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No. S 725

POLICE FORCE ACT 2004

POLICE (SPECIAL CONSTABULARY) (AMENDMENT) REGULATIONS 2022

In exercise of the powers conferred by section 85 of the Police Force Act 2004, the Minister for Home Affairs makes the following Regulations:

Citation and commencement

1.—(1) These Regulations are the Police (Special Constabulary) (Amendment) Regulations 2022 and, except for regulation 6, come into operation on 2 September 2022.

(2) Regulation 6 is deemed to have come into operation on 31 December 2021.

Amendment of regulation 2

2. In regulation 2(a) of the Police (Special Constabulary) Regulations (Rg 3) (called in these Regulations the principal Regulations), replace “*Senior Special Police Officers*” with “*Ranks of inspector and above*”.

Amendment of regulation 3

3. In regulation 3 of the principal Regulations —

(a) delete paragraph (2); and

(b) replace the regulation heading with —

“Commanders of Special Constabulary”.

Amendment of regulation 5

4. In regulation 5 of the principal Regulations, after “enlisted”, insert “or enrolled”.

Amendment of regulation 6

5. In regulation 6 of the principal Regulations, replace “enlistment” with “enrolment as a volunteer or a volunteer ex-NSman”.

Amendment of regulation 6A

6. In regulation 6A of the principal Regulations, replace “section 68(2A)” with “section 68(3)”.

Amendment of regulation 7

7. In regulation 7 of the principal Regulations, replace “enlistment” with “enrolment in the Special Constabulary or a person enlisted in the Special Constabulary”.

Deletion of regulations 8, 9 and 10

8. Delete regulations 8, 9 and 10 of the principal Regulations.

Replacement of regulation 11

9. Regulation 11 of the principal Regulations is replaced with —

“Oath or affirmation upon enrolment into Special Constabulary

11.—(1) For the purpose of section 70(1) of the Act, the oath is set out in the First Schedule.

(2) For the purpose of section 70(1) of the Act, a person who —

(a) is a Hindu or Muslim or of some other religion according to which oaths are not of binding force; or

(b) has a conscientious objection to taking an oath,

may, instead of taking the oath mentioned in paragraph (1), make an affirmation in the form of that oath, substituting the words “solemnly, sincerely and truly declare and affirm” for the word “swear” and omitting the words “So help me God”.

Deletion of regulation 12

10. Delete regulation 12 of the principal Regulations.

Amendment of regulation 18

11. In regulation 18 of the principal Regulations —

- (a) in paragraph (2), after “special police officer”, insert “who is a volunteer or a volunteer ex-NSman”;
- (b) in paragraph (3), after “required by paragraph (2) to a special police officer”, insert “mentioned in that paragraph”; and
- (c) in paragraph (3), delete sub-paragraphs (a) and (c).

Amendment of regulation 19

12. In regulation 19 of the principal Regulations, replace “prescribed” with “required”.

Deletion of regulations 19A, 20 and 21

13. Delete regulations 19A, 20 and 21 of the principal Regulations.

Amendment of regulation 22

14. In regulation 22 of the principal Regulations, replace paragraph (1) with —

- “(1) A complaint against a special police officer must —
- (a) be made in writing; and
 - (b) unless the complaint is made electronically, be read over to the person making the complaint and signed by that person.”.

Amendment of regulation 23

15. In regulation 23 of the principal Regulations, replace paragraph (1) with —

- “(1) If, as a result of an investigation, a disciplinary offence is disclosed against a special police officer, then —
- (a) unless the case is earlier referred for prosecution under sub-paragraph (b) and a prosecution ensues thereafter, the special police officer may be charged and the special police officer must attend a

disciplinary proceeding in accordance with this regulation; or

- (b) the special police officer may be prosecuted under section 77(1) of the Act following a referral by the Commissioner to the Public Prosecutor.”.

Amendment of regulation 26

16. In regulation 26 of the principal Regulations, after “A special police officer”, insert “who is a volunteer enrolled under section 68(1) of the Act”.

Amendment of regulation 27

17. In regulation 27(1) of the principal Regulations, replace “desiring” with “who is a volunteer enrolled under section 68(1) of the Act who desires”.

Deletion of regulations 28, 29 and 32

18. Delete regulations 28, 29 and 32 of the principal Regulations.

Amendment of regulation 34

19. In regulation 34 of the principal Regulations —

- (a) renumber regulation 34 as regulation 34(1); and
(b) after paragraph (1), insert —

“(2) However, paragraph (1) does not restrict a special police officer from receiving any allowance, award or like benefit.”.

