Bill No. 36/2005 published on
18 October 2005)

- Date of Second and Third Readings : 17 January 2006
 Date of commencement : 1 March 2006
- 147. G.N. No. S 193/2006 — Central Provident Fund Act (Amendment of First Schedule) Notification 2006**
- Date of commencement : 1 April 2006
- 148. Act 15 of 2006 — Central Provident Fund (Amendment) Act 2006**
- Date of First Reading : 13 February 2006
 (Bill No. 6/2006 published on 14 February 2006)
- Date of Second and Third Readings : 3 April 2006
 Date of commencement : 1 July 2006
- 149. G.N. No. S 324/2007 — Central Provident Fund Act (Amendment of First Schedule) Notification 2007**
- Date of commencement : 1 July 2007
- 150. Act 40 of 2007 — Central Provident Fund (Amendment) Act 2007**
- Date of First Reading : 16 July 2007
 (Bill No. 28/2007 published on 17 July 2007)
- Date of Second and Third Readings : 27 August 2007

- Dates of commencement : 1 October 2007 (Except Section 5(1), (d) and (2), 6(a), (b), (d))
- 151. Act 57 of 2007 — Central Provident Fund (Amendment No. 2) Act 2007**
- Date of First Reading : 22 October 2007
(Bill No. 44/2007 published on 23 October 2007)
- Date of Second and Third Readings : 12 November 2007
- Dates of commencement : 1 October 2007 (section 16)
- 152. Act 4 of 2007 — Secondhand Goods Dealers Act 2007**
(Consequential amendments made to Act by)
- Date of First Reading : 8 November 2006
(Bill No. 16/2006 published on 9 November 2006)
- Date of Second and Third Readings : 22 January 2007
- Date of commencement : 1 December 2007
- 153. Act 57 of 2007 — Central Provident Fund (Amendment No. 2) Act 2007**
- Date of First Reading : 22 October 2007
(Bill No. 44/2007 published on 23 October 2007)
- Date of Second and Third Readings : 12 November 2007

Dates of commencement : 28 December 2007 (sections 11 and 17)

154. Act 57 of 2007 — Central Provident Fund (Amendment No. 2) Act 2007

Date of First Reading : 22 October 2007
(Bill No. 44/2007 published on 23 October 2007)

Date of Second and Third Readings : 12 November 2007

Dates of commencement : 1 January 2008 (sections 2 to 10, 12 to 15, 18, 19 and 20)

155. Act 26 of 2007 — Environmental Pollution Control (Amendment) Act 2007

(Consequential amendments made to Act by)

Date of First Reading : 9 April 2007
(Bill No. 13/2007 published on 10 April 2007)

Date of Second and Third Readings : 21 May 2007

Date of commencement : 1 January 2008 (sections 2, 3, 4, 6, 7 and 8)

156. Act 40 of 2007 — Central Provident Fund (Amendment) Act 2007

Date of First Reading : 16 July 2007
(Bill No. 28/2007 published on 17 July 2007)

- Date of Second and Third Readings : 27 August 2007
 Dates of commencement : 1st January 2008
 (sections 5(1)(d) and (2), 6(a),
 (b), (d) and (f), 7(2), 8(c) and (d),
 12 and 25 (b))
- 157. Act 36 of 2007 — Optometrists and Opticians Act 2007**
 (Consequential amendments made to Act by)
- Date of First Reading : 21 May 2007
 (Bill No. 24/2007 published on
 22 May 2007)
- Date of Second and Third Readings : 17 July 2007
 Date of commencement : 22 February 2008
- 158. G.N. No. S 415/2008 — Central Provident Fund Act (Amendment of
 First Schedule) Notification 2008**
- Date of commencement : 5 May 2008
- 159. Act 25 of 2008 — Central Provident Fund (Amendment) Act 2008**
- Date of First Reading : 25 August 2008
 (Bill No. 21/2008 published on
 26 August 2008)
- Date of Second and Third Readings : 16 September 2008
 Date of commencement : 1 November 2008

