

SINGAPORE ARMED FORCES ACT
(CHAPTER 295, SECTION 205)

SINGAPORE ARMED FORCES (PENSIONS) REGULATIONS

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[27th January 1978: Parts I to V and VII ;
1st October 1975: Part VI]

PART I

PRELIMINARY

Citation

1. These Regulations may be cited as the Singapore Armed Forces (Pensions) Regulations.

Definitions

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

“approved institutional treatment” means approved treatment in a hospital or similar institution;

“approved treatment” means a course of medical, surgical or rehabilitative treatment which it is certified that a member should receive in consequence of any disablement in respect of which an award may be or has been made under these Regulations but does not include any treatment which involves no or only occasional interruptions of the member’s normal employment;

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

“child” —

- (a) means a child below the age of 18 years; and
- (b) in the case of an unmarried female child or a child receiving full-time education, whether primary, secondary or tertiary, means a child below the age of 21 years or such other age as the Armed Forces Council may extend;

“contract” means a contract of employment for a specified term, and “contract service” shall be construed accordingly;

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

- (a) where the member’s death occurred during his service, throughout the period of 6 months ending with the member’s death;
- (b) in any other case, throughout the period beginning 6 months prior to the termination of the member’s service and ending with the member’s death; or
- (c) throughout such other period as the Armed Forces Council may determine in the exceptional circumstances of any case;

“disablement” means physical or mental injury or damage, or loss of physical or mental capacity, and “disabled” shall be construed accordingly;

“Federation Army” means the Royal Malay Regiment and any military forces raised in accordance with the provisions of the Federation Regiment Ordinance, 1952, and the Military Forces Ordinance, 1952;

“former Singapore Military Force” means the force constituted and maintained under the Singapore Military Force Ordinance repealed by the Modification of Laws (Armed Forces) (Singapore) Order, 1963;

“injuries received in and which are attributable to service” includes injuries received in the following circumstances:

- (a) whilst on a journey necessary to enable a member to report for duty or to return home after duty; or
- (b) in consequence of some act lawfully performed in the discharge of the member’s duties;

“injury” includes wound or disease;

“member” means a member of the Singapore Armed Forces who is in the regular service and includes for the purposes of Parts II, IV, V and VII a full-time national serviceman, an operationally ready national serviceman and a volunteer;

“mobilised service” means service under regulation 8 of the Singapore Armed Forces (Volunteers) Regulations (Rg 7), or section 18 of the Enlistment Act (Cap. 93);

“monthly gross salary”, in relation to a member in the non-pensionable service, on contract or in national service or volunteer service, means the rank pay of the member, whether he is confirmed in any rank that he holds or otherwise, and includes —

- (a) any non-pensionable variable payment, top-up payment to the Central Provident Fund, education supplement, pilot allowance, flying training pay supplement and temporary allowance, if payable at the relevant time;
- (b) for the purposes of Parts IV and V, such reimbursement or pay to which the member is entitled or which is payable to him by his employer under section 24 of the Enlistment Act (Cap. 93); and
- (c) any other component or allowance declared by the Armed Forces Council to be a component of the monthly gross salary, not being an allowance for the performance by a member of duties in a rank higher than his substantive or temporary rank;

[S 161/2008 wef 01/04/2008]

“national service” means service pursuant to the Enlistment Act as a full-time national serviceman or an operationally ready national serviceman in the Singapore Armed Forces;

“non-pensionable service” means regular service in the Singapore Armed Forces which is neither pensionable service nor contract service;

“other dependant”, in relation to a deceased member, means a grandparent, step-parent, brother, sister, half-brother, half-sister, step-brother, step-sister or grandchild of the member;

“pension” means pension or other allowances granted under these Regulations;

“pensionable emoluments” , in relation to a member in the pensionable service, means the consolidated salary, rank pay and vocation pay of a member, whether he is confirmed in any rank that he holds or otherwise, and includes —

- (a) military allowance, pay supplement, flying pay supplement and flying training pay supplement, if payable at the relevant time;
- (b) for the purposes of Parts IV and V, such reimbursement or pay to which the member is entitled or which is payable to him by his employer under section 24 of the Enlistment Act; and
- (c) any other allowance declared by the Armed Forces Council to be a pensionable allowance,

but does not include any allowance paid to a member for the performance of duties in a rank higher than his substantive or temporary rank;

“pensionable service” means service in the Singapore Armed Forces in respect of which a pension will be paid to a member on his retirement;

“People’s Defence Force” means the People’s Defence Force constituted under section 7(4) of the Singapore Armed Forces Act and regulated by the Singapore Armed Forces (Volunteers) Regulations (Rg 7);

“regular service” means service under section 19 of the Enlistment Act (Cap. 93);

“relevant commutation factor” and “relevant discount rate” mean the relevant commutation factor and the relevant discount rate determined in accordance with regulation 26A(3);

“retirement age” means the age specified in regulation 20 or 21;

“service” means service as an officer or soldier and includes for the purposes of Parts III, IV, V and VII any service which a volunteer or an operationally ready national serviceman agrees to perform over and above what he is liable under the law as a volunteer or an operationally ready national serviceman;

“short service commission” means a commission granted under section 78 (1) of the repealed Singapore Army Act 1965 (Act 13 of 1965) or any written law in force prior to the enactment of that Act.

[S 78/2015 wef 14/02/2015]

[Deleted by S 78/2015 wef 14/02/2015]

(2) For the purposes of Parts IV and V, the monthly gross salary of any member shall be the monthly gross salary last drawn by the member at the material time.

[S 161/2008 wef 01/04/2008]

Emoluments on which pensions and gratuities to be computed

3.—(1) For the purposes of these Regulations, the pensionable emoluments in relation to any member shall be the pensionable emoluments last drawn by him, except as provided in paragraphs (2), (3), (4) and (5).

(2) Where the pensionable emoluments of a member have changed within 3 years immediately preceding the date of his retirement as a result of his promotion, change of grade or transfer of office, any pension or gratuity granted to him under these Regulations shall be computed on the average amount of the pensionable emoluments payable to him during the period of 3 years immediately preceding the date of his retirement, except where the pension or gratuity is granted

upon his death or upon his retirement on account of disablement as a result of an injury received in and attributable to service.

(3) Notwithstanding paragraph (2) —

- (a) the highest pensionable emoluments paid to the member in any grade or office held by him within 3 years immediately preceding the date of his retirement shall be deemed to be his pensionable emoluments in that grade or office in computing the average amount of the pensionable emoluments payable to him;
- (b) where the pensionable emoluments for any previous grade or office held by the member within 3 years immediately preceding the date of his retirement have been increased at any time during that period, the average amount of the pensionable emoluments payable to him shall be computed as if the increased pensionable emoluments had been paid to him in that grade or office; and
- (c) where an officer has been promoted within 3 years immediately preceding the date of his retirement, his pension or gratuity may be calculated as if he had not been promoted, if this should be to his advantage.

(4) Where a member has less than 3 years' pensionable service, the gratuity granted to him shall be computed on the average amount of the pensionable emoluments payable to him during his pensionable service except where the gratuity is granted upon his death or upon his retirement on account of disablement as a result of an injury received in and attributable to service.

(5) Where the pensionable emoluments for the grade or office held by a member at the date of his retirement have been reduced for misconduct, the pension or gratuity granted to him shall be computed on the pensionable emoluments payable to him at that date or on the average amount of the pensionable emoluments payable to him during the period of 3 years immediately preceding that date, whichever is the less.

PART II

GENERAL PROVISIONS

Armed Forces Council may grant pension, etc.

4. The Armed Forces Council may grant to members of the Singapore Armed Forces and to their dependants or personal representatives pensions, gratuities and other allowances in accordance with these Regulations.

Pensions, etc., not of right

5.—(1) No member or other person shall have an absolute right to compensation or to any pension, gratuity or other allowance under these Regulations nor shall anything in these Regulations limit the right of the Armed Forces Council to dismiss or to terminate the services of a member without compensation.

(2) Where it is established to the satisfaction of the Armed Forces Council that a member has been guilty of negligence, irregularity of misconduct it shall be lawful for the Armed Forces Council to reduce or altogether to withhold or cancel the pension, gratuity or other allowance for which the member would have become eligible but for the provision of this regulation.

(3) The Armed Forces Council may cancel, withhold or reduce a pension, gratuity or other allowance granted to a member if it is established to the satisfaction of the Armed Forces Council that such pension, gratuity or other allowance has been obtained by the wilful suppression of material facts or has been granted in ignorance of facts which, had they been known before the retirement of the member, would have justified a reduction in his emoluments or resulted in his dismissal or discharge from the Singapore Armed Forces.

(4) Where a pension, gratuity or allowance has been cancelled, withheld or reduced under paragraph (2) or (3), the Armed Forces Council may at any time, if in any case it considers it equitable to do so, grant or restore the whole pension, gratuity or allowance, or a portion thereof.

