
First published in the *Government Gazette*, Electronic Edition, on 22nd July 2016 at 5:00 pm.

No. S 350

SILVER SUPPORT SCHEME ACT 2015 (ACT 28 OF 2015)

SILVER SUPPORT SCHEME REGULATIONS 2016

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In exercise of the powers conferred by section 20(1) of the Silver Support Scheme Act 2015, the Minister for Manpower makes the following Regulations:

Citation and commencement

1. These Regulations are the Silver Support Scheme Regulations 2016 and come into operation on 22 July 2016.

Definitions

2.—(1) In these Regulations, unless the context otherwise requires —

“approved home” means any premises —

- (a) where residential care for the elderly or disabled is provided; and

(b) which are approved by the Minister for the purposes of this definition;

“average annual trade income”, in relation to an individual, means the individual’s total trade income divided by the number of years in the individual’s trade income assessment period during which the individual had trade income;

“benefit period” means any quarter for which an eligible individual is eligible to receive benefits under the Scheme;

“ComCare Long Term Assistance” means the social assistance programme called ComCare Long Term Assistance administered by the Ministry of Social and Family Development;

“Fund” means the Central Provident Fund established under section 6 of the Central Provident Fund Act (Cap. 36);

“gross annual income”, in relation to an individual, means the total income of the individual accruing in or derived from Singapore, or received in Singapore from outside Singapore, in a year, in respect of the sources of income mentioned in section 10(1)(a) and (b) of the Income Tax Act (Cap. 134);

“gross monthly household income”, in relation to a household, means the total amount of the gross monthly income of every individual who is a member of the household;

“gross monthly income”, in relation to an individual, means one-twelfth of the individual’s gross annual income;

“HDB flat” means any flat, house or other building sold under Part IV or IVB of the Housing and Development Act (Cap. 129);

“identity card” means an identity card issued under the National Registration Act (Cap. 201);

“medisave account” has the same meaning as in section 2(1) of the Central Provident Fund Act;

“member”, in relation to a household, means an individual who is a member of the family that constitutes the household by reason of a relationship established by blood, by marriage, or

by adoption in accordance with any written law (whether in Singapore or elsewhere) relating to the adoption of children;

“ordinary account” has the same meaning as in section 2(1) of the Central Provident Fund Act;

“per capita gross monthly household income”, in relation to a household, means the gross monthly household income of the household divided by the number of individuals who are members of the household;

“qualifying HDB flat” means a 1-room HDB flat, a 2-room HDB flat, a 3-room HDB flat or a 4-room HDB flat;

“qualifying residence” means any of the following:

- (a) a qualifying HDB flat or 5-room HDB flat;
- (b) an approved home;
- (c) any quarters occupied by prison staff;
- (d) a tax exempt property;
- (e) any immovable property in any island of Singapore (other than the main island of Singapore and the island of Sentosa);

“quarter” means any of the following periods (all dates inclusive) in a year:

- (a) 1 January to 31 March;
- (b) 1 April to 30 June;
- (c) 1 July to 30 September;
- (d) 1 October to 31 December;

“special account” has the same meaning as in section 2(1) of the Central Provident Fund Act;

“tax exempt property” means the whole or part of a building that is exempted, under section 6(6) of the Property Tax Act (Cap. 254), from the payment of the property tax imposed by that Act;

“total CPF contribution”, in relation to an individual, means an amount calculated in accordance with the formula $A + B + (C + D + E) - (F + G + H)$, where —

- (a) A is the total amount standing to the individual’s credit in the individual’s ordinary account and special account immediately before the 55th anniversary of the individual’s date of birth;
- (b) B is the amount (if any) by which the sum standing to the individual’s credit in the individual’s medisave account immediately before the 55th anniversary of the individual’s date of birth exceeds the prescribed amount under section 16 of the Central Provident Fund Act that applies to the individual;
- (c) C is the total amount which —
 - (i) has been withdrawn by the individual in accordance with regulations made under section 77(1) of the Central Provident Fund Act, from the sum standing to the individual’s credit in the Fund, for one or more of the purposes mentioned in sections 21(1)(a) to (d), 21A(1)(a), (b) and (c) and 21B(1)(a) to (d) of that Act; and
 - (ii) is required under that Act to be, but is not, repaid into any of the individual’s accounts in the Fund before the 55th anniversary of the individual’s date of birth;
- (d) D is the total amount which —
 - (i) has been withdrawn by the individual under section 22(1) of the Central Provident Fund Act, from the sum standing to the individual’s credit in the Fund, for the payment of tuition fees for a course of study mentioned in that provision; and
 - (ii) is required under that Act to be, but is not, repaid into any of the individual’s accounts in