- 160. Act 38 of 2007 — Private Security Industry Act 2007**
 (Consequential amendments made to Act by)
- Date of First Reading : 16 July 2007
 (Bill No. 26/2007 published on
 17 July 2007)
- Date of Second and Third Readings : 27 August 2007
- Date of commencement : 27 April 2009
- 161. G. N. No. S 191/2009 — Central Provident Fund Act (Amendment of
 Third Schedule) Notification 2009**
- Date of commencement : 4 May 2009
- 162. Act 16 of 2009 — Preservation of Monuments Act 2009**
 (Consequential amendments made to Act by)
- Date of First Reading : 23 March 2009
 (Bill No. 9/2009 published on
 23 March 2009)
- Date of Second and Third Readings : 13 April 2009
- Date of commencement : 1 July 2009
- 163. Act 18 of 2009 — Central Provident Fund (Amendment) Act 2009**
- Date of First Reading : 25 May 2009
 (Bill No. 11/2009 published on
 25 May 2009)
- Date of Second and Third Readings : 20 July 2009

Date of commencement : 20 August 2009 (sections 2(a) and (d), 4, 5(c), (f), (m) and (o), 7, 8, 9, 11, 13(a), (c) and (d), 15 and 17)

164. Act 3 of 2009 — Insurance (Amendment) Act 2009
(Related amendments made to Act by)

Date of First Reading : 20 October 2008
(Bill No. 28/2008 published on 20 October 2008)

Date of Second and Third Readings : 19 January 2009

Date of commencement : 1 September 2009 (sections 2, 5 to 11 and 13)

165. Act 18 of 2009 — Central Provident Fund (Amendment) Act 2009

Date of First Reading : 25 May 2009
(Bill No. 11/2009 published on 25 May 2009)

Date of Second and Third Readings : 20 July 2009

Date of commencement : 1 September 2009 (sections 2(b) and (c), 3, 5(a), (d), (e), (g) to (l), (n) and (p), 10, 12, 13(b) and 14)

166. G.N. No. S 581/2009 — Central Provident Fund Act (Amendment of First Schedule) Notification 2009

Date of commencement : 1 December 2009

- 167. Act 18 of 2009 — Central Provident Fund (Amendment) Act 2009**
 Date of First Reading : 25 May 2009
 (Bill No. 11/2009 published on
 25 May 2009)
 Date of Second and Third Readings : 20 July 2009
 Date of commencement : 28 February 2010 (section 19(c))
- 168. Act 18 of 2009 — Central Provident Fund (Amendment) Act 2009**
 Date of First Reading : 25 May 2009
 (Bill No. 11/2009 published on
 25 May 2009)
 Date of Second and Third Readings : 20 July 2009
 Date of commencement : 1 March 2010 (sections 2(e),
 5(b), 6, 16, 18 and 19(a), (b), (d)
 and (e))
- 169. Act 21 of 2008 — Mental Health (Care and Treatment) Act 2008**
 (Consequential amendments made to Act by)
 Date of First Reading : 21 July 2008
 (Bill No. 11/2008 published on
 22 July 2008)
 Date of Second and Third Readings : 16 September 2008
 Date of commencement : 1 March 2010

170. G.N. No. S 154/2010 — Central Provident Fund Act (Amendment of Third Schedule) Notification 2010

Date of commencement : 15 March 2010

171. G.N. No. S 486/2010 — Central Provident Fund Act (Amendment of First Schedule) Notification 2010

Date of commencement : 1 September 2010

172. Act 22 of 2010 — Central Provident Fund (Amendment) Act 2010

Date of First Reading : 19 July 2010
(Bill No. 17/2010 published on 19 July 2010)

Date of Second and Third Readings : 16 August 2010

Date of commencement : 1 October 2010 (sections 2(e), (f) and (g), 5, 6(e), (g) and (j) to (m), 7, 8(c), 9, 10(b) and (c) and 20(b), (d), and (e))

173. Act 25 of 2010 — Estate Agents Act 2010
(Consequential amendments made to Act by)

Date of First Reading : 16 August 2010
(Bill No. 19/2010 published on 16 August 2010)

