

WORK INJURY COMPENSATION ACT
(CHAPTER 354, SECTION 45)

WORK INJURY COMPENSATION REGULATIONS

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[1st April 2008]

PART I

PRELIMINARY

Citation

1. These Regulations may be cited as the Work Injury Compensation Regulations.

Definition

2. In these Regulations, unless the context otherwise requires, "transferring authority of a territory outside Singapore" means the authority in a territory outside Singapore which transfers or causes to be transferred any lump sum awarded under the law in any such territory relating to work injury compensation and applicable for the benefit of any person residing or about to reside in Singapore.

PART II

PROCEDURE TO CLAIM FOR COMPENSATION

Notice of accident

3.—(1) Every employer shall give a notice in writing to the Commissioner and the employer's insurer —

- (a) of any accident which results in the death of any employee of the employer, not later than 10 days after the date of the accident;
- (b) of any accident which results in an incapacity that renders any employee of the employer unfit for work for more than 3 days (consecutive or otherwise) as certified by a registered medical practitioner, not later than 10 days after the 3rd day of such unfitness for work;
- (c) of any accident which results in any employee of the employer being admitted in a hospital for at least 24 hours for observation or treatment, not later than 10 days after the date of the accident; and
- (d) of any occupational disease referred to in section 4(1) of the Act contracted by any employee of the employer, not later than 10 days after the date on which he contracted such occupational disease.

[S 6/2014 wef 06/01/2014]

[S 198/2012 wef 01/06/2012]

(2) For the purposes of paragraph (1), the date when an employer's employee contracts any occupational disease referred to in section 4(1) of the Act shall be the date when the employer receives a written statement prepared by a registered medical practitioner diagnosing the occupational disease.

[S 198/2012 wef 01/06/2012]

(3) Where an employee dies from an accident referred to in paragraph (1)(b) or (c), the employer of that employee shall, as soon as reasonably practicable, notify the Commissioner and the employer's insurer of the death.

[S 6/2014 wef 06/01/2014]

(4) Every notice of accident required to be given to the Commissioner under paragraph (1) or (3) shall be in accordance with such form and be given in such manner as set out at the website <http://www.mom.gov.sg/iReport>.

(5) Any employer who fails to give notice to the Commissioner in accordance with paragraph (1) or (3) shall be guilty of an offence and shall be liable on conviction —

- (a) for a first offence, to a fine not exceeding \$5,000; and
- (b) for a second or subsequent offence, to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both.

Making of report by employee or dependant

4.—(1) Where —

- (a) an employee has been injured in an accident in the course of his employment; or
- (b) an employee has died as a result of an accident in the course of his employment,

the employee or a dependant of a deceased employee who intends to make a claim or has made a claim for compensation under the Act, and who has not received compensation from the employer of the employee, may make a report to the Commissioner.

(2) Any report made under paragraph (1) shall be in writing and made in such form and manner as the Commissioner may determine.

(3) Where a report made under paragraph (1) is in writing by the Commissioner, the report shall be signed by the employee or the dependant, as the case may be, to the effect that the facts recorded by the Commissioner are accurate to the best of the employee's or dependant's knowledge and belief.

Inquiry by Commissioner after report made

5.—(1) After any report is made to the Commissioner under regulation 4, the Commissioner may inquire about the subject-matter of the report in writing from —

- (a) the employer of the employee; or
- (b) the principal referred to in section 17 of the Act who is liable under that section to pay compensation to the employee,

and whether the employer or principal admits any liability to pay compensation.

(2) The Commissioner shall give to the employer or principal particulars of the report made under regulation 4 which shall constitute a claim under section 11 of the Act.

Objection to notice of assessment

6. Any employer or person claiming compensation who objects to the notice of assessment of compensation issued by the Commissioner under section 24(2) of the Act shall give notice of that objection to the Commissioner in accordance with Form A in the Schedule.

