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**CENTRAL PROVIDENT FUND ACT
(CHAPTER 36)**

**CENTRAL PROVIDENT FUND
(APPROVED HOUSING SCHEMES)
(AMENDMENT) REGULATIONS 2018**

In exercise of the powers conferred by section 77(1) of the Central Provident Fund Act, 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 (Approved Housing Schemes) (Amendment) Regulations 2018 and come into operation on 1 July 2018.

Amendment of regulation 16A

2. Regulation 16A of the Central Provident Fund (Approved Housing Schemes) Regulations (Rg 12) is amended by deleting the words “Where any provision of these Regulations provides for any moneys withdrawn by a member to be paid” and substituting the words “Subject to regulation 16B, where any moneys withdrawn by a member are paid voluntarily, or pursuant to any provision of these Regulations,”.

New regulation 16B

3. The Central Provident Fund (Approved Housing Schemes) Regulations are amended by inserting, immediately after regulation 16A, the following regulation:

“Distribution of amount paid to affected member’s account in Fund

16B.—(1) This regulation applies where —

- (a) a member has received, on or after 24 August 2015, for the purchase or acquisition of an HDB flat (called in this regulation the relevant flat), a designated housing grant that exceeds, or 2 or more designated housing grants that collectively exceed, the applicable threshold amount;
- (b) the member repays any amount (called in this regulation the repayment amount) that is withdrawn on or after 24 August 2015 under these Regulations in respect of the purchase or acquisition of the relevant flat voluntarily, or after the sale, transfer, assignment, disposal or compulsory acquisition of the relevant flat; and
- (c) the member is treated under paragraph (2) as retaining the whole or any part of the amount of the designated housing grant or grants.

(2) A member is treated as retaining the whole or any part of the amount of the designated housing grant or grants received by the member, if the Government has not notified the Board, before the Board credits the repayment amount in accordance with paragraph (3), that the whole or that part (as the case may be) of that amount is recoverable.

(3) The Board must credit the repayment amount in respect of a relevant flat in the following order:

- (a) first, the total withdrawal sum for the relevant flat after deducting the retained whole or part of the amount of the designated housing grant or grants for the relevant flat (called in this sub-paragraph the net withdrawn amount) must be credited to the following accounts of the affected member in the following manner:

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- (i) the special account, for the part of the net withdrawn amount that corresponds to the proportion of the total withdrawal sum for the relevant flat attributed to withdrawal from the special account under regulation 4B, 4C or 4D;
 - (ii) the ordinary account, for the part of the net withdrawn amount that corresponds to the proportion of the total withdrawal sum for the relevant flat attributed to withdrawal from the ordinary account and the retirement account;
- (b) second, there must be credited to the affected member's ordinary account the lower of A or B, where —
- (i) A is the amount by which the repayment amount exceeds the net withdrawn amount; and
 - (ii) B is —
 - (A) in any case where there is no previous repayment by the affected member in respect of any relevant flat before the repayment amount in question — the applicable threshold amount; or
 - (B) in any other case — the revised applicable threshold amount;
- (c) third, the amount (if any) by which the retained whole or part of the designated housing grant or grants for the relevant flat exceeds the amount credited under sub-paragraph (b) in respect of the relevant flat (called in this regulation the excess grant amount) must be credited in accordance with paragraph (4).
- (4) The excess grant amount must be credited by the Board to an affected member's accounts in the Fund in the following manner:

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- (a) in the case of a Category 1 affected member —
- (i) 50% of the excess grant amount must be credited to the medisave account;
 - (ii) the lower of the following amounts must be credited to the retirement account:
 - (A) 50% of the excess grant amount;
 - (B) the amount of the shortfall in the retirement sum applicable to the affected member; and
 - (iii) the remainder (if any) of the excess grant amount must be credited to the special account;
- (b) in the case of a Category 2 affected member —
- (i) 50% of the excess grant amount must be credited to the medisave account;
 - (ii) the lower of the following amounts must be credited to the retirement account:
 - (A) 50% of the excess grant amount;
 - (B) the amount of the shortfall in the amount required to be set aside in the retirement account under section 15(2A)(a), (7B)(a) or (8A)(a) of the Act; and
 - (iii) the remainder (if any) of the excess grant amount must be credited to the special account;
- (c) despite sub-paragraphs (a) and (b), in the case of a Category 1 affected member or Category 2 affected member whose death the Board is notified of before the repayment amount is credited to the affected member's accounts in the Fund (but after any voluntary repayment is received by the Board, or the completion of the sale, transfer, assignment, disposal or compulsory acquisition of the relevant flat) —
- (i) 50% of the excess grant amount must be credited to the medisave account; and

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- (ii) 50% of the excess grant amount must be credited to the special account;
 - (d) in the case of any other affected member —
 - (i) 50% of the excess grant amount must be credited to the medisave account; and
 - (ii) 50% of the excess grant amount must be credited to the special account.

