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No. S 1038

SINGAPORE ARMED FORCES ACT 1972

SINGAPORE ARMED FORCES (SAVER PLAN) (AMENDMENT) REGULATIONS 2022

In exercise of the powers conferred by section 205A of the Singapore Armed Forces Act 1972, the Armed Forces Council makes the following Regulations:

Citation and commencement

1. These Regulations are the Singapore Armed Forces (SAVER Plan) (Amendment) Regulations 2022 and come into operation on 1 January 2023.

Amendment of regulation 2

2. In regulation 2(1) of the Singapore Armed Forces (SAVER Plan) Regulations (Rg 19) (called in these Regulations the principal Regulations), after the definition of “no pay maternity leave”, insert —

““non-attributable medical condition” means an adverse medical condition that —

- (a) existed in a member before service; or
- (b) arose during but which was not attributable to service;”.

Amendment of regulation 17

3. In regulation 17(3) of the principal Regulations, after “these Regulations”, insert “but subject to paragraph (3A) and regulation 25(6)”.

Amendment of regulation 23

4. In regulation 23(1) of the principal Regulations —
- (a) after “a member dies”, insert “on or after 1 January 2023”;
and
 - (b) replace sub-paragraph (b) with —
 - “(b) the amount specified by the Armed Forces Council by General Order; and”.

Replacement of regulation 25

5. In the principal Regulations, replace regulation 25 with —
- “Award for injury received in and which is attributable to service**
- 25.—**(1) This regulation applies to a member who sustains, on or after 1 January 2023, any injury received in and which is attributable to service and is disabled from that injury.
- (2) Subject to regulation 40 and except as otherwise provided in paragraphs (3) and (4), a member mentioned in paragraph (1) is eligible for —
- (a) where the Armed Forces Council determines that the degree of his disability amounts to permanent total disability — an award of the amount specified by the Armed Forces Council by General Order; and
 - (b) where as a result of the disability, he has retired on any of the grounds specified in regulation 12 or resigned from the Singapore Armed Forces — the greater of the following awards:
 - (i) all moneys standing to the credit of the member in his Savings Account, Retirement Account and CPF Top-Up Account at the date of his retirement or resignation from the Singapore Armed Forces;

- (ii) 12 months of the compensation salary of the member at the date of his retirement or resignation from the Singapore Armed Forces.

(3) Subject to regulation 40, where a member mentioned in paragraph (1) —

- (a) converted to the SAVER Plan on 1 April 1998; and
- (b) was in the pensionable service immediately before his conversion to the SAVER Plan on that date,

the member is eligible for —

- (c) where the Armed Forces Council determines that the degree of his disability amounts to permanent total disability — an award of the amount specified by the Armed Forces Council by General Order; and
- (d) where as a result of the disability, he has retired on any of the grounds specified in regulation 12 or resigned from the Singapore Armed Forces — the greatest of the following awards:

- (i) all moneys standing to the credit of the member in his Savings Account, Retirement Account and CPF Top-Up Account at the date of his retirement or resignation from the Singapore Armed Forces;
- (ii) a sum equal to the benefits that would have been payable to the member in the same circumstances had he remained in the pensionable service;
- (iii) 12 months of the compensation salary of the member at the date of his retirement or resignation from the Singapore Armed Forces.

(4) Subject to regulation 40, where a member mentioned in paragraph (1) —

- (a) converted to the SAVER Plan after 1 April 1998; and

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- (b) was in the pensionable service immediately before his conversion to the SAVER Plan on that date,
- the member is eligible for —
- (c) where the Armed Forces Council determines that the degree of his disability amounts to permanent total disability — an award of the amount specified by the Armed Forces Council by General Order; and
- (d) where as a result of the disability, he has retired on any of the grounds specified in regulation 12 or resigned from the Singapore Armed Forces — the greater of the following awards:
- (i) all moneys standing to the credit of the member in his Savings Account, Retirement Account and CPF Top-Up Account at the date of his retirement or resignation from the Singapore Armed Forces;
 - (ii) 12 months of the last drawn compensation salary of the member at the date of his retirement or resignation from the Singapore Armed Forces.

(5) For the purposes of an award under paragraph (2)(a) (which may be paid provisionally or on any other basis), the degree of the member's disability must be assessed on an interim basis unless the member's condition permits a final determination of the extent (if any) of the disability.

(6) Where an award is made to a member under paragraph (2)(b), (3)(d) or (4)(d), regulation 17(1), (1A), (2), (3), (3A), (4) and (5) does not apply to that member.”

Deletion of regulation 26

6. Delete regulation 26 of the principal Regulations.

Amendment of regulation 27

7. In regulation 27 of the principal Regulations —
- (a) in paragraph (3), replace “Except in a case to which the Fourth Schedule applies, the” with “The”; and
 - (b) delete paragraphs (6) and (7).