Commissioner to fix date, time and place of pre-hearing conferences and hearing

7.—(1) For the purpose of the determination of any claim for compensation made under section 11 of the Act, the Commissioner may at any time after a claim is made under that section, fix the date, time and place for a pre-hearing conference or hearing and may cause a notice thereof to be served on any party concerned calling upon them to produce all necessary evidence which they may wish to tender at the pre-hearing conference or hearing.

(2) The notice of hearing shall be in accordance with Form B in the Schedule.

Failure of one or more parties to appear at hearing

8.—(1) If on the day and at the time fixed for the hearing or any adjournment thereof, one or more of the parties to the action or proceedings fails to appear, the Commissioner may proceed with the hearing or determine the claim or make an order on compensation payable, in the absence of that party or parties, as the case may be.

(2) Notwithstanding paragraph (1), if the Commissioner is satisfied that there is reasonable excuse for the absence of one or more of the parties to the action or proceedings, he may adjourn the hearing to some future date upon such terms as to costs as he thinks fit.

(3) If on the day and at the time fixed for hearing or any adjournment thereof, the party who lodged any notice of objection does not appear,

the objection shall be deemed to have been withdrawn by the party lodging it.

Procedure during proceedings

9. The Evidence Act (Cap. 97) and any other law relating to evidence need not be followed strictly in all proceedings before the Commissioner.

Procedure in connected cases

10. Where 2 or more cases pending before the Commissioner arise out of the same accident and any issue involved is common to such cases, the cases may, if the parties agree, so far as the evidence bearing on the issue is concerned, be heard together.

Orders

11.—(1) The Commissioner, in making any order under the Act, shall record concisely his finding and his reasons for such finding.

(2) Where the Commissioner has made his order —

(a) after a hearing under the Act;

(b) giving effect to a settlement referred to in section 25B(5) of the Act; or

(c) which is an order referred to in section 24(3) of the Act,

no addition or alteration shall be made to the order other than the correction of any clerical or arithmetical mistake arising from any accidental slip or omission.

(3) Any order made by the Commissioner shall be in accordance with Form C in the Schedule.

Record

12. The Commissioner shall record —

(a) all decisions or orders made, and all directions given, by him under the Act;

(b) his consent to any agreement under section 16 of the Act and the particulars of the agreement; and

- (c) a concise account of any proceedings (including a pre-hearing conference) conducted by him under the Act.

Exemption from payment of costs and fees

13. If the Commissioner is satisfied that any party to the pre-hearing conference or hearing is unable, by reason of poverty, to pay the costs or prescribed fees, the Commissioner may waive all or any of the costs or fees.

PART III

APPOINTMENT OF REPRESENTATIVES

When representative must be appointed

14. Where any party to a proceeding is a minor or is unable to make an appearance because he is mentally incapacitated or is dead, the Commissioner shall appoint a suitable person, who consents to the appointment, to represent the party for the purposes of the proceedings.

When new representative to be appointed

15. If the Commissioner considers that the interests of any party for whom a representative has been appointed under regulation 14 are not being adequately protected by that representative, or if a person appointed to act as representative dies, or becomes incapable of acting, or otherwise ceases to act as such, the Commissioner shall appoint in the representative's place another person who consents to the appointment.

PART IV

CALCULATION OF EARNINGS

Calculation of earnings

16.—(1) For the purposes of calculating the true monthly earnings of an employee at the date of an accident for the purposes of section 8(1)(a) of the Act —

- (a) a period of employment shall be deemed to be continuous notwithstanding that the period had been interrupted by the employee’s absence from work;
- (b) the true monthly earnings shall be calculated using the formula

$$\frac{\text{actual earnings of the employee during the relevant period}}{\text{the relevant period}}$$

where the relevant period is —

- (i) in the case where the employee had been employed for more than 12 months immediately preceding the accident, the period of 12 months immediately preceding the accident; and
- (ii) in the case where the employee had been employed for less than 12 months immediately preceding the accident, the period between the time he was first employed and the date of the accident; and
- (c) the Commissioner may disregard or adjust the amount of the earnings of the employee in any particular month where the Commissioner is of the view that the earnings for that month are not an accurate reflection of his monthly earnings.