New Part III

20. After regulation 37 of the principal Regulations, insert —

“PART III

AWARDS IN RESPECT OF DEATH
AND PERSONAL INJURY

Division 1 — Preliminary

Definitions of this Part

38. In this Part —

“Approving Authority” has the meaning given by regulation 39;

“dependant”, in relation to a deceased special police officer, means a person receiving regular and substantial support or benefit from the deceased special police officer —

- (a) where the special police officer’s death occurred during his or her service, throughout the period of 6 months ending with the special police officer’s death;
- (b) in any other case, throughout the period beginning 6 months prior to the end of the special police officer’s service and ending with the special police officer’s death; or
- (c) throughout the period determined by the Approving Authority in the exceptional circumstances of a case;

“disablement” means physical or mental injury or damage, or loss of physical or mental capacity;

“earnings”, for the purpose of calculating under this Part compensation calculated in accordance with paragraph 1, 2 or 3 of the First Schedule to the Work Injury Compensation Act 2019 as if a special police officer were an employee under that Act, means any salary paid and includes —

- (a) any overtime payment or other special remuneration for work done, whether by way

of bonus, allowance or otherwise, if of a constant character or for work habitually performed; and

- (b) any reimbursement or pay to which the special police officer is entitled or which is payable to him or her by his or her employer under section 24 of the Enlistment Act 1970,

but does not include —

- (c) any benefit in kind given to a special police officer by the Special Constabulary;
- (d) any travelling allowance;
- (e) the value of any travelling concession;
- (f) any contribution paid by the Special Constabulary towards any pension or provident fund; and
- (g) any sum paid to the special police officer to cover any special expenses incurred by him or her by reason of the nature of his or her employment;

“injury received in and which is attributable to service” includes the following:

- (a) any injury received in consequence of some act lawfully performed in the discharge of a special police officer’s duty;
- (b) any injury received while a special police officer travels to report for duty or to return home after duty.

Approving Authority may grant award, etc.

39. The Permanent Secretary of the Ministry of Home Affairs (called in this Part the Approving Authority) may grant to special police officers and to their dependants or personal representatives awards and gratuities in accordance with this Part.

Medical boards

40.—(1) For the purpose of this Part, the Approving Authority may appoint a medical board, either generally or for a particular case.

(2) A medical board appointed under this regulation must consist of at least 2 medical practitioners, one of whom must either be a medical practitioner registered under the Medical Registration Act 1997 or a medical officer of the Singapore Civil Defence Force or the Police Force.

Benefits from provident fund, etc., not to be taken into account

41. A benefit accruing under a contributory pension or death benefit scheme, provident fund, life assurance or insurance against personal injuries must not be taken into account when assessing an award under this Part.

*Division 2 — Awards and gratuities in respect of death***Compensation payable where special police officer dies of injury received in and which is attributable to service**

42.—(1) Where a special police officer dies as a result of an injury received in and which is attributable to service, the Approving Authority may pay to the special police officer's dependants or personal representatives (if he or she has no dependants) compensation calculated in accordance with paragraph 1 of the First Schedule to the Work Injury Compensation Act 2019 as if the special police officer were an employee under that Act.

(2) If the injury was received by the special police officer in the course of operations or training, the Approving Authority may (in addition to the total sum under paragraph (1)) pay a special award of a sum to be determined by the Approving Authority.

(3) If the special police officer was injured under exceptional circumstances or was rendering service beyond the call of duty,

the Approving Authority may (in addition to the total sum under paragraph (1) and, where applicable, the special award under paragraph (2)) pay an additional award of a sum to be determined having regard to the principles on which a claim for damages would be determined in a civil court.

- (4) Where a special police officer's death —
- (a) is caused as a result of the aggravation by service of an adverse medical condition that —
 - (i) existed in him or her before service; or
 - (ii) had arisen during but that was not attributable to service; and
 - (b) occurred within 7 years of the aggravation of such a medical condition,

the amount of compensation payable to the special police officer's dependants or personal representatives (as the case may be) may be equal to half of the compensation payable under paragraph (1) and half of any award payable under paragraph (2) or (3), had his or her death occurred as a result of an injury received in and which is attributable to service.

Gratuity payable where special police officer dies in service

43. Where a special police officer dies while in the service of the Special Constabulary, the Approving Authority may pay any of the special police officer's dependants or personal representatives (if he or she has no dependants) a gratuity that is at least 12 months' monthly gross salary of a police officer of equivalent rank.

*Division 3 — Awards and gratuities in respect of
personal injury*

Determination of degree of disablement

44.—(1) For the purpose of any award in respect of disability in this Division, the degree of disablement is to be assessed and certified according to this regulation.

