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CHILD DEVELOPMENT CO-SAVINGS (AMENDMENT NO. 2) ACT 2016 (ACT 33 OF 2016)

CHILD DEVELOPMENT CO-SAVINGS (AMENDMENT NO. 2) ACT 2016 (SAVING AND TRANSITIONAL PROVISIONS) REGULATIONS 2016

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In exercise of the powers conferred by section 28 of the Child Development Co-Savings (Amendment No. 2) Act 2016, the Minister for Social and Family Development makes the following Regulations:

Citation and commencement

1. These Regulations are the Child Development Co-Savings (Amendment No. 2) Act 2016 (Saving and Transitional Provisions) Regulations 2016 and come into operation on 1 January 2017.

Definitions

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

“amended Act” means the Child Development Co-Savings Act (Cap. 38A) as in force on 1 January 2017;

“amendment Act” means the Child Development Co-Savings (Amendment No. 2) Act 2016 (Act 33 of 2016);

“eligibility date”, in relation to an application to adopt a child, means —

(a) if the child is a citizen of Singapore, the date on which the application to adopt the child is made; or

(b) if the child is not a citizen of Singapore, the date on which a dependant’s pass is issued in respect of the child;

“estimated delivery date” means the estimated delivery date of a child as certified by a medical practitioner;

“unamended Act” means the Child Development Co-Savings Act as in force immediately before 1 January 2017.

Maternity protection and benefits where woman’s confinement occurs, and estimated delivery date for that confinement is, before 1 January 2017

3.—(1) Despite sections 2(1)(b) and (g), 4(1), 5(1), 6(1)(a), 24 and 27 of the amendment Act, sections 2(1) (definition of “benefit period”), 9, 9A, 10(1) and 12M(1) of, and the Schedule to, the unamended Act continue to apply —

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- (a) to or in relation to any female employee or self-employed woman whose confinement occurs, and whose estimated delivery date for that confinement is, before 1 January 2017; and
 - (b) to any employer of any such female employee, in relation to that female employee.

(2) Section 10(3) of the amended Act applies to an amount that an employer is directed, on or after 1 January 2017, to pay to a female employee —

- (a) whether that female employee's confinement occurs, or estimated delivery date for that confinement is, before, on or after 1 January 2017; and
- (b) whether that amount is payable under —
 - (i) section 9(1), (1A), (1B), (1C), (1D), (1E) or (1F) of the unamended Act; or
 - (ii) section 9(1), (1A) or (1B) of the amended Act.

Reimbursement of employer of female employee, or self-employed woman, in respect of adoption leave for application made before 1 May 2013

4. Despite section 10 of the amendment Act, section 12A of the unamended Act continues to apply —

- (a) to or in relation to any female employee or self-employed woman who applied before 1 May 2013 to adopt a child in accordance with any written law relating to the adoption of children; and
- (b) to any employer of any such female employee, in relation to that female employee.

Adoption leave for woman where eligibility date for application to adopt child is before 1 January 2017

5. Despite sections 2(1)(g), 11(1), 12(1), 13 and 27 of the amendment Act, sections 12AA, 12AB and 12AC of, and the Schedule to, the unamended Act continue to apply —

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- (a) to or in relation to any female employee or self-employed woman who makes an application to adopt a child in accordance with any written law relating to the adoption of children, if the eligibility date for that application is before 1 January 2017; and
 - (b) to any employer of any such female employee, in relation to that female employee.

Shared parental leave benefits for natural father of child, where delivery of child occurs, and estimated delivery date of child is, before 1 January 2017

6. Despite sections 2(1)(g), 17(1), 18(1) and 27 of the amendment Act, sections 12E and 12F of, and the Schedule to, the unamended Act continue to apply —

- (a) to or in relation to any male employee or self-employed man who is the natural father of a child, if the delivery of the child occurs, and the estimated delivery date of the child is, before 1 January 2017;
- (b) to or in relation to any female employee or self-employed woman who is the mother of a child, if her confinement in respect of the child occurs, and the estimated delivery date for that confinement is, before 1 January 2017; and
- (c) to any employer of any such male employee or female employee, in relation to that employee.

Paternity leave benefits for natural father of child, where delivery of child occurs, and estimated delivery date of child is, before 1 January 2017, or for adoptive father of child, where eligibility date for application to adopt child is before 1 January 2017

7. Despite sections 2(1)(g), 20, 21, 22 and 27 of the amendment Act, sections 12H, 12I and 12J of, and the Schedule to, the unamended Act continue to apply —

- (a) to or in relation to any male employee or self-employed man who is the natural father of a child, if the delivery of

the child occurs, and the estimated delivery date of the child is, before 1 January 2017;

- (b) to or in relation to any male employee or self-employed man who is the adoptive father of a child, if the eligibility date for his application to adopt the child is before 1 January 2017; and
- (c) to any employer of any such male employee, in relation to that male employee.

Shared parental leave and paternity leave benefits for natural father of child, where child is born, or estimated delivery date of child is, between 1 January 2013 and 30 April 2013, and paternity leave benefits for adoptive father of child, where eligibility date for application to adopt child is between 1 January 2013 and 30 April 2013

8. Despite section 23 of the amendment Act, section 12K of the unamended Act continues to apply —

- (a) to or in relation to any male employee or self-employed man who is the natural father of a child, if —
 - (i) the child is born between 1 January 2013 and 30 April 2013 (both dates inclusive), and the estimated delivery date for the mother's confinement in respect of the child is before 1 May 2013; or
 - (ii) the child is born before 1 January 2013, but the estimated delivery date for the mother's confinement is between 1 January 2013 and 30 April 2013 (both dates inclusive);
- (b) to or in relation to any male employee or self-employed man who is the adoptive father of a child, if the eligibility date for his application to adopt the child is between 1 January 2013 and 30 April 2013 (both dates inclusive); and
- (c) to any employer of any such male employee, in relation to that male employee.

Extra paternity leave for natural father of child, where delivery of child occurs, and estimated delivery date of child is, before 1 January 2017, or for adoptive father of child, where eligibility date for application to adopt child is before 1 January 2017

9. Despite section 23 of the amendment Act, sections 12KA, 12KB and 12KC of the unamended Act continue to apply —

- (a) to or in relation to any male employee or self-employed man who is the natural father of a child, if the delivery of the child occurs, and the estimated delivery date of the child is, before 1 January 2017;
- (b) to or in relation to any male employee or self-employed man who is the adoptive father of a child, if the eligibility date for his application to adopt the child is before 1 January 2017; and
- (c) to any employer of any such male employee, in relation to that male employee.

Made on 29 December 2016.

CHEW HOCK YONG
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Ministry of Social and Family
Development,
Singapore.*

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