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### FOREIGN EMPLOYEE DORMITORIES ACT 2015 (ACT 3 OF 2015)

### FOREIGN EMPLOYEE DORMITORIES REGULATIONS 2015

#### ARRANGEMENT OF REGULATIONS

##### Regulation

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In exercise of the powers conferred by section 34 of the Foreign Employee Dormitories Act 2015, the Minister for Manpower makes the following Regulations:

#### **Citation and commencement**

1. These Regulations may be cited as the Foreign Employee Dormitories Regulations 2015 and come into operation on 1 January 2016.

#### **Definitions**

2. In these Regulations, unless the context otherwise requires —
- “application for a licence” means an application made under section 8 of the Act;
- “building” includes part of a building, and all structures and facilities integral to the use and structural support of a building;

“competent authority” means the competent authority appointed under section 5 of the Planning Act (Cap. 232) to be responsible for the operation of that Act so far as it relates to the granting of written permissions;

“develop” and “development” have the same meanings as in the Planning Act;

“Fire Code” has the same meaning as in the Fire Safety Act (Cap. 109A);

“licence expiry date”, for a renewed licence, means the date of expiry of the licence if not for its renewal;

“renewal fee”, for a licence, means the renewal fee referred to in regulation 5(2)(b);

“written permission” means planning permission granted by the competent authority under section 14(4) of the Planning Act.

### **Single complex of premises**

3.—(1) For the purpose of the definition of “boarding premises” in section 2(1) of the Act, the Commissioner must regard the following as a single complex of premises:

- (a) all buildings (whether situated on one or more parcels of land) that are developed for use as boarding premises pursuant to the same written permission;
- (b) all buildings (whether or not made of short-lived materials) that are built within a construction site for the accommodation of foreign employees at work at the construction site;
- (c) all converted units comprised in a multi-storey or subdivided building initially developed by a single developer for industrial use and that —
  - (i) are controlled by or operated as boarding premises under an arrangement with or affiliated with the developer of the multi-storey or subdivided building;  
or
  - (ii) are owned by a single person other than the developer.

(2) In this regulation —

“construction site” means a workplace at which building and construction work is, or is to be, performed for a development;

“converted unit” means a unit that is comprised in a multi-storey or subdivided building initially developed by a single developer for industrial use, and is used for the accommodation of foreign employees, whether or not at work in the building.

*Illustrations*

- (a) All units in a terraced factory or flatted factory which are used as boarding premises and which have a common owner who bought the units from the developer, whether or not any lease or tenancy of the units is granted by the common owner to other persons.
- (b) All units in a terraced factory or flatted factory developed by the Jurong Town Corporation are converted for use by the Jurong Town Corporation as boarding premises.
- (c) A terraced factory or flatted factory comprising 10 units is developed by the Jurong Town Corporation. Six of those units are converted for use by the Jurong Town Corporation as boarding premises. The remaining 4 units, which are used as boarding premises, have the same single owner. The 6 units must be regarded as a single complex of premises. The remaining 4 units must be regarded as a separate single complex of premises.

### **Occupancy load**

4.—(1) The maximum number in any of the following documents that relate to boarding premises is the prescribed maximum number for the purposes of the definition of “occupancy load” in section 2(1) of the Act in relation to those boarding premises:

- (a) the maximum number of individuals that may be accommodated in those boarding premises which is approved in the most recent written permission relating to those boarding premises;
- (b) if no maximum number is approved in the written permission in sub-paragraph (a) or there is no such written permission,

the maximum number of individuals specified in the most recent approval under section 23 of the Fire Safety Act (Cap. 109A) relating to those boarding premises that allows compliance with Clause 2.9.2(b) in the Fire Code.

(2) For the purposes of section 3(1)(c) of the Act, the prescribed occupancy load is 1,000 or more.

### **Application fee, licence fee and renewal fee**

5.—(1) For the purposes of sections 8(1) and 10(5) of the Act, the application fee for —

- (a) an application for a licence; or
- (b) an application to renew a licence,

is a non-refundable amount that is 15% of the amount calculated as follows:

$$A \times B \times 3$$

where A is —

- (a) \$0.60 if the application for the licence is made between 1 January 2016 and 31 December 2016 (both dates inclusive);
- (b) \$0.90 if the application for or to renew the licence is made between 1 January 2017 and 31 December 2017 (both dates inclusive); or
- (c) \$1.20 if the application for or to renew the licence is made on or after 1 January 2018; and

B is the occupancy load of the boarding premises or 12,000, whichever is the lower.

(2) For the purposes of sections 9(1)(a) and 10(3)(a) of the Act —

- (a) the fee for a licence; or
- (b) the fee for a renewed licence (called a renewal fee),

is an amount that is calculated as follows:

$$(A \times B \times C) - D$$

where A is —

- (a) \$0.60 if the application for the licence is made between 1 January 2016 and 31 December 2016 (both dates inclusive);
- (b) \$0.90 if the application for or to renew the licence is made between 1 January 2017 and 31 December 2017 (both dates inclusive); or
- (c) \$1.20 if the application for or to renew the licence is made on or after 1 January 2018;

B is the occupancy load of the boarding premises or 12,000, whichever is the lower;

C is the term of the licence or renewed licence granted (as the case may be) in years, including any fraction of a year if less than 12 months;

D is the application fee in paragraph (1) paid for the licence or renewed licence; and

“fraction of a year” means the quotient obtained by dividing the number of days in any part of the term of a licence or renewed licence that is less than 12 months, by 365.

### **Late renewal fee**

6.—(1) A late renewal fee must be paid for a renewed licence to operate any boarding premises as a foreign employee dormitory, in addition to a renewal fee for the licence, where the application to renew the licence is made later than 3 months before the licence expiry date of the licence.

(2) The late renewal fee for a renewed licence is —

- (a) 10% of the renewal fee if the application to renew the licence is made later than 3 months but not later than 2 months before the licence expiry date;

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- (b) 15% of the renewal fee if the application to renew the licence is made later than 2 months but not later than one month before the licence expiry date; or
  - (c) 30% of the renewal fee if the application to renew the licence is made later than one month before the licence expiry date.

**Waiver, refund, etc., of fees**

7. The Commissioner may in any particular case and if satisfied that it is just and equitable —

- (a) refund, in whole or part, any fee paid under regulation 5(2) or 6; and
- (b) waive or reduce, in whole or part, any fee payable under these Regulations.

Made on 11 December 2015.

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

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(To be presented to Parliament under section 34(6) of the Foreign Employee Dormitories Act 2015).