

Enlistment (Amendment) Bill

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Bill No: 4/2001

Read the first time: 22nd February 2001

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Explanatory Statement

Expenditure of Public Money

Enlistment (Amendment) Bill

Bill No. 4/2001

Read the first time on 22nd February 2001.

An Act to amend the Enlistment Act (Chapter 93 of the 1995 Revised Edition) and to make related amendments to the Singapore Armed Forces Act (Chapter 295 of the 2000 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 Enlistment (Amendment) Act 2001 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 24

2. Section 24(6) of the Enlistment Act is amended —

- (a) by inserting, immediately after the word “section” in the 1st line, the words “and section 24A”;
- (b) by deleting the definition of “civilian remuneration” and substituting the following definition:

“civilian remuneration”, in respect of any person, means the following moneys which a person would have received had he not been required to perform any relevant service —

- (a) remuneration derived from gainful employment; and
- (b) any other pay component —
 - (i) that is provided to be paid to the person under his contract of employment or service;
 - (ii) that is, immediately before the date of the commencement of relevant service, received by the person on a regular basis for such period as may be prescribed by regulations;
 - (iii) in respect of which the employer is liable to pay contributions under section 7 of the Central Provident Fund Act (Cap. 36), unless exempted under that Act; and

- (iv) that falls within the definition of “gains or profits from any employment” in section 10(2) of the Income Tax Act (Cap. 134),

but does not include ex gratia payments or allowances paid to reimburse the person for expenses incurred by him in the course of employment;” and

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

“ “relevant service” means —

- (a) service under section 14 or 18 of this Act or section 118(16) of the Singapore Armed Forces Act (Cap. 295);
- (b) voluntary service under the Singapore Armed Forces Act and any regulations made thereunder or the Police Force Act (Cap. 235) and any regulations made thereunder; or
- (c) mobilised service;”.

New section 24A

3. The Enlistment Act is amended by inserting, immediately after section 24, the following section:

“Direct payment by employer

24A.—(1) Subject to the designated authority’s consent and to such conditions, restrictions and limitations as may be prescribed in regulations made under this Act, the employer of a person who is entitled to claim reimbursement in respect of the performance of any relevant service under section 24(1) may pay to him his civilian remuneration in respect of the period of service and claim that amount from the designated authority.

(2) A person shall not be entitled to claim reimbursement in respect of the performance of any relevant service under section 24(1) if he has been paid his civilian remuneration by his employer under subsection (1).

(3) If a dispute arises between the designated authority and the employer as to

the amount that the employer may claim under subsection (1), the matter shall be referred to the Minister whose decision shall be final.”.

New sections 32A, 32B and 32C

4. The Enlistment Act is amended by inserting, immediately after section 32, the following sections:

“Composition of offences

32A.—(1) The proper authority may, in its discretion, compound any offence under this Act or any regulations made thereunder as may be prescribed as being an offence which may be compounded by collecting from a person reasonably suspected of having committed the offence —

- (a) a sum not exceeding \$1,000 in the case of an offence under this Act; or
- (b) a sum not exceeding \$500 in the case of an offence under the regulations.

(2) On payment of such sum, no further proceedings shall be taken against that person in respect of the offence.

(3) The Minister may make regulations to prescribe the offences which may be compounded and the method and procedure by which those offences may be compounded under this section.

Enlistment inspectors

32B. The proper authority may appoint one or more public officers as enlistment inspectors to investigate the commission of any offence under this Act or any regulations made thereunder.

Powers of enlistment inspectors and police officers

32C.—(1) Any enlistment inspector may arrest without warrant any person who he reasonably believes has committed an offence under this Act or any regulations made thereunder.

(2) Where a person is arrested by an enlistment inspector under this section, the enlistment inspector shall comply with sections 35 and 36 of the Criminal Procedure Code (Cap. 68) as if he were a police officer.

(3) In any case relating to the commission of an offence under this Act or any regulations made thereunder, any enlistment inspector shall have the power to do