

Employment (Amendment) Bill

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Bill No: 34/2008

Read the first time: 20th October 2008

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Employment (Amendment) Bill

Bill No. 34/2008

Read the first time on 20th October 2008.

An Act to amend the Employment Act (Chapter 91 of the 1996 Revised Edition) and to make consequential amendments to the Children Development Co-Savings Act (Chapter 38A of the 2002 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 Employment (Amendment) Act 2008 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 of the Employment Act is amended —

(a) by deleting the definition of “approved hospital” and substituting the following definition:

“ “approved medical institution” means a hospital, clinic, healthcare establishment or other medical institution which the Minister, by notification in the *Gazette*, declares as an approved medical institution;”;

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

“ “dismiss” means the termination of the contract of service of an employee by his employer, with or without notice and whether on the grounds of misconduct or otherwise;”;

(c) by deleting the definition of “employee” and substituting the following definition:

“ “employee” means a person who has entered into or works under a contract of service with an employer and includes a workman, and any officer or employee of the Government included in a category, class or description of such officers or employees declared by the President to be employees for

the purposes of this Act or any provision thereof, but does not include —

- (a) any seaman;
 - (b) any domestic worker;
 - (c) subject to subsection (2), any person employed in a managerial or an executive position; and
 - (d) any person belonging to any other class of persons whom the Minister may, from time to time by notification in the *Gazette*, declare not to be employees for the purposes of this Act;”;
- (d) by deleting the definition of “employment exchange”;
- (e) by deleting the definition of “medical officer” and substituting the following definition:

“ “medical officer” means —

- (a) a dentist registered under the Dental Registration Act (Cap. 76), or a medical practitioner, employed by the Government or by an approved medical institution; or
 - (b) any other medical practitioner whom the Minister, by notification in the *Gazette*, declares as a medical officer;”;
- (f) by renumbering the section as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

“(2) Any person employed in a managerial or an executive position who is in receipt of a salary not exceeding \$2,500 a month (excluding overtime payments, bonus payments, annual wage supplements, productivity incentive payments and any allowance however described), or such other amount as may be prescribed by the Minister, shall be regarded as an employee for the purposes of —

- (a) sections 20, 20A, 21, 22, 23 (read with section 10 or 11, as the case may be), 24, 25 and 34 and Parts XII to XVI (read with the Second and Third Schedules); and
- (b) such other provisions of this Act as the Minister may, by regulations, specify,