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The following Act was passed by Parliament on 9 January 2017 and assented to by the President on 10 February 2017:—

REPUBLIC OF SINGAPORE

No. 5 of 2017.

I assent.

TONY TAN KENG YAM,

President.

10 February 2017.



An Act to amend the Retirement and Re-employment Act
(Chapter 274A of the 2012 Revised Edition).

Be it enacted by the President with the advice and consent of the
Parliament of Singapore, as follows:

Short title and commencement

1. This Act is the Retirement and Re-employment (Amendment) Act 2017 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 2

2. Section 2(1) of the Retirement and Re-employment Act (called in this Act the principal Act) is amended —

(a) by inserting, immediately before the definitions of “approved mediator” and “claim referral certificate”, the following definition:

““agreed date” means a date specified for the purposes of section 7C(1A)(a) in a consent form mentioned in section 7C(6);”;

(b) by inserting, immediately after the words “specified age” in the definition of “re-employment”, the words “applicable to that employee”;

(c) by inserting, immediately after the definition of “re-employment”, the following definitions:

““re-employment contract” means a contract of service entered into between an eligible employee and an employer to re-employ the eligible employee for the purposes of section 7A(1) or (3)(a)(i);

“re-employment obligations” means an employer’s obligations to re-employ an eligible employee in accordance with section 7A, failing which, to offer the eligible employee employment assistance payment in accordance with section 7C(1)(a);”;

(d) by deleting the words “an employment contract” in paragraph (b)(ii) of the definition of “specified age” and substituting the words “a contract of service”.

Repeal of section 5

3. Section 5 of the principal Act is repealed.

Amendment of section 7

4. Section 7 of the principal Act is amended —

- (a) by deleting subsection (1) and substituting the following subsection:

“(1) For the purposes of this Act, an employee is eligible for re-employment in accordance with section 7A if —

(a) the employee is born on or after 1 July 1952; and

(b) the employer assesses the employee as —

(i) having at least satisfactory work performance; and

(ii) being medically fit to continue working.”; and

- (b) by inserting, immediately after subsection (2), the following subsection:

“(3) Where an employer does not intend to re-employ an employee because the employee does not meet the criteria in subsection (1)(b), then as far as it is reasonably practicable, the employer must give the employee written notice of that intention within a reasonable period before terminating the employee’s employment.”.

Amendment of section 7A

5. Section 7A of the principal Act is amended —

- (a) by deleting the word “An” in subsection (1) and substituting the words “Subject to section 7C, an”;

- (b) by deleting paragraph (a) of subsection (2) and substituting the following paragraph:

- “(a) an employee mentioned in section 7(1)(a) continues, after attaining the specified age, to work for his employer; and”;
- (c) by deleting the words “section 7(1)” in subsection (3)(a)(ii) and substituting the words “section 7(1)(b)”;
- (d) by deleting the words “new contract of service” in subsection (4) and substituting the words “re-employment contract”;
- (e) by deleting the words “new contract of service for the purpose of re-employment under subsection (1) or (3)(a)(i)” in subsection (6) and substituting the words “re-employment contract”;
- (f) by deleting subsection (7) and substituting the following subsection:
- “(7) Despite subsection (6), where the period between —
- (a) the start of re-employment under a re-employment contract for an employee; and
- (b) the date on which the employee attains the age of 65 years or such other age, up to 67 years, as may be prescribed by the Minister,
- is less than one year, the period of employment under the re-employment contract may be for that shorter period.”; and
- (g) by deleting subsection (8).

Amendment of section 7B

6. Section 7B of the principal Act is amended —

- (a) by deleting the words “new contract of service” wherever they appear in subsections (1) and (2) and substituting in each case the words “re-employment contract”;