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CHILD DEVELOPMENT CO-SAVINGS ACT
(CHAPTER 38A)

CHILD DEVELOPMENT CO-SAVINGS
(AMENDMENT NO. 2) REGULATIONS 2021

In exercise of the powers conferred by sections 3 and 7 of the Child Development Co-Savings Act, 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) Regulations 2021 and come into operation on 1 November 2021.

Amendment of regulation 2

2. Regulation 2 of the Child Development Co-Savings Regulations (Rg 2) (called in these Regulations the principal Regulations) is amended —

- (a) by deleting the words “child care centre, kindergarten” in the definition of “approved educational or developmental institution” and substituting the words “early childhood development centre, preschool”;
- (b) by deleting the definition of “approved person” and substituting the following definition:

““approved person” —

- (a) means a person approved under regulation 11(4)(b) as an approved person in respect of an approved institution; and
- (b) includes a person appointed under regulation 11A(2) or 11B(2)(a) as an

approved person in respect of an approved institution;”;

- (c) by deleting the definition of “child care centre”;
- (d) by deleting the definitions of “Director” and “early intervention centre” and substituting the following definitions:

““early childhood development centre” has the meaning given by section 2 of the Early Childhood Development Centres Act 2017 (Act 19 of 2017);

“early intervention centre” means any premises at which an early intervention programme is provided;

“early intervention programme” means a programme, intended for children with one or more developmental needs, that is registered with the Ministry of Social and Family Development;”;

- (e) by deleting the definition of “MediShield Scheme”;
- (f) by deleting the words “the MediShield Scheme or” in paragraph (a) of the definition of “premium”;
- (g) by inserting, immediately after the definition of “premium”, the following definition:

““preschool” means a school or a private education institution that provides education at a standard that is preschool, or care, to children below 7 years of age, or both of such education and care (whether under the name of a preschool, a kindergarten or otherwise);” and

- (h) by deleting the definition of “special education school” and substituting the following definition:

““special education school” means a school or a private education institution that provides

special education for students with physical or intellectual disabilities.”.

Amendment of regulation 4A

3. Regulation 4A of the principal Regulations is amended —

- (a) by deleting paragraphs (1), (1A), (2), (3) and (3A);
- (b) by deleting the words “17th August 2008” wherever they appear in paragraphs (2A)(a) and (b) and (4) and substituting in each case the words “1 January 2009”;
- (c) by deleting the words “paragraphs (1), (1A), (2) and (2A)” in paragraphs (2B) and (2C) and substituting in each case the words “paragraph (2A)”;
- (d) by deleting the words “1st January 2005” in paragraphs (2B)(a) and (5)(a) and substituting in each case the words “1 January 2009”;
- (e) by deleting the words “1st January 2006” in paragraphs (2C)(a) and (6)(a) and substituting in each case the words “1 January 2009”; and
- (f) by deleting the words “paragraphs (3), (3A) and (4)” in paragraphs (5) and (6) and substituting in each case the words “paragraph (4)”.

Amendment of regulation 4B

4. Regulation 4B of the principal Regulations is amended —

- (a) by deleting the words “regulation 4A(1A), (2), (2A), (3), (3A) or (4)” in paragraphs (1), (2) and (9) and substituting in each case the words “regulation 4A(2A) or (4)”;
- (b) by deleting the words “regulation 4A(1A), (2) or (2A)” in paragraphs (4), (7) and (10) and substituting in each case the words “regulation 4A(2A)”;
- (c) by deleting the words “referred to in regulation 4A(2A)” in paragraphs (4)(d), (7)(d) and (10)(d) and (e);

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- (d) by deleting the words “regulation 4A(3), (3A) or (4)” in paragraphs (5), (8) and (11) and substituting in each case the words “regulation 4A(4)”;
 - (e) by deleting the words “referred to in regulation 4A(4)” in paragraphs (5)(d), (8)(d) and (11)(d) and (e);
 - (f) by deleting the words “referred to in regulation 4A(2A) or (4)” in paragraph (9)(d); and
 - (g) by inserting, immediately after paragraph (11), the following paragraph:

“(12) Despite paragraphs (2) to (11), where —

- (a) the respective relevant times that apply to 2 or more children of a mother or an adoptive parent (whichever is applicable) are the same; and
- (b) the provisions for determination or re-determination of birth order under paragraphs (2) to (11) result in those children having the same birth order,

the birth order of each of those children is to be determined or re-determined based on the chronological order of —

- (c) the date of birth of each child; and
- (d) if the date of birth mentioned in sub-paragraph (c) is the same for any of those children, the time of birth of each of those children.”.

