

HOME AFFAIRS UNIFORMED SERVICES SUPERANNUATION
ACT
(CHAPTER 126B, SECTION 3)

HOME AFFAIRS UNIFORMED SERVICES (INVEST PLAN)
REGULATIONS

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Citation
2. Definitions

PART II

GENERAL PROVISIONS

3. Administration of these Regulations
4. Award Appeal Authority
5. Failure to draw award
6. Arrears
7. Power to dispense with probate

PART III

RECKONABLE SERVICE AND RETIREMENT

8. Reckonable service
9. Service not counted as reckonable service
10. Compulsory retirement age
11. Grounds for retirement

PART IV

CONTRIBUTIONS AND WITHDRAWALS

12. Contributions
- 12A. Additional annual contributions
13. Eligibility for withdrawals
14. Payment from Retention Account to junior officers
15. Closure of accounts

Regulation

16. Application to junior officers promoted to senior officers
17. Forfeiture of moneys on dismissal
18. Withdrawals and vesting of contributions and additional annual contributions
19. Arrangements for members who transfer from service to other public service
- 19A. Arrangements for members who transfer from Police Force to other uniformed service
- 19B. Arrangements for members who transfer from service to statutory body
20. Persons authorised to withdraw
21. Authorisation of withdrawals
- 21A. Withholding of pensions, gratuities, allowances or other benefits
22. Unclaimed moneys
23. Post-retirement medical benefits
- 23A. Post-retirement medical benefits for officers under CPF scheme who were formerly pensionable officers
- 23B. Post-retirement medical benefits for members transferred to statutory body

PART V

AWARDS IN RESPECT OF DEATH

24. Death in service
25. Award where member, other than police officer, dies of injuries received in and which is attributable to service
26. Allowances where member who is police officer dies of injuries received in and which is attributable to service

PART VI

AWARDS IN RESPECT OF DISABLEMENT

27. Allowance for injured members, other than police officer
28. Allowance for injured police officers and awards, etc., upon death of police officer in certain cases justifying exceptional treatment
29. Withholding, cancelling, reducing award or compensation

PART VII

CONVERSION TO INVEST PLAN

Regulation

30. Application of this Part
 31. Option for officers in permanent establishment and contract service
 32. Preserved pension
 33. Preserved allowance
 34. Preserved contract gratuity
 35. Preserved special allowance gratuity for prisons contracts officers
 36. Deduction for gratuities received
 37. [*Deleted*]
The Schedules
-

[1st October 2001]

PART I

PRELIMINARY

Citation

1. These Regulations may be cited as the Home Affairs Uniformed Services (INVEST Plan) Regulations.

Definitions

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

“Award Appeal Authority” means the Minister, or any person appointed by the Minister under section 21(3) of the Act;

“Central Provident Fund” or “CPF” means the Central Provident Fund established under the Central Provident Fund Act (Cap. 36);

“child” includes —

(a) a posthumous child;

(b) a step-child or an illegitimate child born before the date of the injury and wholly or mainly dependent upon the deceased officer for support; and

(c) an adopted child, adopted in accordance with any statutory provision before the date of injury, and dependent as aforesaid;

“compulsory retirement age”, in relation to a member, means the compulsory retirement age of that member determined in accordance with regulation 10;

“CPF Top-Up Account” means the CPF Top-Up Account maintained by the Board in respect of a member who is a senior police officer in accordance with the Home Affairs Uniformed Services (INVEST Fund) Regulations (Rg 1);

“discharge from the Police Force” means a discharge under section 20 of the Police Force Act (Cap. 235), regulation 71 of the Police Regulations (Cap. 235, Rg 1) or any other provision of that Act;

“emoluments”, in relation to a member, means the member’s monthly basic salary plus the monthly variable component;

“former INVEST Plan member” means a member who is transferred from the service —

(a) to be appointed a public officer in a pensionable scheme of service designated by the President under section 3(4)(a) of the Pensions Act (Cap. 225) or any other scheme of service; or

(b) under any written law to the employment of any statutory body under the purview of the Ministry of Home Affairs or such other statutory body as the Minister may determine;

“former junior police officer” means a member who is promoted from being a junior police officer to being a senior police officer on or after 1st October 2001;

“gross salary”, in relation to a member, means the basic salary, monthly variable component, non-pensionable component

and non-pensionable variable payments only of the member's total monthly salary;

“junior officer” means —

- (a) a civil defence officer who is of or below the rank of Senior Warrant Officer Class 1;
- (b) an intelligence officer;
- (c) a narcotics officer who is below the rank of Inspector;
- (d) a junior police officer; or
- (e) a prison officer who is below the rank of Rehabilitation Officer;

“previous pensionable service”, in relation to a member, means service in the public service in respect of which a pension, gratuity or other allowance would have been payable to the member under the Pensions Act (Cap. 225) had he not converted to be a member;

“reckonable service” has the meaning assigned to it in Part III;

“Retention Account”, in relation to a member who is a junior officer or a junior officer who is appointed a senior officer after 1st October 2001, means the Retention Account in the Fund maintained by the Board in respect of that member in accordance with the Home Affairs Uniformed Services (INVEST Fund) Regulations (Rg 1);

“Retirement Account”, in relation to a member, means the Retirement Account in the Fund maintained by the Board in respect of that member in accordance with the Home Affairs Uniformed Services (INVEST Fund) Regulations;

“senior officer” means —

- (a) a civil defence officer who is of or above the rank of Lieutenant;
- (b) a narcotics officer of or above the rank of Inspector;
- (c) a senior police officer; or

(d) a prison officer of or above the rank of Rehabilitation Officer.

(2) For the purposes of these Regulations, any reference to the gross salary of any member shall be the monthly gross salary last drawn by the member at the material time.

PART II

GENERAL PROVISIONS

Administration of these Regulations

3.—(1) These Regulations shall be administered by award officers subject to the direction and control of the Minister.

(2) The Minister may, for the purposes of these Regulations, also appoint one or more medical boards, either generally or for particular cases, comprising not less than 2 medical practitioners.

(3) An award granted or made to or in respect of any member under Parts V and VI may, notwithstanding the provisions of these Regulations, be administered by an award officer for the benefit of any person, subject to the directions of the Minister, if —

- (a) the person has not attained the age of 21 years;
- (b) the person is, in the opinion of the Minister, incapable of managing his own affairs by reason of mental infirmity; or
- (c) in any other case, the Minister considers that it is in the interest of such person that it should be so administered.

(4) An award which is being administered under this regulation may, as to the whole or such part thereof and at such times as the Minister thinks fit —

- (a) be applied for the benefit of the person to or in respect of whom it has been granted or made; or
- (b) be paid to any person whom the Minister considers a fit and appropriate person so to apply the same and any moneys so paid shall be regarded as applied for the benefit of the person to or in respect of whom it has been granted or made.

Award Appeal Authority

4.—(1) The Award Appeal Authority shall have the power, on appeal, to vary any award made by any award officer, whether by increasing or decreasing such award, and the decision of the Award Appeal Authority shall be final and conclusive.

(2) The Award Appeal Authority shall have power —

- (a) to call for any document relating to the appellant's service from an officer-in-charge of records or to order the appellant to undergo a medical examination by a medical practitioner approved by the Award Appeal Authority in any particular case; and
- (b) to certify to an officer-in-charge of records any reasonable travelling and other expenses which may be incurred by any person in appearing before the Award Appeal Authority or before any medical practitioner approved by the Award Appeal Authority to make a medical examination of such person under this regulation.

Failure to draw award

5.—(1) Where a member fails for a continuous period of not less than 12 months to draw any award under Part V or VI of these Regulations, the award may be cancelled and any payment of any arrears may be withheld.

(2) The Minister may, in any particular case, restore the award and pay the arrears either in whole or in part.

Arrears

6. Except in so far as the Minister otherwise directs, with respect to any particular case or class of cases, payment of any award under these Regulations shall not be made in respect of any period preceding the date of the application or appeal as a result of which the claim to the award, or to the continuance or resumption of the payment of the award, as the case may be, is accepted.

Power to dispense with probate

7.—(1) Where a member to whom any payment could have been made from his Retention Account or Retirement Account under these Regulations before his death dies before the payment is made, and the amount unpaid does not exceed \$500, the amount so unpaid may —

- (a) be paid to the personal representatives of the deceased person without probate or other proof of title; or
- (b) be paid or distributed to or among the persons appearing to the award officer to be the persons beneficially entitled to the personal estate of the deceased person, or any of them.

(2) In determining the amount to be paid or distributed under paragraph (1), the award officer may have regard to any payments made or expenses incurred by any such person for or on account of the funeral of the deceased member.