(2) The degree of the disablement attributable to service of a special police officer is to be assessed by comparing the condition of the special police officer with the condition of a normal healthy person of the same age.

(3) The assessment under paragraph (2) must not take into account the earning capacity of the special police officer in his or her disabled condition in his or her own or any other specific trade or occupation, nor the effect of any individual factor or extraneous circumstance; but where the disablement is due to more than one injury, a composite assessment of the degree of disablement is to be made by reference to the combined effect of all such injuries.

(4) The assessment under paragraph (2) must be certified by way of a percentage, total disablement being represented by 100% (which is the maximum assessment) and a lesser degree or partial disablement being represented by a percentage that bears to 100% the same proportion as the lesser degree of disablement bears to total disablement, except where the Second Schedule applies.

(5) Where a disablement of a special police officer is due to an injury —

(a) that is specified in the Fourth Schedule to the Work Injury Compensation Act 2019, or is a disablement so specified; and

(b) that has reached a settled condition,

the degree of the disablement must (in the absence of any special features) be certified at the percentage equivalent to the

percentage of loss of earning capacity specified in that Schedule as appropriate to that injury or to that disablement.

Eligibility for award or gratuity in respect of total disability

45. For the purpose of regulations 46, 47, 48 and 49, a special police officer is eligible for an award or a gratuity in respect of total disability if —

- (a) he or she is disabled from an injury received in and which is attributable to service;
- (b) the injury is not a minor injury specified in the Second Schedule;
- (c) his or her degree of disability amounts to total disability; and
- (d) he or she has, as a result of his or her disablement, been released from service.

Amount payable in respect of total disability of special police officer

46. Where a special police officer is eligible under regulation 45 for an award or a gratuity in respect of total disability, the Approving Authority may pay the special police officer —

- (a) an award calculated in accordance with paragraph 2 of the First Schedule to the Work Injury Compensation Act 2019 as if the special police officer were an employee under that Act; and
- (b) a gratuity that is at least 12 months' monthly gross salary of a police officer of equivalent rank.

Special award in respect of total disability arising from operations or training

47. Where a special police officer who is eligible for an award or a gratuity under regulation 45 has suffered total disability as a result of an injury received in the course of operations or

training, the Approving Authority may award the special police officer a special award (in addition to the award granted to him or her under regulation 46) a sum to be determined by the Approving Authority.

Additional award in respect of total disability arising from exceptional circumstances or service beyond call of duty

48. Where a special police officer who is eligible for an award or a gratuity under regulation 45 has suffered total disability as a result of an injury received under exceptional circumstances or while rendering service beyond the call of duty, the Approving Authority may (in addition to the award granted to the special police officer under regulation 46 and, where applicable, regulation 47) grant the special police officer an award to be determined having regard to the principles on which a claim for damages would be determined in a civil court.

Award in respect of total disability caused by aggravation of existing condition

49. Where —

- (a) a special police officer suffers a total disability as a result of aggravation by service of an adverse medical condition that —
 - (i) existed in the special police officer before service; or
 - (ii) had arisen during but that was not attributable to service; and
- (b) the total disability suffered by the special police officer occurs within 7 years of the aggravation of the medical condition,

the special police officer may be granted compensation equal to half of the compensation he or she would have been eligible for under regulation 46 and half of any award he or she would have been eligible for under regulation 47 or 48, had his or her total disability occurred as a result of an injury received in and which

is attributable to service (not being a minor injury specified in the Second Schedule).

Award in respect of partial disability

50.—(1) A special police officer who would have been eligible in a case of total disability for an award under regulation 46, 47 or 48 may, if the special police officer suffers partial disability, be awarded —

- (a) compensation calculated in accordance with paragraph 3 of the First Schedule to the Work Injury Compensation Act 2019 in respect of the partial disability as if the special police officer were an employee under that Act; and
- (b) a proportion of the award the special police officer would have been eligible for under regulation 47 or 48 as the degree of disablement bears to total disablement.

(2) Where the partial disability —

- (a) is caused by aggravation by service of an adverse medical condition that —
 - (i) existed in the special police officer before service; or
 - (ii) had arisen during but that was not attributable to service; and
- (b) occurs within 7 years of the aggravation of the medical condition,

the special police officer may be awarded compensation equal to half of the compensation he or she would have been eligible for under paragraph (1)(a) and half of any award he or she would have been eligible for under paragraph (1)(b), had his or her partial disability occurred as a result of an injury received in and which is attributable to service.

Award in respect of minor injury

51.—(1) Where a special police officer has sustained a minor injury specified in the Second Schedule, the Approving Authority may grant him or her an award in accordance with that Schedule, whether or not his or her service has ended.

