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CENTRAL PROVIDENT FUND ACT (CHAPTER 36)

CENTRAL PROVIDENT FUND (APPROVED HOUSING SCHEMES) (AMENDMENT) REGULATIONS 2021

In exercise of the powers conferred by section 77(1) of the Central Provident Fund Act, the Minister for Manpower, after consulting with the Central Provident Fund Board, makes the following Regulations:

Citation and commencement

1. These Regulations are the Central Provident Fund (Approved Housing Schemes) (Amendment) Regulations 2021 and come into operation on 1 April 2021.

Amendment of regulation 11

2. Regulation 11(1) of the Central Provident Fund (Approved Housing Schemes) Regulations (Rg 12) (called in these Regulations the principal Regulations) is amended by inserting, immediately after “27DA(1)(iii)” in sub-paragraph (b), “, 27DB(2)(c)”.

Amendment of regulation 13

3. Regulation 13 of the principal Regulations is amended —

- (a) by inserting, immediately after “27DA(1)(iii)” in paragraph (2)(b), “, 27DB(2)(c)”;
- (b) by deleting the words “27DA(1)(c) or” in paragraph (6) and substituting the words “27DA(1)(c), 27DB(1)(c) or”;
- (c) by deleting the word “or” at the end of sub-paragraph (b) of paragraph (6), and by inserting immediately thereafter the following sub-paragraph:

“(ba) in the case of an order of court referred to in section 27DB(1)(c) of the Act, the person referred to in section 27DB(2)(a) of the Act must pay to the member’s account in the Fund, in the manner that the Board determines, any amount referred to in section 27DB(2)(a) of the Act which the person may be required by the order of court to pay to the Board; or”; and

(d) by deleting the word “or” at the end of paragraph (b) of the definition of “relevant amount” in paragraph (12), and by inserting immediately thereafter the following paragraph:

“(ba) in relation to a member who is required under section 27DB(2)(c) of the Act to make a payment to the Fund upon the sale or disposal of a house or flat, the excess (if any) of —

(i) the amount payment of which was secured by the charge constituted under section 15(11EB) of the Act on the house or flat; over

(ii) the amount which has been paid to the Board under section 27DB(2)(a) of the Act towards covering the deficiency in the retirement sum which the spouse is required to set aside; or”.

Amendment of regulation 14

4. Regulation 14 of the principal Regulations is amended —

(a) by inserting, immediately after “27DA(1)(iii)” in paragraph (2)(a)(ii), “, 27DB(2)(c)”;

(b) by deleting the word “or” at the end of paragraph (b) of the definition of “relevant amount” in paragraph (10), and by inserting immediately thereafter the following paragraph:

“(ba) in relation to a member who is required under section 27DB(2)(c) of the Act to make a payment to the Fund upon the sale or disposal of a house or flat, the excess (if any) of —

- (i) the amount payment of which was secured by the charge constituted under section 15(11EB) of the Act on the house or flat; over
- (ii) the amount which has been paid to the Board under section 27DB(2)(a) of the Act towards covering the deficiency in the retirement sum which the spouse is required to set aside; or”.

Amendment of regulation 14A

5. Regulation 14A of the principal Regulations is amended —

- (a) by inserting, immediately after “27DA(1)(iii)” in paragraphs (2)(b) and (3)(a)(ii), “, 27DB(2)(c)”;
- (b) by deleting the words “27DA(1)(c) or” in paragraph (5)(c) and substituting the words “27DA(1)(c), 27DB(1)(c) or”;
- (c) by deleting the word “or” at the end of sub-paragraph (ii) of paragraph (5)(c), and by inserting immediately thereafter the following sub-paragraph:

“(iia) in the case of an order of court referred to in section 27DB(1)(c) of the Act, any amount referred to in section 27DB(2)(a) of the Act; or”;

and

- (d) by deleting the word “or” at the end of paragraph (b) of the definition of “relevant amount” in paragraph (9), and by inserting immediately thereafter the following paragraph:

“(ba) in relation to a member who is required under section 27DB(2)(c) of the Act to

make a payment to the Fund upon the sale or disposal of a house or flat, the excess (if any) of —

- (i) the amount payment of which was secured by the charge constituted under section 15(11EB) of the Act on the house or flat; over
- (ii) the amount which has been paid to the Board under section 27DB(2)(a) of the Act towards covering the deficiency in the retirement sum which the spouse is required to set aside; or”.

Amendment of regulation 15

6. Regulation 15 of the principal Regulations is amended —

- (a) by inserting, immediately after “27DA(1)(iii)” in paragraph (1)(b), “, 27DB(2)(c)”;
- (b) by inserting, immediately after paragraph (2), the following paragraph:

“(3) In this regulation —

“relevant amount” means —

- (a) in relation to a member who is required under section 27D(1)(iii) of the Act to make a payment to the Fund upon the sale or disposal of a house or flat, the excess (if any) of —
 - (i) the amount which the spouse of the member has given an undertaking to refund to the Board under section 15(10) or (10A) of the Act in the event the house or flat is sold or otherwise disposed of; over

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- (ii) the amount which has been paid to the Board under section 27D(1)(i) of the Act towards covering the deficiency in the retirement sum which the spouse is required to set aside;
 - (b) in relation to a member who is required under section 27DA(1)(iii) of the Act to make a payment to the Fund upon the sale or disposal of a house or flat, the excess (if any) of —
 - (i) the amount payment of which was secured by the charge constituted under section 15(11D) or (11E) of the Act on the house or flat; over
 - (ii) the amount which has been paid to the Board under section 27DA(1)(i) of the Act towards covering the deficiency in the retirement sum which the spouse is required to set aside;
 - (c) in relation to a member who is required under section 27DB(2)(c) of the Act to make a payment to the Fund upon the sale or disposal of a house or flat, the excess (if any) of —
 - (i) the amount payment of which was secured by the charge constituted under section 15(11EB) of the Act on the house or flat; over

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- (ii) the amount which has been paid to the Board under section 27DB(2)(a) of the Act towards covering the deficiency in the retirement sum which the spouse is required to set aside; or
- (d) in relation to a member who is required under section 27F(1)(ii) of the Act to make a payment to the Fund upon the sale or disposal of a house or flat, the excess (if any) of —
- (i) the amount which would have been payable into the account of the member's spouse in the Fund under paragraph (2) (excluding such interest or part thereof payable under that paragraph as the Board may determine), if there was no order of court referred to in section 27F(1)(c) of the Act requiring the transfer (other than by way of sale) of the spouse's interest in the house or flat to the member; over
 - (ii) the amount which has been paid to the Fund to the credit of the spouse under section 27F(1)(i) of the Act.”.

Amendment of regulation 16B

7. Regulation 16B(5B) of the principal Regulations is amended —

- (a) by deleting the words “or (11E)” and substituting the words “, (11E) or (11EB)”;

(b) by inserting, immediately after “27DA(1)(v),”,
“27DB(2)(e),”.

*[G.N. Nos. S 255/2007; S 507/2007; S 706/2007;
S 693/2008; S 189/2009; S 447/2009; S 736/2011;
S 522/2012; S 690/2012; S 386/2013; S 480/2013;
S 749/2013; S 239/2015; S 654/2016; S 718/2017;
S 438/2018; S 599/2018; S 371/2019; S 616/2019;
S 364/2020]*

Made on 30 March 2021.

AUBECK KAM
*Permanent Secretary,
Ministry of Manpower,
Singapore.*

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(To be presented to Parliament under section 78(2) of the Central
Provident Fund Act).