Amendment of regulation 5

5. Regulation 5 of the principal Regulations is amended by deleting paragraph (8) and substituting the following paragraph:

“(8) In this regulation, “relevant anniversary”, in relation to a child born on or after 1 January 2009, means the twelfth anniversary.”.

Amendment of regulation 5A

6. Regulation 5A of the principal Regulations is amended —
- (a) by deleting the words “and (3)” in paragraph (5); and
 - (b) by deleting paragraph (7) and substituting the following paragraph:

“(7) In this regulation, “relevant anniversary”, in relation to a member born on or after 1 January 2009, means the twelfth anniversary.”.

Amendment of regulation 6

7. Regulation 6 of the principal Regulations is amended —
- (a) by deleting sub-paragraphs (a) and (b) of paragraph (3B) and substituting the following sub-paragraph:

“(a) Part II of the First Schedule applies to every co-savings member who is born on or after 1 January 2009 (other than a co-savings member mentioned in sub-paragraphs (c) to (i) or in a direction under paragraph (3C));”;
 - (b) by deleting the words “under regulation 5A(4)” in paragraph (4B) and substituting the words “in accordance with these Regulations or by a managing agent as permitted by the terms and conditions of the service agreement applicable to the managing agent”;
 - (c) by deleting the words “the Account referred to in paragraph (4) has yet to be closed pursuant to regulation 5A(4) but a new Account referred to in that regulation has been opened,” in paragraph (4C) and substituting the words “a new Child Development Account has been opened for the co-savings member pending the closure of the Account in the circumstances referred to in paragraph (4B),”; and
 - (d) by deleting paragraph (6) and substituting the following paragraph:

“(6) In this regulation, “relevant anniversary”, in relation to a member born on or after 1 January 2009, means the thirteenth anniversary.”.

Amendment of regulation 6A

8. Regulation 6A of the principal Regulations is amended by deleting paragraph (5) and substituting the following paragraph:

“(5) In this regulation, “relevant anniversary”, in relation to a member born on or after 1 January 2009, means the thirteenth anniversary.”.

Amendment of regulation 7

9. Regulation 7 of the principal Regulations is amended —

(a) by deleting paragraph (1) and substituting the following paragraph:

“(1) Despite regulation 6 —

(a) if a co-savings member born on or after 1 January 2009 dies at any time on or before 31 December in the year in which the twelfth anniversary of his date of birth falls —

(i) he ceases to be a member of the Scheme; and

(ii) the Government ceases all further co-payment contributions payable to the member under regulation 6; and

(b) if a member (not being a co-savings member) born on or after 1 January 2009 dies at any time on or before 31 December in the year in which the twelfth anniversary of his date of birth falls, he ceases to be a member of the Scheme.”;

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- (b) by deleting the words “paragraph (1)(a)(i), (b), (ba), (d) or (e),” in paragraph (2) and substituting the words “paragraph (1),”;
 - (c) by deleting paragraphs (3) and (5); and
 - (d) by deleting the words “or re-determination of birth order” in the regulation heading.

Amendment of regulation 9

10. Regulation 9 of the principal Regulations is amended —

- (a) by deleting the words “the MediShield Scheme or” in paragraph (1)(b);
- (b) by deleting the words “regulation 10(2)(c)(ii), (3)(b)(ii)(B), (3A)(b)(iii)(B) or (3C)(b)(ii)” in paragraph (8) and substituting the words “regulation 10(2)(c)(iii) or (3C)(b)(iii)”;
- (c) by deleting paragraph (9) and substituting the following paragraph:

“(9) In this regulation, “relevant anniversary”, in relation to a member born on or after 1 January 2009, means the thirteenth anniversary.”.

