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CHILD DEVELOPMENT CO-SAVINGS ACT
(CHAPTER 38A)

CHILD DEVELOPMENT CO-SAVINGS
(PART-TIME EMPLOYEES) (AMENDMENT)
REGULATIONS 2013

In exercise of the powers conferred by section 20 of the Child Development Co-Savings Act, Mr Chan Chun Sing, Senior Minister of State, charged with the responsibility of the Minister for Social and Family Development, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Child Development Co-Savings (Part-Time Employees) (Amendment) Regulations 2013 and shall come into operation on 1st May 2013.

Amendment of regulation 2

2. Regulation 2(1) of the Child Development Co-Savings (Part-Time Employees) Regulations 2008 (G.N. No. S 548/2008) (referred to in these Regulations as the principal Regulations) is amended —

(a) by inserting, immediately after the definition of “childcare leave”, the following definition:

““extended childcare leave” means extended childcare leave under section 12B of the Act, and includes any leave of absence for childcare purposes referred to in section 12B(6A)(b) of the Act which is treated, under section 12B(6A) of the Act, as extended childcare leave under section 12B of the Act;” and

(b) by deleting the definition of “gross rate of pay” and substituting the following definition:

““gross rate of pay”, in relation to a part-time employee, means —

- (a) his gross rate of pay as specified in his contract of service with his employer; or
- (b) if there is no such specification in his contract of service with his employer, such gross rate of pay as the Commissioner for Labour may determine, having regard to the terms of that contract of service;”.

Deletion and substitution of regulation 3

3. Regulation 3 of the principal Regulations is deleted and the following regulation substituted therefor:

“Application of Part III of Act

3. Part III of the Act and the following Regulations shall apply, with such modifications as may be specified in these Regulations, to a part-time employee who satisfies the requirements of section 9A(1), (1A), (1B), (1C) or (2), 10A(1), 12A(1), 12AC, 12B(1) or (1A), 12D(1), 12F(1), 12I(1) or (2) or 12K(1) of the Act:

- (a) the Child Development Co-Savings (Paid Maternity Leave, Maternity Benefit, Adoption Leave, Shared Parental Leave and Paternity Leave) Regulations (Rg 1); and
- (b) the Child Development Co-Savings (Childcare Leave and Extended Childcare Leave) Regulations 2008 (G.N. No. S 547/2008).”.

Amendment of regulation 4

4. Regulation 4 of the principal Regulations is amended by inserting, immediately after paragraph (3), the following paragraphs:

“(4) Subject to section 9A(5A) of the Act, every female who is or has been a part-time employee and who satisfies the requirements of section 9A(2) of the Act shall be entitled to

receive payment from the Government in accordance with section 9(5A) of the Act.

(5) Subject to section 9A(5A) of the Act, every female part-time employee who satisfies the requirements of section 9(5C) of the Act shall be entitled to receive payment from the Government in accordance with section 9(5C) of the Act.”.

New regulation 5A

5. The principal Regulations are amended by inserting, immediately after regulation 5, the following regulation:

“Extended childcare leave

5A.—(1) Every part-time employee who satisfies the requirements of section 12B(1A) of the Act shall be entitled to 2 days of extended childcare leave.

(2) Subject to paragraph (3), an employer shall pay a part-time employee who is entitled to extended childcare leave at the employee’s hourly gross rate of pay, for each hour of extended childcare leave taken by the employee.

(3) The amount of payment a part-time employee is entitled to receive from his employer under paragraph (2) shall not exceed \$500 for each day of extended childcare leave that the employee is entitled to under paragraph (1) and that is taken by the employee.”.

Deletion and substitution of regulation 7

6. Regulation 7 of the principal Regulations is deleted and the following regulations substituted therefor:

“Adoption leave

7.—(1) Every female part-time employee shall be entitled to adoption leave under section 12AA(1) of the Act, for such period or periods specified in section 12AA(2) of the Act, if she satisfies the requirements of section 12AC of the Act.

(2) Subject to section 12AA(5) of the Act, during the period of adoption leave, a female part-time employee shall be paid —

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- (a) for each day that she would ordinarily have been required to work under her contract of service with her employer, at her gross rate of pay; and
 - (b) for each paid holiday, the sum referred to in regulation 6(1) of the Employment (Part-Time Employees) Regulations (Cap. 91, Rg 8), if she is entitled to paid holidays and has not relinquished that entitlement.

(3) Any reference in the Act to a payment under section 12AA(4) of the Act to a female employee at her gross rate of pay shall, in the case of a female part-time employee, refer to a payment to her at the rate to which she is entitled under paragraph (2).

Shared parental leave

8.—(1) Every male part-time employee shall be entitled to shared parental leave for such period or periods specified in section 12E(1) of the Act, if he satisfies the requirements of section 12F(1) of the Act.

(2) Subject to section 12F(2) of the Act, during the period of shared parental leave, a male part-time employee shall be paid —

- (a) for each day that he would ordinarily have been required to work under his contract of service with his employer, at his gross rate of pay; and
- (b) for each paid holiday, the sum referred to in regulation 6(1) of the Employment (Part-Time Employees) Regulations (Cap. 91, Rg 8), if he is entitled to paid holidays and has not relinquished that entitlement.

(3) Any reference in the Act to a payment under section 12E(2) of the Act to a male employee at his gross rate of pay shall, in the case of a male part-time employee, refer to a payment to him at the rate to which he is entitled under paragraph (2).

Paternity leave

9.—(1) Every male part-time employee shall be entitled to paternity leave for such period or periods specified in section 12H(1) of the Act, if he satisfies the requirements of section 12I(1) or (2) of the Act.

(2) Subject to section 12I(3) of the Act, during the period of paternity leave, a male part-time employee shall be paid —

(a) for each day that he would ordinarily have been required to work under his contract of service with his employer, at his gross rate of pay; and

(b) for each paid holiday, the sum referred to in regulation 6(1) of the Employment (Part-Time Employees) Regulations (Cap. 91, Rg 8), if he is entitled to paid holidays and has not relinquished that entitlement.

(3) Any reference in the Act to a payment under section 12H(2) of the Act to a male employee at his gross rate of pay shall, in the case of a male part-time employee, refer to a payment to him at the rate to which he is entitled under paragraph (2).

Savings

10.—(1) Notwithstanding anything in these Regulations (other than regulations 4(4) and (5), 5A, 7, 8 and 9), where the terms of service under which a part-time employee is employed are provided for in a contract of service or collective agreement entered into before 31st October 2008, such terms of service shall, in so far as they are more favourable to the employee than the provisions of these Regulations (other than regulations 4(4) and (5), 5A, 7, 8 and 9), continue to apply until varied by the parties to the contract of service or the collective agreement, as the case may be.

(2) Notwithstanding anything in regulations 5A, 7, 8 and 9, where the terms of service under which a part-time employee is employed are provided for in a contract of service or collective agreement entered into before 1st May 2013, such terms of

service shall, in so far as they are more favourable to the employee than the provisions of regulations 5A, 7, 8 and 9, continue to apply until varied by the parties to the contract of service or the collective agreement, as the case may be.”

[G.N. No. S 229/2011]

Made this 17th day of April 2013.

CHAN HENG KEE
*Permanent Secretary,
Ministry of Social and Family
Development,
Singapore.*

[132-020-359 v10; AG/LLRD/SL/38A/2010/6 Vol. 1]