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Notification No. B 36— The Central Provident Fund (Amendment) Bill is published for general information. It was introduced in Parliament on 4 October 2021.

Central Provident Fund (Amendment) Bill

Bill No. 36/2021.

Read the first time on 4 October 2021.

A BILL

intituled

An Act to amend the Central Provident Fund Act and to make related amendments to other Acts.

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

Short title and commencement

1. This Act is the Central Provident Fund (Amendment) Act 2021 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

PART 1

PAYMENT OF ORDINARY ACCOUNT AND SPECIAL ACCOUNT MONEYS AND STREAMLINING WITHDRAWAL PROVISIONS

Amendment of section 2

2. Section 2(1) of the Central Provident Fund Act (called in this Act the principal Act) is amended —

(a) by inserting, immediately after the definition of “approved corporation”, the following definition:

““approved developer” means an approved developer under Part 4B of the Housing and Development Act 1959;”;

(b) by inserting, immediately after the definition of “employer”, the following definition:

““entitlement date” means a date specified by the Board, for the purposes of section 15(7) and (7B)(a), that falls in the month in which the member attains the prescribed age;”;

(c) by inserting, immediately after the definition of “Housing and Development Board”, the following definition:

““Housing Authority” means any of the following:

(a) the Housing and Development Board;

(b) the Jurong Town Corporation established by section 3 of the Jurong Town Corporation Act 1968;

(c) the Minister for Finance incorporated under the Minister for Finance (Incorporation) Act 1959;

(d) the Housing and Urban Development Company Private Limited, a company incorporated under the Companies Act 1967;”;

(d) by deleting the words “section 15(8CA)(a) or (c)” in the definition of “payout benchmark applicable to the member” and substituting the words “section 15AA(8)(a) or (c)”;

(e) by deleting the words “section 15(2A)(c), (6)(c), (7B)(c) or (8A)(c)” in the definition of “reserved amount” and substituting the words “section 15(6)(c) or 15AA(5)(b)”.

Amendment of section 13

3. Section 13(7H) of the principal Act is amended by deleting the words “section 15(2A), (6), (7B) or (8A)” and substituting the words “section 15(6), 15AA(5)”.

Amendment of section 15

4. Section 15 of the principal Act is amended —

(a) by deleting subsection (1A) and substituting the following subsection:

“(1A) The Board may give its authority under subsection (1) for the withdrawal of money standing to a member’s credit in the Fund —

(a) on the application of a person who —

(i) is entitled or allowed to withdraw the money; or

(ii) will be entitled to withdraw the money within such period as the Board may determine; or

(b) without any application by a person mentioned in paragraph (a) —

(i) for payment to such a person of the whole or part of any amount that the person would have been entitled or allowed to withdraw on application under this Act; or

(ii) for the purposes of subsection (7A)(a).”;

(b) by deleting the words “this section and” in subsection (2);

(c) by inserting the word “or” at the end of subsection (2)(b);

(d) by deleting the semi-colon at the end of subsection (2)(c) and substituting a full-stop;

(e) by deleting paragraphs (d), (e), (f) and (g) of subsection (2);

(f) by deleting subsections (2A) and (2B);

(g) by deleting subsection (3) and substituting the following subsection:

“(3) Subject to subsection (6) and section 16, a member of the Fund who has withdrawn any money from the Fund on the ground that he or she has attained 55 years of age is entitled to make a further withdrawal of the sum standing to his or her credit in the Fund on or after each subsequent anniversary of his or her date of birth or such other period as the Minister may direct.”;

(h) by deleting the words “subsection (9), (9A), (11D), (11E) or (11EB) or section” in subsection (4)(b) and substituting the words “section 15AB(1), (2), (10), (11) or (13).”;

(i) by deleting the words “subsection (10) or (10A) or section” in subsection (4)(b) and substituting the words “section 15AB(3) or (4) or”;

- (j) by deleting the words “subsections (6A), (8) and (8A)” in subsection (6) and substituting the words “subsection (6A) and section 15AA(3) and (5)”;
- (k) by inserting, immediately after the words “relevant member” in subsection (6A), the words “as defined in section 27J”;
- (l) by deleting the words “2 times the retirement sum” in subsection (6A) and substituting the words “the aggregate of the retirement sums of both members”;
- (m) by deleting paragraph (a) of subsection (6B) and substituting the following paragraph:
- “(a) is not revocable during the subsistence of the marriage, unless the Board is satisfied that either member is, or both members are, suffering from any significant condition; and”;
- (n) by deleting subsections (7A), (7B), (7C), (8), (8A), (8B), (8C) and (8CA) and substituting the following subsections:
- “(7A) Subject to subsection (7B) or (7C) and regulations made under section 77(1), the Board may, without any application by a member —
- (a) pay the determined amount to the member from any moneys standing to the member’s credit in the Fund; or
- (b) transfer the determined amount from the moneys standing to the member’s credit in the Fund to the member’s retirement account for payment to the member under paragraph (a).
- (7B) Where the member is entitled to make a withdrawal under subsection (2)(a) —
- (a) subsection (7A) applies on or after the entitlement date; and

(b) the determined amount is an amount determined by the Board.

(7C) Where the member is entitled to make a withdrawal under section 15AA(1) by reason of a specified significant condition —

(a) subsection (7A) applies on or after the Board is satisfied that the member is suffering from a specified significant condition as defined in section 15AA(9); and

(b) the determined amount is an amount determined by the Minister.

(7D) Subsection (6)(a) and section 15AA(5) do not apply to a payment under subsection (7A)(a).

(7E) Except for the determined amount referred to in subsection (7B)(b) or (7C)(b) and subject to regulations made under section 77(1), other limits imposed on the amount of moneys that may be transferred to or maintained in the member's retirement account do not apply to any transfer to a member's retirement account under subsection (7A)(b).";

(o) by deleting the words "(2A), (6), (6C), (7), (7B) and (8A)" in subsection (8D) and substituting the words "(6), (6C) and (7), 15AA(1) and (5)";

(p) by deleting subsections (9), (9A), (10), (10A), (10B), (11), (11A), (11B), (11C), (11D), (11E), (11EA), (11EB), (11F), (15), (15A) and (16); and

(q) by deleting the section heading and substituting the following section heading:

“General provisions on withdrawal from Fund”.

New sections 15AA and 15AB

5. The principal Act is amended by inserting, immediately after section 15, the following sections: 5

“Withdrawal on grounds of significant condition, and exemption for pension, annuity or other benefit

15AA.—(1) Subject to sections 16, 19 and 19A, a member of the Fund is entitled to withdraw the sum standing to the credit of the member in the Fund if the Board is satisfied that the member is suffering from a significant condition. 10

(2) Without limiting subsection (1), a member who has attained 55 years of age but has not attained the prescribed age is entitled, in accordance with regulations made under section 77(1), to withdraw the amount referred to in section 15(6C)(a) which is deposited with an approved bank or retained in the member’s retirement account or such part of that amount as the Board may determine, or to surrender his or her approved annuity from an insurer, if the Board is satisfied that the member — 15

(a) is suffering from a significant condition; or

(b) is receiving or will receive a pension, annuity or other benefit approved by the Board that provides the member with a monthly income, whether or not the monthly income is less in value than the payout benchmark applicable to the member. 25

(3) A member need not comply with section 15(6)(a) if the Board is satisfied that the member —

(a) is suffering from a significant condition; 30

(b) is receiving or will receive a pension, annuity or other benefit approved by the Board that provides the

member with a monthly income not less in value than the payout benchmark applicable to the member; or

(c) has attained 55 years of age before 1 January 1987.

(4) Subsection (5) applies to a member of the Fund who —

5 (a) is entitled to withdraw the sum standing to his or her credit in the Fund under subsection (1) by reason of a specified significant condition;

10 (b) is entitled under subsection (2)(a) by reason of a specified significant condition to withdraw the amount referred to in section 15(6C)(a) which is deposited with an approved bank or retained in the member's retirement account, or any part of that amount, or surrender his or her approved annuity from an insurer; or

15 (c) is entitled under section 15(2)(a) or (3), or is allowed under section 15(4), to withdraw the sum standing to his or her credit in the Fund and, under subsection (3)(a), need not comply with section 15(6)(a) by reason of a specified significant condition.

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(5) At the time of the withdrawal or surrender (as the case may be) mentioned in subsection (4) 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 —

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

(i) by the member; or

30 (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 or her ordinary account; and

(b) if there exist such circumstances as may be prescribed by regulations made under section 77(1) and the

member is thereby required to reserve any amount in his or her ordinary account, such reserved amount must 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. 5

(6) Where any amount has been set aside or topped-up in the member's retirement account for the purposes of subsection (5)(a), the amount standing to the credit of the member in his or her retirement account may be withdrawn by the member in accordance with such terms and conditions as the Minister may from time to time impose. 10

(7) A member who has attained the prescribed age and who need not comply with section 15(6)(a) by reason of subsection (3)(b) is entitled, in accordance with regulations made under section 77(1) — 15

(a) where any amount standing to the member's credit in the member's retirement account is deposited with an approved bank or retained in the member's retirement account under section 15(6C)(a), to withdraw the amount or such part of the amount, as the Board may determine, which was so deposited or retained; and 20

(b) where any amount standing to the member's credit in the member's retirement account is used to purchase an approved annuity under section 15(6C)(b), to surrender the approved annuity. 25

(8) For the purposes of subsections (2)(b) and (3)(b), the Minister —

(a) may specify different amounts of payout benchmark for different classes of members, taking into account the life expectancy of the different classes of members; 30

(b) must publish the payout benchmark applicable to each class of members in a manner accessible to the public; and

(c) may, on the application of a member, specify a payout benchmark for that member that is less than the payout benchmark published under paragraph (b) for the class of members to which the member belongs.

(9) In this section —

“significant condition” means any physical or mental condition prescribed as a significant condition by regulations made under section 77(1);

“specified significant condition” means any significant condition prescribed as a specified significant condition by regulations made under section 77(1).

Charge or undertaking on immovable property to secure retirement sum

15AB.—(1) Where a member or his or her spouse owns any immovable property of a value equal to or exceeding the member’s retirement sum, the Board may, on an application made before 1 January 2013, permit the member —

(a) to withdraw the amount referred to in the former section 15(6C)(b) or part thereof from his or her account with an approved bank or his or her retirement account; or

(b) to surrender his or her approved annuity,

if the member or his or her spouse (as the case may be) agrees to the creation of a charge on the immovable property owned by the member or his or her spouse, to secure the payment to the Board of the member’s retirement sum.

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

(a) to withdraw the amount referred to in the former section 15(6C)(b) or part thereof from his or her account with an approved bank or his or her retirement account; or

(b) to surrender his or her approved annuity,

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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 member's retirement sum.

(3) Where a member or his or her 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 1 January 2013, permit the member —

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(a) to withdraw the amount referred to in the former section 15(6C)(b) or part thereof from his or her account with an approved bank or his or her retirement account; or

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(b) to surrender his or her approved annuity,

if the member or his or her 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 retirement sum or part thereof which is required to be set aside in the event the property is sold or otherwise disposed of.

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(4) Where a member and one or more persons (other than the member's spouse) 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 1 January 2013, permit the member —

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(a) to withdraw the amount referred to in the former section 15(6C)(b) or part thereof from his or her account with an approved bank or his or her retirement account; or

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(b) to surrender his or her 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 retirement sum or part thereof which is required to be set aside in the event the property is sold or otherwise disposed of.