(2) For the purposes of calculating the true monthly earnings of an employee at the date of an accident for the purposes of section 8(1)(b) of the Act —

- (a) a period of employment shall be deemed to be continuous notwithstanding that the period had been interrupted by the employee’s absence from work; and
- (b) the formula for calculating his monthly earnings shall be as follows:

$$\frac{\text{Average earnings per day where the employee is required to work in a week} \times \text{Average number of days the employee is required to work in a week} \times 52 \text{ weeks}}{12 \text{ months}}$$

where —

- (i) the “average earnings per day where the employee is required to work” includes any day in which the employee —
 - (A) actually worked;
 - (B) was absent from work with pay granted by the employer; and
 - (C) was absent from work without prior leave from his employer or without reasonable excuse, or without informing or attempting to inform his employer of the excuse for such absence; and
- (ii) the “average number of days the employee is required to work” includes any day in which the employee is required to work but the employer has no work for the employee.

PART V

REVIEW OF PERIODICAL PAYMENTS FOR TEMPORARY INCAPACITY AND COMMUTATIONS THEREOF

Order for withholding of periodical payments pending decision

17. If, on examining an application for review by an employer in which the reduction or discontinuance of periodical payments for temporary incapacity is sought, it appears to the Commissioner that there is reasonable ground for believing that the employer has a right to the reduction or discontinuance, he may at any time issue an order withholding the periodical payments for temporary incapacity in whole or in part pending his decision on the application.

Procedure on application for commutation

18.—(1) If any periodical payments for temporary incapacity are to be commuted into a lump sum under section 16 of the Act, the lump sum shall be calculated based on the periodical payments for temporary incapacity which would otherwise have been payable to

the employee during the period for which it is estimated that the employee's incapacity will continue.

(2) Any fraction of a dollar included in the lump sum so computed shall be rounded up to the nearest whole dollar.

(3) The Commissioner shall not consent to an agreement under section 16 of the Act unless he considers reasonable the estimate of the probable duration of the employee's incapacity.

PART VI

MEDICAL EXAMINATION

Examination when employee and medical practitioner both on premises

19. When an employee is present on the employer's premises and the employer, pursuant to section 13(1) of the Act, offers to have the employee examined free of charge by a medical practitioner who is also present, the employee shall immediately submit himself for examination.

Examination in other cases

20. In cases to which regulation 19 does not apply, the employer may —

- (a) send a medical practitioner to the place where the employee is residing for the time being, in which case the employee shall submit himself for medical examination on being requested to do so by the medical practitioner; or
- (b) send the employee to a medical practitioner, in which case the employee shall submit himself for medical examination at the employer's premises or at such other place and time stipulated by the employer.

Examination after suspension of right to compensation

21. If an employee whose right to compensation has been suspended under section 13(3) or (4) of the Act subsequently offers himself for medical examination, his examination shall take place —

- (a) at the employer's premises or at such other place in the vicinity as may be fixed by the employer; and
- (b) at a time to be fixed by the employer not being, except with the express consent of the employee, more than 72 hours after the employee has so offered himself.

PART VII

ADMISSION TO APPROVED HOSPITALS

Cost of conveyance to approved hospital

22. When a medical practitioner who has examined an employee certifies under section 14(2) of the Act that the employee requires treatment in an approved hospital, and when the medical practitioner in charge of an approved hospital agrees to admit the employee to the approved hospital, the employer of the employee shall cause the employee to be conveyed to the approved hospital in such manner as the medical practitioner who has examined the employee advises to be appropriate to his condition.

Approved hospitals

23. In section 14(1) of the Act, "approved hospital" means any private hospital licensed under the Private Hospitals and Medical Clinics Act (Cap. 248).