PART III

RECKONABLE SERVICE AND RETIREMENT

Reckonable service

8. For the purposes of determining the amount of contribution to be credited to the Retention Account, Retirement Account or CPF Top-Up Account of a member, the following periods of service, subject to any deduction to be made under regulation 9, shall be regarded as reckonable service:

- (a) the period of regular service as a uniformed service officer on full pay;
- (b) any period of service on secondment or loan to any other department or ministry of the Government or to any statutory board;
- (c) service which a member has rendered on contract as a uniformed service officer prior to his conversion on or after 1st October 2001 to the regular service;
- (d) any period during which a member has been granted leave to work part-time on half-pay or two-thirds pay;

- (e) any period during which a member was sponsored by the Government for further in-service studies;
- (f) such other period of service which the Minister may determine to be counted as reckonable service, subject to such conditions as the Minister may think fit to impose.

Service not counted as reckonable service

9. The following periods of service shall not be counted as reckonable service under these Regulations:

- (a) the whole period of absence without leave;
- (b) the whole period of desertion;
- (c) the whole period of imprisonment as a result of his conviction on any charge by a court;
- (d) the whole period of remand, custody, confinement, detention, or suspension or interdiction from duty pending trial by a court or disciplinary proceedings on a charge for which the member is subsequently convicted by the court or found guilty in the disciplinary proceedings, as the case may be;
- (e) the whole period of leave of absence without pay granted to a member;
- (f) the whole period of pre-service studies on a Government under-graduate scholarship;
- (g) the whole period of detention authorised under any written law.

Compulsory retirement age

10.—(1) A member who is a junior officer shall be required to retire from the service at the age of 50 years, whether he has been confirmed in that rank or not.

(2) A member who is a senior officer shall be required to retire from the service at the age of 55 years, whether he has been confirmed in that rank or not.

Grounds for retirement

11.—(1) A member shall be required or permitted to retire on the following grounds:

- (a) he has attained his compulsory retirement age;
- (b) in the case of a police officer who is below the rank of assistant superintendent or a prison officer who is below the rank of superintendent, he has attained the age of 45 years;
- (c) on a certificate from the head of his department and on medical evidence to the satisfaction of the relevant appointing authority that the member is incapable, by reason of infirmity of mind or body, of discharging his duties and that such infirmity is likely to be permanent;
- (d) abolition of his office;
- (e) if his retirement appears to be desirable in the public interest;
- (f) for the purpose of facilitating improvement in the organisation of the department to which the member belongs by which greater efficiency or economy may be effected;
- (g) in the case of a female officer appointed to the public service on or after 1st July 1956, on or after attaining the age of 50 years;
- (h) in special circumstances not falling within paragraphs (a) to (g), on or after the member completing 15 years of service as a uniformed service officer.

(1A) Where a member's service has been terminated on the ground that, having regard to his performance, such termination is desirable in the public interest, the member shall be deemed to have been required to retire from service on the ground specified in paragraph (1)(e).

(2) For the purposes of paragraph (1)(b), (g) and (h), "member" means —

- (a) a person with any previous pensionable service immediately prior to his conversion to the INVEST Plan; or

- (b) a senior police officer who is appointed on or after 1st October 2001.

PART IV

CONTRIBUTIONS AND WITHDRAWALS

Contributions

12.—(1) Subject to these Regulations, the Board shall cause the following to be credited to the accounts of each member in the Fund:

- (a) in the case of the CPF Top-Up Account of a member who is a senior police officer, a monthly sum equal to the difference between —

(i) the amount of contributions paid by the Government under the Central Provident Fund Act (Cap. 36) in respect of the member on his gross salary; and

(ii) the amount of contributions payable by an employer other than the Government under the Central Provident Fund Act on ordinary wages equal to that gross salary,

subject to the maximum amount of contributions permissible under that Act;

- (b) in the case of the Retention Account, an annual contribution at the prescribed rate of the member's gross salary;

- (c) in the case of the Retirement Account —

(i) a monthly contribution at the prescribed rate of a sum comprising the member's gross salary and any bonus paid to the member in that month; and

(ii) an additional annual contribution under regulation 12A, or a pro-rata amount thereof, where the member satisfies the conditions in that regulation;

- (d) any dividend declared by the Board under paragraph (4) ; and

- (e) any other sums specified by these Regulations.

(2) The Board shall, subject to the directions of the Minister, credit to the accounts specified in paragraph (1) every such contribution, additional annual contribution (where payable) and dividend in such manner as the Minister may direct, and the Minister may give different directions in respect of different classes of members.

(3) Notwithstanding paragraph (1), no contribution, and no additional annual contribution, shall be credited in respect of —

- (a) any whole period of absence without leave;
- (b) any whole period of desertion;
- (c) any whole period of imprisonment as a result of the member's conviction on a charge by a court;
- (d) any whole period of remand, custody, confinement, detention, or suspension or interdiction from duty pending trial by a court or disciplinary proceedings on a charge for which the member is subsequently convicted by the court or found guilty in the disciplinary proceedings, as the case may be; and
- (e) any whole period of detention authorised under any written law.

(3A) The Board may withhold any contribution or additional annual contribution payable to the account of any member under paragraph (1) if that member is in remand, custody, confinement, detention or under suspension or interdiction from duty pending trial by a court or disciplinary proceedings, but immediately on a finding of not guilty on all the charges against the member, any withheld contributions and additional annual contributions shall be credited to the member's accounts.

(4) The Board may, during or after each financial year —

- (a) declare to each member's Retirement Account or CPF Top-Up Account or both a dividend out of the net income and net unrealised profits of the Fund for that financial year; and
- (b) credit to each member's Retention Account, if any, interest at such rate as the Board shall determine for that financial year.

(5) In this regulation —

“net income” means the amount ascertained by adding to, or deducting from, the income received from the investments of capital moneys in the Fund any profit derived or loss sustained, as the case may be, from the realisation of such investments;

“prescribed rate”, in relation to any contributions for a member, means the rate prescribed in the First Schedule in relation to the number of complete years of reckonable service completed by the member when the contribution is credited to the member’s Retirement Account or Retention Account, as the case may be.

Additional annual contributions

12A.—(1) Without prejudice to regulation 12(3) and (3A) but subject to paragraph (3), an additional annual contribution may be payable each year into the Retirement Account of every member who is a senior officer, where he has reckonable service as a senior officer during the applicable qualifying period for that year, which is as follows:

- (a) for payment in 2013, the qualifying period shall be between 1st July 2012 and 31st December 2012 (both dates inclusive);
- (b) for payment in 2014 and every subsequent year, the qualifying period shall be between 1st January and 31st December (both dates inclusive) in the year immediately preceding the year of payment;
- (c) where an officer dies, retires or transfers from service in the circumstances referred to in paragraph (3)(b)(i), (ii) or (iii), as the case may be, between 1st April 2013 and 31st December 2013 (both dates inclusive), the qualifying period for payment in 2013 shall also include the period between 1st January and the date of his death, retirement or transfer, as the case may be (both dates inclusive); and
- (d) where an officer dies, retires or transfers from service in the circumstances referred to in paragraph (3)(b)(i), (ii) or (iii), as

the case may be, in 2014 or any subsequent year, the qualifying period for payment in that year shall also include the period between 1st January and the date of his death, retirement or transfer, as the case may be (both dates inclusive).

(2) The annual additional contribution payable in respect of a member shall be an amount equal to —

- (a) for reckonable service as a senior officer during the qualifying period between 1st July 2012 and 31st December 2012 (both dates inclusive) — 0.75 of the member's gross salary as at December 2012;
- (b) for reckonable service as a senior officer during the qualifying period between 1st January and 31st December (both dates inclusive) in 2013 or any subsequent year — 1.5 of the member's gross salary as at December in that year; and
- (c) for reckonable service as a senior officer during a qualifying period referred to in paragraph (1)(c) or (d) — 1.5 of the member's gross salary immediately before the date of his death, retirement or transfer, as the case may be.

(3) No annual additional contribution is payable into the Retirement Account of a member in a year if —

- (a) the member's reckonable service as a senior officer during the qualifying period for the year is —
 - (i) not ranked for reasons other than his death, retirement or transfer from service in the circumstances referred to in sub-paragraph (b)(i), (ii) or (iii), as the case may be; or
 - (ii) ranked to be lower than 'C' performance;
- (b) the member's reckonable service as a senior officer was for less than the entire duration of the qualifying period in paragraph (1)(a) or (b) for that year because of reasons other than —
 - (i) his death in service;

- (ii) his retirement from service on any ground specified in regulation 11 except regulation 11(1)(e) following disciplinary proceedings by or under the authority of the Public Service Commission;
 - (iii) his transfer from service to be appointed as a public officer in any other Scheme of the Civil Service or to the employment of any statutory body, upon the request of the Ministry of Home Affairs;
 - (iv) his becoming a senior officer and member after the start of the qualifying period; or
 - (v) his period of service not being counted as reckonable service by virtue of regulation 9; or
- (c) the member is not a confirmed senior officer either as at 31st December in the year immediately preceding the year of payment or on the date of his death, retirement or transfer in the circumstances referred to in sub-paragraph (b)(i), (ii) or (iii), as the case may be.