Liability to render further service

6.—(1) Every pension granted under these Regulations shall be subject to the condition that unless and until the member has reached the retirement age referred to in regulation 21 he may, if he is certified to be medically fit for service, be called upon by the Armed Forces Council to perform further service.

(2) If a member called upon to perform further service declines to do so, payment of his pension may be suspended by the Armed Forces Council until he has attained the retirement age referred to in regulation 21.

(3) If a member, who has been retired under regulation 22(*f*), (*g*) or (*h*) at his request, declines to perform or refuses to report for further service or any other form of service under the Enlistment Act (Cap. 93) or other written law, when he is certified to be medically fit for service, the Armed Forces Council may direct that the member shall forthwith cease to be eligible for any pension granted under these Regulations.

(4) Where a retired member renders further service under this regulation, the payment of his pension may, as the Armed Forces Council thinks fit, be suspended during the period of such further service.

(5) On his subsequent retirement in circumstances in which he may be granted a pension, he may subject to paragraph (6) be granted in lieu of his previous pension or gratuity, a pension computed as if the periods of his service had been continuous, and such pension may be based on his pensionable emoluments at the date of his previous or his final retirement from the Singapore Armed Forces, whichever is the greater.

(6) Where a pension is granted to a member under paragraph (5) and —

- (a) the member was granted a gratuity and reduced pension on his previous retirement, there shall be refunded to the Armed Forces Council the amount, if any, by which such gratuity together with the total amount of such reduced pension paid during the period of retirement exceeds the total amount of the

pension at full rate which would have been payable during such period if the member had not so elected to receive that gratuity and reduced pension;

- (b) the member was granted a gratuity only on his previous retirement, there shall be refunded to the Armed Forces Council the amount, if any, by which such gratuity exceeds the total amount of the pension at the full pension rate which would have been payable during the period of retirement, if no regard had been had to the minimum period of service qualifying for a pension and the member had been granted a pension in respect of the service on account of which the gratuity was granted.

(7) In calculating a pension or gratuity granted in pursuance of paragraph (5) no account shall be taken for any purpose of the period during which the member was not in service.

When pensions payable

7.—(1) Pensions payable under these Regulations are computed on an annual basis.

(2) The Armed Forces Council may direct that such pensions be paid annually, quarterly or monthly or at such intervals as it thinks fit.

Pensions may cease on accepting employment in certain companies or on engaging in certain occupation for gain

8.—(1) If any member to whom a pension has been granted under these Regulations —

- (a) becomes either a director of any company, the principal part of whose business is in any way directly concerned with Singapore, or an officer or servant employed in Singapore by any such company; or

- (b) engages in any occupation for gain in Singapore,

without the prior permission of the Armed Forces Council in writing, then, in every such case it shall be lawful for the Armed Forces Council to direct that such pension shall forthwith cease, and thereupon such pension shall cease accordingly.

(2) It shall be lawful for the Armed Forces Council on being satisfied that the person in respect of whose pension any direction under paragraph (1) has been given has ceased to be a director of such company or to be employed as an officer or employee of such company in Singapore or has ceased to be engaged in such occupation, as the case may be, to give directions for the restoration of such pension with retrospective effect if it shall see fit, to such date as it shall specify, and such pension shall be restored accordingly.

(3) Paragraph (1) shall cease to apply to any member to whom a pension has been granted under these Regulations after a period of 5 years from the date of his retirement.

Pension to cease on conviction

9.—(1) If any member to whom a pension has been granted under these Regulations is sentenced to death or any term of imprisonment by a court of competent jurisdiction, whether in Singapore or elsewhere, for any crime or offence, it shall be lawful for the Armed Forces Council to direct that such pension shall forthwith cease, and thereupon such pension shall cease accordingly except that the pension shall be restored with retrospective effect in the case of a person who received a free pardon at any time after his conviction.

(2) Where a pension ceases for the reason referred to in paragraph (1) it shall be lawful for the Armed Forces Council to cause all or any part of moneys to which the member would have been entitled by way of pension to be paid to or applied for the benefit of any wife, child or children of the member, or after the expiration of his sentence, also for the benefit of the member himself, in such manner and in such proportion as the Armed Forces Council thinks fit.

Pension may cease if member emigrates

10.—(1) If a member who has been retired under regulation 22(*f*), (*g*) or (*h*) at his request, emigrates from Singapore before he has reached the retirement age referred to in regulation 21 then in every such case it shall be lawful for the Armed Forces Council to direct that any pension payable to the member shall cease to be payable to the

member or that the member shall cease to be eligible for any pension payable under these Regulations.

(2) This regulation shall not apply to those members who joined the Singapore Armed Forces or became public officers at any time prior to 27th January 1978 and are still serving as members of the Singapore Armed Forces or in the public service without any break in service.

Medical boards

11.—(1) For the purposes of these Regulations, the Armed Forces Council may appoint a medical board or medical boards, either generally or for particular cases.

(2) A medical board appointed under this regulation shall consist of not less than 2 medical practitioners, one of whom shall either be a Government medical officer or a medical officer of the Singapore Armed Forces.

Pensions Officers

12. The Armed Forces Council may —

- (a) appoint one or more Pensions Officers to assess, award or review retired pay, pensions, gratuities and allowances to be granted or granted under these Regulations; and
- (b) give such directions as it thinks fit to any such Pensions Officer in the discharge of his duties.

Pensions Appeal Tribunal

13.—(1) For the purposes of these Regulations, the Armed Forces Council may appoint a Pensions Appeal Tribunal (referred to in this regulation as the Tribunal) which shall consist of not less than 3 members.

(2) The Tribunal shall have power to vary any award made under these Regulations (other than an award to which regulation 13A relates), whether by increasing or decreasing such award, and the decision of the Tribunal thereon shall be final and conclusive and not subject to review by or appeal to any Court.

(3) The Tribunal shall have power to call for any document relating to the appellant's service from an Officer-in-charge of Records and to order the appellant to undergo a medical examination by a medical officer to be appointed by the Tribunal in any particular case.

(4) The Tribunal may certify to an Officer-in-charge of Records any reasonable travelling and other expenses which may have been incurred by any person in appearing before the Tribunal or before any medical officer appointed to make a medical examination of the person under this regulation.

(5) Every appellant shall have the right to appear before the Tribunal in person, or by a representative, but the Tribunal may hear and determine any appeal in the absence of the appellant.

(6) Every appeal under this regulation shall be brought within 12 months of the date on which the decision of a Pensions Officer is notified to the appellant but the Tribunal may allow an appeal to be brought after the expiration of the period limited by this regulation if it considers that there was a reasonable excuse for the delay.

Compensation Board

13A.—(1) For the purposes of these Regulations, the Armed Forces Council may appoint a Compensation Board which shall consist of not less than 4 members.

(2) The Compensation Board shall have power to make an award or vary any award made by a Pensions Officer in respect of the death or disablement of a member, whether by increasing or decreasing such award, and the decision of the Compensation Board thereon shall be final and conclusive.

(3) The Compensation Board shall have power —

- (a) to call for any document relating to the appellant's service from an Officer-in-charge of Records and to order the appellant to undergo a medical examination by a medical officer to be appointed by the Compensation Board in any particular case; and
- (b) to certify to an Officer-in-charge of Records any reasonable travelling and other expenses which may have been incurred

by any person in appearing before the Compensation Board or before any medical officer appointed to make a medical examination of the person under this regulation.

(4) Every appellant shall have the right to appear before the Compensation Board in person, or by a representative, but the Compensation Board may hear and determine any appeal in the absence of the appellant.

(5) Every appeal under this regulation shall be brought within 12 months of the date on which the decision of a Pensions Officer is notified to the appellant but the Compensation Board may allow an appeal to be brought after the expiration of the period limited by this regulation if it considers that there was a reasonable excuse for the delay.

[S 161/2008 wef 01/04/2008]

Review of awards, etc.

14.—(1) Where a Pensions Officer makes a final assessment of the degree or nature of the disablement of a member, or a final decision that there is no disablement or that the disablement has come to an end, any award under regulations 41 to 50 made on the basis of that assessment, or any such final decision, shall not, subject to any decision given by the Compensation Board, and to the provisions of this Part, be reviewed unless —

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

(2) Any award under these Regulations (other than an award made on the basis of a final assessment referred to in paragraph (1)) may, subject to any decision given by the Compensation Board, be reviewed at any time on any of the grounds specified in paragraph (1) or on any other ground which, in the opinion of a Pensions Officer, having regard to these Regulations, necessitates its review.

(3) On any review under this regulation, a Pensions Officer may continue or vary the award, or make a fresh award in place of it, or cancel it, or in the case of such a final decision as is mentioned in paragraph (1), may make an award as may be appropriate having regard to these Regulations.

Power to dispense with probate

15.—(1) Where a person to whom any payment could have been made 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 be paid to the personal representatives of the deceased person without probate or other proof of title, or may be paid or distributed to or among the persons appearing to a Pensions 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, a Pensions 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 person.

