

Home Affairs Uniformed Services (INVEST Plan) (Amendment) Regulations 2003

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No. S 53

HOME AFFAIRS UNIFORMED SERVICES SUPERANNUATION ACT
(CHAPTER 126B)

HOME AFFAIRS UNIFORMED SERVICES (INVEST PLAN) (AMENDMENT)
REGULATIONS 2003

In exercise of the powers conferred by section 3 of the Home Affairs Uniformed Services Superannuation Act, the Minister for Home Affairs hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Home Affairs Uniformed Services (INVEST Plan) (Amendment) Regulations 2003 and shall be deemed to have come into operation on 1st October 2001.

Amendment of regulation 2

2. Regulation 2(1) of the Home Affairs Uniformed Services (INVEST Plan) Regulations 2001 (G.N. No. S 486/2001) (referred to in these Regulations as the principal Regulations) is amended —

- (a) by inserting, immediately after the definition of “Central Provident Fund”, the following definition:

“ “child” includes —

- (a) a posthumous child;
- (b) a step-child or an illegitimate child born before the date of the injury and wholly or mainly dependent upon the deceased officer for support; and
- (c) an adopted child, adopted in accordance with any statutory provision before the date of injury, and dependent as aforesaid;”;

- (b) by inserting, immediately after the definition of “CPF Top-Up Account”, the following definition:

“ “emoluments”, in relation to a member, means the member’s monthly basic salary plus the monthly variable component;”;

- (c) by deleting paragraph (b) of the definition of “junior officer” and substituting the following paragraph:

“(b) an intelligence officer;”.

Deletion and substitution of regulation 17

3. Regulation 17 of the principal Regulations is deleted and the following regulation substituted therefor:

“Forfeiture of moneys on dismissal

17. Notwithstanding the provisions of these Regulations, where a member is dismissed from the service, an award officer may direct the forfeiture of all or any of the moneys, whether vested or unvested, standing to the credit of the member.”.

Amendment of regulation 18

4. Regulation 18 of the principal Regulations is amended —

- (a) by inserting, immediately after paragraph (1), the following paragraph:

“(1A) Notwithstanding paragraph (1) —

- (a) where a member retires from the service on any ground specified in regulation 11 (1)(b), (c), (d), (e), (g) or (h); or
- (b) where a member dies or has his service terminated due to total or permanent disability,

all moneys standing to the member’s credit in his Retention Account or Retirement Account or both, as the case may be, shall vest in the member and may be awarded in respect of that member.”; and

- (b) by deleting paragraphs (2) and (3) and substituting the following paragraphs:

“(2) Notwithstanding paragraph (1) or (1A) —

- (a) where a member retires from service on the ground specified in regulation 11 (1)(e), all moneys standing to the member’s credit in his Retirement Account which have vested in him under paragraph (1A) may be reduced to the extent as determined by the award officer; and
- (b) where a member retires from service on the ground specified in regulation 11 (1)(f), such portion of the

moneys standing to the member's credit in his Retention Account or Retirement Account, as the case may be, which has vested in the member under paragraph (1) may be increased to the extent and paid in such manner as determined by the award officer.

(3) Notwithstanding any provision in these Regulations, no sum in a member's Retirement Account shall vest in the member on his resignation unless the member has been a member of the INVEST Plan for at least 10 years.”.

Amendment of regulation 19

5. Regulation 19 of the principal Regulations is amended —

(a) by inserting, immediately after the word “transfer” in paragraph (1)(a), the words “and his CPF Top-Up Account shall also close with effect from that same date”;

(b) by deleting paragraph (2) and substituting the following paragraphs:

“(2) If a former INVEST Plan member referred to in paragraph (1)(d) who resigns or is dismissed from the public service before the relevant date has previously opted for the award under paragraph (1)(d)(i), the sum that may be subsequently awarded to him under paragraph (1)(d)(i) shall be forfeited immediately and transferred to the Capital Forfeiture Account of the Fund.

(2A) If a former INVEST Plan member referred to in paragraph (1)(d) who resigns or is dismissed from the public service before the relevant date has previously opted for the award under paragraph (1)(d)(ii), an amount equal to the sums vested in his Retirement Account at the date of his transfer from the service may be awarded to the former INVEST Plan member on his resignation or (as the case may be) dismissal, and the balance in his Retirement Account shall be forfeited and transferred to the Capital Forfeiture Account of the Fund.

(2B) Where a member's CPF Top-Up Account is closed under paragraph (1)(a), the Board shall transfer all moneys in the member's CPF Top-Up Account to the Central Provident Fund Board to be credited to the member's account in the Central Provident Fund.”;

- (c) by deleting the words “paragraph (1) or (2)” in paragraph (4) and substituting the words “paragraph (1), (2) or (2A)”; and
- (d) by deleting paragraph (6).

New regulation 21A

6. The principal Regulations are amended by inserting, immediately after regulation 21, the following regulation:

“Withholding of pensions, gratuities, allowances or other benefits

21A. Notwithstanding any provision in these Regulations, the Board may withhold the payment of any moneys standing to the credit of any member in any account established under these Regulations if —

- (a) he is being investigated for any negligent act or misconduct;
- (b) disciplinary proceedings are being contemplated or have been initiated against him for any such act of misconduct or negligence; or
- (c) criminal proceedings are being contemplated or have been instituted against him.”.

Amendment of regulation 23

7. The principal Regulations are amended by renumbering regulation 23 as paragraph (1) of that regulation, and by inserting immediately thereafter the following paragraph:

“(2) In paragraph (1), “reckonable service” includes any period of full-time national service under section 12 of the Enlistment Act (Cap. 93).”.

New regulation 23A

8. The principal Regulations are amended by inserting, immediately after regulation 23, the following regulation:

“Post-retirement medical benefits for officers under CPF scheme who were formerly pensionable officers

23A. A member who was in the pensionable service immediately before his conversion to the provident fund scheme under the Central Provident Fund Act (Cap. 36) and who has not less than 10 years of pensionable service at the time of his conversion to the said provident fund scheme may also be granted post-retirement medical benefits based on the medical scheme applicable to him prior to his retirement from the service under any of the grounds specified in regulation 11.”.