

# Central Provident Fund (Amendment) Bill

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**Bill No. 34/2023.**

*Read the first time on 3 October 2023.*

A BILL

*intituled*

An Act to amend the Central Provident Fund Act 1953.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

## Short title and commencement

1. This Act is the Central Provident Fund (Amendment) Act 2023 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

## PART 1

### AMENDMENTS RELATING TO CPF SCHEMES PRIMARILY LIMITED TO CITIZENS AND PERMANENT RESIDENTS OF SINGAPORE

#### Amendment of section 2

2. In the Central Provident Fund Act 1953 (called in this Act the principal Act), in section 2(1), after the definition of “additional interest”, insert —

““applicable person” means —

(a) a citizen or permanent resident of Singapore; or

(b) for the purposes of a provision of this Act or subsidiary legislation made under this Act in which the term appears, any other person of a class prescribed by regulations made under section 77(1) for the purposes of that provision;”.

#### Amendment of section 6

3. In the principal Act, in section 6 —

(a) in subsections (4C), (4D), (4E)(a), (b) and (c), (4F), (4G), (4H) and (4I), replace “the effective date” wherever it appears with “1 April 2022”; and

(b) delete subsection (6).

#### Amendment of section 13

4. In the principal Act, in section 13 —

(a) in subsection (1), after “subsections (7A),”, insert “(7B),”;

(b) in subsections (7A) and (7G), replace “the effective date” with “1 April 2022”;

(c) after subsection (7A), insert —

“(7B) The Board may, on or after 1 April 2024, transfer any moneys standing in a member’s account in the Fund (other than a nominee account, if any) to the general moneys of the Fund in accordance with regulations made under section 77(1) if the Board is satisfied that the member is not an applicable person.”;

(d) in subsection (7D), replace “the effective date” with “1 April 2022 or on or after 1 April 2024”;

(e) after subsection (7D), insert —

“(7E) Where the Board —

(a) restores or transfers the sum of any initial transfers to a member’s account in the Fund under subsection (7C)(a) (called in this subsection and subsection (7F) *S*); and

(b) is satisfied that while any part of *S* was standing to the credit of the member in the general moneys of the Fund, the member was not an applicable person, for any period, on or after 1 April 2024 (called in subsection (7F) the non-applicable period),

the amount of interest that the Board may pay under subsection (7C)(b) in respect of *S* must not exceed the reduced amount.

(7F) In subsection (7E), the “reduced amount” in respect of *S* is  $B + C$ , where —

(a)  $B$  is the amount that the Board determines under subsection (7C)(b) in respect of *S* for the period that any part of *S* was standing to the credit of the member in the general

moneys of the Fund (excluding the non-applicable period); and

(b) C is the amount computed as if —

(i) the reduced rate prescribed by regulations made under section 77(1) applies to *S* for the non-applicable period that is before 1 April 2027 (if any); and

(ii) the reduced rate applicable to *S* for the non-applicable period that is on or after 1 April 2027 (if any) is nil.”; and

(f) delete subsection (9).

### **Amendment of section 15**

5. In the principal Act, in section 15(2) —

(a) in paragraph (a), insert “or” at the end; and

(b) replace paragraphs (b) and (c) with —

“(b) is not an applicable person.”.

### **Amendment of section 15A**

6. In the principal Act, in section 15A, delete “or (c)”.

### **Amendment of section 19**

7. In the principal Act, in section 19 —

(a) replace subsection (3) with —

“(3) This section applies despite —

(a) the relevant individual’s death on or after 1 April 2022; or

(b) the Board’s receipt of the relevant individual’s application on or after 1 April 2022 to withdraw any sum from the Fund under section 15(2)(b) or (c) as in

force before 1 April 2024 or section 15(2)(b) as in force on or after 1 April 2024.”; and

- (b) in subsection (4), delete the definition of “commencement date”.

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### **Amendment of section 19D**

8. In the principal Act, in section 19D(6)(b), after “section 15(2)(b) or (c)”, insert “as in force before 1 April 2024”.

### **Amendment of section 20**

9. In the principal Act, in section 20(1B) —

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- (a) in paragraph (b), after “section 15(2)(b) or (c)”, insert “as in force before 1 April 2024 or section 15(2)(b) as in force on or after 1 April 2024”; and

(b) replace paragraph (c) with —

“(c) the person has applied to the Board to withdraw such portion of the amount payable on the member’s death out of the Fund as the person is nominated to receive, and the Board is satisfied that the person is not an applicable person for the purposes of section 15(2)(b);”.