Amendment of regulation 9A

11. Regulation 9A of the principal Regulations is amended —

- (a) by deleting paragraph (1) and substituting the following paragraphs:

“(1) Where any payment made under regulation 9(1)(a) is refundable or made in error, an approved person in respect of the approved institution concerned is liable to refund such payment to any of the following accounts by the time required under paragraph (1A) or (1B), whichever is applicable:

- (a) the member’s Child Development Account;

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- (b) if at the time of the refund that Account has been closed in accordance with these Regulations or by a managing agent as permitted by the terms and conditions of the service agreement applicable to the managing agent, the new Child Development Account of the member;
 - (c) if at the time of the refund that Account has been closed in the circumstances referred to in sub-paragraph (b) and the member no longer has any Child Development Account, such other account for the member's benefit as the Director may determine.

(1A) Subject to paragraph (1B), the approved person must make the refund under paragraph (1) not later than one month after the date on which an agreement is reached between the trustee of the member's Child Development Account and the approved person as to the amount to be refunded.

(1B) If the approved person is given a written notice of any suspension of approval under regulation 11A(4), or revocation of appointment or approval under regulation 11B(4), the approved person must make the refund under paragraph (1) before the date of suspension or revocation (as the case may be) specified in that written notice.”;

- (b) by deleting the words “under regulation 5A(4)” in paragraphs (2)(b) and (3)(ii) and substituting in each case the words “in accordance with these Regulations or by a managing agent as permitted by the terms and conditions of the service agreement applicable to the managing agent”;
- (c) by deleting sub-paragraph (c) of paragraph (2) and substituting the following sub-paragraph:

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- “(c) if at the time of the refund that Account has been closed in the circumstances referred to in sub-paragraph (b) and the member no longer has any Child Development Account, such other account for the member’s benefit as the Director may determine.”; and
- (d) by deleting sub-paragraph (iii) of paragraph (3) and substituting the following sub-paragraph:
- “(iii) if at the time of the refund that Account has been closed in the circumstances referred to in sub-paragraph (ii) and the member no longer has any Child Development Account, such other account for the member’s benefit as the Director may determine.”.

Amendment of regulation 10

12. Regulation 10 of the principal Regulations is amended —

- (a) by deleting the words “paragraphs (3A) and (3B)” in paragraph (1) and substituting the words “paragraph (3B)”;
- (b) by deleting the words “paragraphs (3), (3A) and (3B)” in paragraph (2) and substituting the words “paragraph (3B)”;
- (c) by deleting sub-paragraph (c) of paragraph (2) and substituting the following sub-paragraph:
- “(c) any remainder of the moneys standing to the credit of the member in the Account when the Account is closed may be —
- (i) transferred to an account with a bank in Singapore nominated by the trustee of the Account, and in respect of which the trustee has given a written declaration to the Director that the remainder of the

moneys so transferred will be used for the member's benefit;

- (ii) transferred to an account with a bank in Singapore which is in the member's name (whether solely or jointly with a parent of the member or the trustee of the Account);
 - (iii) withdrawn by the trustee, if the trustee has obtained the approval of the Director under regulation 9(5) for such withdrawal; or
 - (iv) if there is no transfer under sub-paragraph (i) or (ii), or withdrawal under sub-paragraph (iii), transferred to his PSE account.”;
- (d) by deleting paragraphs (3) and (3A);
- (e) by deleting the words “1st January 2006” in paragraph (3B) and substituting the words “1 January 2009”;
- (f) by deleting sub-paragraph (b) of paragraph (3C) and substituting the following sub-paragraph:
- “(b) any remainder of the moneys standing to the credit of the member in the Account when the Account is closed may be —
 - (i) transferred to an account with a bank in Singapore nominated by the trustee of the Account, and in respect of which the trustee has given a written declaration to the Director that the remainder of the moneys so transferred will be used for the member's benefit;

