

PIONEER GENERATION AND MERDEKA GENERATION FUNDS ACT 2014

(No. 43 of 2014)

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An Act to establish the Pioneer Generation Fund and the Merdeka Generation Fund to provide financial and other support to Singapore's Pioneers and Merdeka Generation Seniors, respectively, and for matters connected therewith.

[Act 16 of 2019 wef 26/06/2019]

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

PART 1
PRELIMINARY

Short title and commencement

1. This Act may be cited as the Pioneer Generation and Merdeka Generation Funds Act 2014 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

[Act 16 of 2019 wef 26/06/2019]

Interpretation

2. In this Act, unless the context otherwise requires —

“accounting officer” means a public officer appointed under section 9;

“Appeals Panel” means the body of that name established under section 15;

[Act 16 of 2019 wef 26/06/2019]

“Central Provident Fund” means the Central Provident Fund established under the Central Provident Fund Act (Cap. 36);

“disability” means disability that —

(a) is attributable to intellectual, psychiatric, sensory or physical impairment or a combination of those impairments;

(b) is permanent or likely to be permanent; and

(c) results in a substantial need for continuing support in daily living activities;

[Deleted by Act 16 of 2019 wef 26/06/2019]

“Funds” means the Pioneer Generation Fund and the Merdeka Generation Fund established under section 4;

[Act 16 of 2019 wef 26/06/2019]

“health service” means an activity performed in relation to an individual —

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- (a) that is intended or claimed (expressly or otherwise) by the individual or the person performing the activity —
- (i) to diagnose the individual’s illness or disability;
 - (ii) to treat the individual’s illness or disability, or suspected illness or disability; or
 - (iii) to assess, record, maintain or improve the individual’s health; or
- (b) that is the dispensing on prescription of a drug or medicinal preparation for use or consumption by that individual;

“healthcare provider” means any organisation providing one or more health services in the course of business;

“member”, in relation to the Appeals Panel, includes the chairperson and deputy chairperson of that Panel;

[Act 16 of 2019 wef 26/06/2019]

“Merdeka Generation Senior” includes an individual who is determined under section 13 to be a Merdeka Generation Senior;

[Act 16 of 2019 wef 26/06/2019]

“organisation” includes any individual, company, association or body of persons, corporate or unincorporate —

- (a) formed under the law of Singapore; or
- (b) resident, or having an office or a place of business, in Singapore;

“Pioneer” includes an individual who is determined under section 13 to be a Pioneer;

[Deleted by Act 16 of 2019 wef 26/06/2019]

“public authority” means a body established or constituted by or under a public Act to perform or discharge a public function;

“public scheme” means any scheme that —

- (a) is established by or under any written law and administered by a public authority or by the Government in any other manner; and
- (b) is to provide financial relief, assistance or support to citizens of Singapore or any part of them;

“regulations” means regulations made under section 27;

“reimbursement arrangement” means an agreement in writing or a scheme, approved by the Minister charged with the responsibility for health, to the effect that the Government is liable (directly or indirectly) to pay a grant to a prescribed healthcare provider to reimburse the prescribed healthcare provider for the whole or part of the cost and expenses incurred by the prescribed healthcare provider for any relevant health service rendered or provided to a Pioneer or Merdeka Generation Senior;

[Act 16 of 2019 wef 26/06/2019]

“relevant health service” means a health service determined by the prescribed healthcare provider, with the approval of the Minister charged with the responsibility for health, to be a relevant health service for the purposes of this Act;

“verification application” means an application made under section 13(2) in relation to an individual seeking a determination from the Appeals Panel that the individual is a Pioneer or Merdeka Generation Senior for the purposes of this Act.

[Act 16 of 2019 wef 26/06/2019]

Purpose of Act

3. The purpose of this Act is to recognise and honour the participation and sacrifice of Singapore’s Pioneers and Merdeka Generation Seniors in the early stages of Singapore’s development by providing to such Pioneers and Merdeka Generation Seniors in their elder years assistance in the form of financial benefits or other

support to meet their healthcare costs and other costs of living in Singapore.

[Act 3 of 2016 wef 20/04/2016]

[Act 16 of 2019 wef 26/06/2019]

PART 2

PIONEER GENERATION FUND AND MERDEKA GENERATION FUND

[Act 16 of 2019 wef 26/06/2019]

Establishment of Pioneer Generation Fund and Merdeka Generation Fund

4.—(1) There are established 2 Government funds called the Pioneer Generation Fund and the Merdeka Generation Fund, respectively, comprising —

(a) all moneys from time to time appropriated from the Consolidated Fund and authorised to be paid into the Pioneer Generation Fund or the Merdeka Generation Fund (as the case may be) by any written law;

[Act 16 of 2019 wef 26/06/2019]

(b) all other revenues of Singapore allocated by any written law to the Pioneer Generation Fund or the Merdeka Generation Fund, as the case may be;

[Act 16 of 2019 wef 26/06/2019]

(c) all gifts and donations given or made by any person to the Government for the purposes of the Pioneer Generation Fund or the Merdeka Generation Fund, as the case may be; and

[Act 16 of 2019 wef 26/06/2019]

(d) all investments out of moneys in the Pioneer Generation Fund or the Merdeka Generation Fund (as the case may be) authorised to be made by any written law and the proceeds of any such investment, including the net income from such investments.

[Act 16 of 2019 wef 26/06/2019]

[Act 16 of 2019 wef 26/06/2019]

(2) For the purposes of subsection (1)(d), the net income from investments is the amount ascertained by adding to, or deducting from, the income received from investments of moneys in the Pioneer Generation Fund or the Merdeka Generation Fund (as the case may be) any profit derived or loss sustained, as the case may be, from the realisation of such investments.