Administration of these Regulations

16. These Regulations shall be administered by Pensions Officers appointed under regulation 12 or such other person or body as the Armed Forces Council may appoint and, except as otherwise provided by any written law, no award under these Regulations shall be subject to review by or appeal to any Court.

PART III

Chapter 1

*Pensionable Service***Reckoning pensionable service**

17.—(1) For the purposes of reckoning the amount of a pension or gratuity to be granted to a member in the pensionable service in the Singapore Armed Forces the following periods, less any period or periods that are deducted pursuant to regulation 18, shall be counted as service which is pensionable, namely:

- (a) regular service on full pay as a member of the Singapore Armed Forces for which no gratuity or pension has been paid;
- (b) regular service on full pay as a member of the former Singapore Military Force prior to 16th September 1963, or as a member of the Federation Army from 16th September 1963 to 8th August 1965, if the member was absorbed or deemed to be absorbed in the Singapore Armed Forces on 9th August 1965, without a break in service, for which no gratuity or pension has been paid;
- (c) full-time national service that has been rendered by a full-time national serviceman prior to his enlistment as a member in the pensionable service of the Singapore Armed Forces;
- (d) service which qualifies for an award of a pension under the Pensions Act (Cap. 225), of a mobilised volunteer or of a national serviceman in the People's Defence Force that is rendered immediately prior to his mobilisation and which is converted on a one-for-one basis to pensionable service under these Regulations upon the mobilised volunteer or national serviceman, as the case may be, being absorbed into the pensionable service of the Singapore Armed Forces;
- (e) mobilised service of a volunteer or national serviceman in the People's Defence Force that is rendered immediately prior to his absorption into the pensionable service if that service has not been counted as pensionable service under sub-paragraph (d);

- (f) service which qualifies for the award of a pension in the Government, in the former Port of Singapore Authority, or in any statutory body, of a member seconded to the Singapore Armed Forces in respect of service rendered immediately prior to his secondment and which is converted on a one-for-one basis to pensionable service under these Regulations on his absorption into the pensionable service of the Singapore Armed Forces;
- (g) service on secondment to the Singapore Armed Forces of a member immediately prior to his absorption into the pensionable service if that service has not been counted as pensionable service under sub-paragraph (f);
- (h) service which a member has rendered on short service commission or on contract in the Singapore Armed Forces immediately prior to his conversion to the pensionable service of the Singapore Armed Forces for which no gratuity has been paid or was payable;
- (i) service in any Commonwealth force that has been permitted to count as reckonable service on his joining or while serving in the former Singapore Military Force, in respect of a member who was still serving in the Singapore Armed Forces on the 1st December 1970 so long as the conditions that may have been originally stipulated for the reckoning of that service are fulfilled;
- (j) service in any other armed forces which may be allowed to count as pensionable service by the Armed Forces Council, subject to such conditions as it may think fit to impose;
- (k) periods of confinement as a prisoner of war;
- (l) pensionable service in the Government of a member rendered immediately prior to his absorption into the pensionable service of the Singapore Armed Forces and which is converted on a one-for-one basis to pensionable service under these Regulations if such member had been a full-time national serviceman;

- (m) any period during which a member of the Singapore Armed Forces has been absent from duty on leave with half-pay;
- (n) part-time regular service as a member of the Singapore Armed Forces but to be counted on the basis of the proportion the part-time regular service bears to whole-time regular service over the same period;
- (o) any period during which a member of the Singapore Armed Forces has been absent from duty on study leave under such circumstances and conditions as the Armed Forces Council may from time to time prescribed by general order; and
- (p) pensionable service in the Government of a member rendered immediately prior to his absorption into the regular service of the Singapore Armed Forces and which the Armed Forces Council has determined shall count as pensionable service under these Regulations, subject to such conditions as the Armed Forces Council may impose.

(2) Where a member to whom paragraph (1)(e) or (g) applies has received a gratuity in respect of the service referred to in those sub-paragraphs the Armed Forces Council shall as a condition of allowing such service to count as pensionable service require the member to repay the gratuity to the Government either in a lump sum or otherwise and in default of such repayment the previous service shall not be allowed to count as pensionable service.

(3) Subject to paragraph (4), where the Government has paid contributions to the Central Provident Fund or any other approved fund for a member in respect of the service referred to in paragraph (1)(c), (e), (g) or (h) it shall be a condition of allowing such service to count as pensionable service that the member shall repay the contributions to the Central Provident Fund or any approved fund together with interest thereon to the Government either in a lump sum or otherwise and in default of such repayment the previous service shall not be allowed to count as pensionable service.

(4) In respect of any such service on or after 1st April 1972, the amount of contributions to the Central Provident Fund or any approved fund to be repaid to the Government shall exclude the amount so paid on account of the member with respect to such service

if he was on the pensionable establishment or an equivalent amount if he was not on the pensionable establishment.

(5) Where a member of the Singapore Armed Forces serving on full pay converts to the pensionable service and upon such conversion refunds any gratuity which has been paid to him in advance under regulation 27(2) together with interest, if applicable, it shall be deemed for the purposes of paragraph (1)(a) that no gratuity has been paid to the member.

Service not counted as pensionable service

18. The following periods of service shall not be counted as pensionable service under these Regulations:

- (a) a period of service forfeited by sentence of a subordinate military court or Superior Commander or as a result of a decision of the Military Court of Appeal or a review of the Armed Forces Council, other than service forfeited for the purposes of promotion, in accordance with the provisions of the Act, or any other written law for the time being in force;
- (b) the whole period of absence without leave;
- (c) the whole period of desertion;
- (d) the whole period of detention or special detention or imprisonment in a guard detention-room, barrack detention-room, disciplinary barrack or military or civil prison while undergoing a sentence awarded by a subordinate military court or the Military Court of Appeal or disciplinary officer if the detention or special detention or imprisonment involves a forfeiture of pay;
- (e) the whole period of imprisonment or detention as a result of his conviction on a charge by a civil court;
- (f) the whole period of remand, custody, confinement, detention, open arrest or close arrest or suspension from duty while waiting for trial by the civil authority or military authority on a charge of which the member is subsequently convicted if during the period he has received no pay;
- (g) the whole period in which pay is forfeited; and

- (h) the whole period of leave of absence without pay granted to a member.

Pensionable service must be continuous and unbroken

19. Service in respect of which a pension or a gratuity may be granted must be continuous and unbroken but there shall not be deemed to be any break in such service if —

- (a) the service has been interrupted by a temporary suspension not arising from misconduct;
- (b) there has been a break between the end of any service in any force referred to in regulation 17(1)(i) or (j) that has been permitted to count as reckonable service according to that regulation and the beginning of service in the former Singapore Military Force, the Federation Army or the Singapore Armed Forces, as the case may be;
- (c) there has been a break between the end of full-time national service rendered by a full-time national serviceman and the beginning of his service in the pensionable service; or
- (d) the service is interrupted for any of the periods referred to in regulation 18.

Chapter 2

Conditions of Retirement, Pensions and Gratuities

Retirement age

20. Subject to regulation 21, a member recruited or appointed to the pensionable service shall, if not selected for further promotion, be required to retire at the age appropriate to his rank, whether he has been confirmed in that rank or not, as follows:

<i>Rank</i>	<i>Normal Retirement Age</i>
(a) Lieutenant-Colonel and above	55 years
(b) Warrant Officer to Major	50 years

- (c) Master Sergeant and below 45 years

[S 238/2012 wef 01/06/2012]

Compulsory retirement age

21. Where the Armed Forces Council considers it desirable or necessary in the interests of the armed forces, the Armed Forces Council may upon being satisfied as to his medical fitness, require a member recruited or appointed to the pensionable service to continue in the Singapore Armed Forces beyond the age which he would normally have retired under regulation 20 but not beyond the compulsory retirement age, appropriate to his rank, whether he has been confirmed in that rank or not, as follows:

<i>Rank</i>	<i>Compulsory Retirement Age</i>
(a) Lieutenant-Colonel and above	60 years
(b) Warrant Officer to Major	55 years
(c) Master Sergeant and below	50 years

[S 238/2012 wef 01/06/2012]

Grounds for retirement

22. It shall be lawful for the Armed Forces Council to require or permit, as the case may be, a member serving in the pensionable service to retire —

- (a) if he has attained the retirement age limit laid down in regulation 20 or 21, as the case may be;
- (b) if he is considered to be unsuitable, such unsuitability being due to causes not within his control or due to causes within his control that do not amount to misconduct;
- (c) on a certificate from his commanding officer and on medical evidence to the satisfaction of the Armed Forces Council 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) if his retirement is considered by the Armed Forces Council to be desirable in the public interest, having regard to the conditions and needs of the armed forces and the usefulness of the member thereto;
- (e) where the Armed Forces Council considers that he has made outstanding contributions to the Singapore Armed Forces and that he should retire as part of the process of leadership renewal in the Singapore Armed Forces;
- (f) where such member has been superseded for further promotion;
- (g) if, on or after completing 15 years of service, requests the permission of the Armed Forces Council to retire; or
- (h) if he requests the permission of the Armed Forces Council to retire in circumstances not covered in the preceding paragraphs.