Replacement of heading to Chapter 2 of Part VI

8. In Part VI of the principal Regulations, in Chapter 2, replace the Chapter heading with —

“Chapter 2 — Compensation for loss of earnings, etc.”.

Replacement of regulation 29 and new regulation 30

9. In the principal Regulations, replace regulation 29 with —

“Compensation for hospitalisation or medical leave for former members

29.—(1) This regulation applies to a former member (*M*) who —

- (a) sustains, on or after 1 September 2020, any injury received in and which is attributable to service;
- (b) after sustaining the injury mentioned in sub-paragraph (a) —
 - (i) retires from the Singapore Armed Forces on any of the grounds specified in regulation 12;
 - (ii) resigns from the Singapore Armed Forces; or
 - (iii) is discharged or dismissed in any of the circumstances specified in regulation 16;
- (c) on or after *M*’s service end date, is on hospitalisation leave or medical leave due to the injury; and
- (d) if, while on the hospitalisation leave or medical leave —
 - (i) is employed under a contract of service — suffers a loss of earnings under the contract of

service as a result of the hospitalisation leave or medical leave, as the case may be; or

- (ii) is engaged under a contract for services or engaged in any trade, business, profession or vocation — suffers a loss of income derived from the contract for services, trade, business, profession or vocation (as the case may be) as a result of the hospitalisation leave or medical leave, as the case may be.

(2) To avoid doubt, this regulation applies even if *M* is not —

- (a) employed under a contract of service;
- (b) engaged under a contract for services; or
- (c) engaged in any trade, business, profession or vocation.

(3) Subject to paragraphs (4), (5) and (7) and regulation 40(1), *M* is eligible, starting on *M*'s service end date, to payment at the rate specified by the Armed Forces Council by General Order for each day when *M* is on hospitalisation leave or medical leave.

(4) Paragraph (3) does not apply to hospitalisation leave or medical leave granted on any day after the earlier of the following:

- (a) where within one year after *M*'s service end date, *M* is paid an award in respect of total disability under regulation 25(2)(a), (3)(c) or (4)(c), or regulation 25(1)(a) or (2)(a) or (b)(i) as in force before 1 January 2023, as the case may be — the expiry of one year starting on *M*'s service end date;
- (b) in any other case — the earlier of the following:
 - (i) the date on which the award in respect of total disability under regulation 25(2)(a), (3)(c) or (4)(c), or regulation 25(1)(a) or (2)(a) or (b)(i) as in force before 1 January 2023, as the case may be, is paid;

(ii) the 720th day starting on *M*'s service end date.

(5) *M* must apply for the payment mentioned in paragraph (3) no later than 720 days after *M*'s service end date or any later date that the Armed Forces Council may allow in any particular case.

(6) Where *M* is eligible for any payment under paragraph (3), that payment must not be deducted from any of the following awards or compensation to which *M* becomes eligible:

(a) an award or compensation in respect of total disability under regulation 25(2)(a), (3)(c) or (4)(c), 34, 34A or 35, or regulation 25(1)(a) or (2)(a) or (b)(i) or 35 as in force before 1 January 2023, as the case may be;

(b) an award in respect of partial disability under regulation 36(2), (3) or (5), or regulation 36 or 36A as in force before 1 January 2023, as the case may be.

(7) If *M* has, before 1 January 2023, received any payment from the Government in respect of hospitalisation leave or medical leave in the circumstances specified in paragraph (1), the amount of the payment mentioned in paragraph (3) is to be reduced by the amount of the firstmentioned payment.

(8) For the purposes of this regulation —

(a) where *M* is certified by a health professional of an approved medical institution specified in the Fourth Schedule to be ill enough to need to be hospitalised but *M* is not hospitalised for any reason whatsoever, *M* is deemed to be hospitalised; and

(b) *M* is not taken to be on hospitalisation leave or medical leave on any day when *M* takes a rest day or paid leave under the Employment Act 1968 or the Child Development Co-Savings Act 2001.

(9) In this regulation —

“health professional” means —

(a) a registered medical practitioner under the Medical Registration Act 1997 and includes any person exempted from registration under that Act; or

(b) a registered dentist under the Dental Registration Act 1999,

and includes any medical practitioner or dentist registered to practise under the laws of the jurisdiction where *M* was certified to be ill enough to need to be hospitalised;

“service end date” means the date on which *M* retires, resigns or is discharged or dismissed, as the case may be.

Compensation for loss of earnings from light duties for former members

30.—(1) This regulation applies to a former member (*N*) who —

(a) sustains, on or after 1 September 2020, any injury received in and which is attributable to service;

(b) after sustaining the injury mentioned in sub-paragraph (a) —

(i) retires from the Singapore Armed Forces on any of the grounds specified in regulation 12;

(ii) resigns from the Singapore Armed Forces; or

(iii) is discharged or dismissed in any of the circumstances specified in regulation 16; and

(c) on or after *N*'s service end date, is on light duties due to the injury and suffers —

(i) a loss of earnings under his contract of service;
or

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- (ii) a loss of income derived from his contract for services, trade, business, profession or vocation.

