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No. S 288

CENTRAL PROVIDENT FUND ACT 1953

CENTRAL PROVIDENT FUND (AMENDMENT NO. 2) REGULATIONS 2022

In exercise of the powers conferred by section 77(1) of the Central Provident Fund Act 1953, 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 (Amendment No. 2) Regulations 2022 and come into operation on 1 April 2022.

Amendment of regulation 1A

2. The Central Provident Fund Regulations (Rg 15) (called in these Regulations the principal Regulations) are amended by renumbering regulation 1A as paragraph (1) of that regulation, and by inserting immediately thereafter the following paragraph:

“(2) For the purposes of these Regulations, the Board is notified of a member’s death —

- (a) if it has received satisfactory proof of, or obtained reliable information on, the member’s death from any person; and
- (b) whether such proof is received or information is obtained before, on or after 1 April 2022.”.

Amendment of regulation 7

3. Regulation 7(1) of the principal Regulations is amended by deleting the words “26, 26C, 26D, 27 or 27B of the Act” in sub-paragraph (a) and substituting the words “25, 26A, 27 or 27B of the Act or section 26, 26C or 26D of the Act as in force before 1 April 2022”.

Deletion and substitution of regulations 10 and 11

4. Regulations 10 and 11 of the principal Regulations are deleted and the following regulations substituted therefor:

“Transfer of moneys to general moneys of Fund under section 13(7A)(a) of Act where member has died

10.—(1) Where the Board is notified on or after 1 April 2022 that a member has died, the Board may transfer any moneys standing in the member’s account in the Fund (other than a nominee account, if any) to the general moneys of the Fund if at least 6 months have passed after the date on which the Board receives the notification.

(2) Where the Board is notified before 1 April 2022 that a member has died, the Board may transfer any moneys standing in the member’s account in the Fund (other than a nominee account, if any) to the general moneys of the Fund —

- (a) in the case where the member died before 1 November 2015 — if at least 7 years have passed after the date of the member’s death; or
- (b) in the case where the member died between 1 November 2015 and 31 March 2022 (both dates inclusive) — after 1 November 2022.

Transfer of moneys to general moneys of Fund under section 13(7A)(b) of Act where member’s accounts in Fund are deemed to be dormant

11. Where a member’s accounts in the Fund are deemed to be dormant under section 2(1B) of the Act, whether before, on or after 1 April 2022, the Board may transfer any moneys standing in the member’s account in the Fund (other than a nominee account, if any) to the general moneys of the Fund on or after the later of the following dates:

- (a) 1 April 2022;
- (b) the date on which the member’s accounts in the Fund are deemed to be dormant.”.

Amendment of regulation 12

5. Regulation 12 of the principal Regulations is amended —

(a) by deleting paragraphs (1) to (4A) and substituting the following paragraphs:

“(1) Subject to paragraphs (3) and (4), where any moneys have been transferred to the general moneys of the Fund under section 13(7B)(b) of the Act as in force before 1 April 2022 or regulation 10 as in force on or after that date, the Board may, on being satisfied that any person is entitled to the whole or any part of those moneys under section 25 of the Act —

(a) transfer to the deceased member’s ordinary account the whole or that part of those moneys; and

(b) pay into the deceased member’s ordinary account the interest or any part of the interest that the Board determines would have been payable on the whole or that part of those moneys if those moneys had not been transferred to the general moneys of the Fund.

(2) Where any moneys have been transferred to —

(a) the member’s ordinary account under section 13(7A)(a) of the Act as in force before 1 April 2022; or

(b) the general moneys of the Fund under section 13(7B)(a) of the Act as in force before that date or regulation 11 as in force on or after that date,

the Board may —

(c) on being satisfied that any of the requirements in regulation 9(1) for the transfer has not been met or the member is still alive —

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- (i) restore to the member's accounts in the Fund those moneys; and
 - (ii) pay into the member's accounts in the Fund mentioned in sub-paragraph (i) the interest or any part of the interest that the Board determines would have been payable on those moneys if those moneys had not been transferred to the general moneys of the Fund; or
 - (d) subject to paragraphs (3) and (4), where the moneys have been transferred to the general moneys of the Fund under sub-paragraph (b) and on being notified of the member's death —
 - (i) transfer to the deceased member's ordinary account those moneys; and
 - (ii) pay into the deceased member's ordinary account the interest or any part of the interest that the Board determines would have been payable on those moneys if those moneys had not been transferred to the general moneys of the Fund.
- (3) Paragraph (4) applies where —
- (a) any moneys standing in a member's account in the Fund (other than a nominee account, if any) are —
 - (i) transferred, whether before, on or after 1 April 2022, to the member's ordinary account under section 13(7A) of the Act as in force before 1 April 2022; or
 - (ii) transferred to the general moneys of the Fund under section 13(7B) of the

Act as in force before 1 April 2022 or regulation 10 or 11 as in force on or after that date; and

(b) any of the following circumstances arises:

- (i) the Board is served with an order of court mentioned in section 27B(1) of the Act awarding the spouse of the member any amount to be paid out from the moneys standing to the credit of the member in the Fund (including any moneys which are payable or repayable to the Fund to the credit of the member);
- (ii) the Board permits the withdrawal of the whole or any part of the sum standing to the member's credit in his or her medisave account under section 16A(1) of the Act;
- (iii) the Board is entitled to recover or may recover any moneys referred to in section 14(3) or (3A), 27N(4) or 57C(5) or (6) of the Act;
- (iv) any sum is to be credited to the account of another person under section 19(2) or (6) or 19A(2) or (6) of the Act, as in force before 1 April 2022;
- (v) any sum is to be refunded under section 19 of the Act or to be refunded or paid under section 19D of the Act.

(4) Despite paragraphs (1) and (2)(d), the Board may —

- (a) restore to the member's accounts in the Fund, the moneys transferred to the

member's ordinary account or the general moneys of the Fund mentioned in paragraph (3)(a); and

(b) pay into the member's accounts in the Fund mentioned in sub-paragraph (a) the interest or any part of the interest that the Board determines would have been payable on those moneys if those moneys had not been transferred to the general moneys of the Fund.”; and

(b) by deleting paragraph (6).

Saving provision

6. Despite regulation 4, where section 13(7A)(b) of the Act as in force before 1 April 2022 continues to apply on or after that date as provided by the Central Provident Fund (Amendment) Act 2021 (Saving and Transitional Provisions) (No. 2) Regulations 2022 (G.N. No. S 287/2022), regulation 11(1) of the principal Regulations as in force before 1 April 2022 continues to apply for the purposes of that provision of the Act.

*[G.N. Nos. S 695/2002; S 367/2003; S 780/2004;
S 718/2007; S 820/2010; S 724/2011; S 540/2012;
S 201/2013; S 565/2014; S 30/2015; S 233/2015;
S 191/2016; S 722/2016; S 884/2019; S 854/2020;
S 1018/2021; S 120/2022]*

Made on 30 March 2022.

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Ministry of Manpower,
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(To be presented to Parliament under section 78(2) of the Central Provident Fund Act 1953).