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- (ii) transferred to an account with a bank in Singapore which is in the member's name (whether solely or jointly with a parent of the member or the trustee of the Account);
 - (iii) withdrawn by the trustee, if the trustee has obtained the approval of the Director under regulation 9(5) for such withdrawal; or
 - (iv) if there is no transfer under sub-paragraph (i) or (ii), or withdrawal under sub-paragraph (iii), transferred to his PSE account.”;
- (g) by deleting the words “(3), (3A) or” in paragraph (4);
- (h) by deleting paragraph (5) and substituting the following paragraph:
- “(5) Any moneys transferred under paragraph (2)(c)(ii) or (3C)(b)(ii), or withdrawn by the trustee of a member's Child Development Account under paragraph (2)(c)(iii) or (3C)(b)(iii), must be used for the benefit of the member.”; and
- (i) by deleting paragraph (8) and substituting the following paragraph:
- “(8) In this regulation —
- “pertinent anniversary”, in relation to a member born on or after 1 January 2009, means the twelfth anniversary;
- “relevant anniversary”, in relation to a member born on or after 1 January 2009, means the thirteenth anniversary.”.

Amendment of regulation 11

13. Regulation 11 of the principal Regulations is amended —

(a) by deleting sub-paragraph (i) of paragraph (1)(a) and substituting the following sub-paragraph:

“(i) an early childhood development centre operated by the person in accordance with section 6 of the Early Childhood Development Centres Act 2017;”;

(b) by deleting the word “kindergarten” in paragraph (1)(a)(ii) and substituting the word “preschool”;

(c) by deleting the words “child care centre, kindergarten,” in paragraph (1) and substituting the words “early childhood development centre, preschool,”;

(d) by deleting sub-paragraph (a) of paragraph (3) and substituting the following sub-paragraph:

“(a) particulars of one or more bank accounts (in such form as the Minister may require) —

(i) into which payment out of a member’s Child Development Account for any fees payable to the approved institution is to be credited; and

(ii) from which moneys may be withdrawn, by an approved person in respect of that approved institution, to make refunds to a member’s Child Development Account as required under the Act or these Regulations; and”;

(e) by deleting the words “or (9B)” in paragraph (7)(e) and substituting the words “, or under regulation 11A(2) or 11B(3), whichever is applicable”;

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- (f) by deleting paragraphs (9), (9A), (9B), (9C), (9D) and (10); and
 - (g) by deleting the regulation heading and substituting the following regulation heading:

“Application for approval as approved person, etc.”.

New regulations 11A, 11B and 11C

14. The principal Regulations are amended by inserting, immediately after regulation 11, the following regulations:

“Suspension of approval as approved person

11A.—(1) The Minister may, without prejudice to any other penalty prescribed under the Act or any other remedy the Government may have under the Act in respect of any breach of these Regulations or any terms and conditions of approval applicable to an approved person, suspend the approval of an approved person in respect of any approved institution for a period not exceeding 6 months if the Minister has reasonable grounds to suspect that —

- (a) the approved person has made any false or misleading statement or provided any document which the approved person knows to be false or misleading in the application under regulation 11(1);
- (b) the approved person has breached any provision of these Regulations or any terms and conditions of approval applicable to that person; or
- (c) the approved person is being investigated for, or charged with, an offence of criminal misappropriation, criminal breach of trust, cheating, theft or extortion or any other offence involving fraud or dishonesty (whether in Singapore or elsewhere).

(2) The Minister may appoint another person as an approved person in respect of that approved institution during the period of suspension mentioned in paragraph (1) or (5)(a), subject to any terms and conditions that the Minister may impose.

(3) The Minister must, before suspending the approval of an approved person under paragraph (1), give the approved person —

- (a) notice in writing of the Minister's intention to do so; and
- (b) an opportunity to make written representations, within the time specified in the notice (being not less than 14 days after the date of the service of the notice mentioned in sub-paragraph (a)), as to why the approved person's approval should not be suspended.