Date of Second and Third Readings : 15 September 2010

- Date of commencement : 22 October 2010 (except sections 29, 39, 41 and 44)
- 174. Act 22 of 2010 — Central Provident Fund (Amendment) Act 2010**
- Date of First Reading : 19 July 2010
(Bill No. 17/2010 published on 19 July 2010)
- Date of Second and Third Readings : 16 August 2010
- Date of commencement : 1 January 2011 (sections 2(a) to (d), 3, 4, 6(a) to (d), (f), (h) and (i), 8(a) and (b), 10(a) and (d) to (g), 11 to 19 and 20(a) and (c))
- 175. Act 15 of 2010 — Criminal Procedure Code 2010**
(Consequential amendments made to Act by)
- Date of First Reading : 26 April 2010
(Bill No. 11/2010 published on 26 April 2010)
- Date of Second and Third Readings : 19 May 2010
- Date of commencement : 2 January 2011
- 176. G.N. No. S 107/2011 — Central Provident Fund Act (Amendment of First Schedule) Notification 2011**
- Date of commencement : 1 March 2011

- 177. Act 2 of 2011 — Women’s Charter (Amendment) Act 2011**
(Related amendments made to Act by)
- Date of First Reading : 22 November 2010
(Bill No. 34/2010 published on
22 November 2010)
- Date of Second and Third Readings : 10 January 2011
- Date of commencement : 1 June 2011 (Section 15)
- 178. G.N. No. S 508/2011 — Central Provident Fund Act (Amendment of
First Schedule) (No. 2) Notification 2011**
- Date of commencement : 1 September 2011
- 179. Act 20 of 2011 — Central Provident Fund (Amendment) Act 2011**
- Date of First Reading : 17 October 2011 (Bill No.
17/2011 published on
17 October 2011)
- Date of Second and Third Readings : 21 November 2011
- Date of commencement : 30 December 2011
(sections 2(b), 5, 6(a) and (c) to
(j), 7 to 10, 16 to 24 and 25(b))
- 180. Act 20 of 2011 — Central Provident Fund (Amendment) Act 2011**
- Date of First Reading : 17 October 2011 (Bill No.
17/2011 published on
17 October 2011)

Date of Second and Third Readings : 21 November 2011
 Date of commencement : 6 February 2012 (sections 2(a) and (c), 3, 4, 6(b), 11 to 15 and 25(a))

181. G.N. No. S 441/2012 — Central Provident Fund Act (Amendment of First Schedule) Notification 2012

Date of commencement : 1 September 2012

182. Act 23 of 2012 — Central Provident Fund (Amendment) Act 2012

Date of First Reading : 13 August 2012 (Bill No. 21/2012 published on 13 August 2012)

Date of Second and Third Readings : 10 September 2012

Date of commencement : 1 November 2012
 (Sections 2(a), (c), (e), 3, 5, 6, 7(e), (f), (o), 9 to 12, 17, 24, 27(b) and (c), 33 to 41, 42(c), (d), (f))

183. Act 23 of 2012 — Central Provident Fund (Amendment) Act 2012

Date of First Reading : 13 August 2012 (Bill No. 21/2012 published on 13 August 2012)

Date of Second and Third Readings : 10 September 2012

- Date of commencement : 1 January 2013 (sections 2(b) and (d), 4, 7(a) to (d), (g) to (n) and (p) to (x), 13 to 16, 18 to 23, 25, 26, 27(a), (d) and (e), 28 to 32 and 42(a), (b), (e) and (g) to (m))
- 184. G. N. No. S 315/2013 — Central Provident Fund Act (Amendment of First Schedule) Notification 2013**
 Date of commencement : 1 April 2013
- 185. Act 11 of 2013 — Insurance (Amendment) Act 2013**
 (Consequential amendments made to Act by)
 Date of First Reading : 4 February 2013
 (Bill No. 5/2013 published on 4 February 2013)
 Date of Second and Third Readings : 15 March 2013
 Date of commencement : 18 April 2013 (except section 65(a) and (b))
- 186. 2013 Revised Edition — Central Provident Fund Act (Chapter 36)**
 Date of operation : 30 June 2013
- 187. Act 23 of 2012 — Central Provident Fund (Amendment) Act 2012**
 Date of First Reading : 13 August 2012 (Bill No. 21/2012 published on 13 August 2012)

