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COVID-19 (TEMPORARY MEASURES) ACT 2020 (ACT 14 OF 2020)

COVID-19 (TEMPORARY MEASURES) (CONTROL ORDER) (AMENDMENT NO. 15) REGULATIONS 2020

In exercise of the powers conferred by section 34(1) of the COVID-19 (Temporary Measures) Act 2020, the Minister for Health makes the following Regulations:

Citation and commencement

1. These Regulations are the COVID-19 (Temporary Measures) (Control Order) (Amendment No. 15) Regulations 2020 and come into operation on 28 September 2020.

Amendment of regulation 2

2. Regulation 2(1) of the COVID-19 (Temporary Measures) (Control Order) Regulations 2020 (G.N. No. S 254/2020) (called in these Regulations the principal Regulations) is amended —

(a) by deleting paragraph (e) of the definition of “maximum permissible group size” and substituting the following paragraph:

“(e) if the gathering in a room or place is that allowed under regulation 13F(2), (3) or (4) — the maximum number allowed under that provision; or”; and

(b) by deleting the definition of “wedding” and substituting the following definition:

““wedding” means an organised gathering of individuals in connection with the celebration of a marriage, being a marriage in respect of which no organised gathering has earlier taken place in connection with the celebration of that marriage;

Example

A and B had their marriage solemnised in March 2019 and are holding a wedding reception in September 2020 as their wedding reception originally planned for April 2020 was cancelled due to Circuit Breaker restrictions.”.

Amendment of regulation 3

3. Regulation 3 of the principal Regulations is amended —

- (a) by deleting paragraph (a); and
- (b) by renumbering the regulation as paragraph (1) of that regulation, and by inserting immediately thereafter the following paragraphs:

“(2) These Regulations do not apply to prevent or restrict —

- (a) the Government or any public body doing or omitting to do anything in the performance of any function, the exercise of any power or the discharge of any duty of the Government or public body (as the case may be) under law; or
- (b) any individual acting under the authority or direction of the Government or any public body in the performance of any function, the exercise of any power or the discharge of any duty of the Government or public body (as the case may be) under law.

(3) Without limiting the meaning of “reasonable excuse” in section 34(7) of the Act, it is a reasonable excuse for a person doing or omitting to do any act in

contravention of any provision of these Regulations if the act is done or omitted to be done in good faith and for the purpose of complying with or giving effect to —

- (a) any other written law; or
- (b) any order or requirement of the Government or a public body, or an individual mentioned in paragraph (2)(b), given in the performance of any function, the exercise of any power or the discharge of any duty of the Government or public body (as the case may be) under law.”.

Amendment of regulation 3A

4. Regulation 3A(1) of the principal Regulations is amended by deleting the words “2 years” in sub-paragraph (b) and substituting the words “6 years”.

Amendment of regulation 7

5. Regulation 7(2) of the principal Regulations is amended by deleting the words “regulation 6(1)(c)” in sub-paragraph (a)(iii) and substituting the words “regulation 6(1)(c)(ii)”.

Amendment of regulation 10B

6. Regulation 10B(1) of the principal Regulations is amended —
- (a) by deleting sub-paragraph (ja); and
 - (b) by deleting the words “is not a public place” in sub-paragraph (k) and substituting the words “are not premises mentioned in regulation 7(2)(ba) or (c)”.

Deletion and substitution of regulation 13D

7. Regulation 13D of the principal Regulations is deleted and the following regulation substituted therefor:

“Work-from-home arrangements

13D.—(1) Every permitted enterprise must provide the tools, equipment, materials and other facilities necessary for every relevant permitted enterprise worker of the permitted enterprise to perform, in the worker’s place of residence in Singapore when not on leave, his or her work in connection with any trade, business, profession or undertaking carried on by the permitted enterprise as his or her employer.

(2) A permitted enterprise must not cause or permit, at any time, more than 50% of the relevant permitted enterprise workers of the permitted enterprise to perform, at his or her workplace, work in connection with any trade, business, profession or undertaking carried on by the permitted enterprise.