(5) The Board must not enforce any undertaking under subsection (3) or (4) if there exist such circumstances as may be prescribed in regulations made under section 77(1) for the purposes of this subsection.

(6) Where a member owns any immovable property of a value equal to or exceeding the retirement sum, the Board may, on an application made on or after 1 January 2013, permit the member, in accordance with any regulations made under section 77(1) —

(a) to withdraw the amount referred to in section 15(6C)(a) which is deposited with an approved bank or retained in the member's retirement account or any part of that amount; or

(b) to surrender his or her approved annuity.

(7) Where a member and one or more persons jointly own any immovable property of a value equal to or exceeding the retirement sum, the Board may, on an application made on or after 1 January 2013, permit the member, in accordance with any regulations made under section 77(1) —

(a) to withdraw the amount referred to in section 15(6C)(a) which is deposited with an approved bank or retained in the member's retirement account or any part of that amount; or

(b) to surrender his or her approved annuity.

(8) 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 1 January 2013, permit the member, in accordance with any regulations made under section 77(1) —

(a) to withdraw the amount referred to in section 15(6C)(a) which is deposited with an approved bank or retained in the member's retirement account or any part of that amount; or

(b) to surrender his or her approved annuity. 5

(9) 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 1 January 2013, permit the member, in accordance with any regulations made under section 77(1) — 10

(a) to withdraw the amount referred to in section 15(6C)(a) which is deposited with an approved bank or retained in the member's retirement account or any part of that amount; or 15

(b) to surrender his or her approved annuity.

(10) Where a member, with the Board's permission under subsection (6), (7), (8) or (9), has withdrawn the amount referred to in section 15(6C)(a) which is deposited with an approved bank or retained in the member's retirement account or any part of that amount, a charge is constituted on the immovable property referred to in subsection (6), (7), (8) or (9) (as the case may be) to secure the payment to the Board of the amount withdrawn. 20

(11) Where a member, with the Board's permission under subsection (6), (7), (8) or (9), has surrendered his or her approved annuity, a charge is constituted on the immovable property referred to in subsection (6), (7), (8) or (9) (as the case may be) to secure the payment to the Board of the entire surrender value of the approved annuity. 25 30

(12) Subject to regulations made under section 77(1), the Board may, on an application made on or after 1 April 2021, permit the member to use any immovable property (owned by the member, or by the member and one or more persons jointly)

to secure the whole or part of the retirement sum applicable to the member.

5 (13) Where the Board approves the member's application under subsection (12), a charge is constituted on the immovable property mentioned in that subsection to secure the payment to the Board of an amount determined by the Board, not exceeding the amount of the retirement sum applicable to the member.

(14) The following provisions apply to a charge constituted on any immovable property under subsection (10), (11) or (13):

10 (a) the charge is 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;

15 (b) upon the constitution of the charge, the Board has 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 1993, even though the charge is not registered under that Act;

20 (c) the charge extends 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 her or their agreement for sale and purchase of the immovable property;

25 (d) where the Board has lodged with the Registrar an instrument (which must be in such form as the Registrar may require) for the purpose of registering or notifying the charge, the Registrar need not be concerned to enquire into the regularity or validity of the charge and must, on acceptance of the instrument, register or notify the charge in the appropriate register maintained by the Registrar under the Land Titles

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Act 1993, the Land Titles (Strata) Act 1967 or the Registration of Deeds Act 1988, as the case may be;

- (e) the charge continues in force until the Board is satisfied of the occurrence of any event prescribed in regulations made under section 77(1) for the purposes of this paragraph. 5

(15) The following provisions apply to a charge created over any immovable property under subsection (1) or (2):

- (a) the charge is 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; 10

- (b) upon lodgment by the Board with the Registrar of an instrument (which must 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 has — 15

- (i) the power of sale and all other powers relating or incidental thereto as if the Board were a registered mortgagee; and 20

- (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; 25

- (c) the charge extends to all the rights, benefits and interests of the member or his or her spouse, or the member and the related person or persons (as the case may be), under his or her or their agreement for sale and purchase of the immovable property; 30

- (d) the Registrar need not be concerned to enquire into the regularity or validity of the charge and must, 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 35

Titles Act 1993, the Land Titles (Strata) Act 1967 or the Registration of Deeds Act 1988, as the case may be;

- 5 (e) the charge must, 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 regulations made under section 77(1) for the purposes of this paragraph.

10 (16) Section 73 of the Conveyancing and Law of Property Act 1886 and sections 49L and 49M of the Insurance Act 1966 do not apply to any annuity purchased with any amount standing to the credit of a member in his or her retirement account.

(17) In this section, “related person”, in relation to a member, means —

- 15 (a) his or her spouse;
- (b) a child of the member, including an adopted child and a stepchild;
- (c) a father or mother of the member;
- (d) a brother or sister of the member;
- 20 (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.”.

25 **Amendment of section 15A**

6. Section 15A of the principal Act is amended —

- (a) by deleting the words “in section 15” and substituting the words “in sections 15, 15AA and 15AB”; and
- 30 (b) by deleting the words “section 15(2)(b), (c), (d), (e), (f) or (g)” and substituting the words “section 15(2)(b) or (c) or 15AA(1)”.

Amendment of section 16

7. Section 16(2) of the principal Act is amended by deleting the words “section 15(2)(d), (e), (f) or (g)” and substituting the words “section 15AA(1)”.

Amendment of section 18

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8. Section 18(2) of the principal Act is amended by deleting the words “section 15(2A)(a), (7B)(a) or (8A)(a)” in paragraphs (a) and (b) and substituting in each case the words “section 15AA(5)(a)”.

Amendment of section 19B

9. Section 19B(4) of the principal Act is amended by deleting the definition of “applicable provision” and substituting the following definition:

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““applicable provision” means section 15(2)(d), (e), (f) or (g), (2B), (7), (7C) or (8B) as in force immediately before the date of commencement of section 4 of the Central Provident Fund (Amendment) Act 2021, or section 15(7) or 15AA(1) or (6);”.

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Amendment of section 19C

10. Section 19C(4) of the principal Act is amended by deleting the definition of “applicable provision” and substituting the following definition:

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““applicable provision” means section 15(2)(d), (e), (f) or (g), (2B), (7), (7C) or (8B) as in force immediately before the date of commencement of section 4 of the Central Provident Fund (Amendment) Act 2021, or section 15(7) or 15AA(1) or (6);”.

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Amendment of section 19D

11. Section 19D(9) of the principal Act, as inserted by section 58, is amended by deleting the definition of “applicable provision” and substituting the following definition:

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““applicable provision” means section 15(2)(d), (e), (f) or (g), (2B), (7), (7C) or (8B) as in force immediately before the

date of commencement of section 4 of the Central Provident Fund (Amendment) Act 2021, or section 15(7) or 15AA(1) or (6);”.

Amendment of section 20

5 **12.** Section 20(1) of the principal Act is amended by inserting, immediately after the words “section 15”, the words “, 15AA or 15AB”.

Amendment of section 21

10 **13.** Section 21(12) of the principal Act is amended by deleting “15” and substituting “15AB”.

Amendment of section 24

14. Section 24(1) of the principal Act is amended —

- 15 (a) by deleting the words “section 15(9), (9A), (11D), (11E) or (11EB)” in paragraph (c)(iii) and substituting the words “section 15AB(1), (2), (10), (11) or (13)”; and
- (b) by deleting the words “15(10) or (10A)” in paragraph (d) and substituting the words “15AB(3) or (4)”.

Amendment of section 27

20 **15.** Section 27(2) of the principal Act is amended by inserting, immediately after the words “section 15(2)” in paragraph (a), the words “or 15AA(1)”.

Amendment of section 27B

16. Section 27B of the principal Act is amended —

- 25 (a) by inserting, immediately after the words “section 15(2)” in subsection (1)(a)(ii)(A) and (b)(i), “, 15AA(1)”;
 (b) by inserting, immediately after the words “section 15” in subsection (3)(c), the words “or 15AA”; and
 (c) by inserting, immediately after the words “section 15,” in subsection (6)(a), “15AA, 15AB,”.

Amendment of section 27C

17. Section 27C of the principal Act is amended —

- (a) by deleting the words “15(9) or (9A)” in subsections (1)(a), (b) and (vi)(A) and (2)(a) and (b) and in the section heading and substituting in each case the words “15AB(1) or (2)”;
- (b) by deleting the words “section 15(15)(e)” in subsection (1)(iv) and substituting the words “section 15AB(15)(e)”;
- (c) by deleting the words “sections 15(15)(b) to (e)” in subsection (1)(vi) and substituting the words “sections 15AB(15)(b) to (e)”;
- (d) by deleting the words “sections 15(11F)(b) to (e)” in subsection (1)(via) and substituting the words “sections 15AB(14)(b) to (e)”;
- (e) by deleting the words “section 15(11D) or (11E)” in subsection (1)(via)(A) and substituting the words “section 15AB(10) or (11)”.

Amendment of section 27D

18. Section 27D of the principal Act is amended —

- (a) by deleting the words “section 15(10) or (10A)” in subsections (1)(a), (c) and (iv) and (2)(a) and (c) and in the section heading and substituting in each case the words “section 15AB(3) or (4)”;
- (b) by deleting the words “section 15(10),” in subsections (1)(c) and (2)(c) and substituting in each case the words “section 15AB(3),”;
- (c) by deleting the words “sections 15(11F)(a) to (e)” in subsection (1)(vii) and substituting the words “sections 15AB(14)(a) to (e)”;
- (d) by deleting the words “section 15(11D) or (11E)” in subsection (1)(vii)(A) and substituting the words “section 15AB(10) or (11)”.

Amendment of section 27DA

19. Section 27DA of the principal Act is amended —

(a) by deleting the words “section 15(11), (11A), (11B) or (11C)” in subsections (1)(a) and (2)(a) and substituting in each case the words “section 15AB(6), (7), (8) or (9)”;

(b) by deleting the words “section 15(11D) or (11E)” in subsections (1)(b) and (vi)(A) and (2)(b) and in the section heading and substituting in each case the words “section 15AB(10) or (11)”;

(c) by deleting the words “section 15(11F)(e)” in subsection (1)(iv) and substituting the words “section 15AB(14)(e)”; and

(d) by deleting the words “sections 15(11F)(b) to (e)” in subsection (1)(vi) and substituting the words “sections 15AB(14)(b) to (e)”.

Amendment of section 27DB

20. Section 27DB of the principal Act is amended —

(a) by deleting the words “section 15(11EA)” in subsections (1)(a) and (3)(a) and substituting in each case the words “section 15AB(12)”;

(b) by deleting the words “section 15(11EB)” in the following provisions and substituting in each case the words “section 15AB(13)”:

Subsections (1)(b), (2)(f)(i), (3)(b) and (4)(a);

(c) by deleting the words “section 15(11F)(e)” in subsection (2)(d) and substituting the words “section 15AB(14)(e)”;

(d) by deleting the words “15(11F)(b) to (e)” in subsection (2)(f) and substituting the words “15AB(14)(b) to (e)”; and

(e) by deleting the words “section 15(11EB)” in the section heading and substituting the words “section 15AB(13)”.

Amendment of section 27I

21. Section 27I(1) of the principal Act is amended by inserting, immediately after the words “section 15”, the words “or 15AA”.

