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## **No. S 281**

### **EMPLOYMENT OF FOREIGN MANPOWER ACT (CHAPTER 91A)**

#### **EMPLOYMENT OF FOREIGN MANPOWER (LEVY) (AMENDMENT) ORDER 2017**

In exercise of the powers conferred by section 11(1) of the Employment of Foreign Manpower Act, the Minister for Manpower makes the following Order:

#### **Citation and commencement**

1.—(1) This Order is the Employment of Foreign Manpower (Levy) (Amendment) Order 2017 and, except for paragraph 9, comes into operation on 1 June 2017.

(2) Paragraph 9 comes into operation on 1 July 2017.

#### **Amendment of paragraph 2**

2. Paragraph 2 of the Employment of Foreign Manpower (Levy) Order 2011 (G.N. No. S 371/2011) (called in this Order the principal Order) is amended —

(a) by inserting, immediately after the definition of “basic skilled construction worker”, the following definitions:

““basic skilled general work permit holder” means a general work permit holder who is not a higher skilled general work permit holder;

“basic skilled harbour craft worker” means a harbour craft worker who is not a higher skilled harbour craft worker;

“basic skilled manufacturing worker” means a manufacturing worker who is not a higher skilled manufacturing worker;

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“basic skilled marine shipyard worker” means a marine shipyard worker who is not a higher skilled marine shipyard worker;

“basic skilled process construction worker” means a process construction worker who is not a higher skilled process construction worker;

“basic skilled process maintenance worker” means a process maintenance worker who is not a higher skilled process maintenance worker;

“basic skilled public drain cleaner” means a public drain cleaner who is not a higher skilled public drain cleaner;

“basic skilled public waste collection worker” means a public waste collection worker who is not a higher skilled public waste collection worker;

“basic skilled work permit holder” means a work permit holder who is not a higher skilled work permit holder;”;

(b) by deleting the words “marine worker” in the definition of “general work permit holder” and substituting the words “marine shipyard worker”;

(c) by inserting, immediately after the definition of “higher skilled construction worker”, the following definitions:

““higher skilled general work permit holder” means a general work permit holder who has such academic qualifications, work experience, remuneration or any combination thereof, or who satisfies such other criteria, as the Minister determines suitable to regard the general work permit holder as a higher skilled general work permit holder;

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“higher skilled harbour craft worker” means a harbour craft worker who —

- (a) holds a manning licence issued by the Maritime and Port Authority of Singapore under the Maritime and Port Authority of Singapore (Harbour Craft Manning Licence Examination) Regulations (Cap. 170A, Rg 4);
- (b) possesses such other qualifications or work experience as may be recognised by that Authority; or
- (c) has such academic qualifications, work experience, remuneration or any combination thereof, or who satisfies such other criteria, as the Minister determines suitable to regard the harbour craft worker as a higher skilled harbour craft worker;

“higher skilled manufacturing worker” means a manufacturing worker who has such academic qualifications, work experience, remuneration or any combination thereof, or who satisfies such other criteria, as the Minister determines suitable to regard the manufacturing worker as a higher skilled manufacturing worker;

“higher skilled marine shipyard worker” means a marine shipyard worker —

- (a) who has passed a test in a marine-related skill conducted or recognised by the Institute of Technical Education, Singapore or such institution as the Controller may determine; or

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(b) who is positioned 3G or above in welding based on internationally recognised standards from any of the following institutions:

- (i) American Bureau of Shipping;
- (ii) Bureau Veritas Singapore Pte. Ltd.;
- (iii) DNV GL Singapore Pte. Ltd.;
- (iv) Germanischer Lloyd;
- (v) Lloyd's Register of Shipping;
- (vi) Nippon Kaiji Kyokai;
- (vii) Singapore Test Services Pte Ltd.;
- (viii) Setsco Services Pte Ltd.;

“higher skilled process construction worker” means —

(a) a process construction worker whose work permit is issued or renewed before 1 June 2017, and who before that date —

- (i) has passed a test in a process construction-related skill conducted or recognised by the Institute of Technical Education, Singapore or such institution as the Controller may determine; or
- (ii) is positioned 3G or above in welding under the Common Welding Qualification Scheme conducted by the Singapore Welding Society; or

- (b) a process construction worker whose work permit is issued or renewed on or after 1 June 2017, and who satisfies any combination of the following criteria, or satisfies such other criteria, as the Minister determines suitable to regard the process construction worker as a higher skilled process construction worker:
- (i) the process construction worker has obtained the requisite trades certification for process construction-related skills issued or recognised by the Institute of Technical Education, Singapore, the Singapore Welding Society, the SkillsFuture Singapore Agency, or such institution as the Controller may determine;
  - (ii) the process construction worker has such remuneration as the Minister determines suitable to regard the process construction worker as a higher skilled process construction worker;
  - (iii) the process construction worker has such work experience as the Minister determines suitable to regard the process construction worker as a higher skilled process construction worker;

