

Central Provident Fund (Amendment) Bill

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Bill No: 26/1968

Read the first time: 10th July 1968

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Expenditure of Public Money

Central Provident Fund (Amendment) Bill

Bill No. 26/1968

Read the first time on 10th July 1968.

An Act to amend the Central Provident Fund Ordinance (Chapter 150 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, 1968, 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 Ordinance (hereinafter in this Act referred to as “the Ordinance”) is hereby amended —

- (a) by deleting the definition of “date of withdrawal” appearing therein;
- (b) by deleting the definition of “employed” appearing therein and substituting therefor the following: —

““employed” means engaged under a contract of service or apprenticeship or in an employment in respect of which contributions are payable under regulations made under the

provisions of section 25 of this Ordinance;”;

- (c) by inserting immediately after the word “Singapore” appearing in paragraph (a) of the definition of “employee” therein, the words “by an employer”; and
- (d) by deleting the definition of “employer” appearing therein and substituting therefor the following: —

“ “employer” means —

- (a) any person, company, association or body of persons, whether or not incorporated, by whom an employee is employed;
- (b) the owners of any vessel on which an employee is employed;
- (c) any manager, agent or person responsible for the payment of wages to an employee on behalf of an employer; and
- (d) the Government and Her Majesty’s Government in the United Kingdom in respect of such categories, classes or descriptions of officers or servants of such Government as may from time to time be declared by the President by notification in the *Gazette* to be employees for the purposes of this Ordinance:

Provided that no such officer or servant employed by or on behalf of the Government or Her Majesty’s Government in the United Kingdom shall be personally liable for anything done or omitted to be done by him as an officer or servant of such Government in good faith;”.

Amendment of section 6

3. Subsection (1) of section 6 of the Ordinance is hereby amended by deleting the words “required to be made” appearing in the third line thereof and the word “required” appearing in the last line thereof and substituting therefor in each case the word “authorised”.

Amendment of section 7

4. Section 7 of the Ordinance is hereby amended —

- (a) by deleting the expression “sections 10, 21 and 23” appearing in the first and second lines of subsection (1) thereof and substituting therefor the expression “section 21 and any regulations made under section 25”;
- (b) by substituting a colon for the full-stop appearing at the end of the proviso to subsection (1) thereof and by adding thereafter the following new proviso: —

“And provided further that the Minister may, by notification in the *Gazette*, amend, add to or vary the Schedule to this Ordinance.”; and

- (c) by deleting the colon appearing at the end of paragraph (b) of subsection (6) thereof and substituting therefor a full-stop and by deleting the proviso thereto.

Amendment of section 8

5. Section 8 of the Ordinance is hereby amended by deleting the words “the Fund” appearing in the second and in the ninth lines thereof and substituting therefor in each case the words “this Ordinance”.

Repeal of section 10

6. Section 10 of the Ordinance is hereby repealed.

Repeal and re-enactment of section 12

7. Section 12 of the Ordinance is hereby repealed and the following substituted therefor: —

“Authorisation and conditions for withdrawal from the Fund

12.—(1) No sum of money standing to the credit of a member of the Fund may be withdrawn from the Fund except with the authority of the Board and, subject to the provisions of subsection (6) of section 14 of this Ordinance and of any regulations and rules made under section 25 of this Ordinance, such authority shall not be given except on the application of a person entitled to withdraw such money from the Fund under the provisions of subsections (2) and (3) of this section.

(2) A member of the Fund, or a committee of his person or of his estate appointed under the provisions of the Mental Disorders and Treatment Ordinance (Cap. 145), shall be entitled to withdraw the sum standing to the credit of such

member in the Fund at any time after the Board is satisfied that such member —

- (a) has attained the age of fifty-five years; or
- (b) not being a citizen of Singapore, has left or is about to leave Malaya permanently with no intention to return thereto; or
- (c) is physically or mentally incapacitated from ever continuing in any employment; or
- (d) is found to be of unsound mind:

Provided that a member of the Fund shall not be entitled to withdraw from the Fund more than once in any period of five years.

(3) After the death of a member of the Fund a person nominated by such member in accordance with the provisions of subsection (5) of section 14 of this Ordinance shall be entitled to withdraw such portion of the sum standing to the credit of such member in the Fund as is set out in the memorandum executed in accordance with that subsection.”.

Amendment of section 13

8. Subsection (1) of section 13 of the Ordinance is hereby deleted and the following substituted therefor: —

“(1) Upon an application for the withdrawal of the sum of money standing to the credit of a member of the Fund by a person entitled thereto under the provisions of section 12 of this Ordinance, the Board may authorise the payment to the applicant of a sum equal to the aggregate of the amount standing to the credit of such member in the Fund and any interest calculated in accordance with the proviso to subsection (2) of section 11 of this Ordinance up to the date of such authorisation or, if the applicant is a nominee appointed in accordance with the provisions of subsection (5) of section 14 of this Ordinance, such portion of such sum as he is nominated to receive:

Provided that when any contributions are due to be paid for a member of the Fund in respect of any period ending not later than the last day of the month next following the date on which the withdrawal of the sum of money standing to his credit in the Fund is authorised and such contributions are not paid to the Fund until after such date of authorisation, such contributions shall be treated as if they had been included in the amount standing to the credit of the member at the date of authorisation of withdrawal and paid to the applicant accordingly.”.