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The following Act was passed by Parliament on 8th April 2013 and assented to by the President on 30th April 2013:—

REPUBLIC OF SINGAPORE

No. 12 of 2013.

I assent.

TONY TAN KENG YAM,
President.
30th April 2013.



An Act to amend the Child Development Co-Savings Act (Chapter 38A of the 2002 Revised Edition) and to make related amendments to the Employment Act (Chapter 91 of the 2009 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 may be cited as the Child Development Co-Savings (Amendment) Act 2013 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2(1) of the Child Development Co-Savings Act (referred to in this Act as the principal Act) is amended —

(a) by inserting, immediately after the definition of “confinement”, the following definition:

““dependant’s pass”, in relation to a child, means a dependant’s pass issued in respect of the child under regulations made under the Immigration Act (Cap. 133) to enable the child to remain, or to enter and remain, in Singapore for the purposes of adoption under the Adoption of Children Act (Cap. 4), and includes a document evidencing that the application for the dependant’s pass has been approved;”;

(b) by inserting, immediately after the definition of “personal representative”, the following definition:

““productivity incentive payment” has the same meaning as in section 2(1) of the Employment Act (Cap. 91);”;

(c) by inserting, immediately after the definition of “Scheme”, the following definition:

““self-employed man” means any man resident in Singapore who engages in or carries on any trade, business, profession or vocation other than employment under a contract of service and derives income from such trade, business, profession or vocation, or such other man declared by the Minister to be a self-employed man for the purposes of this Act;”.

Deletion and substitution of heading to Part III

3. Part III of the principal Act is amended by deleting the Part heading and substituting the following Part heading:

“MATERNITY PROTECTION AND BENEFITS, ADOPTION LEAVE, CHILDCARE LEAVE, EXTENDED CHILDCARE LEAVE, UNPAID INFANT CARE LEAVE, SHARED PARENTAL LEAVE AND PATERNITY LEAVE”.

Amendment of section 9

4. Section 9 of the principal Act is amended —

- (a) by deleting the words “section 9A” in subsections (1), (1A), (1B), (1C), (1D), (1E), (1F), (4), (4A), (4B) and (4C) and substituting in each case the words “sections 9A and 12E”;
- (b) by inserting, immediately after subsection (5), the following subsections:

“(5A) Unless disqualified by subsection (5B), and subject to section 9A and any regulations made under section 20, every woman who is or was a female employee or a self-employed woman, who delivers a child and satisfies the requirements under section 9A(2), shall be entitled to claim from the Government —

- (a) an amount equivalent to 56 days of her total income during such period before delivery as may be prescribed, where the child is delivered during her first or second confinement; or
- (b) an amount equivalent to 112 days of her total income during such period before delivery as may be prescribed, where the child is delivered during her third or subsequent confinement.

(5B) A woman who is or was a female employee or a self-employed woman shall not be entitled to claim any payment from the Government under subsection (5A) in respect of any period if —

- (a) she is also a female employee who is entitled to absent herself from work or to receive payment

from her employer under subsection (1), (1A), (1B), (1C), (1D), (1E) or (1F), in respect of the same confinement, regardless of whether she has forfeited her entitlement (or balance thereof) to absent herself from work or to receive payment from her employer under subsection (3) or (3A), as the case may be; or

- (b) she is also a self-employed woman who is entitled to claim from the Government her loss of income under subsection (4), (4A), (4B) or (4C), in respect of the same confinement.

(5C) Notwithstanding subsections (3), (3A) and (5B), but subject to section 9A and any regulations made under section 20, a female employee whose employment is terminated upon the completion of her contract of service, before she has exercised, wholly or partly, her entitlement to absent herself from work or to receive payment from her employer under subsection (1), (1A), (1B), (1C), (1D), (1E) or (1F), shall be entitled to claim from the Government payment at her gross rate of pay for the applicable period in subsection (5D) if —

- (a) her confinement occurs, or the estimated delivery date (as certified by a medical practitioner) for her confinement is, on or after 1st January 2013; and
- (b) she is entitled to absent herself from work or to receive payment from her employer under subsection (1), (1A), (1B), (1C), (1D), (1E) or (1F).

(5D) Where —

- (a) the child is delivered during a former female employee's first or second confinement, the period shall be determined by the formula $56 - N$; and

- (b) the child is delivered during a former female employee's third or subsequent confinement, the period shall be determined by the formula $112 - N$,

where "N" means the number of days in which the former female employee has exercised her entitlement to absent herself from work or to receive payment from her employer under subsection (1), (1A), (1B), (1C), (1D), (1E) or (1F), before her employment was terminated upon the completion of her contract of service.”;

- (c) by inserting, immediately after subsection (6), the following subsections:

“(7) In subsection (5A), “total income”, in relation to a period prescribed for the purposes of subsection (5A), means —

- (a) in the case of a female employee who is or was employed by one or more employers in that period, the total gross rate of pay which she is entitled to receive from all her employers in respect of that period;
- (b) in relation to a woman who is or was self-employed, the income she derived from her trade, business, profession or vocation during the prescribed period; and
- (c) in relation to a woman who is or was both a female employee and a self-employed woman in that period, the aggregate of —
 - (i) the total gross rate of pay which she is entitled to receive from all her employers in respect of the period she was employed during the prescribed period; and
 - (ii) the income she derived from her trade, business, profession or vocation, where