(4) In a case where a member's reckonable service as a senior officer on the INVEST Plan was for less than the entire duration of the qualifying period in paragraph (1)(a) or (b) because of paragraph (3)(b)(i), (ii), (iii), (iv) or (v), the additional annual contribution payable in respect of that member shall be adjusted pro-rata, being of the same proportion as the length of that member's reckonable service as a senior officer in that qualifying period bears to the length of the entire qualifying period.

(5) For the purposes of this regulation, "reckonable service as a senior officer" shall not include service as a senior officer other than as a member or which would otherwise be reckonable under regulation 8(c).

Eligibility for withdrawals

13.—(1) Subject to these Regulations, no amount of money standing to the credit of a member may be withdrawn from the Fund in respect of his Retirement Account or CPF Top-Up Account unless the member —

- (a) retires or is required to retire from the service on any of the grounds specified in regulation 11;
- (b) resigns from the service;
- (c) dies in service; or
- (d) is dismissed from the service or discharged from the Police Force, subject to any forfeiture under regulation 17.

(2) Such moneys shall not be paid except in accordance with regulation 18 and on the application of the member eligible to withdraw the money under regulation 20.

Payment from Retention Account to junior officers

14. The Board shall cause to be paid to a member who is a junior officer or a junior officer who is appointed a senior officer after 1st October 2001, such amount of money from his Retention Account which vests in him under regulation 18 at the following intervals:

- (a) on his completing 6 years of reckonable service;
- (b) on his completing 8 years of reckonable service;
- (c) on his completing 10 years of reckonable service;
- (d) on his completing 12 years of reckonable service.

Closure of accounts

15.—(1) Subject to these Regulations, where a member —

- (a) retires or is required to retire from the service on any of the grounds specified in regulation 11;
- (b) resigns from the service;
- (c) dies in service;
- (d) is dismissed from the service; or
- (e) is discharged from the Police Force,

all his accounts in the Fund shall be closed with effect from the date of his retirement, resignation, death, dismissal or discharge, as the case may be, and all contributions and additional annual contributions to his accounts shall cease immediately.

(2) A member's Retention Account shall be closed upon the member having completed 12 years of reckonable service, and all the moneys in his Retention Account have been paid to him in accordance with these Regulations .

(2A) Where a member's accounts are closed under paragraph (1)(a) or (c), the Board may, notwithstanding paragraph (1), cause to continue to be credited into the Retirement Account of the deceased or former member the adjusted additional annual contribution payable in respect of that deceased or former member under regulation 12A(4).

(3) Where a member's accounts are closed under paragraph (1) or (2) during a financial year before a dividend or interest, if any, is declared for that financial year or the previous financial year, the Board may, notwithstanding paragraph (1) or (2), cause to continue to be credited into the member's accounts interest at such rate as it determines until the moneys in those accounts are paid, and that interest shall be in lieu of any dividend or interest that may be declared or credited under regulation 12(4).

Application to junior officers promoted to senior officers

16.—(1) Where a junior officer who is a member of the INVEST Plan is appointed a senior officer on or after 1st October 2001, his Retention Account shall remain open until the relevant date, and interest on the moneys in that account at such rate as the Minister may determine shall continue to be credited into his account in accordance with regulation 12(4)(b) until all moneys in the Retention Account are paid to him in accordance with these Regulations.

(2) For the purposes of paragraph (1), "relevant date" means the date the whole of the amount standing to the member's credit in his Retention Account vests in him.

Forfeiture of moneys on dismissal

17. Notwithstanding the provisions of these Regulations, where a member is dismissed from the service or discharged from the Police Force, an award officer may direct the forfeiture of all or any of the moneys, whether vested or unvested, standing to the credit of the member.

Withdrawals and vesting of contributions and additional annual contributions

18.—(1) Subject to these Regulations, the following amounts, where applicable, shall vest in a member and may be awarded in respect of that member as follows:

- (a) such portion of the moneys standing to the member's credit in his Retention Account as specified in the Second Schedule in relation to the length of reckonable service in years or part thereof;
- (b) such portion of the moneys standing to the member's credit in his Retirement Account as specified in the Second Schedule in relation to the member's age as at the date of his retirement or resignation, as the case may be; and
- (c) such portion of the moneys in the member's CPF Top-Up Account as at the date of his retirement or resignation, as the case may be.

(1A) Notwithstanding paragraph (1) —

- (a) where a member retires from the service on any ground specified in regulation 11(1)(b), (c), (d), (e), (g) or (h); or
- (b) where a member dies or has his service terminated due to total or permanent disability,

all moneys standing to the member's credit in his Retention Account or Retirement Account or both, as the case may be, shall vest in the member and may be awarded in respect of that member.

(2) Notwithstanding paragraph (1) or (1A) —

- (a) where a member retires from service on the ground specified in regulation 11(1)(e) following disciplinary proceedings by or under the authority of the Public Service Commission or by a disciplinary officer under that service, all moneys standing to the member's credit in his Retention Account or Retirement Account or both, which have vested in him under paragraph (1A) may be forfeited or reduced to the extent as determined by the award officer; and

- (b) where a member retires from service on the ground specified in regulation 11(1)(f), such portion of the moneys standing to the member's credit in his Retention Account or Retirement Account, as the case may be, which has vested in the member under paragraph (1) may be increased to the extent and paid in such manner as determined by the award officer.
- (2A) Notwithstanding paragraph (1) or (1A), no sum credited to a member's Retirement Account under regulation 33 shall vest in the member unless the member retires on the ground specified in regulation 11(1)(a) or (c).
- (3) Notwithstanding any provision in these Regulations but subject to regulations 19 and 19B, no sum in a member's Retirement Account shall vest in the member on his resignation unless the member has been a member of the INVEST Plan for at least 10 years.
- (4) The Board may, on the application of any person entitled to apply under regulation 20, authorise the payment to that person of the sum vested in the member in accordance with paragraphs (1), (1A), (2), (2A) and (3).
- (5) Where a member is dismissed from the service or discharged from the Police Force, the Board may, on the application of any person entitled to apply under regulation 20, authorise the payment to that person of such moneys in the member's Retention Account and Retirement Account not forfeited by the award officer under regulation 17.
- (6) Where a member's CPF Top-Up Account is closed pursuant to regulation 15(1), the Board shall transfer all moneys in the member's CPF Top-Up Account to the CPF Board to the credit of the member's account in the Central Provident Fund.
- (7) The Board shall credit to the Capital Forfeiture Account of the Fund any balance of moneys in the closed Retention Account or Retirement Account of any member after the amount allowed to be withdrawn under these Regulations has been paid.

Arrangements for members who transfer from service to other public service

19.—(1) Notwithstanding any provision in these Regulations to the contrary, where a member transfers from the service in order to be appointed as a public officer in a pensionable scheme of service designated by the President under section 3(4)(a) of the Pensions Act (Cap. 225) or any other scheme of service, and his period of service in the service is not counted as pensionable service for the purposes of the Pensions Act —

- (a) all contributions to his Retirement Account, Retention Account and CPF Top-Up Account (except any adjusted additional annual contribution payable under regulation 12A to his Retirement Account) shall cease with effect from the date of his transfer and his CPF Top-Up Account shall also close with effect from that same date;
- (b) where a Retirement Account has been opened for that member, his Retirement Account shall not close but remain open until the relevant date, any adjusted additional annual contribution payable under regulation 12A in respect of the former INVEST Plan member shall continue to be credited into his Retirement Account, and interest on the moneys in those accounts at such rate as the Minister may determine shall continue to be credited into the former INVEST Plan member's account in lieu of any dividend declared under regulation 12(4) until the moneys are paid to him in accordance with these Regulations;
- (c) where a Retention Account has been opened for that member, his Retention Account shall close with effect from the date of his transfer and all moneys in it shall be awarded to the former INVEST Plan member;
- (d) if he transfers from the service to that scheme of service before the moneys standing to his credit in his Retirement Account have fully vested in him, the former INVEST Plan member may, at his option, be awarded —
 - (i) on his transfer, such portion of the moneys standing to that member's credit in his Retirement Account that is

vested under regulation 18, and the balance of moneys in that account (together with interest thereon) subsequently at the relevant date if he is still a public officer; or

(ii) all moneys in his Retirement Account (together with interest thereon) at the relevant date if he is still a public officer; and

(e) if he transfers from the service to that scheme of service before his compulsory retirement age but after the sums in his Retirement Account have fully vested in him, all the sums vested may be awarded to the former INVEST Plan member.

