

# **Regulation of Employment Bill**

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**Bill No: 67/1965**

***Read the first time: 17th December 1965***

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## **Regulation of Employment Bill**

**Bill No. 67/1965**

*Read the first time on 17th December 1965.*

An Act to provide for the regulation of employment in Singapore and for matters connected therewith.

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 Regulation of Employment Act, 1965, and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

### **Interpretation**

**2.** In this Act, unless the context otherwise requires —

“appointed date” means the date of the coming into operation of this Act;

“Commissioner” means the Commissioner for Employment referred to in section 3;

“contractor” means any person who contracts with any other person to carry out the whole or part of any work undertaken by that other person in the course of, or for the purpose of, that other person’s trade or business;

“contract worker” means any person who seeks employment with, or is offered employment by, or is employed by, a contractor at a salary of not more than seven hundred and fifty dollars *per mensem* or such other sum as may, from time to time, be fixed by the Minister by notification in the *Gazette*, and includes any person who is already employed by a contractor on the appointed date;

“employee” means any person who seeks employment with, or is offered employment by, or is employed by, an employer at a salary of not more than seven hundred and fifty dollars *per mensem* or such other sum as may, from time to time, be fixed by the Minister by notification in the *Gazette*, and includes any person who is already employed by an employer on the appointed date;

“employer” means any person employing an employee;

“employment officer” means the Commissioner and includes the Deputy Commissioner for Employment, any Assistant Commissioner for Employment and any person appointed as an employment officer under section 3;

“salary” means all monetary remuneration payable to an employee or a contract worker but shall not include the following: —

- (a) additional payment by way of overtime, bonus or commission;
- (b) travelling, food or housing allowances;
- (c) any sum paid to an employee or contract worker to defray special expenses incurred by him owing to the special, unusual or hazardous nature of the employment;
- (d) any contribution paid by the employer or contractor to any pension fund or provident fund; or
- (e) any gratuity payable on discharge or retirement;

“work permit” means a work permit issued under section 5.

## Officers

3.—(1) The Commissioner for Labour, the Deputy Commissioner for Labour and the

Assistant Commissioners for Labour appointed under the Labour Ordinance, 1955 (Ord. 40 of 1955), shall be the Commissioner for Employment, Deputy Commissioner for Employment and Assistant Commissioners for Employment respectively for the purposes of this Act.

(2) The Minister may appoint such number of employment officers as he may consider necessary or expedient for the purposes of this Act.

(3) The Commissioner shall, subject to the general direction and control of the Minister, perform the duties imposed and exercise the rights and powers conferred upon him by this Act.

(4) The Deputy Commissioner for Employment, the Assistant Commissioners for Employment and employment officers shall be under the direction and control of the Commissioner.

### **Application for work permit, etc**

4.—(1) Every employee and every contract worker shall, before accepting employment, make application for a work permit to the Commissioner in such form as the Commissioner may require.

(2) Every employer shall, prior to engaging an employee submit to the Commissioner in such form as the Commissioner may require particulars of such employment and of such employee.

(3) Every employee and every contract worker who is in employment on the appointed date shall, within thirty days thereof or such later date as the Minister may by notification in the *Gazette* appoint, make application for a work permit to the Commissioner in such form as the Commissioner may require.

(4) Every employer and every contractor shall, within thirty days of the appointed date, or such later date as the Minister may by notification in the *Gazette* appoint, submit to the Commissioner in such form as the Commissioner may require, a list of, and particulars of, employees or contract workers, as the case may be, in his employment who are required to make applications for work permits under subsection (3).

### **Issue of work permit, etc**

5.—(1) Upon the receipt of an application for a work permit under the provisions of section 4, the Commissioner may, in his discretion, issue a work permit to an employee or contract worker attaching thereto such conditions as he may determine for carrying out the purposes of this Act, or without attaching conditions thereto.

(2) The Commissioner may, at any time, vary or revoke any existing conditions or impose new or additional conditions.

(3) The Commissioner may in his discretion at any time cancel or suspend a work permit issued to any employee or contract worker.

(4) Any person aggrieved by a decision of the Commissioner under subsection (1), (2) or (3) may appeal to the Minister whose decision shall be final and shall not be called in question in any court.

## **Register**

6.—(1) The Commissioner shall cause to be kept separate registers of employees and contract workers to whom work permits have been issued under section 5.

(2) The register shall be in such form and shall contain such particulars as the Minister may require.

## **Termination of employment of employees and contract workers in employment on appointed date, etc**

7.—(1) Notwithstanding the provisions of any written law or of any term or condition of any contract or agreement, an employer or contractor shall terminate the services of any employee or contract worker —

- (a) who is in his employment on the appointed date within thirty days of his being notified in writing by the Commissioner that such employee or contract worker has not been issued a work permit under subsection (1) of section 5;
- (b) whose work permit has been cancelled or suspended under subsection (3) of section 5, within thirty days of his being notified in writing by the Commissioner of such cancellation or suspension.

(2) Every employer and every contractor who, under the provisions of subsection (1), terminates the services of an employee or contract worker shall inform the Commissioner within fourteen days of such termination in such form as the Commissioner may require.

(3) The termination of the services of an employee or contract worker under subsection (1) shall not be —

- (a) capable of negotiation between a trade union representing the employee or contract worker;
- (b) a matter in respect of which any form of industrial action may be taken by any such trade union;
- (c) the subject matter of a trade dispute or of conciliation proceedings or any method of redress whether or not under any written law; and