the Fund before the 55th anniversary of the individual's date of birth;

- (e) E is the total amount which —
- (i) has been withdrawn by the individual in accordance with regulations made under section 77(1)(n) of the Central Provident Fund Act, from the sum standing to the individual's credit in the Fund, for the purpose of making, or for the reimbursement of the cost of making, any investments mentioned in that provision; and
 - (ii) is required under that Act to be, but is not, repaid into any of the individual's accounts in the Fund before the 55th anniversary of the individual's date of birth;
- (f) F is the total amount of every cash grant, mentioned in section 14(1) of the Central Provident Fund Act, made by the Government for the benefit of the individual under an approved scheme as defined in section 14(5) of that Act, for one or more of the purposes mentioned in sections 21(1)(a) to (d), 21A(1)(a), (b) and (c) and 21B(1)(a) to (d) of that Act;
- (g) G is the total amount paid into the individual's special account, before the 55th anniversary of the individual's date of birth, under section 18(3)(b) of the Central Provident Fund Act; and
- (h) H is the total amount of relevant contributions credited to the individual, before the 55th anniversary of the individual's date of birth, under section 57C(1)(b) of the Central Provident Fund Act;

“total trade income”, in relation to an individual, means the total amount of the individual's trade income in the individual's trade income assessment period;

“trade income” means income accruing in or derived from Singapore, or received in Singapore from outside Singapore, in respect of the source of income mentioned in section 10(1)(a) of the Income Tax Act;

“trade income assessment period”, in relation to an individual, means the period beginning on 1 January in the year in which the 45th anniversary of the individual’s date of birth occurs, and ending on 31 December in the year in which the 54th anniversary of the individual’s date of birth occurs.

(2) In these Regulations, unless the context otherwise requires, an individual is self-employed if the individual accrues in or derives from Singapore, or receives in Singapore from outside Singapore, income in respect of any trade, business, profession or vocation (other than employment under a contract of service).

(3) The Board must publish on its Internet website at <http://www.silversupport.gov.sg> a list of every approved home.

Additional eligibility criteria

3.—(1) For the purposes of section 6(1)(c) of the Act, the additional eligibility criteria are as follows:

- (a) the individual’s place of residence (as stated in the individual’s identity card) is a qualifying residence;
- (b) the individual does not own (whether wholly or in part and whether legally or beneficially) any immovable property other than one qualifying HDB flat;
- (c) the individual does not have a spouse who owns (whether wholly or in part and whether legally or beneficially) any immovable property other than one qualifying HDB flat;
- (d) the Commissioner is satisfied that the individual requires financial support for the individual’s retirement.

(2) Without prejudice to the generality of paragraph (1)(d), the eligibility criterion in that provision is to be treated as satisfied if —

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- (a) all of the following requirements are met:
- (i) the individual is a member of, and lives in, a household of which the per capita gross monthly household income is not more than \$1,100;
 - (ii) the individual's total CPF contribution immediately before the 55th anniversary of the individual's date of birth is not more than \$70,000;
 - (iii) where the individual is self-employed for at least one year during the individual's trade income assessment period — the individual's average annual trade income is not more than \$22,800; or
- (b) the individual is on ComCare Long Term Assistance.