(3) In addition, a permitted enterprise must not cause or permit any relevant permitted enterprise worker to perform, at his or her workplace, any work in connection with any trade, business, profession or undertaking carried on by the permitted enterprise —

(a) on any day in the initial period if the relevant permitted enterprise worker has, during any time in the initial period before that day, performed hours of work at the workplace that is in total more than half of that worker’s total normal working hours in the initial period; or

(b) on any day in any week after the initial period if the relevant permitted enterprise worker has, during —

(i) the 3 weeks immediately before that week; and

(ii) any time in that week before that day,

performed hours of work at the workplace that is in total more than half of that worker’s total normal working hours in those 4 weeks.

Example

If an employee with 120 normal working hours in a period of 4 weeks takes 8 hours of leave in that period, the employee can be required by his or

her employer to work in the workplace for up to 60 hours in the 4 weeks, being half of his or her normal working hours, and not 56 hours.

(4) In this regulation —

“hours of work” means the time during which an employee is at the disposal of the employer and is not free to dispose of his or her own time and movements, but does not include any time during which the employee is on leave (whether on full, partial or no pay);

“initial period” means the 4 weeks starting 28 September 2020;

“normal working hours” means —

(a) the time (in hours) that is agreed between an employer and an employee to be the usual time during which an employee is at the disposal of the employer and is not free to dispose of his or her own time and movements; or

(b) in the absence of any such agreement, 8 hours a day,

and to avoid doubt, includes any period in that time when the employee is on leave (whether on full, partial or no pay);

“permitted enterprise worker”, in relation to a permitted enterprise, means an employee of the permitted enterprise designated by his or her employer as a permitted enterprise worker;

“relevant permitted enterprise worker” means a permitted enterprise worker other than a permitted enterprise worker who is required to perform work the nature of which necessarily requires or involves the permitted enterprise worker —

(a) to drive, pilot or travel in any motor vehicle, vessel or other mode of conveyance; or

(b) to be physically present at his or her workplace —

- (i) to operate or use machinery, equipment, plant, materials or other matter, the provision of which under paragraph (1) is impracticable but is required in order to perform that work;
- (ii) to retrieve, access or use documents, information, material or other matter, the provision of which under paragraph (1) is impracticable but is required in order to perform that work; or
- (iii) to perform the work, such as patrolling or guarding another person’s property, crowd control or administering a beauty therapy procedure;

“week” means a continuous period of 7 days starting at the beginning of a Monday, but excludes any period before 28 September 2020;

“workplace”, for a permitted enterprise worker, means a place in Singapore that is —

- (a) outside of the permitted enterprise worker’s place of residence; and
- (b) where the permitted enterprise worker is required to be at work for his or her employer.”.

Amendment of regulation 13E

8. Regulation 13E of the principal Regulations is amended —

- (a) by deleting the words “physical interaction between permitted enterprise workers is minimised” in paragraph (1)(aa) and substituting the words “minimise physical interaction between permitted enterprise workers in any workspace within the permitted premises”;

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- (b) by deleting the words “unless the permitted premises are a public place” in paragraph (1)(d) and substituting the words “unless and to the extent that sub-paragraph (da)(ii) allows otherwise”;
- (c) by inserting, immediately after sub-paragraph (d) of paragraph (1), the following sub-paragraph:
- “(da) take reasonable steps to ensure that, in any part of the permitted premises which is not a workspace, there is —
- (i) no gathering of more than 5 individuals for a purpose that is substantially recreational or social in character, or is not wholly or exclusively for the production of income from an authorised service provided by the permitted enterprise; and
 - (ii) a distance of at least one metre between every member of any gathering not prohibited by sub-paragraph (i) from any other individual who is alone, or any other individual who is a member of another such gathering, in that part of those premises;”;
- (d) by inserting, immediately after paragraph (2), the following paragraph:
- “(3) In paragraph (1), a workspace means any place within a permitted premises, being a place that is used primarily for the purpose of technical, manufacturing, repairing, processing, packing, brewing, blending or other food or drug preparation, mechanical, building, administrative, clerical, professional or similar work activities that do not include dealing with members of the public at the permitted premises on a direct and regular basis, except where such dealing is a minor

activity (by appointment) that is ancillary to the main purpose for which the place is used.”.