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### **Amendment of section 22**

10. In the principal Act, in section 22 —

- (a) after subsection (4A), insert —

“(4B) Subsection (4C) applies where —

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- (a) a member’s child or relative has given an undertaking under subsection (3) for the repayment of an amount to the member’s account in the Fund or payment of an amount to the Fund; and

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(b) the Board is satisfied that the member is an applicable person and that the member's child or relative is not an applicable person.

(4C) Subject to subsection (4D), if —

(a) the member's child or relative (as the case may be) withdraws the sum standing to his or her credit in the Fund under section 15(2)(b); or

(b) any moneys are to be transferred from an account in the Fund of the member's child or relative (as the case may be) to the general moneys of the Fund under section 13(7B),

the Board may recover from the sum to be withdrawn or transferred (as the case may be) the whole or part of the amount repayable or payable pursuant to the undertaking given by the child or relative.

(4D) An undertaking given, or a guarantee furnished, under subsection (3) for the repayment of an amount to the member's account in the Fund or payment of an amount to the Fund is deemed to lapse when the Board is satisfied that the member has ceased to be an applicable person.”; and

(b) in subsection (5), after “this Act”, insert “but subject to subsection (4D)”.

#### **Amendment of section 24**

**11.** In the principal Act, in section 24(2) —

(a) after “14A,”, insert “22,”; and

(b) after “24A,”, insert “27,”.

#### **Amendment of section 25**

**12.** In the principal Act, in section 25(1) and (1A), after “member of the Fund”, insert “(being an applicable person)”.

## Amendment of section 26

13. In the principal Act, in section 26 —

(a) in subsection (1), replace “The” with “Subject to regulations made under section 77(1), the”;

(b) in subsection (1), after paragraph (a), insert —

“(aa) on or after 1 May 2024, where —

(i) the Board is satisfied that the member is not an applicable person; and

(ii) the member has not instructed the Board to transfer the designated shares to the member’s securities account or to sell the designated shares;”;

(c) in subsection (6)(a), delete “or” at the end;

(d) in subsection (6), after paragraph (a), insert —

“(aa) the designated shares are vested in the Board under subsection (1)(aa); or”;

(e) in subsection (9), replace “the commencement date” with “1 April 2022”;

(f) in subsection (14), delete the definition of “commencement date”; and

(g) in subsection (14), in the definition of “relevant person”, replace “the commencement date” with “1 April 2022”.

## New section 26B

14. In the principal Act, after section 26A, insert —

### “Withdrawal from investment schemes

**26B.**—(1) This section applies where —

(a) a member has —

(i) a CPF Investment Account; or

(ii) any securities purchased or acquired under an investment scheme introduced under Part II or III of the Investment Regulations; and

(b) the Board is satisfied that the member is not an applicable person.

(2) The Board may, on its own motion, declare that —

(a) the member is authorised to withdraw all moneys standing to the member’s credit in the member’s CPF Investment Account, if any; and

(b) all of the member’s securities mentioned in subsection (1)(a)(ii) (if any) are withdrawn from those investment schemes.

(3) The member is not obliged to repay to the Fund —

(a) any moneys withdrawn from the member’s CPF Investment Account pursuant to the Board’s declaration under subsection (2); or

(b) any proceeds or benefits of any securities withdrawn pursuant to the Board’s declaration under subsection (2).

(4) In this section —

“CPF Investment Account” has the meaning given by the Investment Regulations;

“Investment Regulations” means the Central Provident Fund (Investment Schemes) Regulations (Rg 9).”.

### **Amendment of section 27**

**15.** In the principal Act, in section 27, delete subsection (2A).

### **Amendment of section 27K**

**16.** In the principal Act, in section 27K, after subsection (5C), insert —

“(5D) Where the Board is satisfied that a member is not a citizen or permanent resident of Singapore —



- (a) the Scheme ceases to apply to the member; and
- (b) the member's annuity plan (if any) is deemed to be terminated,

within the period prescribed in the relevant regulations.

(5E) The period prescribed for the Scheme to cease or the annuity plan to be terminated under subsection (5D) may differ for different classes of members.” 5

### **Amendment of section 27L**

17. In the principal Act, in section 27L —

- (a) in subsection (5), after “amount to be refunded”, insert “(including any goodwill sum the Board may, in its discretion, determine)”; and 10
- (b) in subsection (7), replace “which the Board is liable to refund under” with “to be refunded mentioned in”.

### **Amendment of section 29**

18. In the principal Act, in section 29 — 15

- (a) in subsection (5)(a), delete “and” at the end;
- (b) in subsection (5), after paragraph (a), insert —
  - “(aa) any member who is not a citizen or permanent resident of Singapore at the time the member is required to join the Scheme; and”; 20
- (c) in subsection (7), after “The Board may”, insert “, subject to such terms, conditions and restrictions as the Board may impose,”; and 25
- (d) after subsection (7), insert —
  - “(8) Where the Board is satisfied that a member of the Scheme is not a citizen or permanent resident of Singapore, the member's cover under the Scheme is deemed to be terminated at the time prescribed by regulations made under section 39. 30

(9) The time prescribed for the termination under subsection (8) may differ for different classes of members.”.