Amendment of section 28

22. Section 28(1) of the principal Act is amended by deleting the definition of “Housing Authority”.

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Amendment of section 57DA

23. Section 57DA(1) of the principal Act is amended by deleting the words “(2A), (6), (6C), (7), (7B) and (8A)” and substituting the words “(6), (6C) and (7), 15AA(1) and (5)”.

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Amendment of section 77

24.—(1) Section 77(1) of the principal Act is amended —

(a) by inserting, immediately after paragraph (ga), the following paragraph:

“(gaa) for the purposes of sections 15 and 15AA, including —

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(i) to provide that a physical or mental condition is a significant condition for the purposes of section 15AA only if it is approved by the Minister and causes disability of a description or to an extent specified by the Minister; and

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(ii) requirements and limits applicable to payments or transfers under section 15(7A);”;

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(b) by inserting, immediately after the words “sections 15,” in paragraph (o), “15AA, 15AB,”;

(c) by deleting sub-paragraph (ii) of paragraph (o) and substituting the following sub-paragraph:

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“(ii) prescribe the method of computing the retirement sum, and provide for —

(A) certain amounts standing to the credit of a member in the member’s retirement account to be disregarded; or

(B) certain amounts standing to the credit of a member in the Fund or authorised for withdrawal under section 15(1A)(b) to be included,

when determining whether the member has set aside the retirement sum;”;

(d) by deleting the words “15(9), (9A), (10), (10A), (11D), (11E) or (11EB)” in paragraph (o)(v) and substituting the words “15AB(1), (2), (3), (4), (10), (11) or (13)”; and

(e) by deleting “15(8)(e)” in paragraph (o)(vii)(A) and substituting “15AA(3)(b)”.

(2) Section 77(2) of the principal Act is amended —

(a) by deleting the words “section 15(2)(d), (e), (f) or (g), (6B)(a), (7A)(a), (b), (c) or (d), (8)(a), (b), (c) or (d)” in paragraph (c) and substituting the words “section 15(6B)(a), 15AA(1), (2)(a) or (3)(a)”; and

(b) by deleting the words “section 15” in paragraph (e) and substituting the words “sections 15, 15AA and 15AB”.

PART 2

UNCLAIMED ASSETS

Amendment of section 2

25. Section 2 of the principal Act is amended —

(a) by inserting, immediately after the definition of “contract” in subsection (1), the following definitions: 5

““designated shareholder” means a person who has withdrawn all or part of the amount standing to his or her credit in the Fund to purchase designated shares; 10

“designated shares” means such shares or class of shares in any approved corporation as the Minister may designate which are purchased with moneys withdrawn under this Act;

“designated shares payment” means — 15

(a) the proceeds of the sale of vested shares;

(b) dividends, returned paid-up share capital or other moneys in respect of the vested shares; or 20

(c) the proceeds of the sale of designated shares that are paid into the Fund under this Act after the Board is notified that the designated shareholder in respect of those shares has died;” 25

(b) by inserting, immediately after the definition of “Town Council” in subsection (1), the following definition:

““vested shares” means designated shares that are vested in the Board under section 26(1), or section 26, 26A or 26B as in force immediately before the date of 30

commencement of section 29 of the Central Provident Fund (Amendment) Act 2021;” and

- (c) by deleting the words “sections 6(4C) and (4D), 13(7A), (7B) and (7C)” in subsection (7) and substituting the words “sections 6, 13”.

Amendment of section 6

26. Section 6 of the principal Act is amended —

- (a) by deleting subsections (4C), (4D), (4E), (4F), (4G), (4H) and (4I) and substituting the following subsections:

“(4C) Subject to subsection (4D), the Board may suspend the payment of interest on any amount standing to the credit of a member in the Fund on the transfer or crediting of that amount to the general moneys of the Fund on or after the effective date.

(4D) Where the Board is notified on or after the effective date that a member has died, the Board may cease to pay interest on —

- (a) any amount standing to the credit of the member in the Fund that is or has been transferred or credited to the general moneys of the Fund under section 13(7B) as in force immediately before the effective date or section 13 or 26; and

- (b) any designated shares payments paid to the general moneys of the Fund under section 26B as in force immediately before the effective date,

on or after either of the following dates:

- (c) the date of the transfer of the amount or payment of the designated shares payments (as the case may be) to the general moneys of the Fund before, on or after the effective date;

(d) if the date of the member's death is later than the date of transfer or payment mentioned in paragraph (c) — the date of the member's death before, on or after the effective date.

5

(4E) Where —

(a) the Board is notified before the effective date that a member has died;

(b) any amount standing to the credit of that member has not been transferred to the general moneys of the Fund under section 13(7B) as in force immediately before the effective date; and

10

(c) the Board transfers that amount to the general moneys of the Fund under section 13 on or after the effective date,

15

the Board may cease to pay interest on that amount after that amount is transferred to the general moneys of the Fund.

(4F) The Board need not pay interest on the designated shares payments of a deceased designated shareholder that are paid into the general moneys of the Fund under section 26(7)(a) on or after the effective date.

20

(4G) Subsection (4D) does not apply to the amount mentioned in subsection (4D)(a) or designated shares payments mentioned in subsection (4D)(b) if the Board has, under subsection (4C), (4D), (4F) or (4I) as in force immediately before the effective date, ceased to pay interest on that amount or designated shares payments, as the case may be.

25

30

(4H) Where, immediately before the effective date, the Board has, under subsection (4E), (4G) or (4H) as in force immediately before that date, suspended the payment of interest on any of the following amounts,

35

the payment of interest continues to be so suspended on or after that date as if that subsection had not been deleted, subject to the application of subsection (4D) or the restoration of interest under this Act:

5 (a) any amount standing to the credit of a member in the Fund that has been transferred to the general moneys of the Fund before the effective date;

10 (b) any designated shares payments that were credited into the general moneys of the Fund before the effective date.

15 (4I) Where, immediately before the effective date, the Board has, under subsection (4C), (4D), (4F) or (4I) as in force immediately before that date, ceased the payment of interest on any of the amounts mentioned in subsection (4H)(a) or (b), the payment of interest continues to be ceased on or after that date as if that subsection had not been deleted, subject to the restoration of interest under this Act.”; and

20 (b) by inserting, immediately after subsection (5), the following subsection:

 “(6) In this section, “effective date” means the date of commencement of section 26 of the Central Provident Fund (Amendment) Act 2021.”.

25 **Amendment of section 13**

27. Section 13 of the principal Act is amended —

 (a) by deleting the words “subsections (7A) to (7G)” in subsection (1) and substituting the words “subsections (7A), (7C), (7D) and (7G)”;

30 (b) by deleting subsections (7A) and (7B) and substituting the following subsection:

 “(7A) The Board may transfer any moneys standing in a member’s account in the Fund (other than a nominee account, if any) to the general moneys of the

Fund in accordance with regulations made under section 77(1) if before, on or after the effective date —

- (a) the Board is notified that the member has died; 5
 - (b) the member’s accounts in the Fund are deemed to be dormant under section 2(1B); or
 - (c) the Board is unable to ascertain the member’s identity.”; 10
- (c) by deleting subsection (7D) and substituting the following subsection:
- “(7D) The initial transfer referred to in subsection (7C) is a transfer to the general moneys of the Fund under subsection (7B) as in force before the effective date, subsection (7A) or regulations made under section 77(1).”; 15
- (d) by deleting subsections (7E) and (7F);
- (e) by inserting, immediately after the words “Subsections (7A) to (7F)” in subsection (7G), the words “as in force immediately before the effective date and subsections (7A), (7C) and (7D) as in force on or after that date”; and 20
- (f) by inserting, immediately after subsection (8), the following subsection: 25
- “(9) In this section, “effective date” means the date of commencement of section 27 of the Central Provident Fund (Amendment) Act 2021.”.

Amendment of section 25

28. Section 25 of the principal Act is amended by deleting the words “shares designated under section 26(1)” in subsections (1)(b) and (1i) and substituting in each case the words “designated shares”. 30

Repeal of sections 26 to 26D and re-enactment of sections 26 and 26A

29. Sections 26 to 26D of the principal Act are repealed and the following sections substituted therefor:

5 **“Distribution and disposal of designated shares by Board in certain circumstances**

26.—(1) The designated shares of a designated shareholder vest in the Board in the following circumstances and at the times prescribed by regulations made under section 77(1):

- 10 (a) the Board is notified that the designated shareholder has died;
- (b) any other circumstances prescribed by regulations made under section 77(1).

15 (2) Where the Board is notified that a designated shareholder has died and the designated shareholder died before 1 January 1996 or did not execute a memorandum under section 25(1), the Board must transfer the designated shareholder’s designated shares to —

- 20 (a) the securities account (if any) belonging to and in the sole name of the deceased designated shareholder; or
- (b) if the deceased designated shareholder does not have any securities account in his or her sole name, the securities account opened and operated by the personal representatives of the deceased designated shareholder on behalf and for the benefit of the estate
- 25 of the deceased designated shareholder, if any.

(3) The following is a discharge to the Board in respect of a designated shareholder’s vested shares:

- 30 (a) the transfer of the vested shares under subsection (2)(a);
- (b) the transfer of the vested shares under subsection (2)(b), and the receipt of the personal representatives of the deceased designated shareholder in respect of those shares.

(4) Where subsection (2) does not apply in respect of a deceased designated shareholder, the following persons may instruct the Board, in the manner required by the Board, as follows:

- (a) a relevant person in respect of the deceased designated shareholder — to sell the deceased designated shareholder’s vested shares; 5
- (b) the deceased designated shareholder’s nominee — to transfer the deceased designated shareholder’s vested shares to the nominee’s securities account; 10
- (c) if the deceased designated shareholder’s nominee has died on or after the designated shareholder’s death, that nominee’s personal representatives — to transfer the deceased designated shareholder’s vested shares to a securities account opened and operated by the nominee’s personal representatives on behalf and for the benefit of the estate of that nominee. 15

(5) Subject to subsection (6), the Board must transfer or sell the vested shares according to the instructions given under subsection (4). 20

(6) Subject to regulations made under section 77(1), the Board may sell a designated shareholder’s vested shares and credit the designated shares payments in accordance with subsection (7) if —

- (a) the Board has not, within the prescribed time, received any instructions under subsection (4) in respect of the vested shares; or 25
- (b) there exist such other circumstances as may be prescribed by such regulations.

(7) Subject to regulations made under section 77(1) — 30

- (a) if the Board is notified that the designated shareholder has died — the Board may credit the deceased designated shareholder’s designated shares payments into the general moneys of the Fund to the credit of

the deceased designated shareholder or into one or more accounts of the relevant person in relation to the deceased designated shareholder;

5 (b) if the designated shareholder's account in the Fund has been deemed dormant under section 2(1B) — the Board may credit the designated shareholder's designated shares payments into the general moneys of the Fund to the credit of the designated shareholder; and

10 (c) in any other case — the Board must credit a designated shareholder's designated shares payments into one or more accounts of the designated shareholder.

(8) Subsection (9) applies where —

15 (a) the Board is notified that the designated shareholder has died and the designated shareholder has executed a memorandum under section 25(1) that provides for payment to a nominee in accordance with section 25(1)(a)(iii); or

20 (b) a designated shareholder's designated shares payments have been credited to the general moneys of the Fund under subsection (7)(b) and the Board is satisfied that the designated shareholder is still alive.

