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WORK INJURY COMPENSATION ACT 2019 (ACT 27 OF 2019)

WORK INJURY COMPENSATION (WORKERS' FUND) REGULATIONS 2020

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In exercise of the powers conferred by section 82 of the Work Injury Compensation Act 2019, the Minister for Manpower makes the following Regulations:

Citation and commencement

1. These Regulations are the Work Injury Compensation (Workers' Fund) Regulations 2020 and come into operation on 1 September 2020.

Definitions

2. In these Regulations, unless the context otherwise requires —
- “Fund” means the Workers' Fund;

“injured worker” means any individual, whether or not an employee or a platform worker, who is injured in an accident in the course of his or her work.

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Sources of Fund

3. The Fund consists of the following:

- (a) all moneys standing to the credit of the Fund immediately before 1 September 2020;
- (b) payments made to the Fund under section 21(2)(e) of the Act;
- (c) amounts recovered under section 16(5), 17(5), 34M(5) or 34N(6) of the Act in respect of any ex gratia payment made under section 70 of the Act;

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- (d) payments made to the Fund under any written law;
- (e) grants and donations made to the Fund;
- (f) interest or dividends that accrue to the Fund under regulation 4(3).

Administration of Fund

4.—(1) The Fund is, subject to such directions as may be given by the Minister, to be controlled and administered by the Commissioner.

(2) The Commissioner may invest the moneys in the Fund in any manner authorised by the Permanent Secretary, Ministry of Finance.

(3) The interest or dividends arising from such investments accrue to the Fund.

Purposes of Fund

5.—(1) The moneys in the Fund may be applied for all or any of the following purposes:

- (a) subject to paragraph (2), to make ex gratia payments to —
 - (i) any injured worker;

- (ii) any person to whom money deposited with the Commissioner may be paid in accordance with section 21(2)(a) to (d) of the Act; or
- (iii) any person to whom money deposited with the Commissioner may be paid in accordance with section 21(2)(a) to (d), as modified by section 34B, of the Act;

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- (b) to finance rehabilitation schemes for injured workers;
- (c) to finance projects for the promotion of industrial safety and health among workers in Singapore;
- (d) to finance projects for the advancement of workers' welfare in Singapore approved by the Minister;
- (e) for any other purposes relating to the safety, health or medical care of workers or financial assistance to injured workers approved by the Minister.

(2) An ex gratia payment mentioned in paragraph (1)(a) may be made in any of the following circumstances:

- (a) to alleviate financial difficulties faced by an injured worker or, if the injured worker has died, the injured worker's relatives —
 - (i) pending the determination of the injured worker's claim for work injury compensation under the Act; or
 - (ii) where the injured worker's claim for work injury compensation under the Act has failed;
- (b) where an employer or a platform operator has failed to pay work injury compensation to an employee or a platform worker (as the case may be) under the Act;

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- (c) to defray medical expenses incurred by or on behalf of the employee on or after 1 July 2013 in respect of an occupational disease specified in the Schedule contracted by the employee — if the employee's claim for work injury compensation under the Act has failed by reason only that

the employee had contracted the occupational disease after the expiry of the relevant limitation period;

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- (d) to defray medical expenses incurred by or on behalf of the platform worker on or after 1 January 2025 in respect of an occupational disease specified in the Schedule contracted by the platform worker — if the platform worker’s claim for work injury compensation under the Act has failed by reason only that the platform worker had contracted the occupational disease after the expiry of the relevant limitation period.

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(3) In paragraph (2)(c) and (d), “relevant limitation period” means —

- (a) where section 10(1)(b) or 34G(1)(b) of the Act applies, the limitation period for that occupational disease specified in the third column of the Second Schedule to the Act; or

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- (b) where section 4(1)(b) of the repealed Act applies, the limitation period for that occupational disease specified in the third column of the Second Schedule to the repealed Act.

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Procedure for application for ex gratia payment

6.—(1) An application for an ex gratia payment under regulation 5(1)(a) must be in such form and manner as the Commissioner may require.

(2) After considering an application mentioned in paragraph (1), the Commissioner may either reject the application, or authorise and make the ex gratia payment to the applicant.

(3) The Commissioner’s decision in all matters relating to the grant of an ex gratia payment is final.

Payments for approved projects, schemes and purposes

7.—(1) Subject to the Act and these Regulations, the Commissioner may make payments (including ex gratia payments) under regulation 5(1) at such rates and for such period as the Commissioner may determine.

(2) The Commissioner must obtain prior approval from the Minister to make any payment from the Fund that will result in the total amount so paid for any particular project, scheme or purpose mentioned in regulation 5(1)(b), (c) or (d) exceeding \$10,000.

Procedure on receipt of donations

8.—(1) On the receipt of any donation to the Fund, the Commissioner must issue to the donor (if known) a written acknowledgment and an official receipt marked “For Workers’ Fund”.

(2) The Commissioner must maintain a Register of Donors containing a summary of all donations received and particulars of individual donors showing —

- (a) the name of the donor;
- (b) the amount donated; and
- (c) the date of receipt.

Proper accounts to be kept

9.—(1) The Commissioner must maintain proper books of accounts showing every item of income received and expenditure disbursed.

(2) The Commissioner may keep subsidiary accounts for cases where the donors have specified particular purposes for their donations.

(3) The supervision, control and payment of all matters relating to the Fund are to be in accordance with Government accounting and financial procedures.

Procedure for dissolution of Fund

10.—(1) The Fund may be dissolved only if the Minister charged with the responsibility for finance so directs.

(2) If the Fund is dissolved, all debts and liabilities incurred by the Fund must be fully discharged and the moneys remaining in the Fund are to vest in the Government.

Revocation and savings

11.—(1) The Work Injury Compensation (Workers' Fund) Regulations (Cap. 354, Rg 2) are revoked.

(2) Despite paragraph (1), regulation 7(2) of the Work Injury Compensation (Workers' Fund) Regulations as in force immediately before 1 September 2020 continues to apply to any advance from the Fund granted before that date.

THE SCHEDULE

Regulation 5(2)(c) and (d)

OCCUPATIONAL DISEASES
CONTRACTED AFTER LIMITATION PERIOD

1. Asbestosis
2. Diseases caused by ionizing radiation
3. Dysbaric osteonecrosis
4. Liver angiosarcoma
5. Mesothelioma
6. Occupational skin cancers
7. Silicosis
8. Poisoning by cadmium

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