



THE STATUTES OF THE REPUBLIC OF SINGAPORE

PARLIAMENTARY PENSIONS (ABOLITION) ACT 2012

2020 REVISED EDITION

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Parliamentary Pensions (Abolition) Act 2012

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An Act to provide that service as Members of Parliament and as holders of ministerial and other offices after 20 May 2011 cease to be reckonable for the grant of pensions and gratuities under the Parliamentary Pensions Act 1978, to provide for the eventual repeal of that Act and to make related and consequential amendments to other written laws.

[21 May 2011: Except sections 7 and 8 and
the Schedule]

Short title and commencement

1.—(1) This Act is the Parliamentary Pensions (Abolition) Act 2012 and, with the exception of sections 5 and 6 and the Schedule, is deemed to have come into operation on 21 May 2011.

(2) Sections 5 and 6 and the Schedule are to come into operation on a date that the Minister appoints by notification in the *Gazette*.

Interpretation

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

“Member of Parliament” means —

- (a) an elected Member of Parliament within the meaning of Article 39(1)(a) of the Constitution;
- (b) a non-constituency Member within the meaning of Article 39(1)(b) of the Constitution; or
- (c) a nominated Member within the meaning of Article 39(1)(c) of the Constitution;

“office” means the office of —

- (a) the Prime Minister;
- (b) a Deputy Prime Minister;
- (c) the Speaker;
- (d) a Senior Minister or a Minister;
- (e) a Senior Minister of State or a Minister of State;
- (f) a Mayor;
- (g) a Senior Parliamentary Secretary or a Parliamentary Secretary; or
- (h) a Political Secretary.

No parliamentary pension, etc., for service on or after 21 May 2011

3. A pension or gratuity must not be granted under the Parliamentary Pensions Act 1978 to any person in respect of —

- (a) any service on or after 21 May 2011 in Parliament as a Member of Parliament; or
- (b) any service on or after 21 May 2011 in any office.

No parliamentary pension, etc., granted unless service ceases

4.—(1) A pension or gratuity must not be granted on or after 21 May 2011 under the Parliamentary Pensions Act 1978 to any

person in respect of any service in Parliament as a Member of Parliament unless the person —

- (a) has not less than the minimum number of years of reckonable service specified in section 3 of that Act to be eligible for a pension under that section; and
- (b) has ceased at any time thereafter to be a Member of Parliament.

(2) A pension or gratuity must not be granted on or after 21 May 2011 under the Parliamentary Pensions Act 1978 to any person in respect of any service in any office unless the person —

- (a) has not less than the minimum number of years of reckonable service specified in section 4 of that Act to be eligible for a pension under that section; and
- (b) has ceased at any time thereafter to be the holder of any office.

(3) Where any pension is granted before 21 May 2011 to any office-holding Member under section 4 of the Parliamentary Pensions Act 1978 by virtue of section 5 of that Act, payment of that pension as a full or reduced pension stops on or after 21 May 2011 and ceases to be payable to that office-holding Member for the period that he or she remains an office-holding Member and any such pension paid in contravention of this subsection must be immediately refunded to the Pension Fund; except that at the end of that period when he or she so ceases to hold office —

- (a) all that full or reduced pension which would have been payable, if not for this subsection, between 21 May 2011 and the date he or she so ceases to hold office (both dates inclusive) is then payable in a lump sum (without interest); and
- (b) his or her pension under section 4 of the Parliamentary Pensions Act 1978 is re-computed by adding the period of reckonable service between the date the pension was granted and 20 May 2011 (both dates inclusive) to the period of his or her former reckonable service which had been used in computing his or her pension.

(4) To avoid doubt, this section has effect subject to sections 13 and 15 of the Parliamentary Pensions Act 1978.