25 (9) Where the Board has credited any designated shares payments into the general moneys of the Fund under subsection (7)(a) or (b), or section 26, 26A, 26B or 26D as in force immediately before the commencement date, the Board must, in the circumstances set out in subsection (8), transfer or pay (as the case may be) the following amounts to a nominee account or such other account of the designated shareholder in
30 the Fund as may be prescribed:

(a) the designated shares payments;

(b) the whole or such part of the interest, as the Board may determine, that would have been payable if the

designated shares payments had not been credited into the general moneys of the Fund.

(10) The whole or any part of any fee or charge in connection with —

- (a) the transfer of vested shares mentioned in subsection (2)(a) or (b) or (4)(c) — may be recovered by the Board from the relevant person mentioned in those subsections; 5
- (b) the transfer of vested shares to the nominee mentioned in subsection (4)(b) — may be deducted by the Board from any amount payable to the nominee from the member's account in the Fund; or 10
- (c) the sale of any vested shares — may be deducted by the Board from the proceeds of the sale of those vested shares. 15

(11) The Board is discharged —

- (a) in respect of vested shares transferred by the Board according to instructions under subsection (4)(b) or (c) — by that transfer, and the receipt of the relevant persons mentioned in those subsections for those vested shares; and 20
- (b) in respect of any designated shares payment where the account of the designated shareholder has been deemed dormant under section 2(1B) — by the transfer of the designated shares payment to an account in the Fund of the designated shareholder under subsection (9). 25

(12) Where any document or information is necessary for the Board to effect the transfer of vested shares under subsection (2) or (4), the Board may by notice to any person who possesses the document or information, require that person to provide the document or information to the Board within a reasonable time specified in the notice. 30

(13) This section applies despite any other written law or rule of law, except regulations made for the purposes of this section under section 77(1) or as expressly provided to the contrary in this section.

5 (14) In this section —

“commencement date” means the date of commencement of section 29 of the Central Provident Fund (Amendment) Act 2021;

10 “nominee”, in relation to a deceased designated shareholder, is a person who is entitled to receive the designated shareholder’s vested shares under a memorandum executed under section 25(1);

15 “prescribed time” means the time prescribed under section 77(1), which may differ in relation to different classes of designated shareholders or relevant persons, as the case may be;

“relevant person”, in relation to a designated shareholder who has died before, on or after the commencement date, means —

20 (a) a nominee of the deceased designated shareholder;

25 (b) where the nominee of a deceased designated shareholder has died on or after the designated shareholder’s death — the nominee’s personal representatives; or

30 (c) where the deceased designated shareholder died before 1 January 1996 or did not execute a memorandum under section 25(1) — the designated shareholder’s personal representatives.

Transfer or payment of deceased designated shareholder's moneys

26A.—(1) Where the Board is notified that a designated shareholder has died on or after 1 January 1996 and the designated shareholder has executed a memorandum under section 25(1), the Board must transfer or pay (as the case may be) the following amounts (if any) in accordance with sections 20(1)(b) and (1A) and 25:

(a) designated shares payments that have been credited to the general moneys of the Fund to the credit of a deceased designated shareholder under section 26(7)(a) or (b) or section 26, 26A, 26B or 26D as in force immediately before the commencement date;

(b) moneys transferred or paid to a nominee account of a deceased designated shareholder under section 26(9).

(2) Where a designated shareholder died before 1 January 1996 or has not executed a memorandum under section 25(1), the Board must pay the amounts mentioned in subsection (1)(a) —

(a) to the personal representatives of the deceased designated shareholder; or

(b) if to the best of the Board's knowledge the deceased designated shareholder 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 specify — to a proper claimant.

(3) The transfer or payment under subsection (1) or (2) may be made subject to any terms and conditions imposed by the Board.

(4) The Board is discharged, in respect of any designated shares payment, by the receipt of a person to whom the designated shares payment is payable under subsection (1) or (2), for the designated shares payment.

(5) Where any designated shares payment has been paid to a proper claimant under subsection (2), this section does not affect any recourse that any person may have against the proper claimant for that amount.

5 (6) This section applies despite any other written law or rule of law, except regulations made for the purposes of this section under section 77(1) or as expressly provided to the contrary in this section.

(7) In this section —

10 “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;

15 “commencement date” means the date of commencement of section 29 of the Central Provident Fund (Amendment) Act 2021;

“parent” includes an adoptive parent;

“proper claimant”, in relation to any designated shares payment, means a person who —

20 (a) claims to be entitled to the designated shares payment as executor of a deceased designated shareholder; or

25 (b) claims to be entitled to the designated shares payment (whether for his or her own benefit or not) and is the widower, widow, child, grandchild, parent, brother, sister, nephew, niece, grandparent, uncle or aunt of the deceased designated shareholder.”.

Amendment of section 59

30 **30.** Section 59(9) of the principal Act is amended by deleting the words “in relation to any shares belonging to the member or any proceeds of the sale of those shares” and substituting the words “in relation to any vested shares or designated shares payments”.

Amendment of section 77

31. Section 77(1) of the principal Act is amended —

- (a) by deleting the words “13(7A) to (7G)” in paragraph (ba) and substituting the words “13(7A), (7C), (7D) and (7G)”; and
- (b) by deleting the words “sections 26 to 26D” in paragraph (na) and substituting the words “sections 26 and 26A”.

5

PART 3

**LIMIT ON PAYMENT TO PROPER CLAIMANT
OR APPROVED CAREGIVER**

10

Amendment of section 25

32. Section 25(4A) of the principal Act is amended by deleting the words “, by notification in the *Gazette*,”.

Amendment of section 27L

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33. Section 27L(8) of the principal Act is amended by deleting the words “, by notification in the *Gazette*,”.

Amendment of section 70

34. Section 70(3) of the principal Act is amended by deleting the words “, by notification in the *Gazette*,”.

20

PART 4

VOLUNTARY CONTRIBUTIONS

Amendment of section 7

35. Section 7 of the principal Act is amended —

- (a) by inserting, immediately after the words “subject to” in subsection (4), the words “section 13B(2) and”; and
- (b) by deleting subsection (4A).

25

Amendment of section 13

36. Section 13(7I) of the principal Act is amended by deleting the words “13B(1)(b) or (2)(b)” and substituting “13B(2)”.

Repeal and re-enactment of section 13B

5 37. Section 13B of the principal Act is repealed and the following section substituted therefor:

“Voluntary contributions to Fund

10 **13B.**—(1) Without affecting section 7(4), any person may voluntarily pay to the Fund contributions for the benefit of any member of the Fund (including himself or herself), subject to regulations made under section 77(1) and any terms and conditions imposed by the Board.

15 (2) Subject to regulations made under section 77(1), the Board must credit every voluntary contribution under subsection (1) or section 7(4) into an ordinary account, a medisave account or a special account of the member in such manner and at such rate as the Minister may direct.

(3) The Minister may give different directions under subsection (2) in respect of different classes of members.”.

20 New section 13D

38. The principal Act is amended by inserting, immediately after section 13C, the following section:

“Limits on aggregated contributions

25 **13D.** The aggregate of such amounts contributed to the Fund by or for a person as may be prescribed by regulations made under section 77(1) must not, in any year, exceed such sum as may be prescribed by regulations made under section 77(1).”.

Amendment of section 77

39. Section 77(1) of the principal Act is amended —

30 (a) by deleting sub-paragraph (ii) of paragraph (e);

(b) by renumbering the existing paragraph (g) as paragraph (fa);

(c) by inserting, immediately after paragraph (fa), the following paragraph:

“(fb) for the purposes of section 13B, including requiring or permitting the Board to refuse to credit any voluntary contribution made under section 13B(1) in prescribed circumstances;” and 5

(d) by inserting, immediately before paragraph (ga), the following paragraph: 10

“(g) for the purposes of section 13D, including the contributions to be aggregated and the sum mentioned in that section or the manner of computation of that sum;”. 15

PART 5

OTHER CONTRIBUTIONS TO SELF

Amendment of section 13C

40. Section 13C of the principal Act is amended —

(a) by deleting subsections (1) and (2) and substituting the following subsection: 20

“(1) Except as specifically provided under this Act, the Board may permit a person to pay to the Fund contributions for himself or herself under prescribed circumstances, if the person satisfies the conditions (if any) imposed by the Board in any particular case.”; and 25

(b) by deleting subsection (4) and substituting the following subsection:

“(4) This section applies subject to any regulations made under section 77(1) and any terms and conditions imposed by the Board.”. 30

Amendment of section 77

41. Section 77(1) of the principal Act is amended by inserting, immediately after paragraph *(fb)*, as inserted by section 39(c), the following paragraph:

- 5 “(f*c*) for the purposes of section 13C, including prescribing the persons and circumstances mentioned in section 13C(1);”.

PART 6

GOVERNMENT GRANTS AND SPECIFIED PAYMENTS

10 Amendment of section 14

42. Section 14 of the principal Act is amended —

- (a) by deleting subsections (1A), (2) and (3) and substituting the following subsections:

15 “(1A) The Board may, in the circumstances approved by the Minister, credit the amount of a specified payment to be paid to a person into such account of that person in the Fund as the Minister may direct, instead of paying the specified payment directly to the person.

20 (2) A cash grant or specified payment credited into a member’s account in the Fund under subsection (1) or (1A) (as the case may be) is deemed to be a contribution to the member for the purposes of this Act.

25 (2A) Any cash grant or specified payment credited into a member’s account in the Fund under subsection (1) or (1A) or interest thereon may be withdrawn by the member under this Act for the purposes of the cash grant or specified payment (as the case may be) and in such manner as the Board may determine.

30

(3) Subject to any limitations prescribed by regulations made under section 77(1), in the circumstances mentioned in subsection (3AA), the Board is entitled to recover on behalf of the Government the following amounts from any moneys standing to the credit of any person in the Fund: 5

- (a) the whole or part of the amount of any cash grant or specified payment credited into the Fund under subsection (1) or (1A) (as the case may be) for the benefit of the person; 10
- (b) any interest which the person is liable to pay to the Government under the terms of any cash grant or specified payment mentioned in paragraph (a). 15

(3AA) The following circumstances are specified for the purposes of subsection (3):

- (a) before, on or after the date of commencement of section 42 of the Central Provident Fund (Amendment) Act 2021, the person mentioned in subsection (3) — 20
 - (i) has obtained the cash grant or specified payment mentioned in that subsection, by means of any false or misleading statement or any document that is false or misleading in any particular; 25
 - (ii) has committed a breach of any of the terms and conditions of the cash grant or specified payment mentioned in that subsection; or 30
 - (iii) is eligible to receive another cash grant or specified payment, or a cash grant or specified payment of a 35

different amount, in place of the cash grant or specified payment to be recovered;

(b) the person mentioned in subsection (3) no longer satisfies a continuing condition (if any) of the cash grant or specified payment mentioned in that subsection.”;

5

(b) by deleting the word “payment” wherever it appears in subsection (3A) and substituting in each case the words “specified payment”;

10

(c) by deleting the full-stop at the end of the definition of “cash grant” in subsection (5) and substituting a semi-colon, and by inserting immediately thereafter the following definitions:

15

““continuing condition”, in relation to a cash grant or specified payment, means a condition that —

(a) a person must continue to satisfy after the cash grant or specified payment is credited into the account of the person in the Fund; and

20

(b) on or before the crediting of that cash grant or specified payment into the account of the member in the Fund, has been —

25

- (i) made known to the person; or
- (ii) publicised in a prescribed manner (which may include publication on a website);

30

“specified payment” means any payment to be made by the Board to a person pursuant to —

(a) any activity engaged in by the Board under section 76(1)(a) whether before, on or after the date of

commencement of section 42 of the Central Provident Fund (Amendment) Act 2021; or

(b) any written law other than this Act.”; and

5

(d) by deleting the section heading and substituting the following section heading:

“Crediting of cash grant or specified payment to Fund”.