[Act 16 of 2019 wef 26/06/2019]

(3) The Pioneer Generation Fund and the Merdeka Generation Fund are each to be regarded as comprising public moneys for the purposes of any other written law, and the Financial Procedure Act (Cap. 109) applies to the Pioneer Generation Fund or the Merdeka Generation Fund (as the case may be) to the extent that it is not inconsistent with any of the provisions of this Act.

[Act 16 of 2019 wef 26/06/2019]

[Act 16 of 2019 wef 26/06/2019]

Purposes of Funds

5.—(1) The moneys in the Pioneer Generation Fund and the Merdeka Generation Fund may be withdrawn and applied only for all or any of the following purposes:

- (a) to provide financial assistance to Pioneers or Merdeka Generation Seniors (as the case may be) in accordance with section 16(1) and grants by way of reimbursement in accordance with section 16(2);

[Act 16 of 2019 wef 26/06/2019]

- (b) to fund all or any part of the cost of any prescribed public scheme but only to the extent that Pioneers or Merdeka Generation Seniors (as the case may be) are eligible to participate in or receive benefits under that public scheme;

[Act 16 of 2019 wef 26/06/2019]

- (c) to meet the payment of expenses referred to in section 6, and any terms of appointment of a public authority and organisation under section 19(1)(b) and (c), respectively;

- (d) for such other purposes as are authorised under this Act to be paid out of the Pioneer Generation Fund and the Merdeka Generation Fund, respectively.

[Act 16 of 2019 wef 26/06/2019]

[Act 16 of 2019 wef 26/06/2019]

(2) The moneys in the Pioneer Generation Fund and the Merdeka Generation Fund may be deposited in any bank account and invested in any investment authorised under the Financial Procedure Act (Cap. 109).

[Act 16 of 2019 wef 26/06/2019]

[Act 16 of 2019 wef 26/06/2019]

Expenses

6.—(1) Unless otherwise directed by the Minister, all costs, expenses and charges incurred in relation to making any investment of moneys in the Pioneer Generation Fund or the Merdeka Generation Fund are to be charged upon and payable out of the Pioneer Generation Fund or the Merdeka Generation Fund, as the case may be.

[Act 16 of 2019 wef 26/06/2019]

(2) All other expenses incidental to or arising from the administration and management of moneys in the Pioneer Generation Fund or the Merdeka Generation Fund are to be charged upon and payable out of the Pioneer Generation Fund or the Merdeka Generation Fund (as the case may be) (called in this subsection the relevant Fund), including but not limited to the following:

- (a) the cost of auditing the accounts of the relevant Fund, and the remuneration of the auditor if he or she is not the Auditor-General;

[Act 16 of 2019 wef 26/06/2019]

- (b) the expenses incurred by any public authority or person whom the Minister has appointed under Part 4 to disburse financial assistance using moneys in the relevant Fund in carrying out their duties under that appointment and doing

any thing incidental to or in connection with, the purposes of that appointment.

[Act 16 of 2019 wef 26/06/2019]

[Act 16 of 2019 wef 26/06/2019]

(3) However, no remuneration or allowances payable to a public officer may be met out of moneys in the Funds.

[Act 16 of 2019 wef 26/06/2019]

Withdrawals

7.—(1) Moneys cannot be withdrawn from the Pioneer Generation Fund or the Merdeka Generation Fund unless they are charged upon that Fund or are authorised to be withdrawn or transferred under this Act.

[Act 16 of 2019 wef 26/06/2019]

(2) Despite section 13 of the Financial Procedure Act (Cap. 109), payment is to be made out of either of the Funds only if the payment is approved by the Minister or an accounting officer authorised, in writing, by the Minister.

[Act 16 of 2019 wef 26/06/2019]

Financial year

8.—(1) The financial year of each of the Funds begins on 1 April of each year and ends on 31 March of the succeeding year.

[Act 16 of 2019 wef 26/06/2019]

(2) However, the first financial year of the Pioneer Generation Fund begins on 9 March 2015 and ends on 31 March of the succeeding year.

[Act 16 of 2019 wef 26/06/2019]

(3) The first financial year of the Merdeka Generation Fund begins on the date of commencement of the Pioneer Generation Fund (Amendment) Act 2019 and ends on 31 March of the succeeding year.

[Act 16 of 2019 wef 26/06/2019]

Accounts

9.—(1) The Minister must designate —

- (a) one or more public officers to be accounting officers of the Pioneer Generation Fund; and

- (b) one or more public officers to be accounting officers of the Merdeka Generation Fund.

[Act 16 of 2019 wef 26/06/2019]

(2) Every accounting officer of the Pioneer Generation Fund or the Merdeka Generation Fund must —

- (a) cause to be kept proper accounts and records of all transactions and affairs relating to that Fund, or the transactions and affairs of the part of that Fund that the accounting officer is in charge of, as the case may be;

[Act 16 of 2019 wef 26/06/2019]

- (b) do all things necessary to ensure that payments out of that Fund and the disbursement of those funds are properly authorised and correctly made; and

[Act 16 of 2019 wef 26/06/2019]

- (c) ensure that adequate control is maintained over the assets and receipts of that Fund, or the assets and receipts of the part of that Fund that the accounting officer is in charge of, as the case may be.

[Act 16 of 2019 wef 26/06/2019]

[Act 16 of 2019 wef 26/06/2019]

(3) A public officer designated under subsection (1) is also an accounting officer of the Pioneer Generation Fund or the Merdeka Generation Fund (as the case may be) for the purposes of the Financial Procedure Act (Cap. 109).

[Act 16 of 2019 wef 26/06/2019]

Financial statements and audit

10.—(1) The Minister must, as soon as practicable after the close of each financial year of the Pioneer Generation Fund or the Merdeka Generation Fund (as the case may be), cause to be prepared and submitted financial statements and accounts of the Pioneer Generation Fund and the Merdeka Generation Fund (as the case may be) in respect of the financial year to the Auditor-General who is to audit or cause an audit of the statements and accounts and report on them.