(2) If a former INVEST Plan member referred to in paragraph (1)(d) who resigns or is dismissed from the public service or discharged from the Police Force before the relevant date has previously opted for the award under paragraph (1)(d)(i), the sum that may be subsequently awarded to him under paragraph (1)(d)(i) shall be forfeited immediately and transferred to the Capital Forfeiture Account of the Fund.

(2A) If a former INVEST Plan member referred to in paragraph (1)(d) who resigns or is dismissed from the public service or discharged from the Police Force before the relevant date has previously opted for the award under paragraph (1)(d)(ii), an amount equal to the sums vested in his Retirement Account at the date of his transfer from the service may be awarded to the former INVEST Plan member on his resignation, dismissal or discharge, as the case may be, and the balance in his Retirement Account shall be forfeited and transferred to the Capital Forfeiture Account of the Fund.

(2B) Where a member's CPF Top-Up Account is closed under paragraph (1)(a), the Board shall transfer all moneys in the member's CPF Top-Up Account to the Central Provident Fund Board to be credited to the member's account in the Central Provident Fund.

(3) Notwithstanding any provision in these Regulations to the contrary, where a former INVEST Plan member's period of service is to be counted as pensionable service for the purposes of the Pensions Act (Cap. 225), then with effect from the date of his transfer from the

service to a pensionable scheme of service designated by the President under section 3(4)(a) of the Pensions Act —

- (a) where a Retirement Account has been opened for that member, his Retirement Account shall close and all moneys standing to that member's credit in that Account shall be forfeited and transferred to the Capital Forfeiture Account of the Fund;
- (b) where a Retention Account has been opened for that member, his Retention Account shall close and all moneys standing to that member's credit in that Account shall be awarded to the member; and
- (c) his CPF Top-Up Account shall close and all moneys in the account shall be forfeited and transferred to the Capital Forfeiture Account of the Fund.

(4) The Board may, on the application of a former INVEST Plan member made at any time on or after his compulsory retirement age or (as the case may be) on or after his resignation, dismissal from the public service or discharge from the Police Force, authorise the payment to the former INVEST Plan member of the relevant sum awarded under paragraph (1), (2) or (2A), as the case may be.

(5) In this regulation, “relevant date” means the date the whole of the amount standing to the credit of the former INVEST Plan member in his Retirement Account vests in him.

Arrangements for members who transfer from Police Force to other uniformed service

19A. Notwithstanding any provision to the contrary in these Regulations where a member who is a senior police officer is transferred from the Police Force and appointed as any other uniformed service officer, then with effect from the date of his transfer —

- (a) all contributions to his CPF Top-Up Account shall cease and his CPF Top-Up Account shall be closed with effect from that date; and

- (b) all moneys in his CPF Top-Up Account shall be transferred to the Central Provident Fund Board to the credit of the member's account in the Central Provident Fund.

Arrangements for members who transfer from service to statutory body

19B.—(1) Notwithstanding any provision in these Regulations to the contrary, where a member is transferred under any written law from the service to the employment of any statutory body under the purview of the Ministry of Home Affairs or such other statutory body as the Minister may determine —

- (a) all contributions to his Retirement Account, Retention Account and CPF Top-Up Account (except any adjusted additional annual contribution payable under regulation 12A to his Retirement Account) shall cease with effect from the date of his transfer, and his CPF Top-Up Account shall also close with effect from that same date;
- (b) where a Retirement Account has been opened for that member, his Retirement Account shall not close but shall remain open until the relevant date, any adjusted additional annual contribution payable under regulation 12A in respect of the former INVEST Plan member shall continue to be credited into his Retirement Account, and interest on the moneys in that account at such rate as the Minister may determine shall continue to be credited into the former INVEST Plan member's account in lieu of any dividend declared under regulation 12(4) until the moneys are paid to him in accordance with these Regulations;
- (c) where a Retention Account has been opened for that member, his Retention Account shall close with effect from the date of his transfer and all moneys in it shall be awarded to the former INVEST Plan member;
- (d) if he is transferred from the service to the employment of the statutory body before the moneys standing to his credit in his Retirement Account have fully vested in him, the former INVEST Plan member may, at his option, be awarded —

- (i) on his transfer, such portion of the moneys standing to that member's credit in his Retirement Account that is vested under regulation 18, and the balance of moneys in that account (together with interest thereon) subsequently at the relevant date if he is still in the employment of the statutory body; or
 - (ii) all moneys in his Retirement Account (together with interest thereon) at the relevant date if he is still in the employment of the statutory body; and
- (e) if he is transferred from the service to the employment of the statutory body before his compulsory retirement age but after the sums in his Retirement Account have fully vested in him, all the sums vested may be awarded to the former INVEST Plan member.

(2) If a former INVEST Plan member referred to in paragraph (1)(d) who resigns or is dismissed from the employment of the statutory body before the relevant date has previously opted for the award under paragraph (1)(d)(i), the sum that may be subsequently awarded to him under paragraph (1)(d)(i) shall be forfeited immediately and transferred to the Capital Forfeiture Account of the Fund.

(3) If a former INVEST Plan member referred to in paragraph (1)(d) who resigns or is dismissed from the employment of the statutory body before the relevant date has previously opted for the award under paragraph (1)(d)(ii), an amount equal to the sums vested in his Retirement Account at the date of his transfer from the service may be awarded to the former INVEST Plan member on his resignation or dismissal, as the case may be, and the balance in his Retirement Account shall be forfeited and transferred to the Capital Forfeiture Account of the Fund.

(4) Where a member's CPF Top-Up Account is closed under paragraph (1)(a), the Board shall transfer all moneys in the member's CPF Top-Up Account to the Central Provident Fund Board to be credited to the member's account in the Central Provident Fund.

(5) The Board may, on the application of a former INVEST Plan member made at any time on or after his compulsory retirement age or on or after his resignation or dismissal from the employment of the

statutory body, authorise the payment to the former INVEST Plan member of the relevant sum awarded under paragraph (1) or (3), as the case may be.

(6) In this regulation, “relevant date” means the date the whole of the amount standing to the credit of the former INVEST Plan member in his Retirement Account vests in him.

Persons authorised to withdraw

20.—(1) Subject to paragraph (2), a member, or a committee of his person or estate appointed under the provisions of the Mental Disorders and Treatment Act (Cap. 178), shall be entitled to apply to withdraw the amount of moneys standing to the credit of the member in the Fund which are payable under these Regulations in respect of that member where the member retires from the service in the circumstances referred to in regulation 11 or he resigns from the service.

(2) After the death of a member or former INVEST Plan member, the personal representative of the member or former INVEST Plan member, as the case may be, shall be entitled to apply to withdraw the amount of moneys standing to the credit of the member or (as the case may be) former INVEST Plan member in the Fund which are payable under these Regulations in respect of that member or former INVEST Plan member.

Authorisation of withdrawals

21.—(1) Where a withdrawal from any Retirement Account or Retention Account in the Fund has been authorised in favour of any person under regulation 14, 19 or 20, the Board shall —

- (a) on the written instruction of that person, credit the amount authorised to be withdrawn to his bank account; or
- (b) open a savings account with a bank in the name of that person and credit the amount authorised to be withdrawn to the said bank account.

(2) Payment may also be made by the Board in such other manner as the Board shall see fit in any particular case or class of cases.

Withholding of pensions, gratuities, allowances or other benefits

21A. Notwithstanding any provision in these Regulations, the Board may withhold the payment of any moneys standing to the credit of any member in any account established under these Regulations if —

- (a) he is being investigated for any negligent act or misconduct;
- (b) disciplinary proceedings are being contemplated or have been initiated against him for any such act of misconduct or negligence; or
- (c) criminal proceedings are being contemplated or have been instituted against him.

Unclaimed moneys

22.—(1) Where the accounts of any member or former INVEST Plan member in the Fund have been closed and no person authorised to withdraw the moneys in those accounts under regulation 19 or 21 has applied to so withdraw within 12 months of the date of such closure, such amount shall be accounted for as unclaimed and shall be transferred to the Capital Forfeiture Account of the Fund.

(2) Where any amount has been transferred to the Capital Forfeiture Account under paragraph (1), the Board shall, upon the application of any person eligible to the whole amount or any part thereof, authorise withdrawal by that person of the amount due to the applicant as if it had not been transferred out of the member's or (as the case may be) former INVEST Plan member's account.