Amendment of section 15

10

43. Section 15(8D) of the principal Act is amended by deleting “14(2),”.

Amendment of section 57DA

44. Section 57DA(1) of the principal Act is amended by deleting “14(2)” and substituting “14(2A)”.

15

Amendment of section 77

45. Section 77(1) of the principal Act is amended by deleting paragraph (ga) and substituting the following paragraph:

“(ga) for the purposes of section 14, including specifying —

(i) any limitation on recovery by the Board mentioned in section 14(3); and

20

(ii) the prescribed period mentioned in section 14(3A)(b) and different periods for different types of cash grants or specified payments;”.

25

PART 7

PAYMENT BY PUBLIC TRUSTEE TO
BENEFICIARY REPRESENTATIVE**Amendment of section 14**

5 **46.** Section 14(4A) of the principal Act is amended by deleting the words “and 25” and substituting the words “, 25 and 25A”.

Amendment of section 15B

10 **47.** Section 15B(3) of the principal Act is amended by deleting the words “Section 25” and substituting the words “Sections 25 and 25A”.

Amendment of section 24

48. Section 24(3A) of the principal Act is amended —

(a) by deleting “25(2A)” and substituting “25A(3)”; and

15 (b) by deleting paragraph (b) and substituting the following paragraph:

“*(b)* the person or persons who are entitled to the whole or a share of the moneys payable to the Public Trustee under section 25A(1),”.

20 **Amendment of section 25**

49. Section 25 of the principal Act is amended —

(a) by deleting subsections (2) and (2A);

(b) by deleting the words “(2) or” in subsection (4); and

(c) by deleting the section heading and substituting the following section heading:

“Payment on death of member to nominated person”.

New section 25A

5

50. The principal Act is amended by inserting, immediately after section 25, the following section:

“Payment on death of member if no nominated person

25A.—(1) Where, at the time of a member’s death before, on or after the effective date, no person has been nominated by the member under section 25(1), the Board must pay all the moneys payable on the member’s death out of the Fund to the Public Trustee for disposal in accordance with —

10

(a) the Intestate Succession Act 1967, if the member is not a Muslim at the time of his or her death; or

15

(b) section 112 of the Administration of Muslim Law Act 1966, if the member is a Muslim at the time of his or her death.

(2) The receipt of the Public Trustee is 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 Public Trustee under subsection (1) or section 25(2) as in force immediately before the effective date, as the case may be.

20

(3) Despite subsection (1) and section 24(3A), where any beneficiary of a deceased member has incurred any reasonable funeral expenses in respect of the deceased member, the Public Trustee —

25

(a) may pay to that beneficiary, from the deceased member’s relevant moneys, an amount that the Public Trustee determines to be reasonable to defray those funeral expenses; and

30

(b) must pay the remainder of the deceased member's relevant moneys in accordance with paragraph (a) or (b) of subsection (1).

5 (4) Subject to subsections (3)(a) and (5), instead of paying the deceased member's relevant moneys to the beneficiaries of the deceased member directly in accordance with subsection (1)(a) or (b) or (3)(b) (as the case may be), the Public Trustee may pay the whole or part of those moneys to a beneficiary representative, on such terms and conditions as the Public Trustee may impose, for disposal to the beneficiaries in
10 accordance with paragraph (a) or (b) of subsection (1).

(5) Subsection (4) does not apply if the deceased member's relevant moneys exceed the specified limit at the relevant time, unless the Public Trustee is satisfied that the amount in excess of
15 the specified limit is immaterial.

(6) The receipt of a beneficiary representative of an amount of moneys payable to the beneficiaries under subsection (1) or (3)(b) (as the case may be) is a discharge to the Public Trustee for that amount.

20 (7) Subsection (6) does not affect any recourse which any person may have against the beneficiary representative for any amount paid to the beneficiary representative under subsection (4).

(8) To avoid doubt, a beneficiary representative must not, in
25 respect of the disposal of any amount paid to the beneficiary representative under subsection (4) —

(a) act in the capacity of an executor of any will of the deceased member or an administrator of the estate of the deceased member; or

30 (b) set off the moneys paid to him or her under subsection (4) against the debts of the estate of the deceased member.

(9) In this section —

“beneficiary”, in relation to a deceased member, means any person who is entitled to the whole or a share of the moneys payable on the member’s death in accordance with paragraph (a) or (b) of subsection (1);

5

“beneficiary representative”, in relation to a deceased member, means a beneficiary of the deceased member —

(a) who has applied, in the manner required by the Public Trustee, to be paid the whole or part of the deceased member’s relevant moneys for the purposes of subsection (4); and

10

(b) whose application mentioned in paragraph (a) has been approved by the Public Trustee;

“deceased member’s relevant moneys” means moneys payable on the member’s death out of the Fund that are paid to the Public Trustee under subsection (1) or section 25(2) as in force immediately before the effective date;

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“effective date” means the date of commencement of section 50 of the Central Provident Fund (Amendment) Act 2021;

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“relevant time”, in relation to a deceased member’s relevant moneys, means the time of the Public Trustee’s receipt of the latest payment of the deceased member’s relevant moneys under subsection (1) or section 25(2) as in force immediately before the effective date;

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“specified limit” means the amount specified by the Minister charged with the responsibility for the Public Trustee Office for the purposes of subsection (5).”.

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Amendment of section 27B

51. Section 27B of the principal Act is amended by inserting, immediately after “25” in subsections (6)(a) and (7)(a), “, 25A”.

Amendment of section 59

52. Section 59(9) of the principal Act is amended by inserting, immediately after the words “section 25”, the words “or 25A”.

Amendment of section 71

5 **53.** Section 71 of the principal Act is amended —

(a) by deleting the words “or 25” in subsection (5) and substituting the words “, 25 or 25A”; and

(b) by deleting the words “and 25” in subsection (8) and substituting the words “, 25 and 25A”.

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PART 8

REFUNDS UNDER RETIREMENT SUM TOPPING-UP SCHEME

Amendment of section 2

54.—(1) Section 2(6) of the principal Act is amended —

15 (a) by inserting, immediately after paragraph (a), the following paragraph:

“(aa) any sum refunded, or to be refunded, to the account of another member in the Fund under section 19;”;

20 (b) by inserting, immediately after the words “or 19A(2) or (6)” in paragraph (b), the words “, as in force immediately before the date of commencement of section 57 of the Central Provident Fund (Amendment) Act 2021”; and

25 (c) by inserting, immediately after paragraph (b), the following paragraph:

“(ba) any sum refunded or paid, or to be refunded or paid, to the account of another member in the Fund under section 19D;”.

30 (2) Section 2(6) of the principal Act, as amended by subsection (1)(c), is further amended by deleting paragraph (ba).

Amendment of section 15

55. Section 15(2) of the principal Act is amended by deleting the words “sections 16, 19 and 19A” and substituting the words “section 16”.

Amendment of section 15AA

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56. Section 15AA(1) of the principal Act, as inserted by section 5, is amended by deleting the words “sections 16, 19 and 19A” and substituting the words “section 16”.

Repeal of sections 19, 19A, 19B and 19C and re-enactment of section 19

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57. Sections 19, 19A, 19B and 19C of the principal Act are repealed and the following section substituted therefor:

“Board’s discretion to refund moneys transferred under section 18

19.—(1) The Board may, in the approved circumstances, refund the whole or part of any moneys transferred on or after 4 October 2021 to a relevant individual’s account in the Fund (called in this section Account A) under section 18(1)(a), (2)(a) or (3)(a); and the refund must be made to the account of the member from which the moneys were transferred (called in this section Account B).

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(2) Where the Board has refunded any moneys from Account A to Account B under subsection (1), the Board may —

(a) pay into Account B the whole or such part, as the Board may determine, of any interest that would have been payable on the refunded amount if the refunded amount had remained in Account B; and

25

(b) deduct from Account A and pay into the general moneys of the Fund, the whole or such part, as the Board may determine, of any interest paid into Account A that accrued to the refunded amount while the refunded amount was in Account A.

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(3) This section applies despite the relevant individual’s death or the Board’s receipt of the relevant individual’s application to withdraw any sum from the Fund under section 15(2)(b) or (c) on or after the commencement date.

5 (4) In this section —

“approved circumstances” means circumstances approved by the Minister or a person specified by the Minister;

10 “commencement date” means the date of commencement of section 57 of the Central Provident Fund (Amendment) Act 2021;

“refunded amount” means the amount of moneys refunded from Account A to Account B under subsection (1).”.

New section 19D

15 **58.** The principal Act is amended by inserting, immediately after section 19C, the following section:

“Refund of moneys transferred before commencement date or paid before 1 November 2008 under section 18

20 **19D.**—(1) A person may apply, on or after the commencement date but before 1 April 2022 and in the manner specified by the Board, for the refund of any of the following moneys:

(a) moneys transferred by the person before the commencement date to the retirement account or special account of a relevant individual under section 18(1)(a), (2)(a) or (3)(a), as the case may be;

25 (b) moneys paid by the person before 1 November 2008 to his or her parent’s, grandparent’s, spouse’s or sibling’s retirement account under section 18(1)(b) or (2)(b) as in force immediately before 1 November 2008;

30 (c) moneys paid by the person before 1 November 2008 to his or her spouse’s or sibling’s special account under section 18(3)(b) as in force immediately before 1 November 2008.

(2) On an application for the refund of moneys mentioned in subsection (1)(a), the Board must refund the remaining moneys to the giver's account from which such moneys were transferred, if the conditions specified by the Board are met.

(3) On an application for the refund of moneys mentioned in subsection (1)(b) or (c), the Board — 5

(a) must pay the remaining moneys to the payer, if the conditions specified by the Board are met; or

(b) if the payer has died at the time of payment, may pay the remaining moneys — 10

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

(ii) if to the best of the Board's knowledge the deceased payer does not have any personal representatives, and if the amount that the payer would have received does not exceed such amount as the Minister may specify — to a proper claimant. 15

(4) The receipt of the proper claimant is a discharge to the Board for the payment to the proper claimant under subsection (3)(b)(ii). 20

(5) Where payment has been made to a proper claimant under subsection (3)(b)(ii), this section does not affect any recourse that any person may have against the proper claimant for that amount. 25

(6) Subsections (2) and (3) apply on or after the commencement date despite —

(a) the death of the recipient of the moneys mentioned in subsection (1)(a), (b) or (c), as the case may be; or

(b) the Board's receipt of the recipient's application to withdraw any sum from the Fund under section 15(2)(b) or (c), 30

on or after the Board receives the application under subsection (1).

(7) The Board may without any application under subsection (1) —

(a) refund the remaining moneys in relation to moneys mentioned in subsection (1)(a) in accordance with subsection (2); or

(b) pay the remaining moneys in relation to moneys mentioned in subsection (1)(b) or (c) in accordance with subsection (3).

(8) Subsections (2), (3) and (7) do not apply if an event mentioned in subsection (6)(a) or (b) has occurred before the commencement date.