(2) If a special police officer —

- (a) has sustained a minor injury specified in the Second Schedule as well as other disablement attributable to service, the degree of which is less than 100%; and
- (b) a composite assessment of the degree of the disablement from both causes is no higher than the assessment for the other disablement alone,

the Approving Authority may grant the special police officer an award under paragraph (1) in respect of the minor injury as well as an award under this Part in respect of the other disablement.

Medical expenses for disablement

52. Where the disablement of a special police officer is attributable to service, the Approving Authority may defray any necessary expenses for the special police officer's medical, surgical or rehabilitative treatment, subject to —

- (a) the amount that the Approving Authority determines such defraying of necessary expenses must not exceed; and
- (b) any condition imposed by the Approving Authority to such defraying of necessary expenses.

Division 4 — Review of Approving Authority's decisions, etc.

Interim awards

53.—(1) To ensure prompt assistance to a person eligible for an award or a gratuity under this Part, the Approving Authority may fix a provisional and interim rate of payment.

(2) The amount received by any person must be subsequently adjusted when the correct rate payable has been determined.

Award or gratuity not of right and powers to cancel, withhold or reduce award or gratuity

54.—(1) No special police officer or other person has an absolute right to an award or a gratuity under this Part.

(2) The Approving Authority may cancel, withhold or reduce an award or a gratuity in respect of a special police officer in the following circumstances:

- (a) the special police officer has been guilty of negligence, irregularity or misconduct;
- (b) the award or gratuity was obtained by the wilful suppression of material facts;
- (c) the award or gratuity was granted in ignorance of facts which, had they been known before the special police officer is released from the Special Constabulary, would have justified a reduction in his or her emoluments or resulted in his or her dismissal or discharge;
- (d) the special police officer dies in disgrace;
- (e) for an award or a gratuity in respect of the special police officer's death, where the death is attributable to a deliberate self-injury, a deliberate aggravation of an accidental injury or a reason within his or her control;
- (f) for an award or a gratuity in respect of the special police officer's disablement —
 - (i) where he or she voluntarily ends his or her service; or
 - (ii) his or her disablement is attributable to a deliberate self-injury, a deliberate aggravation of an accidental injury or a reason within his or her control.

(3) Where an award or a gratuity has been cancelled, withheld or reduced under paragraph (2), the Approving Authority may, if

it is equitable to do so, grant or restore the award or gratuity or a portion of the award or gratuity.

No review except in certain circumstances

55.—(1) Where the Approving Authority makes a final assessment of the degree or nature of the disablement of a special police officer, or a final decision that there is no disablement or that the disablement has come to an end, an award under this Part made on the basis of that assessment, or any such final decision, must not (subject to any decision given by a Compensation Board under regulation 56) be reviewed unless —

- (a) in the case of a final assessment, there is a substantial increase in the degree of disablement which is attributable to service;
- (b) in the case of a final decision, there is a substantial degree of disablement which is attributable to service;
- (c) the rate of the award has been fixed in error at a figure that is not appropriate under these Regulations to the assessment of the degree or nature of the disablement;
- (d) the award has been made in error; or
- (e) the Approving Authority has reason to believe that the award has been obtained by the wilful suppression of material facts or other improper means.

(2) Except for an award made on the basis of a final assessment mentioned in paragraph (1), an award under this Part may (subject to a decision by a Compensation Board under regulation 56) be reviewed at any time on any of the grounds referred to in paragraph (1).

(3) On a review under this regulation, the Approving Authority may continue or vary an award, or make a fresh award in place of the award, or cancel the award, or in the case of a final decision that is mentioned in paragraph (1), may make an award that is appropriate having regard to this Part.

Appeal to Compensation Board

56.—(1) For the purpose of this Part, the Minister may appoint a Compensation Board that must consist of at least 3 members.

(2) The Compensation Board has the power to make a final decision —

(a) to make an award, where the Approving Authority declined to make an award; or

(b) to vary an award made by the Approving Authority in respect of the death or disablement of a special police officer (whether by increasing or decreasing the award).

(3) The Compensation Board has the power —

(a) to call for a document relating to the service of a special police officer appealing a decision of the Approving Authority (called in this regulation the appellant) from an Officer-in-charge of Records and to order the appellant to undergo a medical examination by a medical officer to be appointed by the Compensation Board in a particular case; and

(b) to certify to an Officer-in-charge of Records any reasonable travelling and other expenses that may have been incurred by —

(i) the appellant in appearing before the Compensation Board or before any medical officer appointed to make a medical examination of the appellant under this regulation; or

(ii) a representative mentioned in paragraph (4) in appearing before the Compensation Board.