[S 238/2012 wef 01/06/2012]

Eligibility for pension

23.—(1) Subject to paragraph (2), a member in the pensionable service who has not less than 10 years of pensionable service who retires, or is required to retire, on any of the grounds specified in regulation 22 may on his retirement be granted a pension to be computed according to regulation 24.

(2) A member who retires on the ground referred to in regulation 22(d) or (g) shall not be paid a pension until he has attained the minimum age.

(3) Notwithstanding paragraph (2), a member who retires on the ground referred to in regulation 22(d) or (g) may —

- (a) if he becomes physically or mentally incapacitated to such an extent that he is incapable of continuing in any employment before he attains the minimum age, be paid the pension granted to him with effect from the date of the physical or mental incapacity; and
- (b) if he opts to be paid a commuted full pension gratuity under regulation 26 without pension, be paid the gratuity,

discounted in the manner prescribed in regulation 26A, before he attains the minimum age.

(4) Where a member who had retired on the ground referred to in regulation 22(*d*) or (*g*) dies before he attains the minimum age and was not paid a pension under paragraph (3) at any time before his death, the Armed Forces Council may pay his dependants or, where there are no dependants, his personal representatives, a gratuity amounting to the higher of the following sums:

- (a) a sum ascertained by —
 - (i) multiplying the amount of monthly full pension that may have been granted to the member under this regulation by the relevant commutation factor; and
 - (ii) discounting the sum obtained under sub-paragraph (*i*) at the relevant discount rate in respect of each year or part thereof falling between the date the member would have obtained his pension had he not died and the date of his death (both dates inclusive); or
- (b) a sum amounting to one year's pensionable emoluments.

(5) No pension or gratuity shall be granted under this regulation to a member who is —

- (a) discharged on any of the grounds specified in regulations 17 and 18 of the Enlistment Regulations (Cap. 93, Rg 1);
- (b) discharged with ignominy; or
- (c) dismissed as a result of the sentence of a subordinate military court or Military Court of Appeal or a sentence substituted by the Armed Forces Council.

(6) For the purposes of this regulation —

“minimum age” means —

- (a) in the case of a person who retires on the ground referred to in regulation 22(*d*), the retirement age appropriate to his age set out in regulation 20; and
- (b) in the case of a person who retires on the ground referred to in regulation 22(*g*) —

- (i) the age of 45 years in the case of a member below the rank of warrant officer; and
- (ii) the age of 50 years in the case of a member of or above the rank of warrant officer;

“one year’s pensionable emoluments” means the emoluments which would be taken for the purpose of computing any pension or gratuity granted to the member if he had retired at the date of his death in the circumstances described in regulation 22(c).

[S 161/2008 wef 01/04/2008]

Rate of pension

24.—(1) Subject to paragraphs (2) and (3), the rate of pension payable to a member who is granted a pension under regulation 23 shall be as follows:

<i>Ground for retirement</i>	<i>Rate of pension per year</i>
(a) On retirement under regulation 22(a), (c), (f), (g) or (h)	one six-hundredth (1/600th) of his annual pensionable emoluments in respect of each complete month of pensionable service.
(b) On retirement under regulation 22(b)	the award of a pension on this ground shall be at the discretion of the Armed Forces Council and shall, if granted, be at such rate as it may decide but shall not in any event exceed the rate of pension which would have been applicable had the member retired under regulation 22(c).
(c) On retirement in the public interest under regulation 22(d)	one six-hundredth (1/600th) of his annual pensionable emoluments in respect of each complete month of pensionable service or such lower

rate as the Armed Forces Council may in all the circumstances decide.

- (d) On retirement under regulation 22(e) one five-hundredth (1/500th) of his annual pensionable emoluments in respect of each complete month pensionable service for the first 240 months and one six-hundredth (1/600th) in respect of each complete month of pensionable service in excess of 240 months.

(2) A pension granted to a member under paragraph (1) shall not exceed two-thirds of his annual pensionable emoluments.

(3) A pension granted under paragraph (1)(d) to a member who joins the Singapore Armed Forces on or after 24th August 1990 shall not exceed the pension which he would have been granted under paragraph (1)(a) on retirement under regulation 22(a) if he had continued in service until he reached the retirement age laid down in regulation 20.

Gratuity where service is insufficient for pension

25.—(1) Every member who is otherwise qualified for a pension and has not completed serving a minimum period of 10 years of service which is counted as pensionable service under regulation 17 and retires —

- (a) on any of the grounds referred to in regulation 22(a), (b), (c), (e), (f) or (h) may be granted on retirement a gratuity at a rate not exceeding 12% of his monthly pensionable emoluments for each complete month of service which is counted as pensionable service under regulation 17; and
- (b) on the ground referred to in regulation 22(d) may be granted on retirement a gratuity at a rate not exceeding five six-hundredths (5/600th) of his annual pensionable emoluments for each complete month of service which is counted as pensionable under regulation 17.

(2) Such rates as are set out in paragraph (1)(a) and (b) may be reduced to such extent as the Armed Forces Council may decide after having regard to the circumstances of the case, if the ground upon which the member retires is a ground referred to in regulation 22(b) or (d).

(3) A gratuity shall not be granted to a member who is —

- (a) discharged on any of the grounds referred to in regulations 17 and 18 of the Enlistment Regulations (Cap. 93, Rg 1);
- (b) discharged with ignominy; or
- (c) dismissed as a result of the sentence of a subordinate military court or Military Court of Appeal or a sentence substituted by the Armed Forces Council.

Pension options

26.—(1) Subject to these Regulations, a member to whom a pension is granted under regulation 23 may, at his option exercisable in accordance with this regulation, be paid —

- (a) in the case of a member retiring from, or appointed to, the pensionable service on or after 1st January 1995 but before 13th June 1997 —
 - (i) a full pension without any gratuity;
 - (ii) a reduced pension together with a gratuity ascertained in accordance with regulation 26A; or
 - (iii) a commuted full pension gratuity ascertained in accordance with regulation 26A without any pension; or
- (b) in the case of a member appointed to the pensionable service on or after 13th June 1997 —
 - (i) a full pension without any gratuity;
 - (ii) a commuted full pension gratuity ascertained in accordance with regulation 26A without any pension.

(2) The option under paragraph (1) is exercisable not later than the day immediately before the date of the member's retirement, but if the

member does not exercise the option before the date of his retirement, the Armed Forces Council may, if it appears in the circumstances equitable to do so, allow the member to exercise the option on the date of his retirement, or at any time between the date of his retirement and the day before the date of payment of a pension or gratuity to him.

(3) If a member exercises the option under paragraph (1), his decision shall, subject to paragraph (5), be irrevocable so far as concerns the pension or gratuity referred to in this regulation.

(4) A member who has not exercised an option in accordance with this regulation is deemed to have opted to receive a commuted full pension gratuity ascertained in accordance with regulation 26A without any pension.

(5) A member who is paid a reduced pension pursuant to his option exercised in accordance with this regulation is eligible for the full pension without reduction after the expiration of 12 years and 6 months from the date he was granted the reduced pension.

(6) Where a member opts in accordance with this regulation to receive a commuted full pension gratuity ascertained in accordance with regulation 26A, the commuted full pension gratuity shall, subject to paragraph (7), be payable as follows:

(a) part of the commuted full pension gratuity, being a sum equal to the difference between the total amount paid by the Government to the Central Provident Fund on account of the member with respect to his service, and the total amount payable to the Government to that Fund on account of the member with respect to the same service if the member had not been on the pensionable service, together with the interest thereon, shall be paid to the member's account in the Central Provident Fund; and

(b) the balance of the commuted full pension gratuity shall be paid to the member.

(7) Where the commuted full pension gratuity ascertained in accordance with regulation 26A is less than the sum referred to in paragraph (6)(a), the entire commuted full pension gratuity shall be paid to the member's account in the Central Provident Fund.

(8) For the purposes of paragraph (6)(a), the reference to the total amount paid or payable by the Government to the Central Provident Fund in respect of any member does not include a reference to any amount thereof which is recoverable from the member's salary under the Central Provident Fund Act (Cap. 36) or any regulations made under that Act.

Reduced pension plus gratuity and commuted full pension gratuity

26A.—(1) The reduced pension and gratuity referred to in regulation 26(1)(a)(ii) payable to a member shall be —

- (a) a reduced pension proportionate to the sum of his annual pension less $\frac{2}{25}$ ths of the gratuity specified in sub-paragraph (b); and
- (b) a gratuity equal to $\frac{1}{120}$ ths of his one year's pensionable emoluments in respect of each complete month of pensionable service subject to a maximum of his pensionable emoluments for 3 years.

