
First published in the *Government Gazette*, Electronic Edition, on 30th April 2013 at 5.00 pm.

No. S 284

CHILD DEVELOPMENT CO-SAVINGS ACT
(CHAPTER 38A)

CHILD DEVELOPMENT CO-SAVINGS
(APPLICATION OF EMPLOYMENT ACT PROVISIONS)
(AMENDMENT) ORDER 2013

In exercise of the powers conferred by section 12 of the Child Development Co-Savings Act, Mr Tan Chuan-Jin, Senior Minister of State, charged with the responsibility of the Minister for Manpower, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Child Development Co-Savings (Application of Employment Act Provisions) (Amendment) Order 2013 and shall come into operation on 1st May 2013.

Amendment of paragraph 2

2. Paragraph 2 of the Child Development Co-Savings (Application of Employment Act Provisions) Order (O 1) (referred to in this Order as the principal Order) is amended by deleting the definition of “applicable provisions of the Employment Act” and substituting the following definition:

““applicable provisions of the Employment Act” means the provisions of the Employment Act (Cap. 91) referred to in paragraph 3(2)(a), (b) and (c) as modified by paragraphs 3A to 17;”.

Amendment of paragraph 3

3. Paragraph 3 of the principal Order is amended —

- (a) by deleting the words “paragraphs 4 to 17” in sub-paragraph (1) and substituting the words “paragraphs 3A to 17”;
- (b) by deleting the words “section 9, 10A, 12B or 12D” in sub-paragraph (1)(a) and substituting the words “section 9, 12AA, 12B, 12D, 12E or 12H”;

-
-
- (c) by deleting the words “section 12B, 12D or 17” in sub-paragraph (1)(c) and substituting the words “section 12AA, 12B, 12D, 12E, 12H or 17”;
 - (d) by inserting, immediately before sub-paragraph (a) of sub-paragraph (2), the following sub-paragraph:
 - “(a) Part XIII of that Act;”;and
 - (e) by re-lettering the existing sub-paragraphs (a) to (d) of sub-paragraph (2) as sub-paragraphs (b) to (e), respectively.

New paragraphs 3A and 3B

4. The principal Order is amended by inserting, immediately after paragraph 3, the following paragraphs:

“Modification of section 103 of Employment Act

3A. Section 103 of the Employment Act (Cap. 91) shall apply with the following modifications:

- (a) the reference to “an offence under this Act” in subsection (1)(a) shall be read as a reference to an offence under section 12AA, 12B, 12D, 12E, 12H or 17 of the principal Act;
- (b) the reference to “the provisions of this Act” in subsection (1)(b), (c), (d) and (g) shall be read as a reference to the applicable provisions of the Employment Act and Part III and section 17 of the principal Act; and
- (c) the reference to “this Act” in subsection (1)(h) shall be read as a reference to the applicable provisions of the Employment Act and Part III and section 17 of the principal Act.

Modification of sections 104 and 107 of Employment Act

3B. Sections 104 and 107 of the Employment Act (Cap. 91) shall apply with the reference to “section 103” wherever they appear in those provisions read as a reference to that section as modified by paragraph 3A.”.

Amendment of paragraph 4

5. Paragraph 4 of the principal Order is amended by deleting sub-paragraphs (ii), (iii) and (iv) of sub-paragraph (a) and substituting the following sub-paragraphs:

-
-
- “(ii) any dispute between a female employee to whom section 12AA of the principal Act applies and her employer relating to the female employee’s entitlement to adoption leave or to pay under that section or under any term of the contract of service between the female employee and her employer, as the case may be;
 - (iii) any dispute between an employee to whom section 12B of the principal Act applies and his employer relating to his entitlement to childcare or extended childcare leave or to pay under that section or under any term of the contract of service between him and his employer, as the case may be;
 - (iv) any dispute between an employee to whom section 12D of the principal Act applies and his employer relating to his entitlement to unpaid infant care leave under that section or under any term of the contract of service between him and his employer, as the case may be;
 - (v) any dispute between an employee to whom section 12E of the principal Act applies and his employer relating to the employee’s entitlement to shared parental leave or to pay under that section or under any term of the contract of service between him and his employer, as the case may be; or
 - (vi) any dispute between a male employee to whom section 12H of the principal Act applies and his employer relating to the male employee’s entitlement to paternity leave or to pay under that section or under any term of the contract of service between the male employee and his employer, as the case may be; and”.

Amendment of paragraph 7

6. Paragraph 7 of the principal Order is amended —

- (a) by deleting the words “section 12B, 12D or 17” in sub-paragraph (a) and substituting the words “section 12AA, 12B, 12D, 12E, 12H or 17”;
- (b) by deleting sub-paragraphs (iii) and (iv) of sub-paragraph (b) and substituting the following sub-paragraphs:
 - “(iii) the entitlement of a female employee to adoption leave or to pay under section 12AA of the principal Act;

-
-
- (iv) the entitlement of an employee to childcare or extended childcare leave or to pay under section 12B of the principal Act;
 - (v) the entitlement of an employee to unpaid infant care leave under section 12D of the principal Act;
 - (vi) the entitlement of an employee to shared parental leave or to pay under section 12E of the principal Act; or
 - (vii) the entitlement of a male employee to paternity leave or to pay under section 12H of the principal Act;”; and
- (c) by deleting the words “section 9, 12B or 12D” in sub-paragraph (d) and substituting the words “section 9, 12AA, 12B, 12D, 12E or 12H”.

Deletion and substitution of paragraph 9

7. Paragraph 9 of the principal Order is deleted and the following paragraph substituted therefor:

“Modification of section 126 of Employment Act

9. Section 126 of the Employment Act (Cap. 91) shall apply with the following modifications:

- (a) the reference to “an employee or a subcontractor for labour” shall be read as a reference to an employee only; and
- (b) the reference to “this Act” shall be read as a reference to the applicable provisions of the Employment Act and sections 12AA, 12B, 12D, 12E, 12H and 17 of the principal Act.”.

Amendment of paragraph 12

8. Paragraph 12 of the principal Order is amended by deleting the words “section 9, 12B or 12D” and substituting the words “section 9, 12AA, 12B, 12D, 12E or 12H”.

Miscellaneous amendments

9. The principal Order is amended —

- (a) by deleting the words “sections 12B, 12D and 17” in paragraph 10 and substituting the words “sections 12AA, 12B, 12D, 12E, 12H and 17”; and
- (b) by deleting the words “section 12B, 12D or 17” in the following provisions and substituting in each case the words “section 12AA, 12B, 12D, 12E, 12H or 17”:

Paragraphs 11(b), 16(a) and 17.

[G.N. Nos. S 551/2008; S 700/2008; S 230/2011]

Made this 18th day of April 2013.

LOH KHUM YEAN
*Permanent Secretary,
Ministry of Manpower,
Singapore.*

[HQ/Legislation/CDCA/2013.; AG/LLRD/SL/38A/2010/4 Vol. 1]