Post-retirement medical benefits

23.—(1) Any of the following members may be granted post-retirement medical benefits based on the medical scheme applicable to him prior to his retirement if he has retired from the service on any of the grounds specified in regulation 11 and has served not less than 10 years of reckonable service:

- (a) a member who has previous pensionable service immediately prior to his conversion to the INVEST Plan;

- (b) a member who was appointed to the public service on or before 6th December 1984 and would have been eligible to an annual allowance under the Pensions Act (Cap. 225) had he retired from the public service prior to his conversion to the INVEST Plan; or
- (c) a member who is appointed as a senior police officer on or after 1st October 2001.

(2) In paragraph (1), “reckonable service” includes any period of full-time national service under section 12 of the Enlistment Act (Cap. 93).

Post-retirement medical benefits for officers under CPF scheme who were formerly pensionable officers

23A. A member who was in the pensionable service immediately before his conversion to the provident fund scheme under the Central Provident Fund Act (Cap. 36) and who has not less than 10 years of pensionable service at the time of his conversion to the said provident fund scheme may also be granted post-retirement medical benefits based on the medical scheme applicable to him prior to his retirement from the service under any of the grounds specified in regulation 11.

Post-retirement medical benefits for members transferred to statutory body

23B. Any member transferred under any written law from the service to the employment of any statutory body under the purview of the Ministry of Home Affairs or such other statutory body as the Minister may determine, who would have been eligible under regulation 23(1) for post-retirement medical benefits had he remained in the service, may also be granted post-retirement medical benefits upon his retirement from the statutory body based on the medical scheme applicable to him prior to his transfer, if, prior to his retirement, he had not less than 10 years of combined service in the service and in the employment of the statutory body to which he was transferred.

PART V

AWARDS IN RESPECT OF DEATH

Death in service

24.—(1) Subject to regulation 29, where a member, other than a member referred to in paragraph (2), dies while he is in service, there shall be paid to such of his dependants as an award officer thinks fit or, if there are no dependants, to his personal representatives an amount of money equivalent to —

- (a) the total sum of moneys, whether vested or not, standing to the credit of the member in his Retention Account, Retirement Account and CPF Top-Up Account, if applicable, at the date of his death; or
- (b) one year's salary,

whichever is greater.

(2) Subject to regulation 29, where a member dies while he is in service, and he was in the pensionable service immediately before his conversion to the INVEST Plan, there shall be paid to such of his dependants as an award officer thinks fit or, if there are no dependants, to his personal representatives, an amount of money equivalent to —

- (a) all moneys, whether vested or not, standing to the credit of the member in his Retirement Account, Retention Account and CPF Top-Up Account, if applicable, at the date of his death; or
- (b) an amount equivalent to the total benefits that would have been payable to the member under the Pensions Act (Cap. 225) if he had remained in the pensionable service at the time of his death,

whichever is greater.

(3) The moneys payable to a member under paragraph (1) or (2) shall be withdrawn from the moneys standing to the credit of the member in all his accounts maintained under the INVEST Plan, and if the moneys in these accounts are insufficient, the balance shall be withdrawn from the Income Account of the Fund.

(4) In paragraph (1)(b), “salary”, in relation to a member, means the basic salary and monthly variable component of the member’s total monthly salary.

Award where member, other than police officer, dies of injuries received in and which is attributable to service

25.—(1) Subject to paragraphs (2) and (3), where a member, other than a police officer, dies as a result of injuries received —

- (a) in the actual discharge of his duty;
- (b) without his own default; and
- (c) on account of circumstances specifically attributable to the nature of his duty,

while in the public service, an award officer may, in addition to the award, if any, granted under regulation 24, grant the following:

- (i) if the deceased member leaves a widow — an allowance to her, while unmarried and of good character, at a rate not exceeding ten-sixtieths (10/60ths) of his annual pensionable emoluments at the date of the injury or \$240 a year, whichever is greater;
- (ii) if the deceased member leaves a widow to whom an allowance is granted under sub-paragraph (i) and a child or children — an award in respect of each child, until such child attains the age of 18 years, of an amount not exceeding one-thirtieth (1/30th) of his annual pensionable emoluments but not less than \$60 a year;
- (iii) if the deceased member leaves a child or children, but does not leave a widow or no award is granted to the widow — an allowance in respect of each child, until such child attains the age of 18 years, of double the amount prescribed by sub-paragraph (ii);
- (iv) if the deceased member leaves a child or children and a widow to whom an award is granted under sub-paragraph (i), and the widow subsequently dies or remarries — an award in respect of each child as from the date of the death or re-

marriage of the widow until such child attains the age of 18 years, of double the amount prescribed in sub-paragraph (ii);

- (v) if the deceased member does not leave a widow, or if no award is granted to his widow, and if his mother was wholly or mainly dependent on him for her support — an allowance to the mother, while of good character and without adequate means of support, of an amount not exceeding the award which might have been granted to his widow.

(2) Notwithstanding anything in paragraph (1) —

- (a) in the case of an allowance granted to the mother of a deceased member under paragraph (1)(v) —

- (i) such award shall cease as from the date of her re-marriage if the mother is a widow at the time of the grant of the award and she subsequently remarries; and
- (ii) if it appears to the award officer at any time that the mother is adequately provided with other means of support, such award shall cease as from such date as the award officer may determine;

- (b) an allowance granted to a female child under this paragraph shall cease upon the marriage of such child under the age of 18 years; and

- (c) an allowance shall not be payable under this regulation at any time in respect of more than 6 children except that an award officer may, in cases of hardship, authorise payment of allowance in respect of more than 6 children.

(3) Paragraph (1) shall not apply in the case of the death of any member if his dependants, as defined in any written law relating to work injury compensation for the time being in force in Singapore, are entitled to compensation under that written law.

(4) If a member, other than a police officer, proceeding by a route approved by the Minister to or from Singapore at the commencement or termination of his service therein, or of a period of leave therefrom dies as a result of damage to the vessel, aircraft or vehicle, in which he is travelling or of any act of violence directed against himself or

against such vessel, aircraft or vehicle, and the Minister is satisfied that such damage or act is attributable to circumstances arising out of a war in which Singapore may be engaged, such member shall be deemed, for the purposes of this regulation, to have died in the circumstances described in paragraph (1).

(5) When a member, other than a police officer, dies as a result of injuries received in an accident occurring to any aircraft in which he is being carried in pursuance of official instructions, as defined in regulation 27(8) he shall be deemed to have died as a result of injuries received in the actual discharge of his duty and on account of circumstances specifically attributable to the nature of his duty.

(6) In calculating any award payable under this regulation to a member referred to in paragraph (4) —

(a) paragraph (1)(i) shall be read as if the words “fifteen-sixtieths (15/60ths)” had been substituted for the words “ten-sixtieths (10/60ths)” appearing therein; and

(b) paragraph 1 (ii) shall be read as if the words “one-sixth (1/6th)” had been substituted for the words “one-thirtieth (1/30th)” appearing therein.

(7) Where a member who is not a police officer dies as a result of injuries received in special circumstances which, in the opinion of an award officer, justifies exceptional treatment, regulation 26 shall apply in lieu of this regulation as if such member was a police officer.

Allowances where member who is police officer dies of injuries received in and which is attributable to service

26.—(1) Subject to paragraphs (2) and (3), where a member who is a police officer dies as a result of injuries received in the execution of his duties, an award officer may, in addition to the award, if any, granted in accordance with regulation 24, grant —

(a) if the deceased police officer leaves a widow — an allowance to her, while unmarried and of good character, at the rate of one-third (1/3rd) of his annual pensionable emoluments at the date of the injury except that the minimum award so payable shall be \$240 a year;

- (b) if the deceased police officer leaves a widow to whom an allowance is granted under sub-paragraph (a) and a child or children — an award in respect of each child, until such child attains the age of 18 years, at the rate of one-fifteenth (1/15th) of his annual pensionable emoluments;
 - (c) if the deceased police officer leaves a child or children but does not leave a widow or no award is granted to the widow — an allowance in respect of each child, until such child attains the age of 18 years, at the rate of two-fifteenths (2/15ths) of his annual pensionable emoluments;
 - (d) if the deceased police officer leaves a child or children and a widow to whom an award is granted under sub-paragraph (a), and the widow subsequently dies or remarries — an allowance in respect of each child as from the date of the death or re-marriage of the widow, until such child attains the age of 18 years, at the rate of two-fifteenths (2/15ths) of his annual pensionable emoluments;
 - (e) if the deceased police officer leaves a widow to whom an allowance is granted under sub-paragraph (a) — an allowance at the rate of one-eighth (1/8th) of his annual pensionable emoluments may be paid to his mother, or, where his mother is deceased, to his father, while of good character and without adequate means of support, if his mother, or, as the case may be, his father, was wholly or mainly dependent on him for support at the time of his death; or
 - (f) if the deceased police officer does not leave a widow, or if no award is granted to his widow — an allowance at the rate of one-fourth (1/4th) of his annual pensionable emoluments may be paid to his mother, or, where his mother is dead, to his father, while of good character and without adequate means of support, if his mother, or, as the case may be, his father, was wholly or mainly dependent on him for support at the time of his death.
- (2) Notwithstanding anything in paragraph (1) —
- (a) in the case of an allowance granted to a parent of a deceased member under paragraph (1)(e) or (f) —