(2) The commuted full pension gratuity referred to in regulation 26(1)(a)(iii) and (b)(ii) payable to a member shall be —

- (a) a capital sum ascertained by multiplying the commutation factor by the amount of the monthly full pension that may be granted to the member under regulation 23; or
- (b) in the case of a member retiring on the ground referred to in regulation 22(d) or (g), a capital sum ascertained in accordance with sub-paragraph (a), from which sum there shall be a discount at the relevant discount rate in respect of each year or part thereof falling between —
 - (i) the date on which he will attain the minimum age; and
 - (ii) the date on which the commuted full pension gratuity is to be paid to him.

(3) For the purposes of this regulation —

“commutation factor” means 175.14;

“discount rate” means 5 per cent;

“relevant commutation factor” and “relevant discount rate”, in relation to a member, mean the commutation factor and discount rate specified in this paragraph as in force on either the date of the member’s retirement from the Singapore Armed Forces (or the date of the member’s death, as the case may be) or his enlistment into the Singapore Armed Forces, whichever is the more favourable; and for this purpose, all members enlisted into the Singapore Armed Forces before 1st January 1995 shall be deemed to be enlisted into the Singapore Armed Forces on that date.

Chapter 3

Gratuity for a member serving on contract

Gratuity for contract service

27.—(1) Subject to this regulation, a member serving under a contract may, on satisfactory completion of the full period of the contract, be granted a gratuity at such rates as the Armed Forces Council may, from time to time by a general order, determine for each complete month that he has served under the contract less any period or periods that would have been deducted under regulation 18 if the member had been in the pensionable service.

(2) The Armed Forces Council may, by general order, prescribe the circumstances and the conditions under which a member may opt to receive the gratuity referred to in paragraph (1) or part thereof in advance.

(3) If in any case the member does not satisfactorily complete the full period of his contract or his contract service is converted to pensionable service, he may be required to refund the said gratuity, together with any interest stipulated in the option, in which case the said gratuity and interest, if any, shall be recoverable as a debt due to the Government and may be set off against any sum that may be payable by the Government to that member.

(4) The Armed Forces Council may, by general order, allow a member to retain any gratuity paid in advance pursuant to

paragraph (2) where the contract service of the member is converted to pensionable service, except that such sum shall be deducted from any gratuity that may be awarded under regulation 28(1).

(5) The amount of gratuity to be granted to any member under paragraph (1) shall not be less than the amount of gratuity which would have been payable to him on the completion of his contract determined on the basis of the rate and terms of remuneration in force at the commencement of his contract.

Circumstances under which gratuity is payable if member fails to complete whole period of contract

28.—(1) Where the member fails to complete the full period of his contract for reasons other than those specified in regulation 30(1), or on medical grounds not due to causes within his own control, a gratuity may be granted at the rate specified in regulation 27 for the period which he has actually served under his contract less any period or periods that are deducted under regulation 18 as if the member was in the pensionable service.

(2) If a member does not complete the full period of his contract by reason of the conversion of his service to the pensionable or non-pensionable service, the Armed Forces Council may, when granting a gratuity under paragraph (1), impose a condition that the member shall —

- (a) serve, after the conversion to the pensionable or non-pensionable service, a period equal to the difference between the full period of the contract and the period of the contract which the member had served before his conversion to the relevant service; and
- (b) if he fails to serve the period referred to in sub-paragraph (a), refund the gratuity, together with interest at a rate to be determined by the Armed Forces Council not later than the time the gratuity is granted.

(3) The gratuity, together with the interest, if any, that is refundable under paragraph (2)(b), shall be recoverable as a debt due to the Government and may be set off against any sum that may be payable by the Government to the member.

(4) The gratuity so granted may be in addition to any award payable in accordance with Part V.

Period of study leave which shall not be counted as contract service

29. The Armed Forces Council may, by general order, determine that the period during which a member of the Singapore Armed Forces has been absent from duty on study leave shall not be counted as contract service for the purposes of regulations 27 and 28.

Circumstances where no gratuity payable

30.—(1) The gratuity referred to in regulation 27 shall not be granted to a member if —

- (a) on his own request, he is released from service before completing the whole period that he has undertaken to serve;
- (b) he is discharged on any of the grounds referred to in regulations 17 and 18 of the Enlistment Regulations (Cap. 93, Rg 1);
- (c) he is discharged with ignominy; or
- (d) he is dismissed as a result of the sentence of a subordinate military court or Military Court of Appeal or a sentence substituted by the Armed Forces Council.

(2) If a member serving on contract continues on full pay beyond the period of his service which he has undertaken, the payment of any gratuity may be deferred until the end of such further service and such further service shall count towards the ultimate gratuity payable to him.

Chapter 4

Conversion to non-pensionable service

Application

31. This Chapter shall apply to all members serving in the pensionable service except those in such ranks as may, by a general order, be excluded from this Chapter by the Armed Forces Council.

Option

32.—(1) A member to whom this Chapter applies may be given an option to convert to the non-pensionable service.

(2) The option exercised by the member shall be irrevocable except that he may be required by the Armed Forces Council to revert to the pensionable service if he is appointed to a rank which is excluded from this Chapter.

(3) Where a member is required to revert to the pensionable service under paragraph (2), any period of non-pensionable service of the member before the reversion shall not be reckoned as pensionable service unless the member first pays to the Government the total amount paid by the Government to the Central Provident Fund during that period of non-pensionable service excluding the amount paid by the Government to that Fund in respect of the member if he had been in the pensionable service together with the interest accrued thereon.

Preserved pension

33.—(1) Every member exercising an option pursuant to regulation 32 who has been in the pensionable service for not less than 10 years before his conversion to the non-pensionable service may be granted on his retirement —

- (a) under regulation 22(a), (c), (e), (f), (g) or (h), a pension at the rate of $\frac{1}{600}$ of his annual pensionable emoluments at the date immediately before his conversion in respect of each complete month of pensionable service before his conversion subject to the limit specified in regulation 24(2) and (3); or
- (b) under regulation 22(b) or (d), a pension at the rate specified in regulation 24(1)(b) or (c), as the case may be, of his annual pensionable emoluments at the date immediately before his conversion in respect of each complete month of pensionable service before his conversion subject to the limit specified in regulation 24(2).

(2) Paragraphs (2) and (3) of regulation 23 shall apply to a member who has been granted a pension under paragraph (1) on his retirement

under regulation 22(d) or (g) as they apply to a member who has been granted a pension under regulation 23(1).

Preserved gratuity and reduced pension

34.—(1) Subject to this regulation, every member exercising an option under regulation 32 to whom a pension is granted under these Regulations may, on his retirement, be paid a reduced pension together with a commuted pension gratuity of an amount equal to $\frac{1}{120}$ of his one year's pensionable emoluments at the date immediately before his conversion in respect of each complete month of pensionable service before his conversion subject to a maximum of 3 years' pensionable emoluments as at the date immediately before his conversion.

(2) The reduced pension to be granted under this regulation shall be the amount of his annual pension less $\frac{2}{25}$ of the gratuity granted to him.

(3) A member who is paid a reduced pension under paragraph (1) shall, after the expiration of 12 years and 6 months from the date he is granted the reduced pension, be eligible for the full pension as if there had been no reduction.

(4) A member to whom a reduced pension together with a gratuity is granted under these Regulations may, at his option exercisable in accordance with these Regulations, be paid in lieu of the reduced pension together with a gratuity, the full pension without any gratuity.

(5) The option shall be exercisable, and if it has already been exercised may be revoked, not later than the day immediately preceding the date of the member's retirement.

(6) If the member has not exercised the option prior to the day immediately preceding the date of his retirement, the Armed Forces Council may, if it appears in the circumstances equitable to do so, allow the member to exercise the option at any time between that date and the date of award of a pension to him.

(7) If a member who has exercised the option under paragraph (4) dies after he has retired but before a pension has been awarded to him, it shall be lawful for the Armed Forces Council to grant to his

dependants or his legal personal representatives a commuted pension gratuity as if the member has before his death exercised the option to accept a reduced pension and gratuity.

(8) Regulation 26 shall not apply to a member to whom this regulation applies.

Preserved gratuity

35.—(1) Every member exercising an option under regulation 32 who has been in the pensionable service for less than 10 years before his conversion to the non-pensionable service may be granted on his retirement —

- (a) under regulation 22(a), (b), (c), (e), (f), (g) or (h), a gratuity at a rate not exceeding 12% of his monthly pensionable emoluments at the date immediately before his conversion for each complete month of pensionable service before his conversion; or
- (b) under regulation 22(d), a gratuity at a rate not exceeding five six-hundredths (5/600th) of his annual pensionable emoluments at the date immediately before his conversion for each complete month of pensionable service before his conversion.

