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No. S 1045

POLICE FORCE ACT 2004

POLICE (SPECIAL CONSTABULARY) (AMENDMENT NO. 2) REGULATIONS 2022

In exercise of the powers conferred by section 85 of the Police Force Act 2004, the Minister for Home Affairs makes the following Regulations:

Citation and commencement

1. These Regulations are the Police (Special Constabulary) (Amendment No. 2) Regulations 2022 and come into operation on 1 January 2023.

Amendment of regulation 38

2. In regulation 38 of the Police (Special Constabulary) Regulations (Rg 3) (called in these Regulations the principal Regulations) —

- (a) delete the definition of “earnings”;
- (b) in the definition of “injury received in and which is attributable to service”, replace the full-stop at the end with a semi-colon; and
- (c) after the definition of “injury received in and which is attributable to service”, insert —

““medical professional” means a person who —

- (a) is a registered medical practitioner under the Medical Registration Act 1997 or exempt from registration under that Act; or
- (b) is a registered dentist under the Dental Registration Act 1999;

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

(a) existed in a special police officer before service; or

(b) arose during but which was not attributable to service;

“overseas medical professional” means any medical practitioner or dentist registered to practise under the law of a jurisdiction other than Singapore;

“service end date” means —

(a) in the case of an operationally ready national serviceman — the date immediately after the last date of the period that the operationally ready national serviceman was liable to perform national service during which he sustained the injury mentioned in regulation 52A(1)(a) or 52B(1)(a), as the case may be; or

(b) in the case of a volunteer or volunteer ex-NSman — the date immediately after the last date of the period that the volunteer was liable to perform voluntary service during which he or she sustained the injury mentioned in regulation 52A(1)(a) or 52B(1)(a), as the case may be.”.

Amendment of regulation 42

3. In regulation 42 of the principal Regulations —

(a) in the regulation heading, replace “Compensation” with “Award”;

(b) in paragraph (1), after “a special police officer dies”, insert “on or after 1 January 2023”;

(c) in paragraph (1), replace “compensation calculated in accordance with paragraph 1 of the First Schedule to the

Work Injury Compensation Act 2019 as if the special police officer were an employee under that Act” with “an award of a sum to be determined by the Approving Authority”;

- (d) in paragraph (4), replace “amount of compensation” with “award”; and
- (e) in paragraph (4), replace “the compensation” with “the award”.

Amendment of regulation 44

4. In regulation 44(4) of the principal Regulations, delete “, except where the Second Schedule applies”.

Amendment of regulation 45

5. In regulation 45 of the principal Regulations —

- (a) delete paragraph (b); and
- (b) in paragraph (d), after “service”, insert “as a result of sustaining, on or after 1 January 2023, any injury received in and which is attributable to service”.

Amendment of regulation 46

6. In regulation 46 of the principal Regulations, replace paragraph (a) with —

“(a) an award of a sum to be determined by the Approving Authority; and”.

Replacement of regulations 49 and 50

7. In the principal Regulations, replace regulations 49 and 50 with —

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

49.—(1) This regulation applies to a special police officer who suffers a disability, the degree of which is determined by the Approving Authority to be total disability —

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- (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 special police officer mentioned in paragraph (1) is eligible for an award of half of the amount of the following awards which the special police officer 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 46;
- (b) any special award under regulation 47 or additional award under regulation 48, or both.

Award for partial disability

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

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

(2) Where the special police officer mentioned in paragraph (1) would have been eligible in the case of total disability for an award under regulation 45, the special police officer 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 46(a);

(b) in the case of any other injury — the proportion of the award specified in regulation 46(a), as the degree of the special police officer’s partial disability bears to total disability.

(3) Where the special police officer mentioned in paragraph (2) would have been eligible in the case of total disability for a special award under regulation 47 or an additional award under regulation 48, the special police officer is eligible for the proportion of the special award or additional award as the degree of the special police officer’s partial disability bears to total disability.

(4) Paragraph (5) applies to a special police officer whose partial disability —

(a) is determined by the Approving Authority 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 of the aggravation of the non-attributable medical condition.

(5) The special police officer mentioned in paragraph (4) is eligible for an award of half of the amount of the awards under paragraphs (2) and (3) which the special police officer 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 special police officer’s partial disability must be assessed on an interim basis unless the special police officer’s condition permits a final determination of the extent (if any) of the partial disability.”.

Deletion of regulation 51

8. Delete regulation 51 of the principal Regulations.

New regulations 52A and 52B

9. In the principal Regulations, after regulation 52 in Division 3, insert —

“Award for hospitalisation or medical leave for operationally ready national servicemen, volunteers and volunteer ex-NSmen

52A.—(1) This regulation applies to an operationally ready national serviceman, volunteer or volunteer ex-NSman —

- (a) who sustains, on or after 1 September 2020, any injury received in and which is attributable to service while performing national service or volunteer service, as the case may be;
- (b) who, because of the injury, is on hospitalisation leave or medical leave on or after his or her service end date; and
- (c) to whom any of the following applies:
 - (i) while on the hospitalisation leave or medical leave (as the case may be), he or she is employed under a contract of service and suffers a loss of earnings under the contract of service as a result of the hospitalisation leave or medical leave;
 - (ii) while on the hospitalisation leave or medical leave (as the case may be), he or she is engaged under a contract for services or engaged in any trade, business, profession or vocation and 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;
 - (iii) he or she —
 - (A) within 25 consecutive weeks immediately before sustaining the injury, has not been

employed under a contract of service, engaged under a contract for services or engaged in any trade, business, profession or vocation;