Qualifying dates for benefit period in 2016

4.—(1) An eligible individual is eligible to receive benefits for a benefit period in 2016 if the individual —

- (a) satisfies the eligibility criteria in section 6(1)(a) and (b) of the Act and regulation 3(1)(a), (b) and (c) on —
 - (i) 30 June 2015; or
 - (ii) such later date (not later than the last day of the benefit period) as the Commissioner may determine in any particular case; and
- (b) satisfies the eligibility criterion in regulation 3(1)(d) —
 - (i) where that eligibility criterion is treated as satisfied by virtue of regulation 3(2)(a) —
 - (A) by meeting the requirement in regulation 3(2)(a)(i) on —
 - (AA) 29 February 2016; or
 - (AB) such later date (not later than the last day of the benefit period) as the Commissioner may determine in any particular case; and

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- (B) by meeting the requirements in regulation 3(2)(a)(ii) and (iii) on —
- (BA) 30 June 2015; or
 - (BB) such later date (not later than the last day of the benefit period) as the Commissioner may determine in any particular case;
- (ii) where that eligibility criterion is treated as satisfied by virtue of regulation 3(2)(b) — by being on ComCare Long Term Assistance on —
- (A) 30 June 2015; or
 - (B) such later date (not later than the last day of the benefit period) as the Commissioner may determine in any particular case; or
- (iii) where regulation 3(2) does not apply — on such date (not later than the last day of the benefit period) as the Commissioner may determine in any particular case.

(2) For the purposes of paragraph (1)(a)(ii), the Commissioner may determine different dates for different eligibility criteria in section 6(1)(a) and (b) of the Act and regulation 3(1)(a), (b) and (c).

(3) For the purposes of paragraph (1)(b)(i)(B)(BB), the Commissioner may determine different dates for different requirements in regulation 3(2)(a)(ii) and (iii).

Qualifying dates for benefit period in 2017 or later

5.—(1) An eligible individual is eligible to receive benefits for a benefit period in any year (being 2017 or later) if the individual —

- (a) satisfies the eligibility criteria in section 6(1)(a) and (b) of the Act and regulation 3(1)(a), (b) and (c) on —
 - (i) 30 April in the immediately preceding year; or
 - (ii) such later date (not later than the last day of the benefit period) as the Commissioner may determine in any particular case; and

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- (b) satisfies the eligibility criterion in regulation 3(1)(d) —
- (i) where that eligibility criterion is treated as satisfied by virtue of regulation 3(2)(a) — by meeting the requirements in regulation 3(2)(a)(i), (ii) and (iii) on —
 - (A) 30 April in the immediately preceding year; or
 - (B) such later date (not later than the last day of the benefit period) as the Commissioner may determine in any particular case;
 - (ii) where that eligibility criterion is treated as satisfied by virtue of regulation 3(2)(b) — by being on ComCare Long Term Assistance on —
 - (A) 30 April in the immediately preceding year; or
 - (B) such later date (not later than the last day of the benefit period) as the Commissioner may determine in any particular case; or
 - (iii) where regulation 3(2) does not apply, on —
 - (A) 30 April in the immediately preceding year; or
 - (B) such later date (not later than the last day of the benefit period) as the Commissioner may determine in any particular case.

(2) For the purposes of paragraph (1)(a)(ii), the Commissioner may determine different dates for different eligibility criteria in section 6(1)(a) and (b) of the Act and regulation 3(1)(a), (b) and (c).

(3) For the purposes of paragraph (1)(b)(i)(B), the Commissioner may determine different dates for different requirements in regulation 3(2)(a)(i), (ii) and (iii).

Benefits

6.—(1) Subject to paragraph (5), an individual who becomes an eligible individual during the second, third or fourth quarter in 2016 is eligible to receive a cash grant for that quarter and each of the next 3 quarters.

(2) Subject to paragraph (5), an individual who becomes an eligible individual during any quarter in any year (being 2017 or later) is eligible to receive a cash grant for that quarter and each of the next 3 quarters.

(3) Subject to paragraph (4), where an eligible individual is eligible to receive benefits under the Scheme in any year by reason of satisfying a criterion specified in the first column of the Schedule, each cash grant which that individual is eligible to receive in that year will be of the amount specified opposite in the second column.

(4) Where an eligible individual is eligible to receive benefits under the Scheme in any year both by reason of satisfying a criterion specified in item 1, 2, 3, 4 or 5 in the first column of the Schedule and by reason of being on ComCare Long Term Assistance, each cash grant which that individual is eligible to receive in that year will be an amount of \$300.