PART VIII

TRANSFER OF MONEY

Application of this Part

24. This Part shall only apply to the transfer of funds between Singapore and a country with which an arrangement has been made under section 34 of the Act.

Cost of transmission may be deducted

25. When any sum is transmitted by any authority in Singapore to any other authority of a territory outside Singapore in accordance with

this Part, the cost of the transmission may be deducted from the sum so transmitted.

Commissioner may order transfer of compensation

26. When the whole or any part of a lump sum deposited with the Commissioner for payment as compensation under the Act is payable to any person or persons residing or about to reside in any territory outside Singapore, the Commissioner may order the transfer to that territory of the sum so payable.

Memorandum of case

27. When the Commissioner has ordered the transfer of any sum under regulation 26 he shall cause to be prepared and shall certify under his hand a memorandum containing a brief statement of the facts of the case, of the result of it, and of the name and address of each person to whom payment is to be made.

Procedure for dealing with compensation

28. In dealing with compensation so transferred, the Commissioner shall proceed as provided in regulation 29.

Memorandum and compensation to be forwarded to competent authority

29. The Commissioner shall forward the memorandum, and remit or cause to be remitted the sum to which it relates by such means of safe transmission as he may consider convenient to the authority appointed for this purpose for the territory to which the sum is to be transferred, or if no such authority has been appointed, to such authority as the Minister may direct, and shall at the same time request the authority addressed —

- (a) to arrange for payment to be made in accordance with the directions contained in the memorandum; and
- (b) to furnish him with a report of the action taken upon the memorandum and return any sum the payment of which is for any reason impossible.

Procedure on receipt of returned sum

30. Any sum returned in accordance with regulation 29 shall be disposed of in accordance with the Act.

Commissioner to receive transferred compensation

31. The Commissioner shall be the proper authority to receive moneys from transferring authorities of territories outside Singapore.

Disposal of transferred compensation

32. The Commissioner may himself dispose of any sum or part of any sum which he receives under regulation 31 or of which he assumes control under regulation 30.

Provisions of Act and Regulations to apply to transferred compensation

33. All sums received from a transferring authority of a territory outside Singapore shall be disposed of as far as is possible in accordance with the Act and these Regulations, and any directions received from the transferring authority as to the manner in which the sum should be administered shall be complied with.

PART IX

MISCELLANEOUS

Manner in which compensation may be invested under section 9

34. Money to be invested under section 9(5) of the Act may be lodged with the Public Trustee to be held by him in trust for the person beneficially entitled thereto.

Discharge of employer's liability on receipt of compensation

35. Where the Commissioner receives any compensation from an employer under the Act, such receipt shall be a sufficient discharge for the employer's liability to pay the compensation.

Form of summons

36. A summons issued by the Commissioner under section 30 of the Act shall be in accordance with Form D in the Schedule.

Prescribed occupational disease

37. For the purpose of section 24(6) of the Act, the prescribed occupational disease shall be silicosis or asbestosis.

Payment of interest

38.—(1) The interest payable under section 28A of the Act shall be —

- (a) 1% per month above the rate prescribed under Order 42 of the Rules of Court (Cap. 322, R 5) for the first 6 months; and
- (b) 2.6% per month above the rate prescribed under Order 42 of the Rules of Court after the first 6 months.

(2) The interest payable under section 28A of the Act shall be calculated —

- (a) where the employer fails to pay the amount of compensation in accordance with section 24(4) of the Act, based on the duration of the period the amount remains unpaid starting from (and including) the date of the service of the notice of assessment under section 24(2) of the Act;
- (b) where the employer fails to pay the amount of compensation in accordance with section 28(1A) of the Act, based on the duration of the period the amount remains unpaid starting from (and including) the date of the order for compensation made under section 25A, 25B, 25C or 25D of the Act;

[S 198/2012 wef 01/06/2012]

- (c) where an employer fails to make a deposit the amount of compensation with the Commissioner under section 29(3) of the Act, based on the duration of the period the amount is not deposited starting from (and including) the date of the order for compensation made under section 25A, 25B, 25C or 25D of the Act.

