
First published in the *Government Gazette*, Electronic Edition, on 13th January 1995 at 5:00 pm.

No. S 19

PENSIONS ACT (CHAPTER 225)

PENSIONS (AMENDMENT) REGULATIONS 1995

In exercise of the powers conferred by section 3 of the Pensions Act, the President hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Pensions (Amendment) Regulations 1995 and shall be deemed to have come into operation on 1st January 1995.

2. Regulation 15 (1) of the Pensions Regulations set out in the First Schedule to the Act (referred to in these Regulations as the Pensions Regulations) is amended by deleting the words “an officer” in the first line and substituting the words “a Gurkha serving in the Gurkha Contingent of the Singapore Police Force (referred to in this regulation as an officer)”.

3. The Pensions Regulations are amended by inserting, immediately after regulation 15, the following regulations:

“Pension options

15A.—(1) Subject to these Regulations, an officer to whom a pension is granted under the Act may, at his option exercisable in accordance with this regulation, be paid —

(a) in the case of an officer appointed before and retiring on or after 1st January 1995 —

(i) a full pension without any gratuity;

(ii) a reduced pension together with a gratuity ascertained in accordance with regulation 15B; or

-
-
- (iii) a commuted pension gratuity ascertained in accordance with regulation 15B without any pension; or
 - (b) in the case of an officer appointed on or after 1st January 1995 —
 - (i) a full pension without any gratuity; or
 - (ii) a commuted pension gratuity ascertained in accordance with regulation 15B without any pension.

(2) The option shall be exercisable not later than the day immediately preceding the date of the officer's retirement, except that if the officer has not exercised the option prior to the day preceding the date of his retirement, the President may, if it appears in the circumstances equitable to do so, allow the officer to exercise the option at any time between that date and the day prior to the date of payment of a pension or gratuity to him.

(3) If an officer has exercised the option, his decision shall, subject to paragraph (5), be irrevocable so far as concerns any pension or gratuity to be granted to him under the Act.

(4) An officer who has not exercised an option in accordance with this regulation shall be deemed to have opted to receive a commuted pension gratuity ascertained in accordance with regulation 15B without any pension.

(5) An officer who is paid a reduced pension pursuant to his option exercised in accordance with this regulation shall, after the expiration of 12 years and 6 months from the date he was granted the reduced pension, be eligible for the full pension as if there had been no reduction.

(6) Where an officer opts in accordance with this regulation to receive a commuted pension gratuity ascertained in accordance with regulation 15B, the commuted pension gratuity shall, unless suspended, be payable as follows:

- (a) part of the commuted pension gratuity, being a sum equal to the difference between the total amount paid

by the Government to the Central Provident Fund on account of the officer with respect to his service, and the total amount payable by the Government to that Fund on account of the officer with respect to the same service if the officer had not been on the pensionable establishment, together with the interest thereon, shall be paid to the officer's account in the Central Provident Fund; and

- (b) the balance of the commuted pension gratuity shall be paid to the officer,

except that where the commuted pension gratuity ascertained in accordance with regulation 15B is less than the sum referred to in sub-paragraph (a), the entire commuted pension gratuity shall be paid to the officer's account in the Central Provident Fund.

(7) For the purposes of paragraph (6) (a), the reference to the total amount paid or payable by the Government to the Central Provident Fund in respect of any officer shall not include reference to any amount thereof which is recoverable from the officer's salary pursuant to the Central Provident Fund Act [Cap. 36] or any regulations made thereunder.

(8) This regulation shall not apply to a Gurkha serving in the Gurkha Contingent of the Singapore Police Force.

Reduced pension plus gratuity and commuted pension gratuity

15B.—(1) The reduced pension and gratuity referred to in regulation 15A (1) (a) (ii) shall be —

- (a) a reduced pension equal to the amount of this annual pension less $\frac{2}{25}$ ths of the gratuity specified in sub-paragraph (b); and
- (b) a gratuity equal to $\frac{1}{120}$ ths of his one year's pensionable emoluments in respect of each complete month of pensionable service subject to a maximum of his pensionable emoluments for 3 years.

(2) The commuted pension gratuity referred to in regulation 15A (1) (a) (iii) and (b) (ii) shall be —

- (a) a capital sum ascertained by multiplying the commutation factor by the amount of such pension that may be granted to an officer under the Act; or
- (b) in the case of an officer retiring before attaining his minimum age in the circumstances described in section 7 (2) (e) or (i) of the Act, a capital sum ascertained in accordance with sub-paragraph (a), from which sum there shall be a discount at the relevant discount rate in respect of each year or part thereof falling between the day he will attain his minimum age and either the date of his retirement or the date to which the gratuity is suspended pursuant to section 7 (4) of the Act, whichever is the later date.

(3) For the purposes of this regulation —

“commutation factor” means 175.14;

“discount rate” means 5 per cent;

“minimum age” shall have the same meaning as in section 7 (5) of the Act;

“relevant commutation factor” and “relevant discount rate”, in relation to an officer, mean the commutation factor and discount rate specified in this paragraph as in force on either the date of the officer's retirement from the public service in Singapore or his appointment to such public service, whichever is the more favourable; and for this purpose, all officers appointed to the public service in Singapore before 1st January 1995 shall be deemed to be appointed to the public service in Singapore on that date.”.

4. The Pensions Regulations are amended by inserting, immediately after regulation 17, the following regulation:

“Application of regulations 18 to 21

17A. Unless otherwise expressly provided, regulations 18 to 21 shall apply to all officers in the public service in Singapore, whether appointed before or after 1st April 1986.

Transitional

5.—(1) Subject to paragraph (2), nothing in these Regulations shall affect any officer who retired from the public service in Singapore before 1st January 1995, and the provisions of the Pensions Regulations as in force prior to that date shall continue to apply in relation to such officer.

(2) An officer who retired from the public service in Singapore before 1st January 1995 and whose pension, gratuity or allowance remains suspended on that date under section 7 (4) of the Act may, at his option exercisable at any time before 1st February 1995, be paid, in lieu of a full pension or a reduced pension and gratuity in accordance with the Pensions Regulations in force prior to that date, a commuted pension gratuity ascertained in accordance with the Pensions Regulations as amended by these Regulations; and any option exercised by the officer under the Pensions Regulations as in force immediately before that date shall be deemed to be revoked only upon the exercise of the option under and in accordance with this regulation.”

Made this 13th day of January 1995.

By Command,

WONG CHOOI SEN
Secretary to the Cabinet,
Singapore.

[PMO(PSD) E50/1-02 V4; AG/SL/10/94/1]