(9) In this section —

“applicable provision” means section 15(2)(d), (e), (f) or (g), (2B), (7), (7C) or (8B);

“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;

“commencement date” means the date of commencement of section 58 of the Central Provident Fund (Amendment) Act 2021;

“giver”, in relation to moneys mentioned in subsection (1)(a), means the person from whom those moneys were transferred to the recipient’s retirement account or special account;

“parent” includes an adoptive parent;

“payer”, in relation to moneys mentioned in subsection (1)(b) or (c), means the person who paid those moneys to the recipient’s retirement account or special account;

“proper claimant” means a person who —

(a) claims to be entitled to the remaining moneys on the death of the payer mentioned in

subsection (3) as executor of the deceased payer; or

- (b) claims to be entitled to the remaining moneys on the death of the payer mentioned in subsection (3) (whether for his or her own benefit or not), and is the widower, widow, child, grandchild, parent, brother, sister, nephew, niece, grandparent, uncle or aunt of the deceased payer;

“recipient”, in relation to moneys mentioned in subsection (1)(a), (b) or (c), means the person to whose retirement account or special account those moneys were transferred or paid;

“remaining moneys” means the moneys mentioned in subsection (1)(a), (b) or (c) (as the case may be) that remain standing in the recipient’s account mentioned in that subsection immediately before the refund is made, but excludes any of those moneys that had been withdrawn from the recipient’s account under an applicable provision before the refund and then restored to the recipient’s account because —

- (a) the payment of the withdrawn moneys was unsuccessful; or
- (b) the instrument in respect of that payment was returned to the Board or has expired.”.

Repeal of section 19D

59. Section 19D of the principal Act, as inserted by section 58, is repealed.

Saving and transitional provision for Part 4

62.—(1) Despite section 35, section 7(4) and (4A) of the principal Act as in force immediately before the date of commencement of section 35 continues to apply to every voluntary contribution made under section 7(4) of the principal Act before that date as if section 35 had not been enacted. 5

(2) Despite sections 36 and 37, sections 13(7I) and 13B of the principal Act as in force immediately before the date of commencement of section 37 continue to apply to every amount received by the Board under section 13B(1)(a) or (2)(a) of the principal Act before that date as if sections 36 and 37 had not been enacted. 10

(3) Despite sections 37 and 39(a), section 13B of the principal Act, as modified by regulations made under section 77(1)(e)(ii) of the principal Act as in force immediately before the date of commencement of section 37, continues to apply to every amount received by the Board under section 13B of the principal Act (so modified) before that date as if sections 37 and 39(a) had not been enacted. 15

(4) Despite section 37, section 13B(4) of the principal Act as in force immediately before the date of commencement of section 37 continues to apply to every amount voluntarily paid to the Fund which was deemed by that provision to be and always to have been validly paid as if section 37 had not been enacted. 20

Saving and transitional provision for Part 5

63. Section 13C of the principal Act applies to every contribution that the Board has given permission for under that section as in force immediately before the date of commencement of section 40 as if the permission were given under section 13C of the principal Act. 25

Saving and transitional provision for Part 6

64.—(1) Subject to subsection (2), section 14 of the principal Act as amended by section 42 applies to every cash grant or specified payment paid into the Fund under section 14(1) or (1A) (as the case 30

may be) of the principal Act before, on or after the date of commencement of section 42.

(2) Section 14(3AA)(b) of the principal Act does not apply to any cash grant or specified payment paid into the Fund under section 14(1) or (1A) (as the case may be) of the principal Act before the date of commencement of section 42.

Saving and transitional provision for Part 8

65. Despite section 57 and subject to section 19D(2) to (7) of the principal Act, sections 19, 19A, 19B and 19C of the principal Act as in force immediately before the date of commencement of section 57 continue to apply to moneys transferred or paid to a relevant individual's or payee's account in the Fund under section 18(1), (2) or (3) of the principal Act before that date as if section 57 had not been enacted where —

(a) the relevant individual or payee (as the case may be) died before that date; or

(b) the Board has, before that date, received the application of the relevant individual or payee (as the case may be) to withdraw any sum from the Fund under section 15(2)(b) or (c) of the principal Act.

General saving or transitional provision

66. For a period of 2 years after the date of commencement of any provision of this Act, the Minister may, by regulations, prescribe such provisions of a saving or transitional nature consequent on the enactment of that provision as the Minister may consider necessary or expedient.

PART 11

RELATED AMENDMENTS TO
EDUCATION ENDOWMENT AND SAVINGS SCHEMES ACT**Amendment of Education Endowment and Savings Schemes Act**

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67. Section 16E of the Education Endowment and Savings Schemes Act is amended by inserting, immediately after subsection (4), the following subsection:

“(4A) Every sum transferred under subsection (1), (2) or (4) to a member’s ordinary account maintained under section 13 of the Central Provident Fund Act 1953 is taken to be a cash grant paid into the Fund under section 14(1) of that Act.”.

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PART 12

RELATED AMENDMENTS TO INCOME TAX ACT

Amendment of Income Tax Act

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68.—(1) Section 39(2) of the Income Tax Act is amended by deleting sub-paragraphs (ii) and (iia) of paragraph (g) and substituting the following sub-paragraph:

“(ii) the total deductions allowable under this paragraph must not exceed \$5,000, except that where the sum of the contributions mentioned in sub-paragraphs (A) and (B) exceeds \$5,000, then the deduction allowed under this paragraph must be that sum:

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(A) contributions to any approved pension or provident fund under this paragraph, subject to subsections (6) to (9);

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(B) contributions to the Central Provident Fund under this paragraph, subject to subsections (6) to (10);”.

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(2) Section 39(2) of the Income Tax Act is amended by deleting sub-paragraphs (i) and (ia) of paragraph (h) and substituting the following sub-paragraph:

5 “(i) where the sum of contributions to any approved pension or provident fund or society under paragraph (g) and this paragraph exceeds \$5,000, no deduction must be allowed under paragraph (g) in respect of premiums for life insurance;”.

10 (3) Section 39(2) of the Income Tax Act is amended —

 (a) by deleting the semi-colon at the end of paragraph (p) and substituting a full-stop; and

 (b) by deleting paragraph (q).

15 (4) Section 39 of the Income Tax Act is amended by deleting subsections (3), (3A) and (3B) and substituting the following subsections:

 “(3) In the case of an individual resident in Singapore in the year of assessment who, in the year preceding the year of assessment, was a citizen or permanent resident of Singapore and —

20 (a) has paid money in accordance with section 18 of the Central Provident Fund Act 1953 to the retirement account or special account of the individual’s spouse, sibling, parent, parent-in-law, grandparent or grandparent-in-law or 2 or more of those accounts; or

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(b) has made any voluntary contribution under section 13B of the Central Provident Fund Act 1953 and has directed an amount of such contribution to be paid to the medisave account of the individual's spouse, sibling, parent, parent-in-law, grandparent or grandparent-in-law or 2 or more of those accounts (called in this subsection and subsection (3AA) a medisave contribution),

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there is to be allowed for that year of assessment a deduction of the lower of the following amounts:

10

(c) the sum of —

(i) the amount of the payment to a retirement account or a special account mentioned in paragraph (a) or (as the case may be) the total amount of all such payments, subject to the applicable maximum relief amount prescribed by rules made under section 7 for that year of assessment; and

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(ii) the amount of the medisave contribution mentioned in paragraph (b) or (as the case may be) the total amount of all such medisave contributions, subject to the applicable maximum relief amount prescribed by rules made under section 7 for that year of assessment;

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(d) the deduction limit for the year of assessment prescribed by rules made under section 7.

(3AA) Subsection (3)(c) excludes a payment or medisave contribution mentioned in subsection (3)(a) or (b) (as the case may be) to the individual's spouse's or sibling's retirement account, special account or medisave account if —

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(a) at the time the payment or medisave contribution was made, that spouse or sibling was not incapacitated by reason of physical or mental infirmity; and

- (b) that spouse's or sibling's income exceeds \$4,000 in the year preceding the year in which the payment or medisave contribution was made.

(3A) In the case of an individual resident in Singapore in the year of assessment who, in the year preceding the year of assessment, was a citizen or permanent resident of Singapore and who, or whose employer on his or her behalf, has —

- (a) in the year preceding the year of assessment paid money to the individual's retirement account or special account in accordance with section 18 of the Central Provident Fund Act 1953; or

- (b) in the year preceding the year of assessment made a voluntary contribution under section 13B of the Central Provident Fund Act 1953 and has directed an amount of such contribution to be paid to the individual's medisave account, excluding such amount of contribution allowed a deduction under section 39(2)(h) (called in this subsection a medisave self-contribution),

there is to be allowed for that year of assessment a deduction of the lower of the following amounts:

- (c) the sum of —

- (i) the amount of the payment to the retirement account or special account mentioned in paragraph (a) or (as the case may be) the total amount of all such payments, subject to the applicable maximum relief amount prescribed by rules made under section 7 for that year of assessment; and

- (ii) the amount of the medisave self-contribution mentioned in paragraph (b) or (as the case may be) the total amount of all such medisave self-contributions, subject to the applicable maximum relief amount prescribed by rules

made under section 7 for that year of assessment;

(d) the deduction limit for that year of assessment prescribed by rules made under section 7.

(3B) The rules mentioned in subsections (3) and (3A) may — 5

(a) prescribe different maximum relief amounts for —

(i) different individuals or classes of individuals; and

(ii) contributions to the retirement account, the special account or the medisave account; 10

(b) prescribe different deduction limits for the purposes of subsections (3) and (3A);

(c) provide for the manner of computation of such applicable maximum relief amounts and deduction limits; and 15

(d) take effect from (and including) the year of assessment 2023 or a later year of assessment.”.

(5) Subsections (1) to (4) have effect for the year of assessment 2023 and subsequent years of assessment.

EXPLANATORY STATEMENT

This Bill seeks to amend the Central Provident Fund Act for the following main purposes:

(a) to allow the Central Provident Fund Board (Board), upon certain events, to make automatic disbursements to members from moneys in their ordinary account or special account on or after the entitlement date or the Board being satisfied that the member is suffering from a specified significant condition;

(b) to remove the Central Provident Fund (CPF) annual limit for certain types of voluntary contributions to the medisave account;

(c) to allow the Board to permit a person to make contributions for self under circumstances prescribed in regulations, which will include

allowing a member whose housing charge lapsed before 1 January 2013 under specific circumstances to make a voluntary housing refund to his or her CPF account;

- (d) to permit a cash grant or specified payment to be recovered from a member's CPF account if the member no longer satisfies a continuing condition of the cash grant or specified payment and to streamline the provisions on cash grants and specified payments paid into a member's CPF account by the Board;
- (e) to apply a standardised rule on top-ups made to a member's retirement account or special account under section 18 such that these top-ups made to the member's retirement account or special account will no longer be returned to the person who made the top-up (called the giver) if the member dies or applies to withdraw all his or her CPF moneys under section 15(2)(b) or (c), and to allow refunds to givers in certain circumstances;
- (f) to streamline provisions for the transfer of CPF moneys to the general moneys of the CPF for the disposal of designated shares in certain circumstances such as the death of a member, and to update provisions on the cessation of interest on CPF moneys in the general moneys of the CPF accordingly;
- (g) to provide for a new and simplified process for the distribution of unnominated CPF moneys by the Public Trustee on a member's death to a beneficiary representative for distribution to the beneficiaries where the total amount of the member's CPF moneys does not exceed the specified limit;
- (h) to clarify the process for members to notify the Board of a marriage revoking a nomination, and allow the Board to specify the manner and form of notification on its website;
- (i) to provide greater flexibility and efficiency in the administration of the Act by providing for certain matters to be prescribed by subsidiary legislation or to be determined by the Board or the Minister, instead of being stated in the Act;
- (j) to simplify the Act by splitting and rearranging certain provisions.