(4) The Minister must —

- (a) notify the approved person, in writing, of the Minister's decision under paragraph (1); and
- (b) specify, in the written notice in sub-paragraph (a), a date upon which the suspension is to take effect, being not less than 7 days after the date of the service of that notice.

(5) If the Minister is satisfied that there is a good reason to do so, the Minister may —

- (a) extend the suspension period for any further period or periods, each not exceeding 6 months; or
- (b) lift the suspension before the period of suspension expires.

(6) The Minister must, before extending the suspension period of an approved person under paragraph (5)(a), give the approved person —

- (a) notice in writing of the Minister's intention to do so; and
- (b) an opportunity to make written representations, within the time specified in the notice (being not less than 14 days after the date of the service of the notice mentioned in sub-paragraph (a)), as to why the suspension period should not be extended.

Revocation of appointment or approval

11B.—(1) The Minister may, despite the suspension of approval of an approved person under regulation 11A and without prejudice to any other penalty prescribed under the Act or any other remedy the Government may have under the Act in respect of any breach of these Regulations or any terms and conditions of appointment or approval applicable to an approved person, revoke the appointment or approval of the approved person in respect of any approved institution if —

- (a) the Minister has reasonable grounds to suspect that the approved person has made any false or misleading statement or provided any document which he knows to be false or misleading in his application under regulation 11(1);
- (b) the Minister has reasonable grounds to suspect that the approved person is dead, bankrupt, wound-up or dissolved, as the case may be;
- (c) the Minister has reasonable grounds to suspect that the approved institution —
 - (i) is no longer in operation;
 - (ii) being an early childhood development centre, has ceased to be operated by a person in accordance with section 6 of the Early Childhood Development Centres Act 2017;
 - (iii) being a preschool or special education school, has ceased to be registered under the Education Act or the Private Education Act;
 - (iv) has ceased to be an early intervention centre, a preschool or a special education school;
 - (v) being a private hospital, medical clinic, clinical laboratory or healthcare establishment, has ceased to be licensed under the Private Hospitals and Medical Clinics Act;

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- (vi) being a pharmacy, has ceased to be licensed under a pharmacy licence;
 - (vii) has ceased to be an assistive technology device provider;
 - (viii) in the case of an optical shop, other than an optometry centre that is managed or operated by a polytechnic, has ceased to be registered under any written law administered by the Accounting and Corporate Regulatory Authority; or
 - (ix) in the case of an optometry centre that is managed or operated by a polytechnic, has ceased to be an optometry centre managed or operated by the polytechnic,

as the case may be;

- (d) the approved person is convicted of an offence of criminal misappropriation, criminal breach of trust, cheating, theft or extortion or any other offence involving fraud or dishonesty (whether in Singapore or elsewhere);
- (e) the Minister has reasonable grounds to suspect that the approved person has breached any provision of these Regulations or any terms and conditions of the appointment or approval applicable to that person; or
- (f) the Minister considers that it is no longer in the public interest for the approved person to continue to participate in the Scheme.

(2) When the Minister revokes the appointment or approval of an approved person in respect of an approved institution in any of the circumstances referred to in paragraph (1)(a), (b), (d), (e) or (f), the Minister may appoint any person as an approved person for that institution —

- (a) for a period not exceeding 6 months, and for one or more further periods (each not exceeding 6 months), as the Minister may determine; or

(b) until another approved person is earlier approved for that institution under regulation 11(4)(b).

(3) The appointment under paragraph (2)(a) is subject to any terms and conditions that the Minister may impose.

(4) Regulation 11A(3) and (4) applies, with the necessary modifications, to the revocation of the appointment or approval of an approved person.

Requirement for approved person to appoint auditor

11C.—(1) The Director may, by written notice to an approved person in respect of any approved institution, require the approved person to appoint an auditor to conduct an audit of the approved person's compliance with the Act, these Regulations or any terms and conditions of appointment or approval applicable to that person.