Deletion and substitution of regulation 13F

9. Regulation 13F of the principal Regulations is deleted and the following regulation substituted therefor:

“Events by permitted enterprises

13F.—(1) Subject to paragraphs (2), (3) and (4), a permitted enterprise must not cause an event involving an organised gathering in person involving any of its permitted enterprise workers to take place in any room or place, on its permitted premises or elsewhere, for an occasion or a purpose that —

- (a) is substantially recreational or social in character; or
- (b) is not wholly, exclusively or substantially for the production of income from an authorised service provided by the permitted enterprise to customers of the permitted enterprise.

Examples of impermissible gatherings

Celebratory event for a particular permitted enterprise worker or director, such as a birthday party or retirement party, organised or sponsored by the permitted enterprise.

A sporting contest for permitted enterprise workers, or an annual dinner and dance, organised under the direction of the permitted enterprise.

(2) Paragraph (1) does not apply to or in relation to an event involving an organised gathering in person —

- (a) that is for an occasion or a purpose that is —
 - (i) wholly, exclusively or substantially for the production of income from an authorised service provided by a permitted enterprise;
 - (ii) for professional or vocational training, or for testing, certification or accreditation of a permitted enterprise worker of a permitted enterprise, or his or her proficiency in a skill

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- used in the authorised service provided by a permitted enterprise;
- (iii) for a permitted enterprise to comply with an order of a court, a direction given by or on behalf of a public officer or a public body in exercise of a power under any written law, or a requirement under an Act; or
 - (iv) for or connected with an appeal by any person, whether made expressly or impliedly, for money or other property (whether as consideration or otherwise) that is made in association with a representation that the whole or any part of the money or property, or proceeds or returns from the money or property, will be applied for any charitable, benevolent or philanthropic purpose;
- (b) that takes place in any room or place on any permitted premises occupied by the permitted enterprise, which is not a specified dormitory and is not a function centre hired from another;
- (c) that consists only or mainly of permitted enterprise workers of a permitted enterprise where the gathering is for a purpose in sub-paragraph (a)(i) or (ii);
- (d) that has in the room or place not more than the lowest of the following:
- (i) 50 individuals meeting in person at any time in relation to that event as participants, conveners, performers or otherwise;
 - (ii) the maximum number of individuals which the room or place may accommodate if there is a distance of at least one metre between any 2 individuals (whether customers, visitors or permitted enterprise workers) meeting in the room or place;

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- (iii) the maximum number of individuals which the room or place may accommodate if regulation 10A or the First Schedule (where applicable) is complied with; and
 - (e) during which all reasonably practicable steps are taken by the permitted enterprise to ensure that —
 - (i) any food or drink for consumption at the room or place is served only in individual servings and is consumed only when seated; and
 - (ii) a distance of at least one metre is maintained between every individual meeting in person in the room or place in relation to that event.

Examples

Induction course or retrenchment briefings.

An event to mark the anniversary of the business or an achievement of a business milestone, such as a ground-breaking ceremony for a new factory.

Townhall and strategic review meetings.

Annual general meetings.

- (3) Paragraph (1) also does not apply to or in relation to an event involving an organised gathering in person —
 - (a) that is for an occasion or a purpose that is wholly, exclusively or substantially for the production of income from an authorised service provided by the permitted enterprise to customers of the permitted enterprise;
 - (b) that takes place in any room or place on the permitted premises occupied by the permitted enterprise, which is not a specified dormitory and is not a function centre hired from another;
 - (c) that consists of any permitted enterprise worker of a permitted enterprise and any customer of the permitted enterprise or any visitor to the permitted premises of the permitted enterprise;

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- (d) that has in the room or place not more than the maximum number of individuals which the room or place may accommodate if regulations 10A, 10B(1)(k), 12 and 13E(1)(d), and the First Schedule (where applicable), are complied with; and
 - (e) during which all reasonably practicable steps are taken by the permitted enterprise to ensure that —
 - (i) any food or drink for consumption at the room or place is served only in individual servings and is consumed only when seated unless the permitted enterprise is a retail food and drink business; and
 - (ii) a distance of —
 - (A) at least one metre is maintained between every member of any gathering in the room or place of 5 or fewer individuals at the event and any other individual who is alone, or any other individual who is a member of another such gathering; and
 - (B) at least one metre is maintained between any 2 individuals in the room or place, each of whom is not a member of a gathering in sub-paragraph (A);

Examples

Store opening or product launch.