- (i) such allowance shall cease as from the date of her re-marriage if the mother is a widow at the time of the grant of the allowance and subsequently re-marries; and
 - (ii) if it appears to the award officer at any time that the mother, or, as the case may be, the father, is adequately provided with other means of support, such award shall cease as from such date as the award officer may determine;
- (b) an allowance granted to a female child under this regulation shall cease upon the marriage of such child under the age of 18 years; and
- (c) an allowance shall not be payable under this regulation at any time in respect of more than 6 children except that an award officer may, in cases of hardship, authorise payment of awards in respect of more than 6 children.
- (3) Paragraph (1) shall not apply in the case of the death of any member if his dependants, as defined in any written law relating to work injury compensation for the time being in force in Singapore, are entitled to compensation under the said written law.
- (4) Where a member who is a police officer dies as a result of injuries received in the execution of his duties, an award officer may grant to such of his dependants as he may think fit, or if there are no dependants, to his legal personal representatives, in addition to the award payable under regulation 24 and any awards payable to his dependants in accordance with this regulation, compensation equivalent to the difference between the sum which the police officer would be entitled to under the Work Injury Compensation Act (Cap. 354), as if he was an employee under that Act and the award was granted to the police officer under that regulation.
- (5) In this regulation, any reference to a police officer shall include a reference to an intelligence officer.

PART VI

AWARDS IN RESPECT OF DISABLEMENT

Allowance for injured members, other than police officer

27.—(1) Subject to the provisions of these Regulations, where a member who is not a police officer —

- (a) has been permanently injured in the actual discharge of his duty, without his own fault, by some injury specifically attributable to the nature of his duty;
- (b) has been permanently injured in special circumstances which, in the opinion of an award officer, justify exceptional treatment; or
- (c) contracts a disease to which he is specifically exposed by the nature of his duty, not being a disease wholly or mainly due to or seriously aggravated by his own serious and culpable negligence or misconduct,

and his retirement, on the recommendation of a medical board or of a medical practitioner approved by the award officer, is thereby necessitated or materially accelerated, he may be granted in respect of such injury or disease —

- (i) all moneys, whether vested or not, standing to the credit of the member in his Retention Account, Retirement Account and CPF Top-Up Account, if applicable, at the date of his retirement; and
- (ii) in addition to any awards granted under sub-paragraph (i), an annual allowance at the following rates of the proportion of his emoluments at the date of his injury or contraction of the disease:
 - (A) where his capacity to contribute to his support is slightly impaired — five-sixtieths (5/60ths);
 - (B) where his capacity to contribute to his support is impaired — ten-sixtieths (10/60ths);
 - (C) where his capacity to contribute to his support is materially impaired — fifteen-sixtieths (15/60ths);

(D) where his capacity to contribute to his support is totally destroyed — twenty-sixtieths (20/60ths).

(2) The amount of the annual allowance under paragraph (1) shall be reduced to such an extent as an award officer shall think reasonable in the following cases:

(a) where the member so injured or suffering from ill-health or disease has continued to serve for not less than one year after such injury, or after contracting such ill-health or disease in respect of which he retires; or

(b) where such injury, ill-health or disease is not the sole cause of retirement, but the retirement is caused partly by age or infirmity not due to such injury, ill-health or disease.

(3) Where it appears that the member so injured would, but for this paragraph, in respect of the same injury, be both entitled to compensation under any written law relating to work injury compensation for the time being in force in Singapore and be eligible to receive an allowance under this regulation, he shall be required to elect whether he will receive compensation under the written law or an award under this regulation; and where the member elects to receive compensation under the said written law he shall receive no allowance under this regulation.

(4) Where the member so injured, having elected to receive an allowance under this regulation and having been granted such allowance, subsequently institutes proceedings under the written law for compensation in respect of the same injury on account of which such allowance was granted, such allowance may be cancelled at any time.

(5) If a member proceeding by a route approved by the Minister to or from Singapore at the commencement or termination of his service therein or of a period of leave therefrom, is permanently injured as the result of damage to the vessel, aircraft or vehicle in which he is travelling or of any act of violence directed against himself or against such vessel, aircraft or vehicle, and the Minister is satisfied that such damage or act is attributable to circumstances arising out of a war in which Singapore may be engaged, such member shall be deemed, for

the purposes of this regulation, to have been injured in the circumstances described in paragraph (1).

(6) Where a member is permanently injured as a result of an accident occurring to any aircraft in which he is being carried in pursuance of official instructions, he shall be deemed for the purposes of this regulation to have been injured in the actual discharge of his duty and by some injury specifically attributable to the nature of his duty.

(7) Where an allowance may be granted in accordance with paragraph (1) to any person to whom paragraph (6) may apply, the following rates of the proportion of his emoluments shall be substituted for that appearing in paragraph (1)(ii)(A) to (D):

- (i) where his capacity to contribute to his support is slightly impaired — seven and a half-sixtieths ($7\frac{1}{2}/60$ ths);
- (ii) where his capacity to contribute to his support is impaired — fifteen-sixtieths ($15/60$ ths);
- (iii) where his capacity to contribute to his support is materially impaired — twenty-two and a half-sixtieths ($22\frac{1}{2}/60$ ths);
- (iv) where his capacity to contribute to his support is totally destroyed — thirty-sixtieths ($30/60$ ths).

(8) A member shall be deemed to be carried in an aircraft in pursuance of official instructions where —

- (a) he is under a duty to be carried in such aircraft either as a member of the crew or as a passenger;
- (b) he has received instructions to be carried in such aircraft from the Minister or the head of his department; and
- (c) he is entitled to travel by such aircraft in accordance with any general circular issued by authority from the office of the Minister.

(9) Where a member other than a police officer sustains a partial disablement or total disablement from an injury, which in the opinion of an award officer, justifies exceptional treatment, regulation 28 shall apply in lieu of this regulation as if such member were a police officer.

(10) This regulation shall not apply in the case of a member employed or selected for employment by the Government on or after 30th April 1955 who, in consequence of injury, is entitled to compensation under the Work Injury Compensation Act (Cap. 354).

Allowance for injured police officers and awards, etc., upon death of police officer in certain cases justifying exceptional treatment

28.—(1) For the purpose of this regulation —

- (a) “police officer” and “senior police officer” mean, respectively, a member who is a police officer and a member who is a senior police officer;
- (b) a police officer shall be deemed to have sustained an injury in the execution of his duty if he is injured in any of the following circumstances:
 - (i) while on duty or on a journey necessary to enable him to report for duty or to return home after duty;
 - (ii) while not on duty but in the performance of some act which is within the scope of a constable’s ordinary duties;
 - (iii) in consequence of some act performed in the execution of his duty; or
 - (iv) while acting as a fireman, or assisting in the extinguishment of fire, or in protecting life or property from fire;
- (c) any injury intentionally inflicted, or incurred in the performance of a duty involving special risks, shall be deemed to be a non-accidental injury;
- (d) “salary”, in relation to a member, means the basic salary and monthly variable component of the member’s total monthly salary;
- (e) “total disablement” means total loss of earning capacity in any employment, and, in the case of partial disablement, the

degree of disablement shall be based upon the degree to which earning capacity is affected.

(2) Where a police officer sustains a total disablement from an injury received in the execution of his duty, it shall be lawful for the award officer to grant to the police officer an allowance of the following amount:

- (a) if the injury is non-accidental, the amount of the allowance shall be such proportion of the annual salary as specified in Scale No. 1 of the Third Schedule;
- (b) if the injury is accidental, the amount of the allowance shall be such proportion of the annual salary as specified in Scale No. 2 of the Third Schedule; or
- (c) if it is not possible to determine definitely whether the injury is accidental or non-accidental, the amount of the allowance shall be calculated at such rate intermediate between the rates specified in sub-paragraphs (a) and (b) as the Commissioner of Police may determine.