Related amendments are also made to the Education Endowment and Savings Schemes Act to clarify that transfers under section 16E(1), (2) or (4) of that Act to a member's ordinary account are taken to be cash grants paid into the CPF under section 14(1) of the Act, and to the Income Tax Act to modify the tax reliefs for CPF top-ups and voluntary contributions.

Clause 1 relates to the short title and commencement.

PART 1

PAYMENT OF ORDINARY ACCOUNT AND
SPECIAL ACCOUNT MONEYS AND
STREAMLINING WITHDRAWAL PROVISIONS

Clause 2 amends section 2(1) —

- (a) to re-enact the existing definitions of “approved developer”, “entitlement date” and “Housing Authority” from a number of other sections for ease of reference; and
- (b) to make consequential amendments to other definitions.

Clause 3 makes a consequential amendment to section 13(7H).

Clauses 4 and 5 split the existing section 15 into 3 separate sections, namely, sections 15 (General provisions on withdrawal from Fund), 15AA (Withdrawal on grounds of significant condition, and exemption for pension, annuity or other benefit) and 15AB (Charge or undertaking on immovable property to secure retirement sum), for easier reading.

Clause 4 amends section 15 to allow the Board to make automatic disbursements to a member from the member’s CPF account without any application by the member. Section 15(3) is amended to clarify that a member who has made a withdrawal from his or her CPF account on the ground that he or she has attained 55 years of age is entitled to a further withdrawal from his or her CPF account on or after each subsequent anniversary of the member’s date of birth or such other period as the Minister may direct. Section 15(6A) is amended to clarify that the joint application before 1 January 2013 was to set aside jointly an amount which is less than the aggregate of the retirement sums of both members. Section 15(6B) is amended to adopt the term “significant condition”, to align with the new section 15AA. The new section 15(7A) allows the Board to make payments to the member, or transfer amounts in the member’s CPF account to the retirement account, for payment to the member as monthly payments, for the member’s convenience. Limits imposed on the amount of moneys that may be transferred to or maintained in the member’s retirement account do not apply to any transfer under the new section 15(7A)(b). The requirements to set aside the retirement sum under section 15(6)(a) or the reduced retirement sum under the new section 15AA(5) do not apply to a payment under the new section 15(7A)(a).

Clause 5 inserts the new sections 15AA and 15AB.

The new section 15AA re-enacts the provisions for withdrawals under section 15(2)(d), (e), (f) and (g) (now collectively called significant conditions) and the exemptions from setting aside the retirement sum where the member has a pension, annuity or other benefit that provides the member with a monthly income. For some of these members, a reduced retirement sum is required to be set aside on withdrawal of the member’s CPF account moneys or amount deposited

with an approved bank or surrender of the member's approved annuity. Certain physical or mental conditions will be prescribed under section 77(1) to be a "significant condition" and "specified significant condition".

The new section 15AB re-enacts the current section 15(9), (9A), (10), (10A), (10B), (11), (11A), (11B), (11C), (11D), (11E), (11EA), (11EB), (11F), (15) and (15A).

Clause 6 makes consequential amendments to section 15A.

Clause 7 makes a consequential amendment to section 16(2).

Clause 8 makes consequential amendments to section 18(2).

Clauses 9, 10 and 11 make consequential amendments to the definition of "applicable provision" in sections 19B(4) and 19C(4) and the new section 19D(9) as inserted by clause 58, respectively.

Clause 12 makes a consequential amendment to section 20(1).

Clause 13 makes a consequential amendment to section 21(12).

Clause 14 makes consequential amendments to section 24(1).

Clauses 15 to 23 make consequential amendments to sections 27(2), 27B, 27C, 27D, 27DA, 27DB, 27I(1), 28(1) and 57DA(1).

Clause 24 amends section 77.

The new section 77(1)(*gaa*) provides for regulations for the purposes of section 15 and the new section 15AA, including to provide that a physical or mental condition is a significant condition for the purposes of the new section 15AA only if it is approved by the Minister and causes disability of a description or to an extent specified by the Minister. This will allow "significant condition" to be prescribed by regulations to include a physical or mental condition approved by the Minister that incapacitates the member in such a manner as the Minister may specify, similar to the repealed section 15(2)(*d*)(ii). The new section 77(1)(*gaa*)(ii) provides for regulations to provide requirements and limits applicable to payments or transfers under the new section 15(7A).

The new section 77(1)(*o*)(ii) reproduces the sub-paragraph to allow the method of computing the retirement sum to be prescribed, and for certain amounts standing to the credit of the member's retirement account to be disregarded when determining whether the member has set aside the retirement sum. In addition, it adds a new sub-paragraph (B) which allows certain amounts standing to the credit of a member in the CPF or authorised for withdrawal under the new section 15(1A)(*b*) to be included when determining whether the member has set aside the retirement sum. This will allow regulations to prescribe that automatic disbursements made from the member's ordinary account or special

account authorised under the new section 15(1A)(b) will count towards the retirement sum that a member is required to set aside.

Clause 24(2) makes consequential amendments to section 77(2)(c) and (e).

PART 2

UNCLAIMED ASSETS

Clause 25 amends section 2 to insert definitions of “designated shareholder”, “designated shares”, “designated shares payment” and “vested shares” and makes a consequential amendment to section 2(7).

Clause 26 amends section 6 to allow the Board to cease the payment of interest where the Board is notified of a member’s death on or after the effective date of the clause, in respect of any amount (including designated shares payments) that is or has been transferred or credited to the general moneys of the CPF, and in respect of any designated shares payments paid into the general moneys of the CPF under the existing section 26B, after the date of transfer or crediting to the general moneys of the CPF or the date of death of the member (if it is later). Where the Board is notified of a member’s death before the effective date of the clause, the amended section 6 also allows the Board to cease the payment of interest in respect of any amount standing to the credit of the member that has not yet been transferred to the general moneys of the CPF under the existing section 13(7B), and which is transferred to the general moneys of the CPF under the re-enacted section 13(7A) on or after the effective date. Subsections (4G), (4H) and (4I) of section 6 are saving and transitional provisions.

Clause 27 amends section 13 to re-enact the Board’s powers to transfer a member’s moneys in the CPF to the general moneys of the CPF if the Board is notified that the member has died, the member’s CPF accounts are deemed dormant under section 2(1B) or the Board is unable to ascertain the member’s identity whether before, on or after the effective date.

Clause 28 makes a consequential amendment to section 25.

Clause 29 repeals sections 26 to 26D and streamlines the provisions for the distribution and disposal of designated shares in the new sections 26 and 26A. Designated shares are defined in section 2(1) as such shares or class of shares in any approved corporation as the Minister may designate, which were purchased with moneys withdrawn under the Act. The designated shares will vest in the Board when the Board is notified that the designated shareholder is deceased or in prescribed circumstances. In the case of a deceased designated shareholder who has died before 1 January 1996 or has not executed a memorandum under section 25(1), the Board must transfer the designated shares vested in the Board (called vested shares) to the deceased designated shareholder’s securities account held in his or her sole name, or a securities account opened and operated by his or

her personal representatives for the benefit of the deceased designated shareholder's estate.

Where the Board is notified that a designated shareholder has died, a relevant person may also instruct the Board to sell the deceased designated shareholder's vested shares. The relevant person is the deceased designated shareholder's nominee, (if his or her nominee is deceased) the deceased nominee's personal representatives or (if he or she has no nominee) his or her personal representatives.

If the deceased designated shareholder has a nominee, the nominee may also instruct the Board to transfer the vested shares to the nominee's securities account. If the nominee has died, the nominee's personal representatives may instruct the Board to transfer the vested shares to a securities account opened and operated by the nominee's personal representatives for the benefit of the deceased nominee's estate. The Board may also, in accordance with regulations made under section 77(1), sell the vested shares on its own initiative if no such instructions have been received within a prescribed time, or under other prescribed circumstances. This will expedite the proper disposal of the designated shares.

Subject to regulations, if the Board is notified that a designated shareholder has died, the Board may credit the proceeds of sale of the vested shares (and designated shares if the proceeds are credited into the CPF after the designated shareholder's death) and dividends, returned paid-up share capital or other moneys in respect of the vested shares (called designated shares payments) to the general moneys of the CPF or the account in the CPF of a relevant person. If the designated shareholder's accounts in the CPF are deemed dormant under the Act, the Board may credit the designated shares payments into the general moneys of the CPF. In any other case, the Board must credit the designated shares payments into the designated shareholder's account in the CPF. The Board may also transfer the designated shares payments from the general moneys of the CPF to the designated shareholder's CPF account, with the whole or part of the interest that would have been payable if they had not been transferred to the general moneys of the CPF. Section 26(11) provides that the Board is discharged in the case of vested shares, by the transfer of the vested shares in accordance with the Act and the receipt of a relevant person for the vested shares, and in the case of designated shares payments, by the transfer to an account of the designated shareholder (when the Board is satisfied that the designated shareholder is alive). Section 26 applies despite any other written law or rule of law, except regulations made for the purposes of the section under section 77(1) or as expressly provided to the contrary in the section.

Section 26A provides for the transfer or payment of designated shares payments of a deceased designated shareholder to the persons mentioned in section 26A(1) or (2).

Section 26A(4) provides that the Board is discharged, in the case of designated shares payments by the receipt of a person to whom the designated shares

payments are payable under section 26A(1) or (2). Section 26A does not affect any recourse that any person may have against a proper claimant to whom any designated shares payment has been paid under the section. Section 26A applies despite any other written law or rule of law, except regulations made for the purposes of the section under section 77(1) or as expressly provided to the contrary in the section.

Clause 30 makes a consequential amendment to section 59(9).

Clause 31 makes consequential amendments to section 77(1).

PART 3

LIMIT ON PAYMENT TO PROPER CLAIMANT OR APPROVED CAREGIVER

Clauses 32 and 33 amend sections 25(4A) and 27L(8), respectively, to allow the Minister to specify the maximum amount for payment to a proper claimant, instead of having to prescribe the amount by notification in the *Gazette*.

Clause 34 amends section 70(3) to allow the Minister to specify the maximum amount for payment to an approved caregiver, instead of having to prescribe the amount by notification in the *Gazette*.

PART 4

VOLUNTARY CONTRIBUTIONS

Clauses 35 and 36 make consequential amendments to sections 7 and 13(7I), respectively.

Clause 37 repeals and re-enacts section 13B to streamline the provision allowing a person to make voluntary contributions to a member's ordinary account, medisave account or special account, subject to regulations made under section 77(1), and to the Board's terms and conditions. Section 13B also requires the Board to credit every such voluntary contribution subject to regulations. The CPF annual limit for certain types of voluntary contributions to the medisave account will be removed from this provision.

Clause 38 inserts a new section 13D which allows limits to be prescribed on aggregated contributions (which currently refers to the annual limit).

Clause 39 amends section 77.

The new section 77(1)(fb) provides for regulations for the purposes of section 13B, including requiring or permitting the Board to refuse to credit any voluntary contribution in prescribed circumstances, for instance, where certain limits are exceeded.

The new section 77(1)(g) provides for regulations for the purposes of the new section 13D.

PART 5

OTHER CONTRIBUTIONS TO SELF

Clause 40 amends section 13C to allow the Board greater flexibility to permit a person to pay other contributions to the CPF for himself or herself under prescribed circumstances (except as specifically provided in the Act). The Board will allow a member whose housing charge lapsed before 1 January 2013 under specific circumstances to make a voluntary housing refund, in addition to the currently permitted contributions.