[Act 16 of 2019 wef 26/06/2019]

(2) As soon as the accounts of the Funds and the financial statements have been audited, a copy of the audited financial statements, together with a copy of any report made by the Auditor-General, must be submitted to the Minister.

[Act 16 of 2019 wef 26/06/2019]

(3) Where the Auditor-General is not the auditor of any of the Funds, a copy of the audited financial statements and any report made by the auditor for that Fund must be forwarded to the Auditor-General.

[Act 16 of 2019 wef 26/06/2019]

(4) The Minister must as soon as practicable cause a copy of the audited financial statements of the Funds and the auditor's report to be presented to Parliament.

[Act 16 of 2019 wef 26/06/2019]

Dissolution of Funds

11. Upon dissolution of any of the Funds during any term of office of the Government (within the meaning of the Constitution), the balance of such moneys remaining in that Fund are to be transferred to the Consolidated Fund and be added to the reserves of the Government not accumulated by it during that term of office.

[Act 16 of 2019 wef 26/06/2019]

PART 3 BENEFITS

[Act 16 of 2019 wef 26/06/2019]

Who is a Pioneer?

12.—(1) In this Act, a Pioneer is a citizen of Singapore —

- (a) whose birthday is 31 December 1949 or earlier; and
- (b) who was a citizen of Singapore on 31 December 1986 and has been a citizen of Singapore since that date.

(2) In addition, any other citizen of Singapore may be determined under section 13 to be a Pioneer for the purposes of this Act provided that the citizen's birthday is 31 December 1949 or earlier.

Who is a Merdeka Generation Senior?

12A.—(1) In this Act, a Merdeka Generation Senior is —

(a) a citizen of Singapore —

(i) whose birthday is between 1 January 1950 and 31 December 1959 (both dates inclusive); and

(ii) who was a citizen of Singapore on 31 December 1996, and has been a citizen of Singapore since that date; or

(b) a citizen of Singapore —

(i) whose birthday is 31 December 1949 or earlier;

(ii) who was a citizen of Singapore on 31 December 1996, and has been a citizen of Singapore since that date; and

(iii) who —

(A) is not a Pioneer; or

(B) ceased being a Pioneer because of section 18(1)(d), whether before, on or after the date of commencement of the Pioneer Generation Fund (Amendment) Act 2019.

(2) In addition, any other citizen of Singapore may be determined under section 13 to be a Merdeka Generation Senior for the purposes of this Act provided that —

(a) the citizen's birthday is 31 December 1959 or earlier; and

(b) the citizen —

(i) is not a Pioneer; or

(ii) ceased being a Pioneer because of section 18(1)(d), whether before, on or after the date of commencement of the Pioneer Generation Fund (Amendment) Act 2019.

[Act 16 of 2019 wef 26/06/2019]

Citizen cannot be both Pioneer and Merdeka Generation Senior

12B. For the purposes of this Act, a citizen of Singapore may only be either a Pioneer or a Merdeka Generation Senior at any time, but not both.

[Act 16 of 2019 wef 26/06/2019]

Determination to be a Pioneer or Merdeka Generation Senior

13.—(1) For the purpose of determining —

- (a) whether a citizen referred to in section 12(2) is a Pioneer for the purposes of this Act; or
- (b) whether a citizen referred to in section 12A(2) is a Merdeka Generation Senior for the purposes of this Act,

the Appeals Panel must have regard to, and give such weight as the Panel considers appropriate to, all of such matters as are prescribed by regulations.

[Act 16 of 2019 wef 26/06/2019]

(2) A citizen of Singapore referred to in section 12(2) or 12A(2) may not be determined to be a Pioneer or Merdeka Generation Senior (as the case may be) for the purposes of this Act unless a verification application is made, by or on behalf of the citizen, to the Appeals Panel in the prescribed manner.

[Act 16 of 2019 wef 26/06/2019]

(3) A verification application may be made —

- (a) by the individual who wants to be determined to be a Pioneer or Merdeka Generation Senior;

[Act 16 of 2019 wef 26/06/2019]

- (b) with the approval of the individual, by another person on behalf of that individual; or
- (c) where the individual is unable, by reason of physical or mental incapacity, to approve a person to make the verification application, by a donee under a lasting power of attorney executed by the individual but only to the extent permitted by the Mental Capacity Act (Cap. 177A).

(4) However, a verification application must be made no later than —

- (a) in the case of a verification application for a determination to be a Pioneer, the closing date specified by the Minister under subsection (5) for this type of verification applications; or
- (b) in the case of a verification application for a determination to be a Merdeka Generation Senior, the closing date specified by the Minister under subsection (5) for this type of verification applications,

and the Appeals Panel must reject any verification application made after the applicable closing date.

[Act 16 of 2019 wef 26/06/2019]

(5) The Minister may specify the closing date for the purposes of subsection (4) by a notification in the *Gazette* published at least 6 months before a closing date so specified.

[Act 16 of 2019 wef 26/06/2019]

(6) On receiving a verification application under subsection (2) in respect of any individual, the Appeals Panel is to determine as soon as practicable whether or not the individual is a Pioneer or Merdeka Generation Senior.

[Act 16 of 2019 wef 26/06/2019]

(7) If the Appeals Panel determines that —

- (a) a citizen of Singapore referred to in section 12(2) is a Pioneer for the purposes of this Act; or
- (b) a citizen of Singapore referred to in section 12A(2) is a Merdeka Generation Senior for the purposes of this Act,

the Panel may, where suitable, state that the citizen of Singapore is a Pioneer or a Merdeka Generation Senior (as the case may be) with effect from a date before the date of its decision, but not a date earlier than when the verification application (if made) for that citizen of Singapore was received by the Panel.

[Act 16 of 2019 wef 26/06/2019]

(8) The Appeals Panel must give to the person referred to in subsection (3) who made a verification application notice of its decision under this section on the verification application.