(3) Subject to paragraph (4), where a police officer sustains a partial disablement from an injury received in the execution of his duty, it shall be lawful for the award officer to grant to the police officer —

- (a) an allowance of such proportion of the amount applicable in case of total disablement as the degree of disablement bears to total disablement; or
- (b) in cases recommended by the Commissioner of Police on the grounds of exceptional merit, an allowance of an amount not exceeding one year's salary calculated at the rate of salary drawn by the disabled police officer at the time of the receipt of the injury.

(4) For the purpose of paragraph (3)(a) —

- (a) if the injury is non-accidental, the allowance shall not be less than such proportion of the annual salary as specified in Scale No. 3 of the Third Schedule; and

- (b) if the injury is accidental, the allowance shall not be less than such portion of the annual salary as specified in Scale No. 4 of the Third Schedule,

but in any case, the minimum allowance payable shall be \$20 per month plus such amount as would from time to time be payable to a police officer of the same rank in respect of children's allowances.

(5) Where a police officer who has completed 10 years of reckonable service sustains a permanent total disablement from an injury received in the execution of his duty which enables him to qualify for an award under paragraph (2), he may elect to be paid a compensation in lieu of that award, in which event it shall be lawful for the award officer to grant to the police officer as compensation —

- (a) a sum equivalent to the amount calculated under the Work Injury Compensation Act (Cap. 354), as if he were an employee under that Act; or
- (b) all moneys, whether vested or not, standing to the credit of the police officer in his Retention Account, Retirement Account and CPF Top-Up Account, if applicable, at the date of his injury,

whichever is the greater.

(6) Where a police officer who —

- (a) has completed 10 years of reckonable service;
- (b) has been retired on account of a permanent total disablement arising from an injury received in the execution of his duty; and
- (c) has been receiving an award under this regulation,

dies within 5 years from the date he received the injury, an award officer may, subject to paragraph (7), grant to such of his dependants as the award officer may think fit, or if there are no dependants, to his legal personal representatives —

- (i) an allowance in accordance with regulation 26(1), as if he had died from the injury; and

(ii) as compensation —

- (A) a sum equivalent to the amount calculated under the Work Injury Compensation Act, as if he had died as a result of the injury and as if he were an employee under that Act; or
- (B) all moneys, whether vested or not, standing to the credit of the police officer in his Retention Account, Retirement Account and CPF Top-Up Account, if applicable, as if he had died from the injury,

whichever is the greater.

(7) Any compensation payable to the dependants or the legal personal representatives of a deceased police officer under paragraph (6)(ii) shall be reduced by the aggregate amount of the moneys already paid to the deceased police officer under regulation 18 from the date of his retirement to the date of his death, and where the aggregate amount of the moneys already paid to the deceased police officer under regulation 18 exceeds the compensation payable under paragraph (6)(ii), such excess amount shall, subject to paragraph (8), be recoverable by regular monthly deductions from the award payable to the dependants of the deceased police officer under regulation 26.

(8) Any deduction made from an award payable to the dependants of a deceased police officer under paragraph (7) should, if it is reasonably practicable, leave a balance adequate for the maintenance of the dependants.

(9) Where —

(a) a police officer who —

- (i) was in the pensionable service prior to his conversion to the INVEST Plan; and
- (ii) has completed less than 10 years of reckonable service; or

(b) a senior police officer who —

- (i) was appointed on or after 1st October 2001;

(ii) is not on the provident fund scheme applicable to non-pensionable employees of the Government under the Central Provident Fund Act (Cap. 36); and

(iii) has completed less than 10 years of reckonable service, sustains a permanent total disability from an injury received in the execution of his duty, it shall be lawful for an award officer to grant to such police officer or senior police officer as compensation in addition to an award payable under paragraph (2) —

(A) a sum equivalent to the amount calculated under the Work Injury Compensation Act (Cap. 354), as if death has resulted from the injury and as if he were an employee under that Act; or

(B) all moneys, whether vested or not, standing to the credit of the police officer or senior police officer in his Retention Account, Retirement Account and CPF Top-Up Account, if applicable, as if he had died from the injury,

whichever is the greater.

(10) Where a police officer who —

(a) is on the provident fund scheme applicable to non-pensionable employees of the Government under the Central Provident Fund Act (Cap. 36); and

(b) has completed less than 10 years of reckonable service, sustains a permanent total disablement from an injury received in the execution of his duty which enables him to qualify for an award under paragraph (2), he may elect to be paid a compensation in lieu of the said award, in which event it shall be lawful for an award officer to grant to the police officer as compensation —

(i) a sum equivalent to the amount calculated under the Work Injury Compensation Act (Cap. 354) as if he were an employee under that Act; or

(ii) all moneys, whether vested or not, standing to the credit of the police officer in his Retention Account, Retirement Account and CPF Top-Up Account, if applicable, as if he had died from the injury,

whichever is the greater.

(11) Where a police officer sustains a permanent partial disablement from an injury received in the execution of his duty and is entitled to an award payable under paragraph (3), he may elect to be paid a compensation in lieu of that award, in which event an award officer may grant to the police officer as compensation a sum equivalent to the amount calculated for permanent partial disablement under the Work Injury Compensation Act, as if he were an employee under that Act.

(12) Where a police officer or, on his death, his dependants or legal personal representatives is or are entitled to receive any benefit under regulation 26, an award officer may on the ground of exceptional circumstances increase the amount of benefits payable by a further 30%.

(13) The aggregate amount of any allowance and the additional 30% of such award payable to the police officer or his dependants under paragraph (12) shall not exceed the police officer's last drawn emoluments.

(14) This regulation shall apply, with the necessary modifications, to an intelligence officer and for this purpose —

- (a) any reference to a police officer shall be read as a reference to an intelligence officer; and
- (b) any reference to the Commissioner of Police shall be read as a reference to the Director, Internal Security Department.

Withholding, cancelling, reducing award or compensation

29.—(1) Notwithstanding the provisions of these regulations, where —

- (a) the injuries that were received in and which were attributable to service have been caused by or contributed to by gross negligence or misconduct of the deceased member; or
- (b) the member dies in disgrace or where the death is attributable to his misconduct or negligence or due to reasons within his control or resulted from deliberate self-injury or the deliberate aggravation of an accidental injury,

the Minister may direct an award officer to withhold, cancel or reduce any award or compensation which may be or has been made under this Part or Part V.

(2) The Minister may also direct an award officer to withhold or reduce an award or compensation which may be or has been made under this Part in respect of the disablement of a member whose service is terminated voluntarily or where the disablement is partly or wholly attributable to the default or negligence of the member or is due to reasons within his control.

PART VII

CONVERSION TO INVEST PLAN

Application of this Part

30. This Part shall apply to all uniformed service officers who, immediately before 1st October 2001, are in the service or on contract in the service.

Option for officers in permanent establishment and contract service

31.—(1) Any uniformed service officer who is in the permanent establishment or contract service and subject to conditions imposed by Minister, shall be given an option to convert to the INVEST Plan, or remain in their existing scheme of service.

(2) Any option exercised by the officer shall be irrevocable except that he may be required by the Minister to revert to the pensionable service, if he was in the pensionable service prior to his conversion to INVEST Plan.

Preserved pension

32. Where a uniformed service officer in the pensionable service exercises an option to convert to the INVEST Plan, the Board shall cause to be credited to his Retirement Account an amount determined in accordance with the formula

$$175.14 \times PE/600 \times PS,$$

where:

PE is the pensionable officer's last drawn pensionable emoluments as of 30th September 2001; and

PS is the total length of pensionable service rendered by the officer immediately before 1st October 2001.

Preserved allowance

33. Where a uniformed service officer who joined the non-pensionable service on or before 6th December 1984 and is eligible for an Annual Allowance under the Pensions Act (Cap. 225), exercises an option to convert to the INVEST Plan, the Board shall cause to be credited to this Retirement Account an amount determined with the formula:

$$0.8 \times \frac{3}{4} \times 175.14 \times PE \times PS \times 1/600,$$

where

PE is the non-pensionable officer's last drawn pensionable emoluments as of 30th September 2001; and

PS is the total length of pensionable service rendered by the officer immediately before 1st October 2001.

Preserved contract gratuity

34.—(1) Where a junior officer on contract service exercises an option to convert to the permanent establishment, the Board shall cause to be credited to his Retention Account an amount determined in accordance with the formula:

(a) in the case of an officer who was appointed on a contract before 1st April 1999

($0.09 \times PE \times CS$) less any pro-rated advance gratuity received,

where

PE is the officer's last drawn pensionable emoluments as of 30th September 2001; and

CS is the total length of service rendered by the officer immediately before 1st October 2001.