(5) In paragraph (4)(a)(ii), the amount of the shortfall in the retirement sum applicable to an affected member is the amount (if any) by which the retirement sum applicable to the affected member exceeds the total of the following:

- (a) the amount of the retirement sum that has been set aside by the affected member (determined in accordance with regulation 4(1A) of the Central Provident Fund (New Retirement Sum Scheme) Regulations (Rg 31) or regulation 4(1A) of the Central Provident Fund (Revised Retirement Sum Scheme) Regulations (Rg 2), as the case may be);
- (b) the amount of the retirement sum applicable to the affected member that is covered by a charge on or pledge of immovable property as mentioned in regulation 4(1)(b)(ii) of the Central Provident Fund (New Retirement Sum Scheme) Regulations or regulation 4(1)(b)(ii) of the Central Provident Fund (Revised Retirement Sum Scheme) Regulations, as the case may be.

(6) For the purposes of paragraph (4)(c), the Board is notified of the death of a Category 1 affected member or Category 2 affected member if the Board has at any time received satisfactory proof of, or obtained reliable information on, the death of the affected member from any person.

(7) If, after the Board credits a repayment amount in respect of a relevant flat under paragraph (3), the Government notifies the Board that the whole or any part of the amount of any designated housing grant received for that relevant flat is recoverable, the Board must, in computing the revised threshold amount in the course of crediting another repayment amount in respect of that or any other relevant flat —

- (a) compute the amount that the Board ought to have credited under paragraph (3)(b), if the Board had at the time of such crediting been notified that the whole or that part (as the case may be) of that amount of the designated housing grant is recoverable; and
- (b) treat the recomputed amount in sub-paragraph (a) as having been previously credited under paragraph (3)(b) in respect of that relevant flat.

(8) In this regulation —

“affected member” means a member to whom this regulation applies under paragraph (1);

“applicable threshold amount”, in relation to an affected member, means —

- (a) in any case where the affected member has received the full amount of one or more designated housing grants that the affected member’s family nucleus is eligible for — \$60,000; or
- (b) in any other case — \$30,000;

“Category 1 affected member” means an affected member —

- (a) who attains 55 years of age on or after 1 July 1995; and
- (b) to whom section 15(2)(d), (e), (f) and (g) and (8) of the Act does not apply;

“Category 2 affected member” means an affected member who —

- (a) is entitled under section 15(2)(d), (e) or (f), (7A)(a), (b) or (c) or (8)(a), (b) or (c) of the Act to withdraw a sum standing to the credit of the member in the Fund; and
- (b) has withdrawn any such sum with the authority of the Board under section 15(1) of the Act;

“designated housing grant” means a cash grant mentioned in regulation 7 that is known by one of the following names:

- (a) Additional CPF Housing Grant;
- (b) Special CPF Housing Grant;
- (c) Proximity Housing Grant;
- (d) Fresh Start Housing Grant;

“recoverable”, in relation to the whole or any part of the amount of any designated housing grant, means recoverable because any circumstances mentioned in section 14(3)(a), (b) or (c) or (3A)(a) of the Act exist in relation to that grant;

“revised applicable threshold amount”, in relation to an affected member, means —

- (a) where there is only one relevant flat for which the affected member is treated under paragraph (2) as retaining the whole or any part of the amount of any designated housing grant or grants — the amount (if any) by which the applicable threshold amount exceeds the total of every amount credited under paragraph (3)(b) upon any previous repayment in respect of the relevant flat; and

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- (b) where there are 2 or more relevant flats for which the affected member is treated under paragraph (2) as retaining the whole or any part of the amount of any designated housing grant or grants — the amount (if any) by which the applicable threshold amount exceeds the total of every amount credited under paragraph (3)(b) upon any previous repayment in respect of all the relevant flats;

“total withdrawal sum”, in relation to a relevant flat, means the sum of the following:

- (a) all moneys that are withdrawn under these Regulations in respect of the relevant flat (including any moneys lent to that member under section 14A of the Act in connection with the purchase or acquisition of the relevant flat and withdrawn by that member under regulation 4A), but are not repaid by that member to that member’s account in the Fund or to the Board;
- (b) the whole or such part, as the Board may determine, of any interest that would have been payable on the moneys mentioned in paragraph (a) if the withdrawal had not been made;
- (c) the relevant amount as defined in regulation 13(12).”.

[G.N. Nos. S 255/2007; S 507/2007; S 706/2007; S 693/2008; S 189/2009; S 447/2009; S 736/2011; S 522/2012; S 690/2012; S 386/2013; S 480/2013; S 749/2013; S 239/2015; S 654/2016; S 718/2017]

Made on 29 June 2018.

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Singapore.*

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