Clause 41 amends section 77.

The new section 77(1)(fc) provides for regulations for the purposes of section 13C.

PART 6

GOVERNMENT GRANTS AND SPECIFIED PAYMENTS

Clause 42 amends section 14 to allow specified payments to be made to a member's CPF account in circumstances approved by the Minister. Currently, this only applies where the Board has made unsuccessful attempts to pay the member. The member will be allowed to withdraw cash grants and specified payments from his or her CPF account under the Act for the purposes of the cash grant or the specified payment. Specified payments are considered contributions and may also be transferred in accordance with the Act.

In addition to the existing grounds for recovery of a cash grant or a specified payment, section 14(3) read with the new section 14(3AA)(b) allows recovery if a person ceases to satisfy a continuing condition. Continuing conditions may be made known to the member, or publicised in a prescribed manner (which may include publication on a website) before the cash grant or specified payment is credited to the person's CPF account. This will primarily be used where the Government gives cash grants or specified payments without any application by the person.

Clauses 43 and 44 make consequential amendments to sections 15(8D) and 57DA(1), respectively.

Clause 45 deletes and substitutes section 77(1)(ga) to provide for regulations for the purposes of section 14.

PART 7

PAYMENT BY PUBLIC TRUSTEE TO
BENEFICIARY REPRESENTATIVE

Clauses 46, 47 and 48 make consequential amendments to sections 14(4A), 15B(3) and 24(3A), respectively.

Clause 49(a) deletes section 25(2) and (2A) which provides for the payment of CPF moneys of a member who has died without making a nomination under section 25(1) (called unnominated moneys) to the Public Trustee for disposal in accordance with the Intestate Succession Act or section 112 of the Administration of Muslim Law Act, and to defray reasonable funeral expenses incurred by any beneficiary in respect of the deceased member. The new section 25A will provide for the disposal of unnominated moneys.

Clause 50 inserts a new section 25A to provide for the disposal of a deceased member's unnominated moneys. As is currently the case, the Board must pay unnominated moneys to the Public Trustee for disposal in accordance with the Intestate Succession Act or section 112 of the Administration of Muslim Law Act and the Public Trustee may reimburse a beneficiary for reasonable funeral expenses incurred in respect of the deceased member. Alternatively, the Public Trustee may now (if the deceased member's moneys transferred to the Public Trustee are within the specified limit or the Public Trustee is satisfied that the amount in excess is immaterial) pay the whole or part of the unnominated moneys to a beneficiary representative for disposal to the beneficiaries in accordance with the Intestate Succession Act or section 112 of the Administration of Muslim Law Act. A beneficiary of the deceased member may apply to the Public Trustee to be a beneficiary representative. The application by a beneficiary representative to be paid from the deceased member's CPF moneys will be subject to the approval of the Public Trustee. The sum paid to the beneficiary representative will be net of any amount which the Public Trustee has approved for payment out of the moneys to defray reasonable funeral expenses incurred by any beneficiary. The receipt of the beneficiary representative of an amount of moneys is a discharge to the Public Trustee for the amount. This does not affect any recourse any person may have against the beneficiary representative for the amount paid to the beneficiary representative.

Clauses 51, 52 and 53 make consequential amendments to sections 27B, 59(9) and 71, respectively.

PART 8

REFUNDS UNDER RETIREMENT
SUM TOPPING-UP SCHEME

Clause 54(1)(a) and (b) makes consequential amendments to section 2 which will be commenced with clause 57.

Clause 54(1)(c) makes a consequential amendment to section 2 which will be commenced with clause 58.

Clause 54(2) makes a consequential amendment to section 2 which will be commenced with clause 59.

Clauses 55 and 56 make consequential amendments to sections 15(2) and 15AA(1), respectively, which will be commenced with clause 57.

Clause 57 repeals sections 19, 19A, 19B and 19C to apply a standardised rule on top-ups made to a member's retirement account or special account under section 18 such that these top-ups made to the member's retirement account or special account will no longer be returned to the person who made the top-up (called the giver) if the member dies or applies to withdraw all his or her CPF moneys under section 15(2)(b) or (c), and re-enacts a new section 19.

The new section 19 will be commenced on or after 1 April 2022. It gives the Board the discretion to refund moneys which are transferred under section 18 on or after 4 October 2021, to the CPF account from which the transfer was made, in circumstances approved by the Minister or such person appointed by him or her. The Board may, where it has made a refund, also refund the whole or part of the interest payable on the refunded amount to that account and transfer the interest paid on the refunded amount while it was in the recipient's CPF account to the general moneys of the CPF. This applies despite the death of the recipient or the Board's receipt of the recipient's application to withdraw any sum from the CPF under section 15(2)(b) or (c).

Clause 58 inserts a new section 19D. The new section 19D is an interim provision which will be commenced on or after 1 January 2022 and repealed on or after 1 April 2022. The new section 19D allows persons who have paid (before 1 November 2008) or transferred moneys to a recipient under section 18 before the date of commencement of clause 58 to apply for a refund of the remaining moneys. The "remaining moneys" are defined in the new section 19D(9). The application must be made before 1 April 2022. The remaining moneys will be refunded to the giver's CPF account if the moneys were transferred under section 18. If the moneys were paid under section 18, they will be paid to the giver.

The new section 19D(7) also gives the Board a discretion to refund the remaining moneys without any application by the giver. The Board will exercise this power if there are good reasons for refunding the remaining moneys even

though the giver did not apply for it. The manner of the refund is similar to the new section 19D(2) and (3).

The refunds do not apply if a trigger event occurs before the date of commencement of clause 58.

Clause 59 provides for the repeal of the new section 19D when it is no longer required.

PART 9

NOTIFICATION OF MARRIAGE FOR NOMINATIONS

Clause 60 amends section 25(6) and inserts a new section 25(6AA) to clarify the process for members to notify the Board of a marriage revoking a nomination, and allow the Board to specify the manner and form of notification on a website. This clarifies that the Board needs to be given sufficient time to act on a notice of marriage.

PART 10

SAVING AND TRANSITIONAL PROVISIONS

Clause 61 provides for the continuity of terms and conditions of the Board and other documents or instruments under which any person has, before the date of commencement of clause 4, agreed or is required or permitted to do anything under any provision of section 15 as in force immediately before that date. That person is deemed after that date to have agreed or to be required or permitted (as the case may be) to do that thing under the corresponding provision as re-enacted in section 15 or the new section 15AA or 15AB.

Clause 62 provides that sections 7(4) and (4A), 13(7I), 13B and 13B as modified by regulations made under section 77(1)(e)(ii), as in force immediately before the date of commencement of clause 35, 36, 37 or 39(a) (as the case may be), continue to apply in certain circumstances.

Clause 63 provides that section 13C (as amended by clause 40) applies to every contribution that the Board has given permission for under that section as in force immediately before the date of commencement of clause 40 as if the permission were given under the amended section.

Clause 64 clarifies that section 14 applies to every cash grant or specified payment paid into the CPF under section 14(1) or (1A) before, on or after the date of commencement of clause 42, except that the new section 14(3AA)(b) does not apply to any cash grant or specified payment paid into the CPF under that section before that date.

Clause 65 provides that sections 19, 19A, 19B and 19C as in force immediately before the date of commencement of clause 57 continue to apply to moneys

transferred or paid under section 18(1), (2) or (3) before that date as if clause 57 had not been enacted, where (a) the relevant individual or payee (as the case may be) died before that date or (b) the Board has, before that date, received the application of the relevant individual or payee (as the case may be) to withdraw any sum from the CPF under section 15(2)(b) or (c).

Clause 66 empowers the Minister to make provisions of a saving or transitional nature for any provision of the Bill for a period of 2 years after the date of commencement of any provision of the Bill.

PART 11

RELATED AMENDMENTS TO EDUCATION ENDOWMENT AND SAVINGS SCHEMES ACT

Clause 67 makes related amendments to the Education Endowment and Savings Schemes Act to clarify that every sum transferred under section 16E(1), (2) or (4) of that Act to a member's ordinary account is taken to be a cash grant paid into the CPF under section 14(1) of the Central Provident Fund Act.

PART 12

RELATED AMENDMENTS TO INCOME TAX ACT

Clause 68 makes related amendments to section 39 of the Income Tax Act to modify an individual's tax reliefs for certain cash top-ups to retirement accounts or special accounts, and voluntary contributions to medisave accounts, made by the individual. There will be a combined tax deduction limit for cash top-ups to an individual's retirement account or special account and voluntary contributions to the individual's medisave account, made by the individual (or the individual's employer on the individual's behalf). There will be another combined tax deduction limit for cash top-ups and voluntary contributions made by an individual in respect of the individual's eligible family members.

Section 39(2)(q) of the Income Tax Act allowed a deduction to an individual for his or her voluntary contribution in cash to his or her medisave account, subject to conditions. The provision is deleted as a tax deduction is allowed to an individual for the individual's voluntary contribution in cash to the individual's medisave account under section 39(2)(h) or section 39(3A) of the Income Tax Act, subject to conditions in the respective provisions.

The amendments to section 39(2)(g) and (h) of the Income Tax Act are consequential to the deletion of section 39(2)(q). The new section 39(2)(g)(ii) replaces section 39(2)(g)(ii) and (iia) to continue to give priority to the deduction of contributions made to an approved pension or a provident fund or the CPF and to allow the total amount of those contributions to be deducted under

section 39(2)(g), subject to subsections (6) to (10). The new section 39(2)(h)(i) replaces section 39(2)(h)(i) and (iia) to a similar effect.

The new section 39(3) and (3AA) of the Income Tax Act allows a combined tax deduction to an individual for (a) payments made by the individual under section 18 of the Central Provident Fund Act to the individual's spouse's, sibling's, parent's, parent-in-law's, grandparent's or grandparent-in-law's retirement account or special account, and (b) voluntary contributions made by the individual specifically directed to be made to the medisave account of any of those persons. The applicable maximum relief amounts and deduction limits will be prescribed by rules made under section 7 of the Income Tax Act. Section 39(3AA) re-enacts section 39(3)(i) to provide that the existing conditions applicable to a tax deduction for any payment made by an individual to his or her spouse's or sibling's retirement account or special account, also apply to a tax deduction for any voluntary contribution made by the individual to his or her spouse's or sibling's medisave account.

The new section 39(3A) of the Income Tax Act allows a combined tax deduction to an individual who, or whose employer on his or her behalf has in the year preceding the year of assessment, made (a) a payment to the individual's retirement account or special account or (b) a voluntary contribution specifically directed to be made to the individual's medisave account, excluding any amount of contribution allowed a deduction under section 39(2)(h). The applicable maximum relief amounts and deduction limits will be prescribed by rules made under section 7 of the Income Tax Act.

The new section 39(3B) of the Income Tax Act provides that rules made under section 7 of the Income Tax Act for the purposes of section 39(3) and (3A), may prescribe different applicable maximum relief amounts and deduction limits in specific circumstances and their manner of computation, and may take effect from (and including) the year of assessment 2023 or a later year of assessment.

These amendments to the Income Tax Act are to have effect for the year of assessment 2023 and subsequent years of assessment.

EXPENDITURE OF PUBLIC MONEY

This Bill will involve the Government in extra financial expenditure, the exact amount of which cannot at present be ascertained.