Repeal of Parliamentary Pensions Act

5.—(1) *The Parliamentary Pensions Act 1978 is repealed.*

(2) *The provisions of the Schedule shall have effect with respect to the saving and transitional matters on the repeal of the Parliamentary Pensions Act 1978.*

[7]

Consequential amendments to other written laws following repeal

6.—(1) *Section 11A(1) of the Parliament (Privileges, Immunities and Powers) Act 1962 is amended by deleting paragraph (b).*

(2) *The Pension Fund Act 1995 is amended —*

(a) *by deleting paragraph (a) of the definition of “public service” in section 2; and*

(b) *by deleting item 6 of the Schedule.*

(3) *Section 4 of the Public Service (Monthly Variable Component and Non-pensionable Annual Allowance) Act 1988 is amended —*

(a) *by deleting the words “and the Parliamentary Pensions Act”; and*

(b) *by deleting the marginal reference “Cap. 219.”.*

[8]

THE SCHEDULE

Section 5(2)

SAVING AND TRANSITIONAL PROVISIONS

Definition

1. *In this Schedule, “repealed Act” means the Parliamentary Pensions Act 1978 repealed by the Parliamentary Pensions (Abolition) Act 2012.*

THE SCHEDULE — *continued***Pension or gratuity not assignable**

2. *A pension or gratuity granted under the repealed Act is not assignable or transferable, except for the purpose of satisfying —*

- (a) a debt due to the Government; or*
- (b) an order of any court for the payment of periodical sums of money towards the maintenance of the spouse or former spouse or minor child, whether legitimate or not, of the person to whom the pension has been granted,*

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

Reduction or withholding of pension because of corruption

3.—(1) *The President may reduce or altogether withhold any pension which has been granted to a person under the repealed Act where such person has been convicted by any court of an offence (even if only a fine and no term of imprisonment has been imposed) —*

- (a) under the Prevention of Corruption Act 1960; or*
- (b) involving corruption under any other written law.*

(2) The President is to, before exercising any power conferred on him by sub-paragraph (1), consider the record of the proceedings of the court.

(3) Where any pension is reduced or altogether withheld under sub-paragraph (1) from any person, the President may, in the President's discretion, direct that all or any part of the pension be applied for the benefit of the person's wife and any child or children, and after the expiry of any term of imprisonment served by the person, also for the person's benefit, in such proportions and manner as the President thinks fit.

Pension to stop upon bankruptcy

4.—(1) *If any person to whom a pension has been granted under the repealed Act is adjudged a bankrupt or is declared insolvent by judgment of any court of competent jurisdiction in Singapore or elsewhere, then the pension forthwith ceases.*

THE SCHEDULE — *continued*

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

(3) *Moneys applied for the discharge of the debts of the person whose pension has ceased must, for the purposes of sub-paragraph (2), be regarded as applied for the person's benefit.*

(4) *When a person whose pension has ceased under the provisions of this paragraph, obtains a full and proper discharge from the person's bankruptcy or insolvency, the person's pension shall be restored to him or her with effect from the date of the discharge.*

Pensions to be met from Pension Fund

5. *There shall be charged on and paid out of the Pension Fund established by the Pension Fund Act 1995 all sums of money payable by way of pension granted under the repealed Act.*

LEGISLATIVE HISTORY
PARLIAMENTARY PENSIONS
(ABOLITION) ACT 2012

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

1. Act 21 of 2012 — Parliamentary Pensions (Abolition) Act 2012

Bill	:	18/2012
First Reading	:	13 August 2012
Second and Third Readings	:	10 September 2012
Commencement	:	21 May 2011 (except sections 7 and 8 and the Schedule)

Abbreviations

C.P.	Council Paper
G.N. No. S (N.S.)	Government Notification Number Singapore (New Series)
G.N. No.	Government Notification Number
G.N. No. S	Government Notification Number Singapore
G.N. Sp. No. S	Government Notification Special Number Singapore
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian Subsidiary Legislation)
M. Act	Malayan Act/Malaysia Act
M. Ordinance	Malayan Ordinance
Parl.	Parliament
S.S.G.G. (E) No.	Straits Settlements Government Gazette (Extraordinary) Number
S.S.G.G. No.	Straits Settlements Government Gazette Number

COMPARATIVE TABLE
PARLIAMENTARY PENSIONS
(ABOLITION) ACT 2012

This Act has undergone renumbering in the 2020 Revised Edition. This Comparative Table is provided to help readers locate the corresponding provisions in the last Revised Edition.

2020 Ed.	Act 21 of 2012
<i>[Omitted as having had effect]</i>	5
<i>[Omitted as having had effect]</i>	6—(1)
<i>[Omitted as having had effect]</i>	(2)
5	7
6	8