[S 198/2012 wef 01/06/2012]

THE SCHEDULE

Regulation 6

Form A



MINISTRY OF MANPOWER
REPUBLIC OF SINGAPORE
WORK INJURY COMPENSATION ACT
(CHAPTER 354)
WORK INJURY COMPENSATION
REGULATIONS

INSTRUCTIONS:

Any party who wishes to object to the Notice of Assessment issued by the Commissioner for Labour under the Work Injury Compensation Act is required to state precisely the ground(s) of objection using this form, and attach supporting evidence and documents where relevant.

The objecting party is required to complete this form and submit it to the Commissioner for Labour within 14 days after the service of the Notice of Assessment.

Late objection raised or any other ground of objection that is received by the Commissioner for Labour outside the 14-day period will be disregarded.

To complete this form, you will require the particulars of the objecting party and details of the grounds of objection. It will take about 10 minutes to complete this form.

SECTION A — PARTICULARS OF THE OBJECTING PARTY

(Please tick one and fill up the blanks accordingly)

If you are the claimant raising the objection:

Name of Claimant: _____

NRIC No./Fin. No./Passport No.: _____

I submit this notice of objection to the Notice of Assessment dated _____ (DD/MM/YYYY), which was issued by the Commissioner for Labour with respect to my work compensation claim for an accident dated _____ (DD/MM/YYYY). My ground(s) of objection is/are stated in Section B.

THE SCHEDULE — continued

Name of Insurer: _____

I, _____ (name of insurer’s representative), on behalf of the abovenamed insurance company/firm, submit this notice of objection to the Notice of Assessment dated _____ (DD/MM/YYYY), which was issued by the Commissioner for Labour with respect to the work injury compensation claim of _____ (name of employee) for an accident dated _____ (DD/MM/YYYY). Our ground(s) of objection is/are stated in Section B.

2 I have read and understood the instructions. We are aware that we are required to submit all ground(s) of objection within 14 days after the service of the Notice of Assessment and that any other ground of objection received by the Commissioner for Labour after this 14-day period will be disregarded.

Name and Designation of Insurer’s representative

Signature

Date of Signature

SECTION B — GROUNDS OF OBJECTION

(Please tick your ground(s) of objection and elaborate when necessary)

Admissibility under the Act

The wrong payer is indicated in the Notice of Assessment.

Note: If it should involve another insurer, please furnish a copy of the insurance policy.

Medical condition/injury/death is/is not* caused or aggravated by an accident that arose out of and in the course of employment. (*please delete where inapplicable)

THE SCHEDULE — *continued*

Injured/deceased party is employed/not employed* by the employer.
(*please delete where inapplicable)

Others (please specify)

Permanent Incapacity¹

Amount of permanent incapacity compensation awarded

Basis of permanent incapacity award

Others (please specify)

¹When an objection on the percentage of permanent incapacity is accepted, the injured employee will be referred to the Medical Board for a final medical assessment in accordance with the Work Injury Compensation Act and its Regulations. This is not applicable for cases where the accident resulted in the death of the employee.

THE SCHEDULE — *continued*

<input type="checkbox"/> Average Monthly Earnings (AME) <hr/> <hr/> <hr/> <p><i>Note: Please furnish supporting documents e.g. timecards and payment vouchers.</i></p>
<input type="checkbox"/> Others (please specify) <hr/> <hr/> <hr/>

Form B

Regulation 7



MINISTRY OF MANPOWER
REPUBLIC OF SINGAPORE
WORK INJURY COMPENSATION ACT
(CHAPTER 354)
WORK INJURY COMPENSATION
REGULATIONS

NOTICE OF HEARING

Subject	Case No.
Claimant(s)	Respondent(s)
Date and Time of Hearing	

Take notice that the Assistant Commissioner (Work Injury Compensation) under the Work Injury Compensation Act will proceed with the hearing of this case.