[Act 16 of 2019 wef 26/06/2019]

[Act 16 of 2019 wef 26/06/2019]

Reconsideration by Appeals Panel

14.—(1) A person who is aggrieved by a decision of the Appeals Panel under this section or section 13 refusing to determine that a citizen of Singapore referred to in section 12(2) is a Pioneer may, at any time but no later than the closing date specified under section 13(5) for verification applications mentioned in section 13(4)(a), apply in writing to that Panel to reconsider that decision.

[Act 16 of 2019 wef 26/06/2019]

(1A) A person who is aggrieved by a decision of the Appeals Panel under this section or section 13 refusing to determine that a citizen of Singapore referred to in section 12A(2) is a Merdeka Generation Senior may, at any time but no later than the closing date specified under section 13(5) for verification applications mentioned in section 13(4)(b), apply in writing to that Panel to reconsider that decision.

[Act 16 of 2019 wef 26/06/2019]

(2) An application for reconsideration may be made by any person referred to in section 13(3) and must be made in the prescribed manner, except that the Appeals Panel must reject any application for reconsideration made after the closing date specified under section 13(5).

[Act 16 of 2019 wef 26/06/2019]

(3) On receiving an application under subsection (1) or (1A) for reconsideration of its decision in respect of any citizen of Singapore referred to in section 12(2) or 12A(2) (as the case may be), the Appeals Panel is to reconsider the decision, as soon as practicable, and then either —

- (a) determine that the citizen of Singapore is a Pioneer or Merdeka Generation Senior (as the case may be) with effect from a date to be specified, which may, where

suitable, be a date before the date of its decision on reconsideration but not earlier than the date the verification application (if made) for that citizen of Singapore was received by the Panel under section 13; or

[Act 16 of 2019 wef 26/06/2019]

(b) affirm that decision.

[Act 16 of 2019 wef 26/06/2019]

(4) The Appeals Panel must give notice of the result of its reconsideration under this section to the person who applied under this section for that reconsideration.

[Act 16 of 2019 wef 26/06/2019]

[Act 16 of 2019 wef 26/06/2019]

Determination to be Merdeka Generation Senior on Appeals Panel's own accord

14A.—(1) Despite section 13(2), where —

(a) the Appeals Panel makes a decision (whether before, on or after the date of commencement of the Pioneer Generation Fund (Amendment) Act 2019) —

(i) under section 13 refusing to determine that a citizen of Singapore is a Pioneer; or

(ii) under section 14 affirming its earlier refusal to determine that a citizen of Singapore is a Pioneer; and

(b) no application or further application under section 14(1) for reconsideration of that decision is received by the Appeals Panel,

the Appeals Panel may, on its own accord, decide whether that citizen may be determined a Merdeka Generation Senior if he or she is a citizen of Singapore referred to in section 12A(2).

(2) To avoid doubt, the Appeals Panel may make a decision under subsection (1) without any verification application being made to the Panel under section 13 to determine whether or not the citizen referred to in subsection (1) is a Merdeka Generation Senior.

(3) For the purposes of subsection (1), the Appeals Panel must have regard to, and give such weight as the Panel considers appropriate to, all of the matters mentioned in section 13(1).

(4) The Appeals Panel must give to the citizen referred to in subsection (1) notice of its decision under this section.

(5) A person who is aggrieved by a decision of the Appeals Panel under this section of refusing to determine that a citizen referred to in subsection (1) is a Merdeka Generation Senior may, at any time but no later than the closing date specified under section 13(5) for verification applications mentioned in section 13(4)(b), apply in writing to that Panel to reconsider that decision; and section 14(2), (3) and (4) applies with the necessary modifications in relation to that application for reconsideration.

[Act 16 of 2019 wef 26/06/2019]

Appeals Panel

15.—(1) There is established an Appeals Panel comprising —

(a) a chairperson;

(b) one or more deputy chairpersons; and

[Act 16 of 2019 wef 26/06/2019]

(c) at least 2 other individuals,

[Act 16 of 2019 wef 26/06/2019]

all of whom are appointed by the Minister.

[Act 16 of 2019 wef 26/06/2019]

(2) The terms and conditions of the appointment of the members of the Appeals Panel are to be determined by the Minister.

[Act 16 of 2019 wef 26/06/2019]

(3) Unless otherwise provided by or under this Act, the Appeals Panel may determine the procedure to be adopted by it in considering and re-considering a verification application under sections 13(2) and 14, respectively.

[Act 16 of 2019 wef 26/06/2019]

[Act 16 of 2019 wef 26/06/2019]

Pioneer Generation and Merdeka Generation benefits

16.—(1) The financial assistance to which a Pioneer or Merdeka Generation Senior is eligible under this Act is as follows:

- (a) a cash grant to be credited, during a prescribed period (if prescribed), to the Medisave account or other account of the Pioneer or Merdeka Generation Senior in the Central Provident Fund, being of an amount prescribed for the Pioneer or Merdeka Generation Senior or the class that the Pioneer or Merdeka Generation Senior belongs;

[Act 16 of 2019 wef 26/06/2019]

- (b) for Pioneers only, a cash grant payable in such other manner of an amount prescribed for the Pioneer if he or she has any disability or satisfies such other conditions as may be prescribed for the grant;

[Act 16 of 2019 wef 26/06/2019]

- (ba) for Merdeka Generation Seniors only, a cash grant to be credited to the Merdeka Generation Senior's PASSion Silver stored value card, being of an amount prescribed;

[Act 16 of 2019 wef 26/06/2019]

- (c) a subsidy of the cost of any premium of a prescribed insurance scheme covering the Pioneer or Merdeka Generation Senior (whether alone or as a member of a class) in relation to health services, up to the maximum proportion or maximum amount of that cost prescribed for the Pioneer or Merdeka Generation Senior or the class that the Pioneer or Merdeka Generation Senior belongs;

[Act 16 of 2019 wef 26/06/2019]

- (ca) a subsidy of the cost of any premium of a prescribed insurance scheme covering the Pioneer or Merdeka Generation Senior in relation to any disability, being of an amount prescribed for the Pioneer or Merdeka Generation Senior (as the case may be) and payable for premiums due during a prescribed period;

[Act 16 of 2019 wef 26/06/2019]

- (d) a subsidy of the cost of any relevant health service rendered or provided to the Pioneer or Merdeka Generation Senior by any prescribed healthcare provider, up to the

maximum proportion or maximum amount of that cost prescribed for the Pioneer or Merdeka Generation Senior.

