

**Employment of Foreign Manpower Act
(CHAPTER 91A)**

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Legislative History

EMPLOYMENT OF FOREIGN MANPOWER ACT (CHAPTER 91A)

(Original Enactment: Act 21 of 1990)

REVISED EDITION 2009

(31st July 2009)

An Act relating to the employment of foreign manpower.

[\[30/2007\]](#)

[1st January 1991]

Short title

1. This Act may be cited as the Employment of Foreign Manpower Act.

[\[30/2007\]](#)

Interpretation

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

“construction works” means the construction, extension, installation, carrying out, repair, maintenance, renewal, removal, alteration, dismantling or demolition

of —

- (a) any building, erection, edifice, structure, wall, fence or chimney, whether constructed wholly or partly above or below ground level;
- (b) any road, motorway, harbour works, railway, cableway, canal or aerodrome;
- (c) any drainage, irrigation or river control work;
- (d) any electrical, water, gas or telecommunication works; or
- (e) any bridge, viaduct, dam, reservoir, earthworks, pipeline, sewer, aqueduct, culvert, drive, shaft, tunnel or reclamation,

and includes any works which form an integral part of, or are preparatory to the works described in paragraphs (a) to (e), including site clearance, earth-moving, excavation, laying of foundation, site restoration and landscaping, and such other works or activities as the Minister may, by notification in the *Gazette*, specify to be construction works;

“Controller” means the Controller of Work Passes appointed under section 3;

“employ” means to engage or use the service of any person for the purpose —

- (a) of any work; or
- (b) of providing any training for that person,

whether under a contract of service or otherwise, and with or without salary;

“employer” means any person employing a foreign employee and, for the purposes of an application for a work pass, any person who intends to employ a foreign employee;

“employment inspector” means the Controller and any person appointed as an employment inspector under section 3;

“foreign employee” means —

- (a) any foreigner, other than a self-employed foreigner, who seeks or is offered employment in Singapore; or
- (b) such other person or class of persons as the Minister may, by notification in the *Gazette*, specify;

“foreigner” means any person who is not a citizen or permanent resident of Singapore;

“levy” means the levy imposed under section 11;

“occupier”, in relation to any premises, includes —

- (a) the person having the charge, management or control of either the whole or part of the premises either on his own account or as an agent; and
- (b) any person who is carrying out construction or other works at the premises on behalf of some other person;

“premises” includes —

- (a) any building or structure, whether permanent or temporary;
- (b) any land, whether or not built on;
- (c) any place, whether or not enclosed, including any place situated underground or underwater;
- (d) any vehicle, vessel or aircraft; and
- (e) any part of any premises;

“self-employed foreigner” means any foreigner who, not being employed under a contract of service, engages in any trade, vocation, profession or other activity in Singapore for the purpose of gain;

“train”, in relation to a foreign employee, means to teach, instruct or educate the foreign employee in relation to the work in which the foreign employee is employed or to be employed;

“work pass” means a work pass belonging to any prescribed category of work passes which is issued by the Controller under section 7.

[\[37/95; 26/2001; 30/2007\]](#)

Meaning of “personal identifier”

2A.—(1) In this Act, “personal identifier” means any of the identifiers specified in the Schedule (including any in digital form).

(2) The Minister may, by order published in the *Gazette*, amend the Schedule, except that any other personal identifier so prescribed in the order must —

- (a) be an image of, or a measurement or recording of, an external part of the human body; and
- (b) not be an identifier the obtaining of which would involve the taking of an intimate sample within the meaning of section 13A of the Registration of Criminals Act (Cap. 268).

[\[30/2007\]](#)