
First published in the *Government Gazette*, Electronic Edition, on 1st July 2013 at 5:00 pm.

No. S 393

EMPLOYMENT OF FOREIGN MANPOWER ACT (CHAPTER 91A)

EMPLOYMENT OF FOREIGN MANPOWER (JOB FLEXIBILITY WORK PASS EXEMPTION) NOTIFICATION 2013

ARRANGEMENT OF PARAGRAPHS

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In exercise of the powers conferred by section 4 of the Employment of Foreign Manpower Act, Mr Tan Chuan-Jin, Senior Minister of State, charged with the responsibility of the Minister for Manpower, hereby makes the following Notification:

Citation and commencement

1. This Notification may be cited as the Employment of Foreign Manpower (Job Flexibility Work Pass Exemption) Notification 2013 and shall come into operation on 1st July 2013.

Definitions

2. In this Notification, unless the context otherwise requires —

“approved source” means such place as the Minister may determine to be an approved source for the services sector and specified in the official website of the Ministry of Manpower at <http://www.mom.gov.sg>;

“services sector” means a business or an activity delivering all or any of the services approved by the Minister and specified in the official website of the Ministry of Manpower at

<http://www.mom.gov.sg>, but shall exclude any business or activity in the marine, construction, process or manufacturing sector delivering any of such services.

Exemption

3.—(1) Subject to sub-paragraph (4), section 12(1)(a)(i) of the Act shall not apply to invalidate the work permit of a foreign employee by reason only that the foreign employee is employed in an additional occupation not specified in his work permit if —

- (a) the foreign employee is from an approved source;
- (b) the foreign employee is issued with and in possession of a work permit which specifies services sector;
- (c) the foreign employee continues to be employed in the occupation specified in his work permit; and
- (d) the additional occupation that the foreign employee is employed in is an occupation within the services sector.

(2) Subject to sub-paragraph (4), a foreign employee referred to in sub-paragraph (1) shall be exempt from the requirement in paragraph 1 of Part VI of the Fourth Schedule to the Employment of Foreign Manpower (Work Passes) Regulations 2012 (G.N. No.S 569/2012) that he shall work only in the occupation specified in his work permit.

(3) Subject to sub-paragraph (4), the employer specified in the work permit of a foreign employee referred to in sub-paragraph (1) shall be exempt from the requirement in paragraph 3 of Part IV of the Fourth Schedule to the Employment of Foreign Manpower (Work Passes) Regulations 2012 that he shall employ the foreign employee in only the occupation specified in the work permit of the foreign employee.

(4) The exemptions in sub-paragraphs (1), (2) and (3) shall not apply in the case where the work permit of a foreign employee specifies his occupation as a domestic worker, conservancy worker or performing artiste.

Made this 28th day of June 2013.

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

[Agency FRN; AG/LLRD/SL/91A/2010/9 Vol. 1]