[Act 16 of 2019 wef 26/06/2019]

[Act 16 of 2019 wef 26/06/2019]

(2) If —

(a) a reimbursement arrangement is made in respect of any relevant health service rendered or provided to a Pioneer or Merdeka Generation Senior;

[Act 16 of 2019 wef 26/06/2019]

(b) a prescribed healthcare provider referred to in subsection (1)(d) is party to or bound by that arrangement;

(c) that prescribed healthcare provider renders or provides any relevant health service to a Pioneer or Merdeka Generation Senior; and

[Act 16 of 2019 wef 26/06/2019]

(d) that prescribed healthcare provider is entitled, under the reimbursement arrangement, to reimbursement of the whole or part of the cost and expenses it incurred in respect of the relevant health service so rendered or provided,

there is payable to the prescribed healthcare provider a grant by way of reimbursement (called a reimbursement grant) of its cost and expenses in rendering or providing the relevant health service to a Pioneer or Merdeka Generation Senior, up to the maximum proportion or maximum amount of those costs and expenses allowed under the reimbursement arrangement applicable to that prescribed healthcare provider.

[Act 16 of 2019 wef 26/06/2019]

(3) However, nothing in this section prevents a Pioneer or Merdeka Generation Senior from refusing any financial assistance under subsection (1).

[Act 16 of 2019 wef 26/06/2019]

[Act 16 of 2019 wef 26/06/2019]

Nature of benefits to Pioneers and Merdeka Generation Seniors

17.—(1) To avoid doubt, no Pioneer and no Merdeka Generation Senior has an absolute right to any financial assistance in section 16(1), even for a period before he or she is determined to be a Pioneer under section 13 or 14 or a Merdeka Generation Senior under section 13, 14 or 14A.

[Act 16 of 2019 wef 26/06/2019]

(2) Any financial assistance under section 16(1) granted to a Pioneer or Merdeka Generation Senior —

- (a) is not assignable or transferable, except for the purpose of satisfying a debt due from the Pioneer or Merdeka Generation Senior (as the case may be) to the Government; and

[Act 16 of 2019 wef 26/06/2019]

- (b) is not liable to be attached, sequestered or levied upon for or in respect of any debt or claim except a debt due from the Pioneer or Merdeka Generation Senior (as the case may be) to the Government.

[Act 16 of 2019 wef 26/06/2019]

[Act 16 of 2019 wef 26/06/2019]

[Act 16 of 2019 wef 26/06/2019]

Loss of Pioneer or Merdeka Generation Senior status

18.—(1) Despite any provision in this Part, an individual continues to be a Pioneer until —

- (a) the individual ceases to be a citizen of Singapore at any time after the commencement of this Part;
- (b) the individual is or becomes a citizen of another country at any time after the commencement of this Part, even if the individual does not cease to be a citizen of Singapore;
- (c) the individual dies; or
- (d) the individual is declared under subsection (2) to cease being a Pioneer.

(1A) Despite any provision in this Part, an individual continues to be a Merdeka Generation Senior until —

- (a) the individual ceases to be a citizen of Singapore at any time after the date of commencement of the Pioneer Generation Fund (Amendment) Act 2019;
- (b) the individual is or becomes a citizen of another country at any time after the date of commencement of the Pioneer Generation Fund (Amendment) Act 2019, even if the individual does not cease to be a citizen of Singapore;
- (c) the individual dies;
- (d) the individual is declared under subsection (2) to cease being a Merdeka Generation Senior; or
- (e) the individual is determined under section 13(2) or 14 to be a Pioneer.

[Act 16 of 2019 wef 26/06/2019]

(2) The Minister may by written order declare that an individual ceases to be a Pioneer or Merdeka Generation Senior for the purposes of this Act if the individual is convicted of an offence under this Act; and any declaration by the Minister under this subsection is final.

[Act 16 of 2019 wef 26/06/2019]

(3) Before declaring under subsection (2) that an individual ceases to be a Pioneer or Merdeka Generation Senior for the purposes of this Act, the Minister must give the individual concerned a reasonable opportunity of being heard.

[Act 16 of 2019 wef 26/06/2019]

(4) For the purposes of subsection (1)(b), an individual is not and does not become a citizen of another country by reason only of the operation of Article 139 of the Constitution.

[Act 16 of 2019 wef 26/06/2019]

PART 4
ADMINISTRATION

Persons appointed to disburse financial assistance

19.—(1) The Minister may, in relation to any type of financial assistance referred to in section 16(1) or (2) or benefits under a prescribed public scheme referred to in section 5(1)(b), appoint —

- (a) any public officer (who may or may not be an accounting officer);
- (b) any public authority; or
- (c) any other organisation,

to disburse, on behalf of the Minister, the financial assistance or other benefits using moneys withdrawn from any of the Funds, and to do any other thing incidental to or in connection with the purpose of the appointment.

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(2) After withdrawing moneys from any of the Funds, an accounting officer may transfer the moneys to the relevant public officer, public authority or organisation appointed under subsection (1) to disburse the moneys in the form of financial assistance or other benefits in accordance with this Act and, subject to the provisions of this Act, the Minister's directions.

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(3) The appointment of a public authority or an organisation referred to in subsection (1)(b) or (c) may be on such terms as the Minister and the public authority or organisation (as the case may be) agree and if there is no agreement, on such terms as the Minister determines.