(2) Where a member retires under regulation 22(b) or (d), the rate specified in paragraph (1)(a) or (b), as the case may be, may be reduced to such extent as the Armed Forces Council may decide after having regard to the circumstances of the case.

(3) Regulation 25 shall not apply to a member to whom this regulation applies.

Circumstances where no pension or gratuity payable

36. No member who has exercised the option to convert to the non-pensionable service under regulation 32 shall be granted any pension or gratuity under regulation 33, 34 or 35 if he is —

- (a) discharged on any of the grounds specified in regulations 17 and 18 of the Enlistment Regulations (Cap. 93, Rg 1);
- (b) discharged with ignominy; or

- (c) dismissed as a result of a sentence of a subordinate military court or Military Court of Appeal or a sentence substituted by the Armed Forces Council.

PART IV

AWARDS IN RESPECT OF DEATH

Gratuity payable where member dies in service

37.—(1) Where a member dies while he is in the service of the Singapore Armed Forces, there shall be paid to such of his dependants as the Armed Forces Council may think fit, or if there are no dependants, to his personal representatives —

- (a) in the case of a member who is in the pensionable service, a gratuity of an amount equal to one of the following capital sums:
- (i) where at the time of his death, the member has attained the relevant age — an amount ascertained by multiplying the relevant commutation factor by the amount of monthly full pension that may be granted to the member under regulation 23 if the member had retired on the date of his death in the circumstances described in regulation 22(c); or
 - (ii) where at the time of his death, the member has not attained the relevant age — the higher of the following sums:
 - (A) a sum ascertained in accordance with sub-paragraph (i), from which amount there shall be a discount at the relevant discount rate in respect of each year or part thereof falling between the date of his death and the date on which he would have attained the relevant age had he not died (both dates inclusive); or
 - (B) a sum amounting to one year's pensionable emoluments;

(b) in the case of a member who is on full-time national service, or is serving as an operationally ready national serviceman or a volunteer, a gratuity of an amount that is not less than 12 months' monthly gross salary of a member in regular service of equivalent rank;

(ba) despite sub-paragraph (b), in the case of a volunteer in the uniformed service of the Singapore Armed Forces known as the Singapore Armed Forces Volunteer Corps, a gratuity of an amount determined by the Armed Forces Council;

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(c) in the case of a member who is serving on contract, a gratuity at the rate specified in regulation 27 in respect of the period of his contract which he has completed or an amount which is equal to 12 months' monthly gross salary if he had been in regular service if he had been in regular service, whichever is the greater;

(d) in the case of a member who is in the non-pensionable service other than a member to whom sub-paragraph (e) applies, a gratuity of an amount that is not less than 12 months' monthly gross salary, excluding the amount paid by the Government to the Central Provident Fund after deducting the amount that would have been paid by the Government to that Fund on account of the member if he had been in the pensionable service, together with the interest accrued thereon; and

(e) in the case of a member who has exercised the option to convert to the non-pensionable service under regulation 32, a gratuity of an amount that is not less than $\frac{1}{120}$ of one year's pensionable emoluments as at the date immediately before his conversion for each complete month of pensionable service before his conversion but such gratuity shall not be less than one year's or more than 3 years' pensionable emoluments as at the date immediately before his conversion.

(2) Paragraph (1)(a) shall apply only in respect of a member who has died in the service of the Singapore Armed Forces on or after 7th December 1984.

(3) Where the member dies in disgrace, or where the death is attributable to his misconduct or negligence or due to reasons within his own control, the Armed Forces Council may refuse payment of such gratuity or authorise payment at such a reduced rate as it may think fit after having regard to all the circumstances of the case.

- (4) For the purposes of paragraph (1)(a), “relevant age” means —
- (a) in the case of a member of or below the rank of Master Sergeant — 35 years of age;
 - (b) in the case of a member of the rank of Warrant Officer to Major — 40 years of age; and
 - (c) in the case of a member of or above the rank of Lieutenant-Colonel — 45 years of age.

Gratuity payable where member dies within one year of retirement

38.—(1) Where a member who has retired from service in the Singapore Armed Forces dies within one year of his retirement, whether as a result of injuries received in and which are attributable to service or otherwise, there shall be paid to such dependants as the Armed Forces Council may think fit or, if there are no dependants, to his personal representatives, a gratuity of an amount equal to one year’s pensionable emoluments or 12 months’ monthly gross salary, as the case may be, from which there shall be deducted —

- (a) the amount of the gratuity that has been granted to him in accordance with these Regulations; and
- (b) any payment of any award or pension other than an award granted in respect of an injury received in and which is attributable to service, which may already have been made.

(2) For the purposes of this regulation and regulation 37, one year’s pensionable emoluments or 12 months’ monthly gross salary shall be computed using the emoluments which would be taken for the purpose of computing any pension or gratuity granted to the member if he had retired at the date of his death in the circumstances described in regulation 22(c).

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Compensation payable where member dies of injuries received in and which are attributable to service

39.—(1) Where a member dies as a result of any injury received in and which is attributable to service, the Armed Forces Council may pay to his dependants or personal representatives —

- (a) a gratuity in accordance with regulation 37; and
- (b) as compensation, a sum equivalent to the lump sum calculated for the death of an employee under the Third Schedule to the Work Injury Compensation Act (Cap. 354), as if the member had been an employee under that Act.

(2) There may be paid, in addition to the total sum under paragraph (1), a special award of a sum to be determined by the Armed Forces Council if, in the opinion of the Armed Forces Council, the injury was received by the member in the course of military operations or training.

(3) There may be paid, in addition to the total sum under paragraph (1) and, where applicable, paragraph (2), an additional award to be determined by the Armed Forces Council having regard to the principles on which a claim for damages would be determined in the civil courts if, in the opinion of the Armed Forces Council, the injury was received under exceptional circumstances or while the member was rendering service beyond the call of duty.

(4) Where a member's death is caused as a result of the aggravation by service of an adverse medical condition that —

- (a) existed in him before service; or
- (b) had arisen during but which was not attributable to service,

and the death occurred within 7 years of the aggravation of such medical condition, the amount of compensation payable to his dependants or personal representatives, may be equal to 50% of the compensation payable under paragraph (1)(b) and 50% of any award payable under paragraph (2) or (3), had his death occurred as a result of injuries received in and which were attributable to service.

[S 161/2008 wef 01/04/2008]

PART V

AWARDS IN RESPECT OF DISABLEMENT

[S 161/2008 wef 01/04/2008]

Chapter 1

Quantum

Eligibility for award in respect of total disability

40. For the purposes of this Part, a member is eligible for an award in respect of total disability if —

- (a) he is disabled from an injury received in and attributable to service;
- (b) the injury is not a minor injury specified in the Third Schedule;
- (c) his degree of disability is determined by the Armed Forces Council to amount to total disability; and
- (d) he has, as a result of his disablement, retired, or been released, from service.

Award in respect of total disability of member who has served not less than 10 years in pensionable service

41.—(1) This regulation shall apply to a member —

- (a) who —
 - (i) being in pensionable service, has completed not less than 10 years of pensionable service; or
 - (ii) having exercised the option to convert to the non-pensionable service under regulation 32, has completed not less than 10 years of pensionable service as at the date immediately before his conversion; and
- (b) who is eligible under regulation 40 for an award in respect of total disability.

(2) The Armed Forces Council may pay to a member to whom this regulation applies —

- (a) a pension under regulation 23 or 33, as the case may be; and
- (b) as compensation, a sum equivalent to the lump sum calculated for permanent total incapacity of an employee under the Third Schedule to the Work Injury Compensation Act (Cap. 354) as if the member was an employee under that Act.

Award in respect of total disability of member serving on contract

42. Where a member who is serving on contract is eligible under regulation 40 for an award in respect of total disability, he shall be eligible for —

- (a) a service gratuity under regulation 27 or a sum equal to 12 months of his monthly gross salary, whichever is the greater; and
- (b) compensation computed in accordance with regulation 41(2)(b).

Award in respect of total disability of member serving in pensionable service with less than 10 years' service

43. Where a member who has served for a period of less than 10 years in the pensionable service is eligible under regulation 40 for an award in respect of total disability, he shall be eligible for —

- (a) a service gratuity under regulation 25 or a sum equal to 12 months of pensionable emoluments, whichever is the greater; and
- (b) compensation computed in accordance with regulation 41(2)(b).

Award in respect of total disability of member converted to non-pensionable service with less than 10 years' service

44. Where a member who has exercised the option to convert to the non-pensionable service under regulation 32 and has served for a period of less than 10 years in the pensionable service as at the date

immediately before his conversion is eligible under regulation 40 for an award in respect of total disability, he shall be eligible for —

- (a) a gratuity under regulation 35 or a sum equal to 12 months of his monthly gross salary, whichever is the greater; and
- (b) compensation computed in accordance with regulation 41(2)(b).