- Date of Second and Third Readings : 10 September 2012
 Date of commencement : 1 August 2013 (Section 8)
- 188. Act 24 of 2013 — Central Provident Fund (Amendment) Act 2013**
 Date of First Reading : 21 October 2013 (Bill No. 20/2013 published on 21 October 2013)
 Date of Second and Third Readings : 12 November 2013
 Date of commencement : 15 December 2013 (Section 15)
- 189. G.N. No. S 843/2013 — Central Provident Fund Act (Amendment of First Schedule) (No. 2) Notification 2013**
 Date of commencement : 1 January 2014
- 190. Act 24 of 2013 — Central Provident Fund (Amendment) Act 2013**
 Date of First Reading : 21 October 2013 (Bill No. 20/2013 published on 21 October 2013)
 Date of Second and Third Readings : 12 November 2013
 Date of commencement : 1 January 2014 (Section 3, 5(b), (c), (e), (f), (h), (i), (k), (l) and (m), 6, 8, 9, 10, 14, 16 to 19 and 21)

191. Act 24 of 2013 — Central Provident Fund (Amendment) Act 2013

Date of First Reading : 21 October 2013 (Bill No. 20/2013 published on 21 October 2013)

Date of Second and Third Readings : 12 November 2013

Date of commencement : 1 June 2014 (Sections 2, 5(a) and (d), (g), (i) and 20(d))

192. Act 24 of 2013 — Central Provident Fund (Amendment) Act 2013

Date of First Reading : 21 October 2013
(Bill No. 20/2013 published on 21 October 2013)

Date of Second and Third Readings : 12 November 2013

Date of commencement : 28 June 2014 (Sections 7, 20(a), (b), (c))

193. Act 24 of 2013 — Central Provident Fund (Amendment) Act 2013

Date of First Reading : 21 October 2013
(Bill No. 20/2013 published on 21 October 2013)

Date of Second and Third Readings : 12 November 2013

Date of commencement : 1 September 2014 (Sections 4, 11, 12, 13)

194. Act 27 of 2014 — Family Justice Act 2014
(Consequential amendments made to Act by)

Date of First Reading : 8 July 2014 (Bill No. 21/2014
published on 8 July 2014)

Date of Second and Third Readings : 4 August 2014

Date of commencement : 1 October 2014

**195. G.N. No. S 860/2014 — Central Provident Fund Act (Amendment of
First Schedule) Notification 2014**

Date of commencement : 1 January 2015

COMPARATIVE TABLE
CENTRAL PROVIDENT FUND ACT
(CHAPTER 36)

The following provisions in the 1999 Revised Edition of the Central Provident Fund Act were renumbered by the Law Revision Commissioners in the 2001 Revised Edition.

This Comparative Table is provided for the convenience of users. It is not part of the Central Provident Fund Act.

2001 Ed.	1999 Ed.
2—(1) and (2)	2
13B	13B —(1)
<i>Spent</i>	(2) and (3)
15 —(6)	15B —(4)
—	34 (<i>Repealed by Act 39/2000</i>)
—	35 (<i>Repealed by Act 39/2000</i>)
36 —(4)	36 —(3A)
(5)	(3B)
(6)	(3C)
(7)	(3D)
(8), (9) and (10)	(4), (5) and (6)
<i>Omitted</i>	47 —(2)

2001 Ed.	1999 Ed.
47—(2)	(3)
49—(4)	49—(3A)
(5)	(4)
61	61—(1)
—	(2) (<i>Deleted by Act 39/2000</i>)
61A	(3)
61B	61A
68—(2)	68—(1A)
(3)	(1B)
(4)	(2)
70—(2)	70—(1A)
(3)	(2)
(4)	(3)
(5)	(4)
(6)	(5)
(7)	(6)
(8)	(7)

2001 Ed.	1999 Ed.
(9)	(8)
(10)	(9)
74 —(2)	74 —(1A)
(3), (4) and (5)	(2), (3) and (4)
76 —(2)	76 —(1A)
(3) and (4)	(2) and (3)