

Children Development Co-Savings (Amendment) Regulations 2004

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No. S 603

CHILDREN DEVELOPMENT CO-SAVINGS ACT (CHAPTER 38A)

CHILDREN DEVELOPMENT CO-SAVINGS (AMENDMENT) REGULATIONS 2004

In exercise of the powers conferred by section 20 of the Children Development Co-Savings Act, Dr Vivian Balakrishnan, Senior Minister of State, Ministry of Trade and Industry, charged with the responsibility of the Minister for Community Development, Youth and Sports, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Children Development Co-Savings (Amendment) Regulations 2004 and shall come into operation on 1st October 2004.

Amendment of regulation 2

2. Regulation 2 of the Children Development Co-Savings Regulations (Rg 2) (referred to in these Regulations as the principal Regulations) is amended —

(a) by inserting, immediately before the definition of “child care centre”, the following definitions:

“ “adopted” means adopted in accordance with any written law relating to the adopting of children;

“adoptive parent” means —

(a) in relation to a child who is adopted by a couple who is married at the time of the adoption, the adoptive mother; and

(b) in relation to a child who is adopted by a person who is divorced or widowed at the time of the adoption, that person;”;

(b) by deleting the definition of “Director” and substituting the following definitions:

“ “Director” means a Director of the Ministry of Community Development, Youth and Sports appointed by the Minister for the purposes of these Regulations;

“estimated delivery date” means the estimated date of delivery of a child as certified by a medical practitioner;”;

(c) by inserting, immediately after the definition of “member”, the following definitions:

“ “parent” includes an adoptive parent;

“relevant time”, in relation to —

- (a) a child who is not adopted, means the date on which he is born or the date on which he becomes a citizen of Singapore, whichever is the later; and
- (b) a child who is an adopted child, means the date on which he is adopted or the date on which he becomes a citizen of Singapore, whichever is the later.”.

New regulations 4A and 4B

3. The principal Regulations are amended by inserting, immediately after regulation 4, the following regulations:

“Eligibility for membership of Scheme

4A.—(1) Subject to regulation 4B, where a child was born on or after 1st April 2001 but before 1st August 2004, the child shall be eligible to become a member of the Scheme if the following conditions are satisfied:

- (a) he is a citizen of Singapore at the time of his birth or he becomes a citizen of Singapore within 6 years of his birth;
- (b) his mother —
 - (i) is lawfully married to his natural father at the time he is conceived; or
 - (ii) becomes lawfully married to his natural father after he is conceived but before his birth, whether or not such marriage remains subsisting at the time of his birth;
- (c) he is born alive to his mother ; and
- (d) he is the second or third child born alive to his mother.

(2) Subject to regulation 4B, where a child who is not adopted is born —

- (a) on or after 1st August 2004; or
- (b) before 1st August 2004, but the estimated delivery date of the child is a date on or after 1st August 2004,

the child shall be eligible to become a member of the Scheme if the following

conditions are satisfied:

- (i) he is a citizen of Singapore at the time of his birth or he becomes a citizen of Singapore within 6 years of his birth;
- (ii) his mother —
 - (A) is lawfully married to his natural father at the time he is conceived; or
 - (B) becomes lawfully married to his natural father after he is conceived but before his birth, whether or not such marriage remains subsisting at the time of his birth;
- (iii) he is born alive to his mother; and
- (iv) he is the second, third or fourth child of his mother at the relevant time.

(3) Subject to regulation 4B, a child who is adopted on or after 1st August 2004 shall be eligible to become a member of the Scheme if the following conditions are satisfied:

- (a) he is a citizen of Singapore at the time of his adoption or he becomes a citizen of Singapore within 6 years of his birth;
- (b) his adoptive parent is a person who is lawfully married, or widowed or divorced, at the time he is adopted;
- (c) he is the second, third or fourth child of his adoptive parent at the relevant time; and
- (d) he is below 6 years of age at the time he is adopted.

Determination or re-determination of birth order

4B.—(1) The status of a child referred to in regulation 4A as the second, third or fourth child of his mother or adoptive parent, as the case may be, for the purposes of these Regulations shall be determined or re-determined, as the case may be, in accordance with this regulation.

(2) In determining the status of a child referred to in regulation 4A(2) or (3) or re-determining the status of a child referred to in regulation 4A(1), (2) or (3) as the second, third or fourth child at the relevant time —

- (a) any step-child of his mother or adoptive parent, as the case may be,

shall be disregarded;

- (b) where the child is adopted by a man who is divorced, any other child of the man, being a child who is —
 - (i) his natural child; or
 - (ii) an adopted child who is not solely adopted by him, shall be disregarded;
- (c) any other child of his mother or adoptive parent, as the case may be, being a child who is not a citizen of Singapore at the relevant time shall be disregarded;
- (d) any other child of his mother or adoptive parent, as the case may be, being a child who has been adopted by another person (other than the spouse of the mother or adoptive parent) at the relevant time, shall be disregarded; and
- (e) any other child of his mother or adoptive parent, as the case may be, who is deceased at the relevant time shall be taken into account.

(3) Notwithstanding paragraph (2)(e), where the mother or adoptive parent of a child whose status is being determined or re-determined under this regulation has had 4 or more other children before the relevant time but fewer than 4 of those children are living at the relevant time, the child shall be treated as if he is a fourth child for the purposes of these Regulations.

(4) The determination of the status of a child referred to in regulation 4A(2) as the second, third or fourth child of his mother at the relevant time shall be based on the chronological order of —

- (a) his date of birth;
- (b) the date of birth of every other natural child of his mother, being a child who is a citizen of Singapore at the relevant time; and
- (c) where his mother has any adopted child, the date of adoption of that adopted child or the date on which that adopted child became a citizen of Singapore, whichever is the later.

(5) The determination of the status of a child referred to in regulation 4A(3) as the second, third or fourth child of his adoptive parent at the relevant time shall be based on the chronological order of —