Award in respect of total disability of member in non-pensionable service

45. Where a member who is serving in the non-pensionable service, other than a member to whom regulation 44 applies, is eligible under regulation 40 for an award in respect of total disability, he shall be eligible for —

- (a) a gratuity under regulation 37(1)(d); and

[S 78/2015 wef 14/02/2015]

- (b) compensation computed in accordance with regulation 41(2)(b).

Award in respect of total disability of member performing national service, etc.

46. Where a member performing national service or voluntary service is eligible under regulation 40 for an award in respect of total disability, he shall be eligible for —

- (a) a gratuity under regulation 37(1)(b) or (ba), as the case may be; and

[S 78/2015 wef 14/02/2015]

- (b) compensation computed in accordance with regulation 41(2)(b).

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

47. Where a member who is eligible for an award under regulation 41, 42, 43, 44, 45 or 46 has, in the opinion of the Armed Forces Council, suffered total disability as a result of an injury received in the course of military operations or training, the member

may be granted a special award of a sum to be determined by the Armed Forces Council, in addition to the award granted to him under any of those regulations.

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

48. Where a member who is eligible for an award under regulation 41, 42, 43, 44, 45 or 46 has, in the opinion of the Armed Forces Council, suffered total disability as a result of an injury received under exceptional circumstances or while rendering service beyond the call of duty, the member may be granted an additional award to be determined by the Armed Forces Council having regard to the principles on which a claim for damages would be determined in the civil courts, in addition to the award granted to him under any of those regulations and, where applicable, regulation 47.

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

49. Where a member suffers a disability which is determined by the Armed Forces Council to be total disability caused as a result of aggravation by service of an adverse medical condition that —

(a) existed in him before service; or

(b) had arisen during but which was not attributable to service,

and the total disability occurs within 7 years of the aggravation of such medical condition, the member may be granted compensation equal to 50% of the compensation he would have been eligible for under regulation 41, 42, 43, 44, 45 or 46, as the case may be, and 50% of any award he would have been eligible for under regulation 47 or 48, had his total disability occurred as a result of an injury (not being a minor injury specified in the Third Schedule) received in and which was attributable to service.

Award in respect of partial disability

50.—(1) Any member who would have been eligible in a case of total disability for any award under regulations 41 to 48 may, if he suffers partial disability, be awarded —

- (a) such a proportion of the compensation equivalent to the lump sum calculated for permanent total incapacity of an employee under the Third Schedule to the Work Injury Compensation Act (Cap. 354) as if the member was an employee under that Act, as the degree of disablement bears to total disablement; and
- (b) such a proportion of any award he would have been eligible for under regulation 47 or 48 as the degree of disablement bears to total disablement.

(2) Where such partial disability is determined by the Armed Forces Council to be caused by aggravation by service of an adverse medical condition that —

- (a) existed in the member before service; or
- (b) had arisen during but which was not attributable to service,

and such disability occurs within 7 years of the aggravation of such medical condition, the member may be granted compensation equal to 50% of the compensation he would have been eligible for under paragraph (1)(a) and 50% of any award he would have been eligible for under paragraph (1)(b), had his partial disability occurred as a result of an injury received in and which was attributable to service.

Determination of degrees of disablement

51.—(1) Subject to these Regulations, the degree of the disablement attributable to service of a member shall be assessed by making a comparison between the condition of the member as so disabled and the condition of a normal healthy person of the same age, without taking into account the earning capacity of the member in his disabled condition in his own or any other specific trade or occupation, and without taking into account the effect of any individual factors or extraneous circumstances; but where such disablement is due to more than one injury, a composite assessment of the degree of disablement shall be made by reference to the combined effect of all such injuries.

(2) The degree of disablement assessed in accordance with paragraph (1) shall be certified by way of a percentage, total disablement being represented by 100% (which shall be the

maximum assessment) and a lesser degree or partial disablement being represented by such percentage as bears to 100% the same proportion as the lesser degree of disablement bears to total disablement, except in a case to which the Third Schedule applies.

(3) Where a disablement of a member who joined the Singapore Armed Forces before 15th March 1991 is due to any injury specified in the First Schedule or is a disablement so specified, and, in either case, has reached a settled condition, the degree of such disablement shall, in the absence of any special features, be certified for the purpose of these Regulations at the percentage specified in that Schedule as appropriate to that injury or to that disablement.

(4) Where a disablement of a member who joins the Singapore Armed Forces on or after 15th March 1991 is due to any injury specified in the First Schedule to the Work Injury Compensation Act (Cap. 354) or is a disablement so specified, and, in either case, has reached a settled condition, the degree of such disablement shall, in the absence of any special features, be certified for the purpose of these Regulations at the percentage equivalent to the percentage of loss of earning capacity specified in that Schedule as appropriate to that injury or to that disablement.

(5) Where a member has sustained a minor injury specified in the Third Schedule, he may be granted an award in accordance with that Schedule, whether his service is terminated or not.

(6) If a member has sustained an injury referred to in paragraph (5) as well as other disablement attributable to service, the degree of which is less than 100%, and a composite assessment of the degree of the disablement from both causes is no higher than the assessment for the other disablement alone, this regulation shall have effect so as to authorise an award under paragraph (5) in respect of the minor injury as well as an award under this Part in respect of the other disablement.

(7) The degree of disablement certified under this regulation shall be the degree of disablement for the purpose of any award in respect thereof in this Part.

Award for constant attention

52.—(1) Where a member is granted compensation computed in accordance with regulation 41(2)(b), and it is shown to the satisfaction of the Armed Forces Council that constant attendance on the member is necessary on account of disablement, he may be awarded an additional amount equivalent to 25% of the maximum compensation payable under regulation 41(2)(b).

(2) Where a member is granted compensation computed in accordance with regulation 41(2)(b), the award under this regulation shall be in lieu of any additional compensation for constant attention provided under the Work Injury Compensation Act (Cap. 354).

Chapter 2

Treatment and Rehabilitation

Application of this Chapter

53. Under this Chapter, awards may be made where the disablement of a member is attributable to service and any condition applicable to an award under Chapter 1 shall, where appropriate, be applicable to an award under this Chapter.

Treatment allowance

54.—(1) A member may be awarded a treatment allowance in respect of any period during which he receives approved treatment.

(2) Subject to paragraph (3), a treatment allowance so awarded may be payable in addition to any award payable in accordance with Chapter 1.

(3) The aggregate rate of the award under Chapter 1 together with the treatment allowance under this regulation shall not exceed the rate of award which would be appropriate under these Regulations if the degree of such member's disablement had been 100%.

Allowance where prolonged abstention from work is necessary following approved institutional treatment

55. Where it is certified that a member should on completion of a course of approved institutional treatment abstain from work for a prolonged period in consequence of the condition which necessitated such treatment, he may be treated as if he were eligible throughout such period for a treatment allowance under regulation 54.

Allowance for part-time treatment

56. Where a member receives treatment which would be approved treatment but for the fact that it involves only occasional interruptions of the member's normal employment, a treatment allowance may be awarded to the member at such rate as the Armed Forces Council may think appropriate, having regard to any loss of remunerative time by the member as the result of those interruptions.

Medical expenses

57. Any necessary expenses in respect of the medical, surgical or rehabilitative treatment of a member not otherwise provided for may be defrayed by the Armed Forces Council under such conditions and up to such amount as the Council may determine.

*Chapter 3**Miscellaneous***Meaning of "earnings"**

58. For the purposes of calculating under Part IV or this Part any sum equivalent to the lump sum applicable under the Third Schedule to the Work Injury Compensation Act (Cap. 354) as if a member was an employee under that Act —

- (a) "earnings" means any salary paid and includes —
- (i) any overtime payment or other special remuneration for work done, whether by way of bonus, allowance or otherwise, if of a constant character or for work habitually performed; and

- (ii) any reimbursement or pay to which the member is entitled or which is payable to him by his employer under section 24 of the Enlistment Act (Cap. 93),
but does not include —
 - (A) any benefit in kind given to a member by the Singapore Armed Forces;
 - (B) any travelling allowance;
 - (C) the value of any travelling concession;
 - (D) any contribution paid by the Singapore Armed Forces towards any pension or provident fund; and
 - (E) any sum paid to the member to cover any special expenses incurred by him by reason of the nature of his employment;
- (b) the earnings of a member shall be computed in such a manner as is best calculated to give his true monthly earnings at the date of the injury, subject to the following provisions:
 - (i) where the member has been employed in the pensionable or non-pensionable service at the time of the injury for a continuous period of more than a month immediately preceding the injury, his monthly earnings shall be the average amount of his earnings during the continuous period of not more than 12 months immediately preceding the injury;
 - (ii) where the member has been employed in the pensionable or non-pensionable service at the time of the injury for a continuous period of a month immediately preceding the injury or shorter, his monthly earnings shall be the actual earnings he would have received for the whole month immediately preceding the injury;
 - (iii) where the earnings of a member determined in accordance with paragraphs (a) and (b)(i) or (ii) are less than —

- (A) \$120 a month in the case of a member who is 18 years of age and above;
- (B) \$105 a month in the case of a member who is below 18 years of age but is 16 years of age and above; or
- (C) \$90 a month in the case of a member below 16 years of age,

then in any such case, the monthly earnings of a member who is 18 years of age and above shall be deemed to be \$120, the monthly earnings of a member below 18 years of age but who is 16 years of age and above shall be deemed to be \$105, and the monthly earnings of a member below 16 years of age shall be deemed to be \$90, respectively.

