

# **Central Provident Fund (Amendment) Bill**

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**Bill No: 21/1973**

***Read the first time: 11th July 1973***

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**Central Provident Fund (Amendment) Bill**

**Bill No. 21/1973**

*Read the first time on 11th July 1973.*

An Act to amend the Central Provident Fund Act (Chapter 121 of the 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 Central Provident Fund (Amendment) Act, 1973 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 Central Provident Fund Act (hereinafter in this Act referred to as “the principal Act”) is hereby amended by inserting immediately after the definition of “the Fund” appearing therein the following new definition: —

“ “inspector” means an inspector appointed under subsection (1) of section 4A of this Act;”.

### **Amendment of section 4**

3. Section 4 of the principal Act is hereby amended —

- (a) by deleting subsections (10), (11), (12) and (14) thereof; and
- (b) by renumbering subsections (13) and (15) thereof as subsections (10) and (11) respectively.

### **New section 4A**

4. The principal Act is hereby amended by inserting immediately after section 4 thereof the following new section: —

#### **“Appointment of inspectors**

**4A.**—(1) The Board may, with the approval of the Minister, appoint such number of inspectors as it may consider necessary for carrying this Act into effect.

(2) The Commissioner for Labour and any Deputy Commissioner for Labour, Assistant Commissioner for Labour or inspecting officer appointed under the Employment Act (Cap. 122) may exercise any or all of the powers of an inspector.

(3) In the course of an inspection, an inspector may at any reasonable time —

- (a) enter any premises or place where he has reasonable cause to believe that a person is employed therein;
- (b) examine, either alone or in the presence of any other person with respect to any matters under this Act or which he may reasonably require information, any person whom he has reasonable cause to believe to be or to have been an employee or an employer, and require every such person to be examined and for the purposes of such examination may summon any such person to attend at the place and time specified in such summons;
- (c) put questions concerning employees to their employers or to any person who may be in charge of them, or to the employees themselves, or to any other person whom he may consider it desirable to question, and such employers or employees or other person shall be legally bound to answer such questions truthfully to the best of his ability;
- (d) require any employer to produce before him all or any of the employees employed by him together with any contract of service, book of account of salary, register and other document concerning such employees or their employment and to answer such questions

relating thereto as he may think proper to ask;

- (e) make copies of any book, document or paper required to be produced under paragraph (d) of this subsection and take possession of such book, document or paper when in his opinion —
  - (i) the copying thereof cannot reasonably be performed without taking possession; or
  - (ii) the book, document or paper may be tampered with unless possession is taken; or
  - (iii) the book, document or paper may be required as evidence in any proceedings for an offence under this Act or in any proceedings for the recovery of any monies due to the Fund.

(4) If any person wilfully delays an inspector or any of the officers referred to in subsection (2) of this section in the exercise of any power under this section, or fails to comply with the requisition of an inspector or an aforesaid officer in pursuance of this section or to produce any record, certificate, notice or document which he is required by or in pursuance of this section to produce, or wilfully withholds any information as to who are the employees of any employer or as to who is the employer of any employee or conceals or prevents or attempts to conceal or prevent, a person from appearing before or being examined by an inspector or an aforesaid officer, that person shall be deemed to obstruct an inspector or an aforesaid officer in the execution of his duties under this Act.

(5) Any person who obstructs an inspector or any of the officers referred to in subsection (2) of this section shall be guilty of an offence.”.

### **Amendment of section 5**

5. Subsection (3) of section 5 of the principal Act is hereby amended by deleting the expression “after and in respect of each year ending on 31st December” appearing in the third and fourth lines thereof and substituting therefor the words “from time to time”.

### **Amendment of section 6**

6. Section 6 of the principal Act is hereby amended —

- (a) by deleting subsections (1) and (2) thereof and substituting therefor the following: —

“(1) Subject to the provisions of section 23 and any of the regulations made under section 29 of this Act every employer of an employee shall pay to the Fund monthly in respect of each employee contributions at the appropriate rates set out in the Schedule to this Act except that the Board may at its discretion and on such terms and conditions as it may impose authorise an employer or a class or classes of employers to pay such contributions at other intervals not exceeding six months.

(2) Notwithstanding the provisions of any written law or any contract to the contrary an employer shall be entitled to recover from the monthly wages of an employee the amount shown in the Schedule to this Act as so recoverable from the employee.

(3) Where any employer who has recovered any amount from the monthly wages of an employee in accordance with subsection (2) of this section fails to pay such contributions to the Fund within such time as may be prescribed he shall be guilty of an offence under this Act and shall be liable on conviction to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding seven years or to both such imprisonment and fine.”;

(b) by deleting subsection (6) thereof and substituting therefor the following: —

“(7) The Minister may, by notification in the *Gazette*, amend, add to or vary the Schedule to this Act and may prescribe different rates of contributions payable in respect of different types of wages.”;

(c) by deleting the expression “(3)” appearing in subsections (4) and (5) thereof and substituting therefor in each case the expression “(4)”;

(d) by renumbering subsections (3), (4) and (5) thereof as subsections (4), (5) and (6) respectively.

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

7. Section 7 of the principal Act is hereby repealed and the following substituted therefor: —

### **“Payment of interest on contributions in arrears**

7.—(1) Where the amount of the contributions which an employer is liable to pay under the provisions of section 6 of this Act in respect of any month is not paid within such period as may be prescribed the employer shall be liable to pay interest