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“higher skilled process maintenance worker”  
means —

- (a) a process maintenance worker whose work permit is issued or renewed before 1 June 2017, and who before that date —
  - (i) has passed a test in a process maintenance-related skill conducted or recognised by the Institute of Technical Education, Singapore or such institution as the Controller may determine; or
  - (ii) is positioned 3G or above in welding under the Common Welding Qualification Scheme conducted by the Singapore Welding Society; or
- (b) a process maintenance worker whose work permit is issued or renewed on or after 1 June 2017, and who satisfies any combination of the following criteria, or satisfies such other criteria, as the Minister determines suitable to regard the process maintenance worker as a higher skilled process maintenance worker:
  - (i) the process maintenance worker has obtained the requisite trades certification for process maintenance-related skills issued or recognised by the Institute of Technical Education, Singapore, the Singapore Welding Society, the SkillsFuture Singapore

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Agency, or such institution as the Controller may determine;

- (ii) the process maintenance worker has such remuneration as the Minister determines suitable to regard the process maintenance worker as a higher skilled process maintenance worker;
- (iii) the process maintenance worker has such work experience as the Minister determines suitable to regard the process maintenance worker as a higher skilled process maintenance worker;

“higher skilled public drain cleaner” means a public drain cleaner who has such academic qualifications, work experience, remuneration or any combination thereof, or who satisfies such other criteria, as the Minister determines suitable to regard the public drain cleaner as a higher skilled public drain cleaner;

“higher skilled public waste collection worker” means a public waste collection worker who has such academic qualifications, work experience, remuneration or any combination thereof, or who satisfies such other criteria, as the Minister determines suitable to regard the public waste collection worker as a higher skilled public waste collection worker;

“higher skilled work permit holder” means a work permit holder who is a higher skilled general work permit holder, a higher skilled marine shipyard worker, a higher skilled manufacturing worker, a higher skilled harbour craft worker, a higher skilled process

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construction worker or a higher skilled process maintenance worker;”;

- (d) by deleting the definition of “marine worker” and substituting the following definition:

““marine shipyard worker” means a work permit holder who is engaged in any occupation in the marine shipyard sector;”;

- (e) by inserting, immediately after the definition of “S pass”, the following definition:

““SkillsFuture Singapore Agency” means the SkillsFuture Singapore Agency established by section 3 of the SkillsFuture Singapore Agency Act 2016 (Act 24 of 2016);”;

- (f) by deleting the definitions of “skilled general work permit holder”, “skilled harbour craft worker”, “skilled manufacturing worker”, “skilled marine worker”, “skilled process construction worker”, “skilled process maintenance worker”, “skilled public drain cleaner”, “skilled public waste collection worker”, “skilled work permit holder”, “unskilled general work permit holder”, “unskilled harbour craft worker”, “unskilled manufacturing worker”, “unskilled marine worker”, “unskilled process construction worker”, “unskilled process maintenance worker”, “unskilled public drain cleaner”, “unskilled public waste collection worker” and “unskilled work permit holder”.

### **Amendment of paragraph 13**

3. Paragraph 13(1) of the principal Order is amended by deleting sub-paragraph (c) and substituting the following sub-paragraph:

“(c) to pay the levy in respect of a basic skilled general work permit holder of his at a rate specified in the fifth column of the Fifth Schedule for a higher skilled general work permit holder who stands in the same tier as the basic skilled general work permit holder.”.

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**Deletion and substitution of heading of Division 6 of Part III**

4. Part III of the principal Order is amended by deleting the heading of Division 6 and substituting the following Division heading:

*“Division 6 — Marine shipyard workers”.*

**Amendment of paragraph 22**

5. Paragraph 22 of the principal Order is amended —

- (a) by deleting the words “marine worker” wherever they appear and substituting in each case the words “marine shipyard worker”; and
- (b) by deleting the paragraph heading and substituting the following paragraph heading:

**“Marine shipyard workers”.**

**Amendment of paragraph 23**

6. Paragraph 23 of the principal Order is amended —

- (a) by deleting the words “an unskilled marine worker” in sub-paragraph (1) and substituting the words “a basic skilled marine shipyard worker”;
- (b) by deleting the words “skilled marine worker” in sub-paragraph (1) and substituting the words “higher skilled marine shipyard worker”;
- (c) by deleting the words “the marine worker” in sub-paragraph (1) and substituting the words “the marine shipyard worker”; and
- (d) by deleting the words “marine worker” wherever they appear in sub-paragraph (2) and in the paragraph heading and substituting in each case the words “marine shipyard worker”.

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**Amendment of paragraph 28**

7. Paragraph 28 of the principal Order is amended by deleting sub-paragraphs (1) and (2) and substituting the following sub-paragraphs:

“(1) Where a basic skilled process construction worker obtains the requisite trades certification mentioned in paragraph (b)(i) of the definition of “higher skilled process construction worker” in paragraph 2, the institution that issued the trades certification must notify the Controller of that fact.