(5) Despite paragraphs (1) to (4), where an individual becomes an eligible individual in any year (called the first year) and continues to be an eligible individual in the next year (called the second year), and any of the individual's 4 benefit periods for the first year overlaps with any of the individual's 4 benefit periods for the second year —

- (a) the individual is entitled to only one cash grant for each overlapping benefit period; and
- (b) the amount of the cash grant for each overlapping benefit period will be the higher of the following amounts:
 - (i) the amount of the cash grant which the individual is eligible to receive in the first year;
 - (ii) the amount of the cash grant which the individual is eligible to receive in the second year.

(6) Despite paragraphs (3) and (4), where an individual ceases to be an eligible individual after the individual's first 4 benefit periods, the individual is eligible to receive, for each of the individual's first 4 benefit periods, a cash grant of the amount which the individual is eligible to receive in the year the individual becomes an eligible individual.

Disqualifying payment event

7. Despite regulation 6, when either of the following events occurs, and the Board is notified of that event, any cash grant that would otherwise have been payable to an individual for any quarter after that event ceases to be payable to the individual:

- (a) the individual dies;
- (b) the individual ceases to be a citizen of Singapore.

Method of disbursing cash grants

8.—(1) The Board may disburse a cash grant to an eligible individual —

- (a) by paying the amount of the cash grant into the individual's bank account; or
- (b) by issuing a cheque to the individual for the amount of the cash grant, and sending the cheque to the individual at the individual's place of residence (as stated in the individual's identity card).

(2) A cash grant which an eligible individual is eligible to receive will be credited into the individual's account in the Fund in accordance with section 14(1) of the Central Provident Fund Act (Cap. 36) if —

- (a) the individual fails to encash a cheque issued to the individual under paragraph (1)(b) before the cheque expires; and
- (b) the Commissioner so directs.

(3) Despite paragraphs (1) and (2), where an eligible individual is a prisoner as defined in section 2 of the Prisons Act (Cap. 247), a cash grant which the individual is eligible to receive will be credited to the Inmate Property Account maintained for the individual by the Commissioner of Prisons.

Review of assessment of administrator

9.—(1) An individual who is dissatisfied with an administrator’s assessment of either of the following matters may apply to the Commissioner to review the assessment:

- (a) the individual’s eligibility to receive a benefit under the Scheme for a benefit period;
- (b) the amount of the benefit payable to the individual for a benefit period.

(2) The individual’s application under paragraph (1) must be made within one year after the last day of the benefit period mentioned in paragraph (1)(a) or (b) (as the case may be).

Compoundable offences

10. Every offence under section 8(6) or 9(7) of the Act is a compoundable offence for the purposes of section 17(1) of the Act.

THE SCHEDULE

Regulation 6(3) and (4)

CLASSES OF ELIGIBLE INDIVIDUALS AND AMOUNTS OF BENEFITS

<i>First column</i>	<i>Second column</i>
<i>Criterion for determining class of eligible individual</i>	<i>Amount of cash grant</i>
1. Individual’s place of residence (as stated in the individual’s identity card) is a 1-room HDB flat or a 2-room HDB flat	\$750
2. Individual’s place of residence (as stated in the individual’s identity card) is a 3-room HDB flat	\$600
3. Individual’s place of residence (as stated in the individual’s identity card) is a 4-room HDB flat	\$450
4. Individual’s place of residence (as stated in the individual’s identity card) is a 5-room HDB flat	\$300
5. Individual’s place of residence (as stated in the individual’s identity card) is a place mentioned in paragraphs (b) to (e) of the definition of “qualifying residence”	\$600

THE SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Criterion for determining class of eligible individual</i>	<i>Amount of cash grant</i>
6. Individual is on ComCare Long Term Assistance	\$300

Made on 21 July 2016.

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

[HQ/PlnPol/CPFPol/SS/Leg; AG/LEGIS/SL/294C/2015/1 Vol. 1]

(To be presented to Parliament under section 20(4) of the Silver Support Scheme Act 2015).