(4) The Minister must, as soon as practicable, cause to be published in the *Gazette*, a notice of the appointment of every public officer, public authority or organisation appointed under subsection (1).

(5) Where a public authority is appointed by the Minister under subsection (1) to disburse such financial assistance or other benefits using moneys in any of the Funds —

- (a) the functions and duties of the public authority under written law are to be regarded as including disbursing that financial assistance or other benefits;
- (b) the public authority is to be regarded as fulfilling the purposes of the relevant Act constituting that public authority, and the provisions of that Act are to apply to the public authority in respect of disbursing that financial assistance or other benefits; and
- (c) the members, officers and employees of the public authority, in relation to their disbursement of that financial assistance or other benefits, are deemed to be public officers for the purposes of the Financial Procedure Act (Cap. 109), and section 20 of that Act is to apply (with such necessary modifications as may be prescribed) to such persons even though they are not or were not in the employment of the Government.

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Disclosure of information in aid of disbursement from Funds

20.—(1) Where the Minister certifies, under his hand, that it is necessary for a public officer, a public authority or an organisation appointed under section 19(1) or any other person (called a recipient organisation) to have access to any particular class of confidential information in the possession of a Government department or another public authority, in order to disburse or facilitate disbursement of any financial assistance or grant under section 16, or any benefit under a prescribed public scheme referred to in section 5(1)(b), using moneys in any of the Funds —

- (a) the Minister charged with the responsibility for that Government department or other public authority may, in addition to any other power conferred by any written law, direct that Government department or other public authority to provide so much of the confidential information to the recipient organisation as is necessary for that purpose; and

- (b) unless subsection (3) applies, that Government department or other public authority is to comply with the direction under paragraph (a), whether or not it is under any obligation (imposed by written law or otherwise) not to disclose such information.

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- (2) Despite the provisions of this Act or any other written law —
- (a) no person shall be guilty of an offence under any written law or of any breach of confidence or incur any other civil liability, by virtue merely of the person disclosing any information in accordance with any direction under subsection (1)(a); and
- (b) no officer of a recipient organisation shall be guilty of an offence under any written law or of any breach of confidence or incur any other civil liability, by virtue merely of the officer accessing, or disclosing to another officer of that recipient organisation, any confidential information referred to in subsection (1) in the performance of his or her duties connected with disbursing any financial assistance or grant under section 16 or benefit under a prescribed public scheme referred to in section 5(1)(b).

(3) This Act is a public scheme for the purposes of section 6(12) of the Income Tax Act (Cap. 134); otherwise nothing in this section is to apply to or authorise disclosure of any document, information, return and assessment to which section 6 of that Act applies.

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Use of confidential information

21.—(1) This section applies to a public officer, a public authority or an organisation appointed under section 19(1) or other person referred to in section 20(1), who or which receives information relating to an individual under section 20(1) (called confidential information), and any member or employee of that public authority, organisation or other person, as the case may be.

(2) The use or disclosure of confidential information, without the written consent of the individual to whom the information relates, is authorised only if the purpose of the use or disclosure is to communicate or manage the confidential information as part of —

(a) the funding, monitoring or evaluation (excluding the investigation into or resolution of complaints) of any health service, or of any benefit under a prescribed public scheme referred to in section 5(1)(b), provided or to be provided to Pioneers or Merdeka Generation Seniors;

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(b) the provision of indemnity cover for a Pioneer or Merdeka Generation Senior in respect of health services used or to be used by the Pioneers or Merdeka Generation Seniors, as the case may be;

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(c) the administration and enforcement of this Act;

(d) the prevention or management of a serious threat to public health or public safety; or

(e) the development or implementation by the Government or a public authority of any public scheme involving benefits to Pioneers or Merdeka Generation Seniors.

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(3) However, subsection (2) does not authorise a public officer, a public authority, an organisation or other person referred to in section 20(1), and any member or employee of that public authority, organisation or person (as the case may be), to use or disclose the confidential information for the purpose of the Government, public authority, organisation or person —

(a) in underwriting a contract of insurance that covers a healthcare provider referred to in section 16;

(b) in determining whether to enter into a contract of insurance that covers such a healthcare provider (whether alone or as a member of a class);

(c) in determining whether a contract of insurance covers such a healthcare provider in relation to a particular event; or

(d) in employing a Pioneer or Merdeka Generation Senior.

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(4) Any person who contravenes subsection (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both.

Recovery of sums overpaid, etc.

22.—(1) If any money in the Pioneer Generation Fund or the Merdeka Generation Fund is paid as a cash grant or a subsidy and —

(a) the recipient, in the case of a cash grant referred to in section 16(1)(a), (b) or (ba) —

(i) is not a Pioneer or Merdeka Generation Senior (as the case may be); or

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(ii) is a Pioneer or Merdeka Generation Senior (as the case may be) but not eligible under this Act to that cash grant;

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(b) the recipient, in the case of a subsidy referred to in section 16(1)(c), (ca) or (d), is not eligible to the subsidy;

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(c) the amount paid is in excess of the amount the recipient is eligible to receive by way of such grant or subsidy (as the case may be) under section 16(1); or

(d) the money was paid, or was credited to a Medisave account or other account of a Pioneer or Merdeka Generation Senior or other individual in the Central Provident Fund, in error,

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the amount paid or paid in excess, as the case may be, is recoverable from the recipient as a debt due to the Government.

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(2) Where money in the Pioneer Generation Fund or the Merdeka Generation Fund is withdrawn and paid as a reimbursement grant referred to in section 16(2) and —

- (a) the recipient is not a prescribed healthcare provider;
- (b) the recipient is a prescribed healthcare provider but did not provide or render any relevant health service to a Pioneer or Merdeka Generation Senior (as the case may be) in respect of which the recipient may be entitled to reimbursement under the applicable reimbursement arrangement;

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- (c) the amount paid is in excess of the amount to which the recipient is entitled by way of reimbursement under the applicable reimbursement arrangement; or

- (d) the recipient obtained the reimbursement grant —

- (i) by knowingly or recklessly making any false or misleading statement; or

- (ii) by producing or furnishing, or causing to be produced or furnished, any document which the recipient knows to be false in a material particular,

the amount that has been paid or paid in excess, as the case may be, is recoverable from the recipient as a debt due to the Government.

