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EMPLOYMENT CLAIMS ACT 2016 (ACT 21 OF 2016)

EMPLOYMENT CLAIMS (AMENDMENT) RULES 2018

In exercise of the powers conferred by section 33 of the Employment Claims Act 2016, we, the Rules Committee, make the following Rules:

Citation and commencement

1. These Rules are the Employment Claims (Amendment) Rules 2018 and come into operation on 1 January 2019.

New rule 1A

2. The Employment Claims Rules 2017 (G.N. No. S 104/2017) (called in these Rules the principal Rules) are amended by inserting, immediately after rule 1, the following rule:

“Definitions

1A. In these Rules, unless the context otherwise requires —

“ACRA” means the Accounting and Corporate Regulatory Authority established by section 3 of the Accounting and Corporate Regulatory Authority Act (Cap. 2A);

“CorpPass” means the identity authentication service, known as Singapore Corporate Access, by which an entity authenticates its identity in order to carry out an online transaction with the Government or a statutory board;

“CorpPass credential” means any username, password or 2-factor authentication detail required to authenticate, using CorpPass, the identity of an entity;

“electronic system” means the electronic filing and case management system established under rule 3A(1);

“messaging system” means any system that enables the transmission of short text messages or email —

(a) from a mobile device to another mobile device;
or

(b) from an email address to a mobile device, and the other way around;

“relevant Form”, in relation to any purpose for which a specific form is required to be used, means the current version of the relevant form for that purpose, as set out on the website of the electronic system or in the practice directions;

“SingPass” means the identity authentication service, known as Singapore Personal Access, by which an individual authenticates the individual’s identity in order to carry out an online transaction with the Government or a statutory board;

“SingPass credential” means any username, password or 2-factor authentication detail required to authenticate, using SingPass, the identity of an individual.”.

Deletion and substitution of rule 3

3. Rule 3 of the principal Rules is deleted and the following rule substituted therefor:

“Forms and documents

3.—(1) Unless a tribunal or the Registrar directs otherwise, every relevant Form or document relating to proceedings before a tribunal or the Registrar must be submitted through the electronic system.

(2) Every relevant Form must contain such particulars, and be accompanied by such documents, as may be specified by the tribunal, by the Registrar or in the relevant Form.

(3) Any relevant Form may be used in any particular case with such variations as the circumstances of that case require.”.

New Part 1A

4. The principal Rules are amended by inserting, immediately after rule 3, the following Part:

“PART 1A
ELECTRONIC SYSTEM

Electronic system

3A.—(1) An electronic filing and case management system is established for the tribunals.

(2) The purposes of the electronic system are as follows:

- (a) to facilitate the submission of relevant Forms and documents;
- (b) to facilitate the service of relevant Forms and documents;
- (c) to facilitate, by electronic means, the settlement of disputes and the conduct of proceedings before a tribunal or the Registrar.

Authentication

3B.—(1) Subject to paragraph (3), an individual must authenticate the individual’s identity using SingPass in order to access the electronic system to carry out an online transaction involving the individual.

(2) Subject to paragraph (3), a person, who is authorised by an entity to carry out through the electronic system an online transaction involving the entity, must authenticate the identity of the entity using CorpPass in order to access the electronic system to carry out that transaction for the entity.

(3) The Registrar may, on application by a party that is unable to authenticate the party’s identity using SingPass or CorpPass, issue the party with a username and password to enable the party

to access the electronic system to carry out an online transaction involving the party.

(4) A party that is issued a username and a password under paragraph (3) —

- (a) must ensure the confidentiality and security of the username and password; and
- (b) must not —
 - (i) divulge the username and password to any other person; or
 - (ii) permit any other person to use the username and password.

(5) An individual must not facilitate the use, by any other person, of the individual's SingPass credentials to access the electronic system.

(6) An entity must not facilitate the use, by any unauthorised person, of the CorpPass credentials of the entity to access the electronic system.

Information on party

3C. Every party to proceedings before a tribunal or the Registrar must —

- (a) enter, through such means as may be provided by the electronic system for the recording of information on the party's profile, such information on the party as the electronic system may require; and
- (b) if there is any change to that information, update that information by entering, through such means as may be provided by the electronic system, the details of the change.

Time of filing of relevant Form or document submitted through electronic system

3D.—(1) If a relevant Form or document is submitted through the electronic system, the relevant Form or document is treated