

# **Employment of Foreign Manpower (Work Passes) (Amendment) Regulations 2010**

## **Table of Contents**

### **Enacting Formula**

**1 Citation and commencement**

**2 Amendment of regulation 2**

**3 Amendment of regulation 4**

**4 Amendment of regulation 5**

**5 Amendment of regulation 6**

**6 Amendment of regulation 7**

**7 Amendment of regulation 8**

**8 Deletion of regulations 9 and 10**

**9 Amendment of regulation 10A**

**10 Amendment of regulation 10B**

**11 New regulations 17A and 17B**

**12 Deletion and substitution of First, Second and Third Schedules**

**No. S 836**

## **EMPLOYMENT OF FOREIGN MANPOWER ACT**

(CHAPTER 91A)

EMPLOYMENT OF FOREIGN MANPOWER (WORK PASSES) (AMENDMENT)  
REGULATIONS 2010

In exercise of the powers conferred by section 29 of the Employment of Foreign Manpower Act, the Minister for Manpower hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Employment of Foreign Manpower (Work Passes) (Amendment) Regulations 2010 and shall come into operation on 1st January 2011.

**Amendment of regulation 2**

2. Regulation 2(1) of the Employment of Foreign Manpower (Work Passes) Regulations (Rg 2) (referred to in these Regulations as the principal Regulations) is amended —

- (a) by inserting, immediately after the words “work permit” in sub-paragraph (a), the words “(including a training work permit)”;
- (b) by inserting, immediately after the words “employment pass” in sub-paragraph (c), the words “(including a training employment pass)”;
- (c) by deleting sub-paragraphs (f) and (g).

**Amendment of regulation 4**

3. Regulation 4 of the principal Regulations is amended by deleting paragraph (3) and substituting the following paragraphs:

“(3) Every work permit issued to a foreign employee whose occupation on the work permit is stated as a “domestic worker” shall be subject to the conditions set out in Part I of the First Schedule, being conditions to be complied with by the employer of the foreign employee.

(4) Every work permit issued to a foreign employee who is not a domestic worker shall be subject to the conditions set out in Part II of the First Schedule, being conditions to be complied with by the employer of the foreign employee.

(5) Every work permit issued to a foreign employee whose occupation on the work permit is stated as a “construction worker” shall be subject, in addition to the conditions set out in Part II of the First Schedule, to the conditions set out in Part III of the First Schedule, being conditions to be complied with by the employer

of the foreign employee.

(6) Every work permit issued to a foreign employee shall be subject to the conditions set out in Part IV of the First Schedule, being conditions to be complied with by the foreign employee.

(7) The Controller may issue a work permit, which shall be known as a training work permit, to a foreigner who is receiving or is about to receive training in connection with the occupation, trade or business of the employer of that foreigner.”.

### **Amendment of regulation 5**

4. Regulation 5 of the principal Regulations is amended —

(a) by deleting the word “and” at the end of sub-paragraph (b) of paragraph (1), and by inserting immediately thereafter the following sub-paragraph:

“(ba) be accompanied by an undertaking from the employer or a sponsor of the foreign employee on such terms as the Controller may determine; and”;  
and

(b) by deleting paragraph (3) and substituting the following paragraph:

“(3) Every S pass issued to a foreign employee shall be subject to —

(a) the conditions set out in Part I of the Second Schedule, being conditions to be complied with by his employer; and

(b) the conditions set out in Part II of the Second Schedule, being conditions to be complied with by him.”.

### **Amendment of regulation 6**

5. Regulation 6 of the principal Regulations is amended —

(a) by deleting sub-paragraph (c) of paragraph (1) and substituting the following sub-paragraph:

“(c) be accompanied by an undertaking from the employer or a sponsor of the foreign employee on such terms as the Controller may determine; and”;

- (b) by deleting paragraph (2); and
- (c) by deleting paragraph (4) and substituting the following paragraphs:

“(4) Every employment pass issued to a foreign employee shall be subject to —

- (a) the conditions set out in Part I of the Third Schedule, being conditions to be complied with by his employer; and
- (b) the conditions set out in Part II of the Third Schedule, being conditions to be complied with by him.

(5) The Controller may issue an employment pass, which shall be known as a training employment pass, to a foreigner who is receiving or is about to receive training in connection with the occupation, trade or business of his employer.”.

#### **Amendment of regulation 7**

6. Regulation 7 of the principal Regulations is amended —

- (a) by deleting sub-paragraph (b) of paragraph (2) and substituting the following sub-paragraph:

“(b) be accompanied by —

- (i) an undertaking from the foreigner on such terms as the Controller may determine; or
  - (ii) an undertaking from his sponsor which must be a body corporate incorporated under the Companies Act on such terms as the Controller may determine; and”;
- and

- (b) by deleting paragraph (3).

#### **Amendment of regulation 8**

7. Regulation 8 of the principal Regulations is amended —

- (a) by deleting sub-paragraph (b) of paragraph (1) and substituting the following sub-paragraph:

“(b) be accompanied by an undertaking from the foreign

employee on such terms as the Controller may determine; and”; and

- (b) by deleting the words “the commencement” in paragraph (3) and substituting the words “of the commencement and cessation”.

### **Deletion of regulations 9 and 10**

- 8. Regulations 9 and 10 of the principal Regulations are deleted.

### **Amendment of regulation 10A**

- 9. Regulation 10A(1) of the principal Regulations is amended by deleting sub-paragraph (b) and substituting the following sub-paragraph:

“(b) be accompanied by an undertaking from the foreigner on such terms as the Controller may determine; and”.

### **Amendment of regulation 10B**

- 10. Regulation 10B of the principal Regulations is amended —

- (a) by deleting sub-paragraph (c) of paragraph (1) and substituting the following sub-paragraph:

“(c) accompanied by an undertaking from the sponsor of the foreigner on such terms as the Controller may determine; and”; and

- (b) by deleting paragraph (2).

### **New regulations 17A and 17B**

- 11. The principal Regulations are amended by inserting, immediately after regulation 17, the following regulations:

#### **“Application of work pass conditions where there is change in sole proprietorship**

##### **17A.—(1) Where —**

- (a) a registered business which is a sole proprietorship is transferred on or after 1st February 2011 from one person (referred to as transferor) to another person (referred to as transferee); and
- (b) the contract of employment between a foreign employee and the