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(3) If any person (whether or not a Pioneer or Merdeka Generation Senior, or former Pioneer or former Merdeka Generation Senior) obtains any financial assistance under section 16(1) or any benefit under a prescribed public scheme referred to in section 5(1)(b) —

- (a) by knowingly or recklessly making any false or misleading statement; or

- (b) by producing or furnishing, or causing to be produced or furnished, any document which the Pioneer or Merdeka Generation Senior (as the case may be) knows to be false in a material particular,

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the amount of the financial assistance or benefit so obtained is recoverable from the person as a debt due to the Government.

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- (4) Where the money in any of the Funds is withdrawn and —
- (a) paid in error to a Pioneer or Merdeka Generation Senior; or
 - (b) paid to anyone else without authorisation or in excess of authorisation required by or under this Act,

the amount of the financial assistance, grant or benefit so obtained is recoverable from the recipient as a debt due to the Government.

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PART 5 MISCELLANEOUS

Offences

23.—(1) If —

- (a) a person furnishes a document, or makes a statement (whether orally, in writing or any other way) or gives information, to the Appeals Panel;
- (b) the document, statement or information is false or misleading, or the statement or information omits any matter or thing without which the statement or information, as the case may be, is misleading;
- (c) the person knows that the document is false or misleading, or that the statement or information is as described in paragraph (b); and
- (d) the document is furnished in, or the statement is made or the information is given in, or in connection with, a verification application (whether for that person or for another) to be determined a Pioneer or Merdeka Generation Senior,

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the person shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both.

(2) Subsection (1) does not apply if the document, statement or information is not false or misleading in a material particular, or if the statement or information did not omit any matter or thing without which the statement or information, as the case may be, is misleading in a material particular.

(3) A person —

(a) who —

(i) knowingly or recklessly makes any false or misleading statement; or

(ii) produces or furnishes, or causes to be produced or furnished, any document which the person knows to be false in a material particular; and

(b) who, with the intention of dishonestly inducing another person to accept the statement or document as genuine, and by reason of the other person so accepting it as genuine, dishonestly obtains any financial assistance under section 16(1)(a), (b), (ba), (c), (ca) or (d) or any benefit under a prescribed public scheme referred to in section 5(1)(b),

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shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both.

(4) A healthcare provider —

(a) who or which —

(i) knowingly or recklessly makes any false or misleading statement; or

(ii) produces or furnishes, or causes to be produced or furnished, any document which the healthcare provider knows to be false in a material particular; and

- (b) who or which, with the intention of dishonestly inducing another person to accept the statement or document as genuine, and by reason of the other person so accepting it as genuine, dishonestly obtains any reimbursement grant under section 16(2),

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both.

(5) Subsections (3) and (4) are without prejudice to any right to recovery under section 22.

Offences by bodies corporate, etc.

24.—(1) Where an offence under this Act committed by a body corporate is proved —

- (a) to have been committed with the consent or connivance of an officer; or

- (b) to be attributable to any neglect on the officer's part,

the officer as well as the body corporate shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) is to apply in relation to the acts and defaults of a member in connection with the member's functions of management as if the member were a director of the body corporate.

(3) Where an offence under this Act committed by a partnership is proved —

- (a) to have been committed with the consent or connivance of a partner; or

- (b) to be attributable to any neglect on the partner's part,

the partner as well as the partnership shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(4) Where an offence under this Act committed by an unincorporated association (other than a partnership) is proved —

- (a) to have been committed with the consent or connivance of an officer of the unincorporated association or a member of its governing body; or
- (b) to be attributable to any neglect on the part of such an officer or a member,

the officer or member as well as the unincorporated association shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(5) In this section —

“body corporate” includes a limited liability partnership which has the same meaning as in section 2(1) of the Limited Liability Partnerships Act (Cap. 163A);

“officer” —

- (a) in relation to a body corporate, means any director, partner, member of the board of management, chief executive, manager, secretary or other similar officer of the body corporate and includes any person purporting to act in any such capacity; or
- (b) in relation to an unincorporated association (other than a partnership), means the president, the secretary, or any member of the committee of the unincorporated association, or any person holding a position analogous to that of president, secretary or member of such a committee and includes any person purporting to act in any such capacity;

“partner” includes a person purporting to act as a partner.

Composition of offences

25.—(1) Any public officer authorised by the Minister may 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 the lower of the following:

(a) one half of the amount of the maximum fine that is prescribed for the offence;

(b) \$1,000.

(2) On payment of such sum of money, no further proceedings are to be taken against that person in respect of the offence.

Service of documents

26.—(1) A document that is permitted or required by this Act to be served on an individual or a person may be served as described in this section.

(2) A document permitted or required by this Act to be served on an individual may be served —

(a) by giving it to the individual personally;

(b) by sending it by pre-paid registered post to the address specified by the individual for the service of documents or, if no address is so specified, the individual's residential address or business address;

(c) by leaving it at the individual's residential address with an adult apparently resident there, or at the individual's business address with an adult apparently employed there;

(d) by sending it by fax to the fax number last known to the person giving or serving the document as the fax number for the service of documents on the individual; or

(e) by sending it by email to the last email address.

