

# **Employment of Foreign Workers (Amendment) Bill**

## **Table of Contents**

**Bill No: 17/2007**

***Read the first time: 9th April 2007***

**Long Title**

**Enacting Formula**

**1 Short title and commencement**

**2 Amendment of long title**

**3 Amendment of section 1**

**4 Amendment of section 2**

**5 New section 2A**

**6 Amendment of section 3**

**7 New section 3A**

**8 Amendment of section 5**

**9 Amendment of section 6A**

**10 Repeal and re-enactment of section 7**

**11 Amendment of section 8**

**12 Amendment of section 9**

**13 Repeal and re-enactment of section 10**

**14 Amendment of section 11**

**15 Repeal and re-enactment of sections 12 and 13**

**16 Amendment of section 14**

**17 Repeal and re-enactment of section 15**

**18 Amendment of section 16**

**19 Repeal and re-enactment of section 17**

**20 Amendment of section 18**

**21 Repeal and re-enactment of section 21 and new sections 21A to 21G**

**22 Repeal and re-enactment of section 22**

**23 Amendment of section 23**

**24 Repeal of section 25**

**25 Amendment of section 27**

**26 Amendment of section 29**

**27 New Schedule**

**28 Consequential amendments to other written laws**

**29 Savings and transitional provisions**

**THE SCHEDULE Consequential amendments to other written laws**

**Explanatory Statement**

**Expenditure of Public Money**

## **Employment of Foreign Workers (Amendment) Bill**

### **Bill No. 17/2007**

*Read the first time on 9th April 2007.*

An Act to amend the Employment of Foreign Workers Act (Chapter 91A of the 1997 Revised Edition) and to make consequential amendments to certain other written laws.

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 of Foreign Workers (Amendment) Act 2007 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

### **Amendment of long title**

2. The long title to the Employment of Foreign Workers Act (referred to in this Act as the principal Act) is amended by deleting the words “foreign workers” and substituting the words “foreign manpower”.

### **Amendment of section 1**

3. Section 1 of the principal Act is amended by deleting the words “Foreign Workers” and substituting the words “Foreign Manpower”.

### **Amendment of section 2**

4. Section 2 of the principal Act is amended —

- (a) by deleting the words “Work Permits” in the definition of “Controller” and substituting the words “Work Passes”;
- (b) by deleting the definition of “employer” and substituting the following definitions:

“employ” means to engage or use the service of any person for the purpose —

- (a) of any work; or
- (b) of providing any training for that person,

whether under a contract of service or otherwise, and with or without salary;

“employer” means any person employing a foreign employee and, for the purposes of an application for a work pass, any person who intends to employ a foreign employee;”;

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

“ “foreign employee” means —

- (a) any foreigner, other than a self-employed foreigner, who seeks or is offered employment in Singapore; or
- (b) such other person or class of persons as the Minister may, by notification in the *Gazette*, specify;”;

- (d) by deleting the definition of “foreign worker”; and

- (e) by deleting the definitions of “premises”, “salary” and “work permit” and substituting the following definitions:

“ “premises” includes —

- (a) any building or structure, whether permanent or temporary;
- (b) any land, whether or not built on;
- (c) any place, whether or not enclosed, including any place situated underground or underwater;
- (d) any vehicle, vessel or aircraft; and
- (e) any part of any premises;

“self-employed foreigner” means any foreigner who, not being employed under a contract of service, engages in any trade, vocation, profession or other activity in Singapore for the purpose of gain;

“train”, in relation to a foreign employee, means to teach, instruct or educate the foreign employee in relation to the work in which the foreign employee is employed or to be

employed;

“work pass” means a work pass belonging to any prescribed category of work passes which is issued by the Controller under section 7.”.

## **New section 2A**

5. The principal Act is amended by inserting, immediately after section 2, the following section:

### **“Meaning of “personal identifier”**

**2A.**—(1) In this Act, “personal identifier” means any of the identifiers specified in the Schedule (including any in digital form).

(2) The Minister may, by order published in the *Gazette*, amend the Schedule, except that any other personal identifier so prescribed in the order must —

- (a) be an image of, or a measurement or recording of, an external part of the human body; and
- (b) not be an identifier the obtaining of which would involve the taking of an intimate sample within the meaning of section 13A of the Registration of Criminals Act (Cap. 268).”.

## **Amendment of section 3**

6. Section 3 of the principal Act is amended by deleting the words “Work Permits” wherever they appear in subsections (1) and (1A) and in the section heading and substituting in each case the words “Work Passes”.

## **New section 3A**

7. The principal Act is amended by inserting, immediately after section 3, the following section:

### **“Controller and employment inspectors to be public servants**

**3A.** The Controller and every Deputy Controller of Work Passes, Assistant Controller of Work Passes and employment inspector appointed under section 3 shall be deemed to be public servants within the meaning of the Penal Code (Cap. 224).”.

## **Amendment of section 5**