(2) Where there is a change in the skill level of a process construction worker, the levy payable at the rate specified in paragraph 27 for the category of process construction worker corresponding to the new skill level of the process construction worker is payable from the first day of the month following the month in which —

- (a) the Controller is satisfied that the process construction worker is a higher skilled process construction worker by reason of the process construction worker meeting the criteria in paragraph (b) of the definition of “higher skilled process construction worker” in paragraph 2; or
- (b) the Controller is satisfied that the process construction worker is a basic skilled process construction worker by reason of the process construction worker ceasing to meet the criteria in paragraph (b) of the definition of “higher skilled process construction worker” in paragraph 2.”.

**Amendment of paragraph 30**

8. Paragraph 30 of the principal Order is amended by deleting sub-paragraphs (1) and (2) and substituting the following sub-paragraphs:

“(1) Where a basic skilled process maintenance worker obtains the requisite trades certification mentioned in paragraph (b)(i) of the definition of “higher skilled process maintenance worker” in

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paragraph 2, the institution that issued the trades certification must notify the Controller of that fact.

(2) Where there is a change in the skill level of a process maintenance worker, the levy payable at the rate specified in paragraph 29 for the category of process maintenance worker corresponding to the new skill level of the process maintenance worker is payable from the first day of the month following the month in which —

- (a) the Controller is satisfied that the process maintenance worker is a higher skilled process maintenance worker by reason of the process maintenance worker meeting the criteria in paragraph (b) of the definition of “higher skilled process maintenance worker” in paragraph 2; or
- (b) the Controller is satisfied that the process maintenance worker is a basic skilled process maintenance worker by reason of the process maintenance worker ceasing to meet the criteria in paragraph (b) of the definition of “higher skilled process maintenance worker” in paragraph 2.”.

### **Amendment of Seventh Schedule**

9. The Seventh Schedule to the principal Order is amended by deleting “\$650” in the second column of item 2 and substituting “\$700”.

### **Amendment of Eighth Schedule**

10. The Eighth Schedule to the principal Order is amended —

- (a) by deleting the words “Skilled marine worker” in the first column of item 1 and substituting the words “Higher skilled marine shipyard worker”;
- (b) by deleting the words “Unskilled marine worker” in the first column of item 2 and substituting the words “Basic skilled marine shipyard worker”; and

- (c) by deleting the Schedule heading and substituting the following Schedule heading:

“LEVY PAYABLE FOR MARINE SHIPYARD  
WORKERS”.

### **Miscellaneous amendments**

#### **11. The principal Order is amended —**

- (a) by deleting the word “skilled” wherever it appears in the following provisions and substituting in each case the words “higher skilled”:

Paragraphs 10(2)(b), 13(1)(b), 15(2A)(a), (2B)(a), (3), (4)(c) and (5)(c) and (d), 24(2) and (3)(a), 26(1), (2) and (3)(c)(iii), 28(3) and 30(3), Fifth Schedule (column heading of the fifth column) and Ninth Schedule (column heading of the fifth column);

- (b) by deleting the word “unskilled” wherever it appears in the following provisions and substituting in each case the words “basic skilled”:

Paragraphs 10(2)(c) and 26(3)(a) and (b), Fifth Schedule (column heading of the fourth column) and Ninth Schedule (column heading of the fourth column);

- (c) by deleting the words “an unskilled” wherever they appear in the following provisions and substituting in each case the words “a basic skilled”:

Paragraphs 15(1), (2), (2A)(b), (2B)(b), (4)(a) and (b) and (5)(d), 24(1) and (3)(b) and 26(1) and (3)(c);

- (d) by deleting the words “for unskilled” in paragraph 26(3) and substituting the words “for a basic skilled”;

- (e) by deleting the word “Skilled” in the following provisions and substituting in each case the words “Higher skilled”:

(i) Tenth Schedule (first column of item 1);

(ii) Eleventh Schedule (first column of items 1 and 3);

(iii) Twelfth Schedule (first column of items 1 and 3);

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- (iv) Fourteenth Schedule (first column of item 1);
- (v) Fifteenth Schedule (first column of item 1); and
- (f) by deleting the word “Unskilled” in the following provisions and substituting in each case the words “Basic skilled”:
- (i) Tenth Schedule (first column of item 2);
- (ii) Eleventh Schedule (first column of items 2 and 4);
- (iii) Twelfth Schedule (first column of items 2 and 4);
- (iv) Fourteenth Schedule (first column of item 2);
- (v) Fifteenth Schedule (first column of item 2).

*[G.N. Nos. S 701/2011; S 297/2012; S 666/2012;  
S 111/2013; S 372/2013; S 722/2013; S 420/2014;  
S 247/2015; S 258/2016]*

Made on 31 May 2017.

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