(3) A document permitted or required by this Act to be served on a partnership (other than a limited liability partnership) may be served —

(a) by giving it to any partner, secretary or other like officer of the partnership;

(b) by leaving it at, or by sending it by pre-paid registered post to, the partnership's business address;

(c) by sending it by fax to the fax number used at the partnership's business address; or

- (d) by sending it by email to the partnership's last email address.
- (4) A document permitted or required by this Act to be served on a body corporate (including a limited liability partnership) or an unincorporated association may be served —
- (a) by giving it to the secretary or other like officer of the body corporate or unincorporated association, or the limited liability partnership's manager;
 - (b) by leaving it at, or by sending it by pre-paid registered post to, the body corporate's or unincorporated association's registered office or principal office in Singapore;
 - (c) by sending it by fax to the fax number used at the body corporate's or unincorporated association's registered office or principal office in Singapore; or
 - (d) by sending it by email to the body corporate's or unincorporated association's last email address.
- (5) Service of a document under this section takes effect —
- (a) if the document is sent by fax and a notification of successful transmission is received, on the day of transmission;
 - (b) if the document is sent by email, at the time that the email becomes capable of being retrieved by the person; and
 - (c) if the document is sent by pre-paid registered post, 2 days after the day the document was posted (even if it is returned undelivered).
- (6) This section does not apply to documents to be served in proceedings in court.
- (7) In this section —
- “business address” means —
- (a) in the case of an individual, the individual's usual or last known place of business in Singapore; or

(b) in the case of a partnership (other than a limited liability partnership), the partnership's principal or last known place of business in Singapore;

“last email address” means the last email address given by the addressee concerned to the person giving or serving the document as the email address for the service of documents under this Act, or the last email address of the addressee concerned known to the person giving or serving the document;

“residential address” means an individual's usual or last known place of residence in Singapore.

Regulations

27.—(1) The Minister may make regulations for carrying out the purposes and provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Minister may make regulations for or with respect to all or any of the following matters:

(a) the financial assistance and grants referred to in section 16(1) and (2), respectively, including prescribing different amounts or proportions, or different maximum amounts or proportions, of financial assistance or grants for different classes of Pioneers and Merdeka Generation Seniors, for different relevant health services and prescribed healthcare providers;

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(b) the method and manner of disbursing the financial assistance and grants referred to in section 16(1) and (2), respectively, by persons appointed under section 19;

(c) require returns to be made to an accounting officer —

(i) by a person appointed under section 19 regarding the disbursement of financial assistance and grants referred to in section 16(1) and (2), respectively, by that person; and

- (ii) by a prescribed healthcare provider eligible to a reimbursement grant under section 16(2) regarding the cost and expenses of providing any relevant health service to a Pioneer or Merdeka Generation Senior;

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- (d) the fees to be paid for any thing or matter done or to be done under this Act in respect of which it appears to the Minister to be expedient to charge fees;
- (e) the procedures of the Appeals Panel, including its decision-making procedures, the number of members required to be at meetings of the Panel, who is to preside at these meetings, what happens when votes of the members are tied and when a member is not entitled to participate in decision-making;
- (f) the offences under this Act which may be compounded;
- (g) anything that is required or permitted to be prescribed under this Act.

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(2A) However, the means of a Pioneer or Merdeka Generation Senior are irrelevant when prescribing in regulations —

- (a) any cash grant to Pioneers or Merdeka Generation Seniors (as the case may be) referred to in section 16(1)(a), (b) or (ba);
- (b) the maximum proportion or maximum amount for any subsidy referred to in section 16(1)(c) or (d);
- (ba) the amount for any subsidy referred to in section 16(1)(ca);
or
- (c) any reimbursement grant referred to in section 16(2).

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[Act 16 of 2019 wef 26/06/2019]

[Act 16 of 2019 wef 26/06/2019]

[Act 3 of 2016 wef 20/04/2016]

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- (3) The regulations made under this section may provide —
- (a) that healthcare providers be prescribed by reference to a particular register, list or other document that is specified in the regulations, provided that the register, list or document is available for inspection (on the Internet or otherwise) by members of the public; and
 - (b) that any contravention of any provision of the regulations shall be an offence punishable with a fine not exceeding \$2,500 or with imprisonment for a term not exceeding 6 months or with both.
- (4) All regulations made under this section are to be presented to Parliament as soon as possible after publication in the *Gazette*.

Validation of pre-commencement decisions

28.—(1) Any decision by any person purporting to be made in the name or on behalf of the Pioneer Generation Appeals Panel before its formation under section 15, has effect, and is taken always to have had effect, as if it had been made on the commencement of section 13 by the Pioneer Generation Appeals Panel under that section.

(2) Anything done under or for the purposes of such a decision as mentioned in subsection (1), is as valid, and is taken always to have been as valid, as it would have been if the decision had been made by the Pioneer Generation Appeals Panel under section 13.

(3) Any application lodged before the date of commencement of Part 3 to any person purporting to act in the name or on behalf of the Pioneer Generation Appeals Panel and in respect of which no decision as mentioned in subsection (1) is made before that date is deemed to be a verification application made under section 13(2).

Validation of pre-commencement decisions for Merdeka Generation Seniors

29.—(1) Any decision, relating to whether a citizen of Singapore is a Merdeka Generation Senior, by any person purporting to be made in the name or on behalf of the Appeals Panel before the date of commencement of the Pioneer Generation Fund (Amendment) Act 2019 has effect, and is taken always to have had effect, as if it

had been made on that date by the Appeals Panel under section 13 or 14 as amended by that Act or section 14A as inserted by that Act, as the case may be.

(2) Anything done under or for the purposes of such a decision as mentioned in subsection (1) is as valid, and is taken always to have been as valid, as it would have been if the decision had been made by the Appeals Panel under section 13 or 14 as amended by the Pioneer Generation Fund (Amendment) Act 2019 or section 14A as inserted by that Act, as the case may be.

(3) Any application lodged before the date of commencement of the Pioneer Generation Fund (Amendment) Act 2019 to any person purporting to act in the name or on behalf of the Appeals Panel and in respect of which no decision as mentioned in subsection (1) is made before that date is deemed to be a verification application made under section 13(2) as amended by that Act.

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