(4) An appellant has the right to appear before the Compensation Board in person, or by a representative, but the Compensation Board may hear and determine any appeal in the appellant's absence.

(5) An appeal in respect of the Approving Authority’s decision under this regulation must be brought within 12 months of the date on which an appellant is notified of the decision, but the Compensation Board may allow an appeal to be brought after the expiry of that period if it considers that there is a reasonable excuse for the delay.

Division 5 — Miscellaneous

Assignments, etc., to be void

57. An assignment of, or charge on, and any agreement to assign or charge, any payment awarded or to be awarded under this Part is void, and, on the bankruptcy of a person to whom such a payment has been awarded, the payment does not pass to the Official Assignee or any other person acting on behalf of the bankrupt person’s creditors.”.

Deletion of Part IV

21. Delete Part IV of the principal Regulations.

New First and Second Schedules

22. After regulation 57 of the principal Regulations, insert —

“FIRST SCHEDULE

Regulation 11

**FORM OF OATH FOR VOLUNTEER AND VOLUNTEER
EX-NSMAN ENROLLED IN SPECIAL CONSTABULARY**

PART 1

FORM OF OATH FOR CITIZEN OF SINGAPORE

I, _____, (name shown as in NRIC) having been enrolled in the Special Constabulary do swear that:

- (a) I will bear true faith and allegiance to the Republic of Singapore;
- (b) I will preserve, protect and defend the Constitution of Singapore;
- (c) I will obey the laws of the Republic of Singapore and the orders of my commanders; and
- (d) I will carry out my duties with courage, loyalty, integrity and fairness at all times.

So help me God.

NRIC No.

Signature

Before me:

Date

Rank and Name

PART 2

FORM OF OATH FOR PERSON WHO IS NOT
A CITIZEN OF SINGAPORE

I, _____, (name shown as in NRIC) having been enrolled in the Special Constabulary do swear that:

- (a) I will faithfully serve as a special police officer of the Republic of Singapore in accordance with the provisions of the Police Force Act 2004;
- (b) I will obey the laws of the Republic of Singapore and the orders of my commanders; and
- (c) I will carry out my duties with courage, loyalty, integrity and fairness at all times.

So help me God.

NRIC No.

Signature

Before me:

Date

Rank and Name

SECOND SCHEDULE

Regulations 44(4), 45(b), 49 and 51(1)
and (2)

AWARDS PAYABLE FOR SPECIFIED MINOR INJURIES

1. For the loss of fingers:
 - (a) R or L index finger —

Guillotine amputation of tip without loss of bone	\$470
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 - (b) R or L middle finger —

Guillotine amputation of tip without loss of bone	\$380
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 - (c) R or L ring or little finger —

Guillotine amputation of tip without loss of bone	\$240
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2. For the loss of toes:
 - (a) R or L great toe —

part, with some loss of bone	\$320
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 - (b) R or L, excluding great toe
 - (i) One toe —

part, with some loss of bone	\$160
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 - (ii) 2 toes —

part, with some loss of bone	\$240
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 - (iii) 3 toes —

part, with some loss of bone	\$320
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 - (iv) 4 toes —

part, with some loss of bone	\$320.”.
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Miscellaneous amendments

23.—(1) In the following provisions of the principal Regulations, after “he” (wherever it appears), insert “or she”:

Regulation 15

Regulation 16(1)

Regulation 17

Regulation 23(3), (6), (12) and (13)

Regulation 25(1).

(2) In the following provisions of the principal Regulations, after “his” (wherever it appears), insert “or her”:

Regulation 16(1)

Regulation 17

Regulation 18(3)

Regulation 23(4), (6), (9) and (10)

Regulation 25(1) and (2)

Regulation 26

Regulation 27(1)

Regulation 34(1).

(3) In the following provisions of the principal Regulations, after “him”, insert “or her”:

Regulation 15

Regulation 16(1)

Regulation 23(7), (8) and (9)

Regulation 25(2).

Saving

24. Despite regulation 21, Part IV of the principal Regulations as in force immediately before 2 September 2022 continues to apply in respect of any death that occurred or service injury sustained before that date.

[G.N. Nos. S 339/2015; S 390/2016]

Made on 31 August 2022.

PANG KIN KEONG
*Permanent Secretary,
Ministry of Home Affairs,
Singapore.*

[MHA 112/2/033; AG/LEGIS/SL/235/2020/4 Vol. 1]

(To be presented to Parliament under section 85(3) of the Police Force Act 2004).