(2) Subject to paragraphs (3), (4) and (6) and regulation 40(1), *N* is eligible, within a period of one year starting on *N*'s service end date, for payment at the rate specified by the Armed Forces Council by General Order for each day of light duties.

(3) The total payment under paragraph (2) to which *N* is eligible must not exceed \$33,000.

(4) *N* must apply for the payment mentioned in paragraph (2) no later than one year after *N*'s service end date or any later date that the Armed Forces Council may allow in any particular case.

(5) Where *N* is eligible for any payment under paragraph (2), that payment must not be deducted from any of the following awards or compensation to which *N* becomes eligible:

- (a) an award or compensation in respect of total disability under regulation 25(2)(a), (3)(c) or (4)(c), 34, 34A or 35, or regulation 25(1)(a) or (2)(a) or (b)(i) or 35 as in force before 1 January 2023, as the case may be;
- (b) an award in respect of partial disability under regulation 36(2), (3) or (5), or regulation 36 or 36A as in force before 1 January 2023, as the case may be.

(6) If *N* has, before 1 January 2023, received any payment from the Government in respect of light duties in the circumstances specified in paragraph (1), the amount of the payment mentioned in paragraph (2) is to be reduced by the amount of the firstmentioned payment.

(7) For the purposes of this regulation —

(a) *N*'s light duties must be granted by —

- (i) a medical officer of the Singapore Armed Forces; or
- (ii) a medical professional of an approved medical institution specified in the Fourth Schedule;

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- (b) *N*'s entitlement to periodical payments for light duties does not apply during any period when *N* is absent without leave; and
- (c) *N* is not taken to be on light duties on any day when *N* takes a rest day or paid leave under the Employment Act 1968 or the Child Development Co-Savings Act 2001.
- (8) In this regulation —
- “medical professional” means —
- (a) a registered medical practitioner under the Medical Registration Act 1997 and includes any person exempted from registration under that Act; or
- (b) a registered dentist under the Dental Registration Act 1999;
- “service end date” means the date on which *N* retires, resigns or is discharged or dismissed, as the case may be.”.

Replacement of regulation 35

10. In the principal Regulations, replace regulation 35 with —

“Award in respect of total disability caused by aggravation of existing condition

35.—(1) This regulation applies to a member who suffers a disability the degree of which is determined by the Armed Forces Council to be total disability —

- (a) that is caused as a result of aggravation, which starts on or after 1 January 2023, by service of a non-attributable medical condition; and
- (b) that occurs within 7 years after the aggravation of the non-attributable medical condition.
- (2) The member mentioned in paragraph (1) is eligible for an award of 50% of the amount of the following awards which he

would have been eligible for if the total disability had occurred as a result of an injury received in and which is attributable to service:

- (a) the award under regulation 25(2)(a), (3)(c) or (4)(c);
- (b) any special award under regulation 34 or additional award under regulation 34A, or both.”.

Replacement of regulation 36

11. In the principal Regulations, replace regulation 36 with —

“Award for partial disability

36.—(1) Paragraphs (2) and (3) apply where —

- (a) a member sustains, on or after 1 January 2023, an injury received in and which is attributable to service; and
- (b) the Armed Forces Council determines that the member suffers from a partial disability that is permanent as a result of the injury.

(2) Where the member mentioned in paragraph (1) would have been eligible in the case of total disability for an award under regulation 25(2)(a), (3)(c) or (4)(c), the member is eligible for the following awards:

- (a) in the case of an injury specified in the Fourth Schedule to the Work Injury Compensation Act 2019 — an award in accordance with the formula $A \times B$, where —
 - (i) A is the percentage equivalent to the percentage of loss of earning capacity specified in that Fourth Schedule in respect of that injury; and
 - (ii) B is the award specified in regulation 25(2)(a), (3)(c) or (4)(c);
- (b) in the case of any other injury — the proportion of the award specified in regulation 25(2)(a), (3)(c) or

(4)(c), as the degree of his partial disability bears to total disability.

(3) Where the member mentioned in paragraph (2) would have been eligible in the case of total disability for a special award under regulation 34 or an additional award under regulation 34A, the member is eligible for the proportion of the special award or additional award as the degree of his partial disability bears to total disability.

(4) Paragraph (5) applies to a member whose partial disability —

(a) is determined by the Armed Forces Council to be caused by aggravation, which starts on or after 1 January 2023, by service of a non-attributable medical condition; and

(b) occurs within 7 years after the aggravation of the non-attributable medical condition.