(2) The written notice under paragraph (1) may provide for —

- (a) the requirements for the audit (including any documents and information to be made available for the audit);
- (b) the time by which the audit must be completed; and
- (c) the requirement for the findings of the audit to be provided to the Director by a time specified in that notice.”.

Amendment of regulation 12

15. Regulation 12 of the principal Regulations is amended —

(a) by deleting sub-paragraph (a) of paragraph (1) and substituting the following sub-paragraphs:

“(a) accept any payment out of a Child Development Account for any purpose other than that specified in regulation 9(1)(a);

(aa) make any withdrawal from a Child Development Account for any purpose

other than that specified in regulation 9(1)(a);”;

(b) by deleting sub-paragraph (c) of paragraph (1) and substituting the following sub-paragraph:

“(c) cause or make withdrawals from a Child Development Account —

- (i) during any period of suspension under regulation 11A;
- (ii) on or after any revocation of appointment or approval under regulation 11B;
- (iii) on or after the approved institution, for which the person is an approved person, is no longer in operation; or
- (iv) on or after the cessation described in sub-paragraph (ii), (iii), (iv), (v), (vi), (vii), (viii) or (ix) of regulation 11B(1)(c) has occurred in relation to the approved institution for which the person is an approved person.”; and

(c) by deleting paragraphs (4) and (5).

Amendment of regulation 13

16. Regulation 13 of the principal Regulations is amended —

(a) by deleting sub-paragraph (a) of paragraph (1) and substituting the following sub-paragraph:

“(a) the account number of the Child Development Account —

- (i) out of which any payment is made to the approved institution in respect of a member or his sibling; or

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- (ii) to which a refund is made by an approved person in respect of the approved institution as required under the Act or these Regulations, in respect of a member or his sibling;”;
- (b) deleting the words “is made” in paragraph (1)(b) and substituting the words “or refund is made, and any document or information relied on by the approved person to verify the matters mentioned in regulation 11(7)(b)(ii)”;
- (c) by inserting, immediately after the words “paid out of” in paragraph (1)(c), the words “or refunded to”;
- (d) by inserting, immediately after sub-paragraph (c) of paragraph (1), the following sub-paragraph:
- “(ca) the mode of the payment or refund;”;
- (e) by inserting, immediately after the word “payment” in paragraph (1)(d) and (e), the words “or refund”;
- (f) by deleting sub-paragraph (a) of paragraph (2) and substituting the following sub-paragraph:
- “(a) be kept for a period of 3 years starting on the date on which any payment out of the Child Development Account or refund to the Child Development Account mentioned in paragraph (1) (as the case may be) is made, or such other period as the Director may by written notice require in any particular case; and”;
- (g) by inserting, immediately after sub-paragraph (i) of paragraph (2)(b), the following sub-paragraph:
- “(ia) if the Director requires the approved person to conduct an audit under regulation 11C(1), the auditor appointed by the approved person;”.

Amendment of regulation 14

17. Regulation 14(1) of the principal Regulations is amended by deleting the words “or (9B)” and substituting the words “, 11A(2) or 11B(3)”.

New regulation 15

18. The principal Regulations are amended by inserting, immediately after regulation 14, the following regulation:

“Prescribed scheme for purposes of section 8(1)(e) and (f) of Act

15. For the purposes of section 8(1)(e) and (f) of the Act, the prescribed scheme is the scheme known as the Baby Bonus Cash Gift.”.

Amendment of First Schedule

19. The First Schedule to the principal Regulations is amended —

(a) by deleting Part I; and

(b) by deleting the words “REGULATION 6(3B)(b)” in the heading of Part II and substituting the words “REGULATION 6(3B)(a)”.

[G.N. Nos. S 603/2004; S 424/2005; S 769/2005; S 179/2007; S 644/2007; S 324/2008; S 550/2008; S 644/2009; S 573/2010; S 226/2011; S 251/2012; S 545/2012; S 594/2012; S 449/2013; S 624/2013; S 430/2015; S 453/2015; S 628/2015; S 849/2015; S 124/2016; S 407/2016; S 226/2017; S 209/2021]

Made on 28 October 2021.

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