(b) in the case of an officer who was appointed on a contract on or after 1st April 1999

the sum of $(0.45 \times \text{monthly CPF rate} \times \text{monthly PE})$
less any pro-rated advance gratuity received as at
30th September 2001,

where

PE is the officer's last drawn pensionable emoluments at that material point in time.

Preserved special allowance gratuity for prisons contracts officers

35. Where a junior officer serving on contract in the Prisons Service exercises an option to convert to the INVEST Plan, the Board shall cause to be credited to his Retention Account an accrued gratuity as at 30th September 2001.

$\$4000 \times \frac{\text{No. of Days in service or Days after receipt of last gratuity}}{\text{Days in 3 calendar years}}$

Days in 3 calendar years

Deduction for gratuities received

36. Where an officer exercising an option under regulation 32 to convert to the INVEST Plan has received a pro-rated advance gratuity in respect of his service, an amount equivalent to the pro-rated advance gratuity received by him shall be deducted from the preserved pension, allowance or gratuity, as the case may be.

37. *[Deleted by S 413/2004]*

FIRST SCHEDULE

Regulation 12

**RATES AND CONTRIBUTIONS FOR RETENTION ACCOUNT AND
RETIREMENT ACCOUNT**

1. Subject to paragraph 2, the amount specified in the second column shall be credited to a member's Retention Account at the intervals specified in the first column:

<i>First column</i>	<i>Second column</i>
<i>Length of reckonable service in years or part thereof</i>	<i>Retention Account Contribution Rate</i>
On completion of 1 year of service up to 6th year of service	1 month of gross salary
On completion of 7 years of service up to 10th year of service	1.5 month of gross salary
More than 10 years but not beyond the member's compulsory retirement age	Nil except that a one time contribution of \$3,700 will be made on 1st October 2001 for those who have more than 10 years service as at 1st October 2001.

2. The one time contribution of \$3,700 in respect of members who have more than 10 years of reckonable service shall not apply to junior officers in the Prisons Service who had previously received a similar gratuity under the Special Allowance Gratuity Scheme.

3. The amount of contributions specified in the second, third or fourth column, as the case may be, shall be credited to a member's Retirement Account at the intervals specified in the first column:

<i>First column</i>	<i>Second column</i>	<i>Third column</i>	<i>Fourth column</i>
<i>Length of reckonable service in years or part thereof</i>	<i>Contribution Rate for Officers</i>	<i>Contribution Rate for Senior Officers, other than Police Officers</i>	<i>Contribution Rate for Senior Police Officers</i>
Less than 6 years	Nil	Nil	11.75%
More than 6 years but not beyond the member's compulsory retirement age	7.75%	7.75%	11.75%.

FIRST SCHEDULE — *continued*

4. Notwithstanding paragraph 3, an additional 6% contribution shall be credited to the Retirement Accounts of Senior Police Officers who are Superscale appointment holders.

SECOND SCHEDULE

Regulation 18

VESTING FOR RETENTION AND RETIREMENT ACCOUNTS

1. The portion of moneys in a member's Retention Account as specified in the second column shall vest in the member on his completing the requisite number of years of reckonable service as specified in the first column.

<i>First column</i>	<i>Second column</i>
<i>Length of reckonable service in years or part thereof</i>	<i>Retention Account Vesting</i>
6	25%
8	33%
10	50%
12	100%.

2. For the purposes of paragraph 1, a person shall be deemed to have attained the years in service prescribed in that paragraph on the anniversary of his service.

3. In the case of members who have received the one-time contribution of \$3,700, the amount shall vest in the member —

- (a) on completion of 12 years of service or as at 1st October 2002, whichever is the later; or
- (b) in the case of a member who has served 12 years of service but who had passed away before 1st October 2002, on the day immediately after his completion of 12 years of service.

4. Subject to regulation 18(3), the portion of moneys in a member's Retirement Account as specified in the second column shall vest in the member on his attaining the age specified in the first column in relation to that portion.

Vesting for Junior Officers

<i>First column</i>	<i>Second column</i>
<i>Age as at retirement or resignation</i>	<i>Vesting Scale</i>
28	6%

*Home Affairs Uniformed
Services (INVEST Plan)*

p. 48 2004 Ed.]

Regulations

[CAP. 126B, Rg 2

SECOND SCHEDULE — *continued*

29	12%
30	18%
31	24%
32	30%
33	35%
34	40%
35	45%
36	50%
37	55%
38	60%
39	65%
40	70%
41	74%
42	78%
43	82%
44	86%
45	90%
46	92%
47	94%
48	96%
49	98%
50	100%.

Vesting for Senior Officers

<i>First column</i>	<i>Second column</i>
<i>Age as at retirement or resignation</i>	<i>Vesting Scale</i>
33	6%
34	12%
35	18%

SECOND SCHEDULE — *continued*

36	24%
37	30%
38	35%
39	40%
40	45%
41	50%
42	55%
43	60%
44	65%
45	70%
46	74%
47	78%
48	82%
49	86%
50	90%
51	92%
52	94%
53	96%
54	98%
55	100%.

5. For the purposes of paragraph 3, a person shall be deemed to have attained the age prescribed in that paragraph on the anniversary of his birthday.

THIRD SCHEDULE

Regulation 28

SCALE OF AWARDS

Proportion of Award to Pay on Retirement

<i>First column</i>	<i>Second column</i>	<i>Third column</i>	<i>Fourth column</i>	<i>Fifth column</i>
	<i>Scale No. 1</i>	<i>Scale No. 2</i>	<i>Scale No.3</i>	<i>Scale No. 4</i>

*Home Affairs Uniformed
Services (INVEST Plan)*

p. 50 2004 Ed.]

Regulations

[CAP. 126B, Rg 2

THIRD SCHEDULE — *continued*

Completed years of approved service	On total disablement from non- accidental injury received in execution of duty <i>60ths</i>	On total disablement from accidental injury received in execution of duty <i>60ths</i>	On partial disablement from non- accidental injury <i>60ths</i>	On partial disablement from accidental injury <i>60ths</i>
1 or less	45	30	20	10
2	45	30	20	10
3	45	30	20	10
4	45	30	20	10
5	45	30	20	10
6	45	30	20	10
7	45	30	20	10
8	45	30	20	10
9	45	30	20	10
10	45	30	20	10
11	48	32	21	11
12	48	32	21	12
13	48	32	23	13
14	48	32	24	14
15	48	32	25	15
16	51	34	26	16
17	51	34	27	17
18	51	34	28	18
19	51	34	29	19
20	51	34	30	20
21	54	36	32	22

*Home Affairs Uniformed
Services (INVEST Plan)*

CAP. 126B, Rg 2]

Regulations

[2004 Ed. p. 51

THIRD SCHEDULE — *continued*

22	54	36	34	24
23	54	36	36	26
24	54	36	38	28
25	54	36	40	30
26	57	38	40	32
27	57	38	40	34
28	57	38	40	36
29	57	38	40	38
30 or over	60	40	40	40.

[G.N. Nos. S 486/2001; S 53/2003]

LEGISLATIVE HISTORY
HOME AFFAIRS UNIFORMED SERVICES (INVEST PLAN)
REGULATIONS
(CHAPTER 126B, RG 2)

This Legislative History is provided for the convenience of users of the Home Affairs Uniformed Services (INVEST Plan) Regulations. It is not part of these Regulations.

1. G. N. No. S 486/2001 — Home Affairs Uniformed Services (INVEST Plan) Regulations 2001

Date of commencement : 1 October 2001

2. G. N. No. S 53/2003 — Home Affairs Uniformed Services (INVEST Plan) (Amendment) Regulations 2003

Date of commencement : 1 October 2001

3. 2004 Revised Edition — Home Affairs Uniformed Services (INVEST Plan) Regulations

Date of operation : 29 February 2004

4. G. N. No. S 413/2004 — Home Affairs Uniformed Services (INVEST Plan) (Amendment) Regulations 2004

Date of commencement : 12 July 2004

5. G. N. No. S 32/2007 — Home Affairs Uniformed Services (INVEST Plan) (Amendment) Regulations 2007

Date of commencement : 1 October 2001

6. G. N. No. S 269/2008 — Home Affairs Uniformed Services (INVEST Plan) (Amendment) Regulations 2008

Date of commencement : 1 June 2008

7. G.N. No. S 676/2012 — Home Affairs Uniformed Services (INVEST Plan) (Amendment) Regulations 2012

Date of commencement : 1 January 2013

8. G.N. No. S 153/2013 — Home Affairs Uniformed Services (INVEST Plan) (Amendment) Regulations 2013

Date of commencement : 1 April 2013