(5) The member mentioned in paragraph (4) is eligible for an award of 50% of the amount of the awards under paragraphs (2) and (3) which he would have been eligible for if the partial disability had occurred as a result of an injury received in and which is attributable to service.

(6) For the purposes of an award under paragraph (2), (3) or (5) (which may be paid provisionally or on any other basis), the degree of the member's partial disability must be assessed on an interim basis unless the member's condition permits a final determination of the extent (if any) of the partial disability.”

Deletion of regulation 36A

12. Delete regulation 36A of the principal Regulations.

Deletion of regulation 37

13. Delete regulation 37 of the principal Regulations.

Replacement of Fourth Schedule

14. In the principal Regulations, replace the Fourth Schedule with —

“FOURTH SCHEDULE

Regulations 29(8) and 30(7)

APPROVED MEDICAL INSTITUTIONS

1. Admiralty Medical Centre
2. Alexandra Hospital
3. Ang Mo Kio — Thye Hua Kwan Hospital
4. Bright Vision Hospital
5. Changi General Hospital
6. Institute of Mental Health/Woodbridge Hospital
7. Jurong Community Hospital
8. Jurong Medical Centre
9. Khoo Teck Puat Hospital
10. KK Women’s and Children’s Hospital
11. National Cancer Centre
12. National Centre for Infectious Diseases
13. National Dental Centre
14. National Heart Centre
15. National Neuroscience Institute
16. National Skin Centre
17. National University Hospital
18. Ng Teng Fong General Hospital
19. NHG Eye Institute
20. Outram Community Hospital
21. Ren Ci Community Hospital
22. Sengkang Community Hospital
23. Sengkang General Hospital
24. Singapore Gamma Knife Centre

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25. Singapore General Hospital
 26. Singapore National Eye Centre
 27. St. Andrew's Community Hospital
 28. St Luke's Hospital
 29. Tan Tock Seng Hospital
 30. Yishun Community Hospital
 31. All polyclinics under the National Healthcare Group
 32. All polyclinics under the National University Health System
 33. All polyclinics under the Singapore Health Services
 34. Any other medical institution which the Armed Forces Council may approve in a particular case.”.

Saving provisions

15.—(1) Despite regulation 4, regulation 23 of the unamended Regulations continues to apply to a member who dies before 1 January 2023 as a result of any injury received in and which is attributable to service.

(2) Despite regulations 5 and 6, regulations 25 and 26 of the unamended Regulations continue to apply to an injury mentioned in those regulations received before 1 January 2023.

(3) Despite regulations 7 and 14 —

(a) regulation 27(3) and (6) of, and the Fourth Schedule to, the unamended Regulations continue to apply where a member sustained, before 1 January 2023, a minor injury specified in the Fourth Schedule to the unamended Regulations; and

(b) regulation 27(7) of, and the Fourth Schedule to, the unamended Regulations continue to apply, if either or both of the following circumstances exist:

(i) the minor injury specified in regulation 27(7) of the unamended Regulations was sustained before 1 January 2023;

(ii) the injury causing the other disablement attributable to service mentioned in regulation 27(7) of the

unamended Regulations was sustained before 1 January 2023.

(4) Despite regulation 10, regulation 35 of the unamended Regulations continues to apply to total disability which is determined by the Armed Forces Council to be caused as a result of aggravation, which started before 1 January 2023, by service of an adverse medical condition mentioned in that regulation.

(5) Despite regulation 11, regulation 36 of the unamended Regulations continues to apply to a member who —

- (a) sustained, before 1 January 2023, an injury received in and which is attributable to service; and
- (b) would have been eligible in the case of total disability for any award under regulation 25, 34 or 34A of the unamended Regulations.

(6) Despite regulation 12, regulation 36A of the unamended Regulations continues to apply to partial disability which is determined by the Armed Forces Council to be caused by aggravation, which started before 1 January 2023, by service of an adverse medical condition mentioned in that regulation.

(7) Despite regulation 13, where regulation 23(1)(b), 25(1)(a) or (2)(a) or (b), 26(1) or 36(a) of the unamended Regulations continues to apply under regulation 15(1), (2) or (5) (as the case may be), regulation 37 of the unamended Regulations continues to apply for the purposes of calculating compensation in accordance with the First Schedule to the Work Injury Compensation Act 2019 in respect of regulation 23(1)(b), 25(1)(a) or (2)(a) or (b), 26(1) or 36(a) of the unamended Regulations, as the case may be.

(8) In this regulation, “unamended Regulations” means the principal Regulations as in force immediately before 1 January 2023.

*[G.N. Nos. S 376/2003; S 516/2004; S 107/2005;
S 168/2007; S 162/2008; S 188/2010; S 239/2012;
S 738/2020; S 448/2021]*

Made on 29 November 2022.

HO CHIN NING
Secretary,
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