Powers of Armed Forces Council to withhold, cancel, reduce award or compensation

59.—(1) Where a member dies in disgrace or where a member's death is attributable to his misconduct or negligence or due to reasons within his control or resulted from a deliberate self-injury or the deliberate aggravation of an accidental injury, the Armed Forces Council may refuse to make an award or to pay compensation under Part IV or this Part or may authorise payment of an award or compensation at such a reduced rate or of such a lesser sum as it thinks fit in the circumstances of the case.

(2) Where 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, the Armed Forces Council may withhold, cancel or reduce any award or compensation which may be or has been made under Part IV or this Part.

(3) The Armed Forces Council may 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 VI

60. [to 65 [*Deleted by S 161/2008 wef 01/04/2008 wef 01/04/2008 wef 01/04/2008*]]

PART VII

MISCELLANEOUS

Administration of pensions, etc.

66.—(1) A pension, gratuity or other award granted or made to or in respect of any person under Parts IV and V may, notwithstanding the provisions of these Regulations, be administered by a Pensions Officer, subject to the directions of the Armed Forces Council, if —

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

(2) A pension, gratuity or other award which is being administered under this regulation may, as to the whole or such part thereof and at such times as the Armed Forces Council thinks fit, be —

- (a) applied for the benefit of the person to or in respect of whom it has been granted or made; or
- (b) paid to any person whom the Armed Forces Council 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.

Refusal of treatment

67.—(1) Where it is certified that a member should in his own interests receive medical, surgical or rehabilitative treatment for a disablement in respect of which a pension may be or has been awarded to him, and such member refuses or neglects to receive the treatment, the Armed Forces Council may, if it considers that such refusal or

neglect is unreasonable, reduce any pension in respect of the member's disablement by such an amount not exceeding one-half of any such pension, as it may think fit.

(2) For the purpose of this regulation, any misconduct on the part of the member which, in the opinion of the Armed Forces Council, renders it necessary for any treatment that he is receiving to be discontinued, may be treated as a refusal of the member to receive the treatment.

Failure to draw pension

68. Where a person fails for a continuous period of not less than 7 years to draw his pension, the award may be cancelled and any payment of any arrears may be withheld but the Armed Forces Council may in any particular case restore the award and pay the arrears either in whole or in part.

Arrears

69. Except in so far as the Armed Forces Council may otherwise direct with respect to any particular case or class of cases, payment of a pension 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 of the pension, or, as the case may be, to the continuance or resumption of the payment of the pension, is accepted.

FIRST SCHEDULE

Regulation 41(3)

ASSESSMENT OF DISABLEMENT CAUSED BY SPECIFIED INJURIES AND OF CERTAIN OTHER DISABLEMENTS

<i>Description of Injury</i>	<i>Assessment Per Centum</i>
1. Loss of 2 limbs	100
2. Loss of both hands or of all fingers and both thumbs	100
3. Loss of both feet	100
4. Loss of a hand and a foot	100

FIRST SCHEDULE — *continued*

5. Total loss of sight, including the loss of sight to such extent as to render the claimant unable to perform any work for which eyesight is essential	100
6. Total paralysis	100
7. Injuries resulting in being permanently bedridden	100
8. Any other injury causing permanent incapacity	100
9. Very severe facial disfigurement	100
10. Loss of arm at shoulder	75
11. Loss of arm between elbow and shoulder	75
12. Loss of arm at elbow	75
13. Loss of arm between wrist and elbow	70
14. Loss of hand at wrist	70
15. Loss of finger and thumb of one hand	70
16. Loss of 4 fingers	60
17. Loss of thumb —	
(a) both phalanges	50
(b) one phalanx	30
18. Loss of ring finger —	
(a) 3 phalanges	20
(b) 2 phalanges	15
(c) 1 phalanx	10
19. Loss of little finger —	
(a) 3 phalanges	20
(b) 2 phalanges	15
(c) 1 phalanx	10
20. Loss of index finger —	
(a) 3 phalanges	35

FIRST SCHEDULE — *continued*

(b) 2 phalanges	25
(c) 1 phalanx	20
21. Loss of middle finger —	
(a) 3 phalanges	25
(b) 2 phalanges	20
(c) 1 phalanx	15
22. Loss of metacarpals —	
(a) first or second (additional)	20
(b) third, fourth or fifth (additional)	15
23. Loss of leg —	
(a) at or above knee joint	75
(b) below knee	65
24. Loss of a foot	55
25. Loss of toes —	
(a) all of one foot	35
(b) great, both phalanges	20
(c) great, one phalanx	10
(d) other than great, if more than one toe lost	10
26. Loss of sight of one eye	50
27. Loss of hearing of one ear	30
28. Total loss of hearing	60

Notes:

- (1) Total permanent loss of the use of a member shall be treated as loss of such member.
- (2) Where there is loss of 2 or more parts of the hand, the percentage shall not be more than the loss of the whole hand.
- (3) Loss of remaining arm, leg or eye if one has already been lost, shall be the difference between the compensation for the total incapacity and compensation already paid or that which would have been paid for the previous loss of limb or eye.

SECOND SCHEDULE

[Deleted by S 161/2008 wef 01/04/2008.]

THIRD SCHEDULE

Regulations 40 (1), 41(2) and (5), 53(1),
54, 55, 56, 57, 58, 60 and 62.

GRATUITIES PAYABLE FOR SPECIFIED MINOR INJURIES

Description of Injury

For the loss of

A. FINGERS:

R or L index finger —

Guillotine amputation of tip without loss of bone \$470

R or L middle finger —

Guillotine amputation of tip without loss of bone \$380

R or L ring or little finger —

Guillotine amputation of tip without loss of bone \$240

B. TOES:

R or L great toe —

part, with some loss of bone \$320

R or L 1 other toe —

part, with some loss of bone \$160

2 toes, excluding great toe —

part, with some loss of bone \$240

3 toes, excluding great toe —

part, with some loss of bone \$320

4 toes, excluding great toe —

THIRD SCHEDULE — *continued*

part, with some loss of bone

\$320

*[G.N. Nos. S 17/78; S 323/81; S 319/84; S 72/86;
S 171/86; S 303/86; S 326/90; S 117/91; S 289/93;
S 174/94; S 97/95; S 282/97]*

LEGISLATIVE HISTORY
SINGAPORE ARMED FORCES (PENSIONS) REGULATIONS
(CHAPTER 295, RG 9)

This Legislative History is provided for the convenience of users of the Singapore Armed Forces (Pensions) Regulations. It is not part of these Regulations.

1. G. N. No. S 17/1978 — Singapore Armed Forces (Pensions) Regulations 1978

Date of commencement : Part I to V and VII: 27 January 1978
Part VI: 1 October 1975

2. G. N. No. S 323/1981 — Singapore Armed Forces (Pensions) Regulations 1981

Date of commencement : 2 January 1981

3. G. N. No. S 319/1984

Date of commencement : 7 December 1984

4. G. N. No. S 72/1986

Date of commencement : 18 March 1986

5. G. N. No. S 171/1986

Date of commencement : 15 July 1986

6. G. N. No. S 303/1986

Date of commencement : 1 December 1986

7. G. N. No. S 326/1990

Date of commencement : 24 August 1990

8. G. N. No. S 117/1991

Date of commencement : 1 May 1990

9. 1990 Revised Edition — Singapore Armed Forces (Pensions) Regulations

Date of operation : 25 March 1992

10. 2001 Revised Edition — Singapore Armed Forces (Pensions) Regulations

Date of operation : 31 January 2001

11. G. N. No. S 375/2003 — Singapore Armed Forces (Pensions) (Amendment) Regulations 2003

Date of commencement : 1 January 2003

**12. G. N. No. S 106/2005 — Singapore Armed Forces (Pensions)
(Amendment) Regulations 2005**

Date of commencement : 5 April 2004

**13. G. N. No. S 161/2008 — Singapore Armed Forces (Pensions)
(Amendment) Regulations 2008**

Date of commencement : 1 April 2008

**14. G.N. No. S 238/2012 — Singapore Armed Forces (Pensions)
(Amendment) Regulations 2012**

Date of commencement : 1 June 2012

**15. G.N. No. S 78/2015 — Singapore Armed Forces (Pensions) (Amendment)
Regulations 2015**

Date of commencement : 14 February 2015