

Children Development Co-Savings (Amendment) Bill

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Bill No: 41/2004

Read the first time: 1st September 2004

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Expenditure of Public Money

Children Development Co-Savings (Amendment) Bill

Bill No. 41/2004

Read the first time on 1st September 2004.

An Act to amend 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 Children Development Co-Savings (Amendment) Act 2004 and shall come into operation on 1st October 2004.

Amendment of section 2

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

- (a) by deleting the words “included in a category, class or description of such officers or employees declared by the Minister to be employees for the purposes of this Act” in the definition of “employee”;
- (b) by deleting paragraph (a) of the definition of “employer” and substituting the following paragraph:

“(a) the Government;”; and

- (c) by renumbering the section as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

“(2) For the purpose of determining whether a confinement referred to in Part III or section 22 (referred to in this section as the

relevant confinement) is the first, second, third or fourth confinement of a woman, any previous confinement shall be disregarded if, at the time of the relevant confinement, there is no living child from the previous confinement.”.

Deletion and substitution of heading to Part III

3. The heading to Part III of the principal Act is deleted and the following heading substituted therefor:

“MATERNITY PROTECTION AND BENEFITS AND ADOPTION LEAVE”.

Repeal and re-enactment of section 9 and new section 9A

4. Section 9 of the principal Act is repealed and the following sections substituted therefor:

“Length of benefit period, etc.

9.—(1) Subject to subsections (2) and (3), section 9A and any regulations made under section 20, every female employee who satisfies the requirements of section 9A(1) shall be entitled to absent herself from work —

- (a) during —
 - (i) the period of 4 weeks immediately before her confinement; and
 - (ii) the period of 8 weeks immediately after her confinement;
- (b) during a period of 12 weeks, as agreed to by her and her employer, commencing —
 - (i) not earlier than 28 days immediately preceding the day of her confinement; and
 - (ii) not later than the day of her confinement; or
- (c) during —
 - (i) a period of 8 weeks, as agreed to by her and her employer, commencing —
 - (A) not earlier than 28 days immediately preceding the day of her confinement; and

(B) not later than the day of her confinement; and

- (ii) one or more further periods, not exceeding 24 days in the aggregate, as agreed to by her and her employer, which shall be within the period of 6 months commencing on the day of her confinement,

and for such period (referred to in this Act as the benefit period), she shall be entitled to receive payment from her employer at her gross rate of pay.

(2) Where a female employee has worked in her employment for any day during the benefit period before her confinement, she shall be entitled —

- (a) to receive, in addition to her gross rate of pay for that day, an amount that is equivalent to a day's pay at the gross rate of pay; or
- (b) to absent herself from work on another day at the end of the benefit period.

(3) Where the employment of a female employee is terminated (whether by resignation or dismissal, upon the completion of her contract of service, or for any other reason) before she has exercised, wholly or partly, her entitlement to absent herself from work during a period referred to in subsection (1)(c)(ii), she shall forfeit that entitlement (or the balance thereof) upon the termination of her employment.

(4) Subject to subsection (5), section 9A and any regulations made under section 20, every self-employed woman who satisfies the requirements of section 9A(1) and who ceases to be actively engaged in her trade, business, profession or vocation —

- (a) during —
 - (i) the period of 4 weeks immediately before her confinement; and
 - (ii) the period of 8 weeks immediately after her confinement;
- (b) during a period of 12 weeks commencing —
 - (i) not earlier than 28 days immediately preceding the day of her confinement; and
 - (ii) not later than the day of her confinement; or

- (c) during —
 - (i) a period of 8 weeks commencing —
 - (A) not earlier than 28 days immediately preceding the day of her confinement; and
 - (B) not later than the day of her confinement; and
 - (ii) one or more further periods, not exceeding 24 days in the aggregate, which shall be within the period of 6 months commencing on the day of her confinement,

and who has lost any income by reason of her ceasing to be actively engaged in such trade, business, profession or vocation, shall be entitled to claim from the Government the income she would otherwise have derived from her trade, business, profession or vocation had she continued to be actively engaged in such trade, business, profession or vocation during such period referred to in subsection (5) as may be applicable.

(5) A self-employed woman shall be entitled to payment from the Government under subsection (4) —

- (a) in respect of her first or second confinement, for such period of her cessation of active engagement in her trade, business, profession or vocation which is after the first 8 weeks of such cessation; and
- (b) in respect of her third or fourth confinement, for the whole period of her cessation of active engagement in her trade, business, profession or vocation.

Eligibility criteria and cap in respect of maternity benefits

9A.—(1) Subject to this section, a female employee shall be entitled to absent herself from work and to payment under section 9(1), and a self-employed woman shall be entitled to payment by the Government under section 9(4), if —

- (a) the child delivered during her confinement is a citizen of Singapore at the time of the child's birth;
- (b) she has fewer than 4 other living children at the time of her confinement;
- (c) she —
 - (i) is lawfully married to the child's natural father at the time