(B) before or after sustaining the injury —

(BA) has entered into a contract of service, been engaged under a contract for services, or been engaged in any trade, business, profession or vocation; or

(BB) has applied to enter into a contract of service or to be engaged under a contract for services, or made efforts to be engaged in any trade, business, profession or vocation; and

(C) because of the injury, is unable to —

(CA) continue to work under the contract of service or contract for services, or in the trade, business, profession or vocation, as the case may be; or

(CB) enter into the contract of service, be engaged under the contract for services, or be engaged in the trade, business, profession or vocation, as the case may be.

(2) Subject to paragraphs (3), (4) and (6), a person mentioned in paragraph (1) is eligible, starting on the person's service end date, to an award payable at a rate determined by the Approving Authority for each day the person is on hospitalisation leave or medical leave.

(3) Paragraph (2) does not apply to hospitalisation leave or medical leave granted on any day after the earlier of the following:

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- (a) where within one year after the person's service end date, the person mentioned in paragraph (1) is paid an award in respect of total disability under regulation 46 — the expiry of one year starting on the person'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 46 is paid;
 - (ii) the 720th day starting on the person's service end date.

(4) The person mentioned in paragraph (1) must apply for the award mentioned in paragraph (2) no later than 720 days after the person's service end date or any later date that the Approving Authority may allow in any particular case.

(5) Where a person mentioned in paragraph (1) is eligible for any award under paragraph (2), that award must not be deducted from any other award or gratuity granted to the person under this Part.

(6) If a person mentioned in paragraph (1) has, before 1 January 2023, received any award from the Government in respect of hospitalisation leave or medical leave in the circumstances specified in paragraph (1), the award mentioned in paragraph (2) is to be reduced by the amount of the firstmentioned award.

(7) For the purpose of this regulation —

- (a) where a person mentioned in paragraph (1) is certified by a medical professional of an approved medical institution specified in the Second Schedule or an overseas medical professional of such a medical institution to be ill enough to need to be hospitalised, but the person is not hospitalised for any reason, the person is considered to be on hospitalisation leave; and

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

Award for loss of earnings from light duty for operationally ready national servicemen, volunteers and volunteer ex-NSmen

52B.—(1) This regulation applies to an operationally ready national serviceman, volunteer or volunteer ex-NSman who —

- (a) sustains, on or after 1 September 2020, an injury received in and which is attributable to service; and
- (b) because of the injury, is on light duty on or after his or her service end date and suffers —
 - (i) a loss of earnings under a contract of service; or
 - (ii) a loss of income from the contract for services or a trade, business, profession or vocation.

(2) Subject to paragraphs (3), (4) and (6), the person mentioned in paragraph (1) is eligible, within a period of one year starting on the person's service end date, for an award payable at a rate determined by the Approving Authority for each day of light duty.

(3) The award under paragraph (2) must not exceed \$33,000.

(4) The person mentioned in paragraph (1) must apply for the award mentioned in paragraph (2) no later than one year after the person's service end date or any later date that the Approving Authority may allow in any particular case.

(5) Where a person mentioned in paragraph (1) is eligible for any award under paragraph (2), that award must not be deducted from any other award or gratuity granted to the person under this Part.

(6) If a person mentioned in paragraph (1) has, before 1 January 2023, received any award from the Government in

respect of light duty in the circumstances specified in paragraph (1), the award mentioned in paragraph (2) is to be reduced by the amount of the firstmentioned award.

- (7) For the purpose of this regulation —
- (a) the light duty must be granted to the person mentioned in paragraph (1) by —
 - (i) a medical officer of the Singapore Civil Defence Force or the Police Force; or
 - (ii) a medical professional of an approved medical institution specified in the Second Schedule;
 - (b) the entitlement of a person mentioned in paragraph (1) to an award under paragraph (2) does not apply during any period when the person is absent when required to be present for work under the person's contract for services or trade, business, profession or vocation; and
 - (c) the person mentioned in paragraph (1) is not taken to be on light duty on any day when the person takes a rest day or paid leave under the Employment Act 1968 or the Child Development Co-Savings Act 2001.”.

Replacement of Second Schedule

10. In the principal Regulations, replace the Second Schedule with —

“SECOND SCHEDULE

Regulations 52A(7) and 52B(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

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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
 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. Any polyclinic under the National Healthcare Group
 32. Any polyclinic under the National University Health System
 33. Any polyclinic under the Singapore Health Services
 34. Any other medical institution that the Approving Authority may approve in a particular case.”.

Saving

11. Despite these Regulations, Part III of the principal Regulations as in force immediately before 1 January 2023 continues to apply in respect of —

- (a) an injury sustained before that date;
- (b) partial disability as a result of aggravation by service of an adverse medical condition, if the aggravation starts before that date; and
- (c) total disability as a result of aggravation by service of an adverse medical condition, if the aggravation starts before that date.

[G.N. Nos. S 339/2015; S 390/2016; S 725/2022]

Made on 23 December 2022.

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Ministry of Home Affairs,
Singapore.*

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(To be presented to Parliament under section 85(3) of the Police Force Act 2004).