- (4) Paragraph (1) also does not apply to or in relation to an event involving an organised gathering in person —
 - (a) that takes place in any room or place that is neither the permitted premises occupied by the permitted enterprise nor a specified dormitory;
 - (b) that is for an occasion or a purpose that is —
 - (i) critical to the permitted enterprise's business or operations and there are no practicable

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- alternative arrangements for the holding or conduct of the event in lieu of personal attendance of individuals at the event;
- (ii) for professional or vocational training, testing, certification or accreditation of a permitted enterprise worker;
 - (iii) to promote and facilitate employment and re-employment in Singapore through services and facilities that help citizens and residents of Singapore find and keep jobs;
 - (iv) wholly, exclusively or substantially for the provision of an authorised service by the permitted enterprise to customers of the permitted enterprise, which is an authorised service of a charitable character consisting of the provision of healthcare services; or
 - (v) wholly, exclusively or substantially for the provision of an authorised service by the permitted enterprise to customers of the permitted enterprise, which is an authorised service of a charitable character consisting of the conduct of religious services, or which is an education business carried out by the permitted enterprise;
- (c) that has in the room or place not more than the lower of the following:
- (i) 50 individuals meeting in person at any time in relation to that event as participants, conveners, performers or otherwise;
 - (ii) the applicable maximum number as follows:
 - (A) the maximum number of individuals which the room or place may accommodate if there is a distance of at least one metre between any 2 individuals (whether customers, visitors or permitted

enterprise workers) meeting in the room or place, if the gathering is for an occasion or a purpose that is in sub-paragraph (b)(i) or (ii);

- (B) the maximum number of individuals which the room or place may accommodate if regulations 10A, 10B(1)(k), 12 and 13E(1)(d), and the First Schedule (where applicable), are complied with, if the gathering is for an occasion or a purpose that is in sub-paragraph (b)(iii), (iv) or (v);
- (d) during which all reasonably practicable steps are taken by the permitted enterprise to ensure that any food or drink for consumption at the room or place is served only in individual servings and is consumed only when seated; and
- (e) during which all reasonably practicable steps are taken by the permitted enterprise to ensure that a distance of —
- (i) at least one metre is maintained between every individual meeting in person in the room or place in relation to that event, if the gathering is for an occasion or a purpose that is in sub-paragraph (b)(i) or (ii); or
 - (ii) if the gathering is for an occasion or a purpose that is in sub-paragraph (b)(iii), (iv) or (v) —
 - (A) at least one metre is maintained between every member of any gathering in the room or place of 5 or fewer individuals at the event and any other individual who is alone, or any other individual who is a member of another such gathering;
 - (B) at least one metre is maintained between any 2 individuals in the room or place,

each of whom is not a member of a gathering in sub-paragraph (A); and

- (C) an appropriately longer distance is maintained between any 2 individuals in the room or place in the room or place if the First Schedule applies to the gathering.

(5) To avoid doubt, paragraphs (2), (3) and (4) do not derogate from any other requirements in these Regulations as follows which are applicable to a permitted enterprise if not inconsistent with anything in those paragraphs:

- (a) in respect of every permitted enterprise worker of the permitted enterprise when at work;
- (b) when the permitted premises are open to entry by customers or visitors of a permitted enterprise.”.

Amendment of First Schedule

10. Part 6 of the First Schedule to the principal Regulations is amended —

- (a) by inserting, immediately after the words “for that gathering” in paragraph 1, the words “where the gathering is not prohibited by regulation 13F(1)”; and
- (b) by inserting, immediately after paragraph 1, the following paragraph:

“2. A permitted enterprise carrying on, in the course of business, an activity mentioned in regulation 13(1)(f) must take (or cause to be taken) all reasonably practicable steps to ensure that any food or drink (if served) for consumption at any gathering of individuals allowed under regulation 13F(2), (3) or (4), is served in individual servings and is consumed only when seated.”.

*[G.N. Nos. S 261/2020; S 262/2020; S 273/2020;
S 274/2020; S 319/2020; S 357/2020; S 359/2020;
S 428/2020; S 473/2020; S 542/2020; S 669/2020;
S 698/2020; S 721/2020; S 782/2020]*

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(To be presented to Parliament under section 34(4) of the
COVID-19 (Temporary Measures) Act 2020).