THE SCHEDULE — *continued*

You are hereby required to attend at Court 4, Level 1, Ministry of Manpower, 18 Havelock Road, Singapore 059764, on the abovestated day at the abovestated time and that if you fail to attend at such place, time and date, it shall be lawful for the Assistant Commissioner to hear and decide the case as he may think just and expedient.

And take notice that your **failure to attend** as required in this Notice may also render you liable to be punished as provided in Chapter X of the Penal Code (Chapter 224).

.....
Date

.....
Name of Signing Officer
Assistant Commissioner
(Work Injury Compensation)

To	Name and Signature of Recipient	
	Date Served	Served By

THE SCHEDULE — *continued*

	<p>FORM C</p> <p>MINISTRY OF MANPOWER</p> <p>REPUBLIC OF SINGAPORE</p> <p>WORK INJURY COMPENSATION ACT (CHAPTER 354)</p> <p>WORK INJURY COMPENSATION REGULATIONS</p> <p>CERTIFICATE OF ORDER MADE UNDER THE WORK INJURY COMPENSATION ACT</p>	<p>Regulation 11</p> <p>Case No.</p>
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Claimant(s)	Respondent(s)
Amount Ordered to Pay	Name of Officer

Terms of Order



Date	<i>Name of Signing Officer</i> Assistant Commissioner (Work Injury Compensation)
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It is hereby certified that:

- partial satisfaction of the order to the extent that
- no satisfaction of the order has been made

Date	<i>Name of Signing Officer</i> Assistant Commissioner (Work Injury Compensation)
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Form D

Regulation 36

THE SCHEDULE — *continued*

MINISTRY OF MANPOWER
REPUBLIC OF SINGAPORE
WORK INJURY COMPENSATION ACT
(CHAPTER 354)
WORK INJURY COMPENSATION
REGULATIONS

**SUBPOENA TO GIVE EVIDENCE
AND PRODUCE DOCUMENTS**

Subject	Case no.
Claimant(s)	Respondent(s)
Date and Time of Attendance	
Documents to Produce	

Whereas I, the undersigned Assistant Commissioner (Work Injury Compensation) under the Work Injury Compensation Act, desire to enquire into the above matter.

And whereas I have the reason to believe you can give information respecting the subject-matter of the inquiry.

Now therefore, I, in exercise of the powers conferred on me by section 30 of the Work Injury Compensation Act, hereby summon you personally to attend at Court 4, Level 1, Ministry of Manpower, 18 Havelock Road, Singapore 059764, on the abovestated day and at the abovestated time and to answer truthfully all questions which I may put to you and to produce the abovementioned documents.

THE SCHEDULE — *continued*

And take notice that if you neglect to attend as required in this subpoena, you will be liable to be punished as provided in Chapter X of the Penal Code (Chapter 224).

.....
Date

.....
Name of Signing Officer
Assistant Commissioner
(Work Injury Compensation)

To	Name and Signature of Recipient	
	Date Served	Served By

[G.N. No. S 165/2008]

LEGISLATIVE HISTORY
WORK INJURY COMPENSATION REGULATIONS
(CHAPTER 354, RG 1)

This Legislative History is provided for the convenience of users of the Work Injury Compensation Regulations. It is not part of these Regulations.

1. 1975 Revised Edition — Workmen’s Compensation Regulations

Date of operation : 25 March 1992

2. 1998 Revised Edition — Workmen’s Compensation Regulations

Date of operation : 15 June 1998

3. G. N. No. S 165/2008 — Work Injury Compensation Regulations 2008

Date of commencement : 1 April 2008

4. 2010 Revised Edition — Work Injury Compensation Regulations

Date of operation : 31 January 2010

5. G.N. No. S 198/2012 — Work Injury Compensation (Amendment) Regulations 2012

Date of commencement : 1 June 2012

6. G.N. No. S 6/2014 — Work Injury Compensation (Amendment) Regulations 2014

Date of commencement : 6 January 2014