

WORK INJURY COMPENSATION ACT  
CHAPTER 354, SECTION 45<sup>1</sup>

WORK INJURY COMPENSATION INSURANCE  
REGULATIONS

ARRANGEMENT OF REGULATIONS

Regulation

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5. Penalty

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[1st October 1975]

**Citation**

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

**Prohibition of certain conditions, exclusions and exceptions in policies of insurance**

2.—(1) Any condition, exclusion or exception in a policy of insurance issued or renewed for the purpose of section 23 of the Act which provides, in whatever terms, that no liability shall arise under the policy, or that any liability so arising shall cease —

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<sup>1</sup>The Workmen's Compensation Insurance Regulations were originally made under section 35 of the Workmen's Compensation Act (Cap. 354), which was renumbered as section 36 in the 1998 Revised Edition of the Act. The Act was renamed the Work Injury Compensation Act and section 36 was replaced by new section 45 with effect from 1st April 2008 by Act 5/2008. The Workmen's Compensation Insurance Regulations were amended and renamed the Work Injury Compensation Insurance Regulations with effect from 1st April 2008 by S 169/2008. Section 41(5) of Act 5/2008 provided that these Regulations, so far as they are not inconsistent with the provisions of the Act as amended, continue in force until they are revoked or repealed by subsidiary legislation made under the Act as amended by section 22 of Act 5/2008 (which repealed and substituted section 23 of the Act relating to ""Compulsory insurance against employer's liability"")

- (a) in the event of some specified thing being done or omitted to be done after the happening of the event giving rise to a claim under the policy;
- (b) unless the policy holder takes reasonable care to protect his employees against the risk of bodily injury or disease in the course of their employment;
- (c) unless the policy holder complies with the requirements of any written law for the protection of his employees against the risk of bodily injury or disease in the course of their employment;
- (d) unless the policy holder keeps specified records or provides the insurer with or makes available to him information therefrom;
- (e) in the event of any employee of the policy holder being engaged in a certain kind or description of work or activity, or being engaged in work or activity under certain conditions relating to the nature, scope, environment, processes or procedures of the work or activity, at the time of the happening of the event giving rise to a claim under the policy; and
- (f) unless the total contract value of all works undertaken by the policy holder or, in the case of a project policy, the contract value of that project, is below a specified amount,

is hereby prohibited.

(1A) Any condition, exclusion or exception in a policy of insurance issued or renewed (before, on or after 1st June 2012) for the purpose of section 23 of the Act which provides, in whatever terms, that any liability arising under the policy shall be limited to —

- (a) in the case where a minimum amount is prescribed by the Minister in accordance with section 23(2) of the Act, an amount lower than that prescribed minimum amount; or
- (b) in any other case, an amount lower than the maximum compensation payable in accordance with the Third Schedule to the Act,

is hereby prohibited.

(2) Nothing in paragraph (1) shall be taken as prejudicing any provision in a policy of insurance requiring the policy holder to pay to the insurer any sums which the insurer may have become liable to pay under the policy and which have been applied to the satisfaction of claims for compensation under the Act or any costs and expenses incurred in relation to such claims.

(3) Nothing in paragraph (1)(e) shall be taken as prejudicing any condition, exclusion or exception in a policy of insurance pertaining to work or activity involving exposure to asbestos.

### **Issue of certificates of insurance**

**3.—**(1) Every employer entering into a contract of insurance in accordance with the requirements of the Act shall be issued, by the insurer with whom he contracts, with a certificate of insurance which shall contain the following particulars:

- (a) Name of the insurer;
- (b) Name of the insured;
- (c) Date of commencement of the policy; and
- (d) Date of expiry of the policy.

(2) Every such certificate of insurance shall be issued not later than 7 days after the date on which the insurance commences or is renewed.

### **Display of copies of certificates of insurance**

**4.—**(1) Where a certificate of insurance has been issued to an employer in accordance with regulation 3, he shall display a copy of that certificate at his place of business or, where he has more than one place of business, at each place of business at which he employs any employee whose claims may be the subject of indemnity under the policy of insurance to which that certificate relates.

(2) Copies of any such certificate of insurance shall be displayed in such manner as to be easily seen and read by every employee employed whose claims may be the subject of indemnity under the policy of insurance to which the certificate relates, and shall be kept

displayed until the expiration of the period of insurance stated in the certificate or if the policy of insurance to which the certificate relates is cancelled before that time, until the policy is cancelled and, in either case, shall not be displayed thereafter.

### **Certificate of insurance to be produced for inspection**

**4A.** Every employer who has been issued a certificate of insurance in accordance with regulation 3, or the insurer with whom an employer enters into a contract of insurance evidenced by that certificate of insurance, shall produce a copy of that certificate of insurance when required to do so by the Commissioner or any investigation officer.

### **Penalty**

**5.** Any person who contravenes or fails to comply with any requirement imposed by these Regulations shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

*[G.N. Nos. S 257/75; S 169/2008]*

LEGISLATIVE HISTORY  
WORK INJURY COMPENSATION INSURANCE  
REGULATIONS  
(CHAPTER 354, RG 3)

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

**1. G. N. No. S 257/1975 — Work Injury Compensation Insurance Regulations 1975**

Date of commencement : Date not available

**2. 1990 Revised Edition — Workmen’s Compensation Insurance Regulations**

Date of operation : 25 March 1992

**3. G. N. No. S 169/2008 — Workmen’s Compensation Insurance (Amendment) Regulations 2008**

Date of commencement : 1 April 2008

**4. 2010 Revised Edition — Work Injury Compensation Insurance Regulations**

Date of operation : 31 January 2010

**5. G.N. No. S 199/2012 — Work Injury Compensation Insurance (Amendment) Regulations 2012**

Date of commencement : 1 June 2012