### **Amendment of section 77**

5 **19.** In the principal Act, in section 77(1) —

(a) in paragraph (ba), replace “13(7A), (7C), (7D) and (7G)” with “13(7A) to (7G)”; and

10 (b) in paragraph (s), replace “as are” with “to prescribe anything that is required or permitted to be prescribed by regulations under this Act or that is”.

## PART 2

### AMENDMENTS RELATING TO DISCLOSURE OF INFORMATION AFTER NOTIFICATION OF MEMBER’S DEATH

#### 15 **Amendment of section 25**

**20.** In the principal Act, in section 25, delete subsection (6A).

#### **Amendment of section 59**

**21.** In the principal Act, in section 59, after subsection (9), insert —

20 “(10) Where the Board has been notified of a member’s death, the Board may, in the course of performing its functions under section 25 or 25A in relation to any amount payable on the member’s death, or performing its functions under section 26 or 26A in relation to any vested shares or designated shares payments, disclose the information relating to the deceased member as set out in subsection (11) to any of the following persons, as the case may be:

25 (a) any person the Board has reason to believe is entitled to receive an amount payable out of the Fund on the deceased member’s death under a memorandum executed under section 25(1);

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(b) any person who may be entitled to receive an amount payable on the deceased member's death in accordance with section 25A(1), on the assumption that no person has been nominated by the deceased member under section 25(1);

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(c) any other persons as may be prescribed in regulations made under section 77(1).

(11) The Board may disclose the information relating to the following under subsection (10):

(a) the member's accounts in the Fund;

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(b) the memorandum executed under section 25(1);

(c) any other information as may be prescribed in regulations made under section 77(1).”.

### PART 3

#### AMENDMENTS RELATING TO TRANSACTIONS FOR DECEASED MEMBER

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#### **Amendment of section 2**

**22.** In the principal Act, in section 2, replace subsection (6) with —

“(6) In this Act, a reference to the amount payable on a member's death out of the Fund is to be construed as a reference to the balance standing to the credit of the member in the Fund —

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(a) as computed from time to time by the Board after being notified of the member's death; and

(b) taking into account anything done under section 75.”.

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#### **Amendment of section 19D**

**23.** In the principal Act, in section 19D(3)(b), before “the payer has died”, insert “the Board has been notified that”.

### **Amendment of section 20**

**24.** In the principal Act, in section 20(1)(b), before “the member has died”, insert “the Board has been notified that”.

### **Amendment of section 24**

5 **25.** In the principal Act, in section 24 —

(a) in subsection (3A), replace “and 57C” with “, 57C and 75”;  
and

(b) in subsections (3A) and (3B), replace “on the death” with  
“on or after the death”.

10 **Amendment of section 25**

**26.** In the principal Act, in section 25(4A), before “a person nominated”, insert “the Board has been notified that”.

### **Amendment of section 27B**

**27.** In the principal Act, in section 27B(1) —

15 (a) in paragraph (a)(ii), replace sub-paragraph (A) with —

“(A) after the member has become entitled to withdraw the sum standing to the credit of the member under section 15(2), 15AA(1) or 27 or the Board has been notified that the member has died, whichever is the earliest in time; and”; and

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(b) in paragraph (b), replace sub-paragraph (i) with —

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“(i) after the member has become entitled to withdraw the sum standing to the credit of the member under section 15(2), 15AA(1) or 27 or the Board has been notified that the member has died, whichever is the earliest in time; and”.

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### **Amendment of section 27Q**

**28.** In the principal Act, in section 27Q(2)(h), replace “on the death” with “on account of the death”.

### **Amendment of section 57C**

**29.** In the principal Act, in section 57C(4), (5) and (6), replace “on the death” with “on or after the death”. 5

### **New section 75**

**30.** In the principal Act, before section 76, insert —

#### **“Transactions by Board on or after member’s death**

**75.—(1)** The Board may, before being notified of a member’s death, do anything that the Board is required or empowered to do under this Act or a relevant Act as if the member has not died. 10

(2) Despite being notified of a member’s death and subject to regulations made under section 77(1), the Board may do any of the following things that the Board is required or empowered to do under this Act or a relevant Act as if the member has not died: 15

(a) approve and give effect to applications permitted under this Act or a relevant Act made by or for the member;

(b) in relation to any insurance scheme referred to in this Act or a relevant Act — 20

(i) issue, renew or reinstate the insurance cover for any insurance period starting before the member’s death;

(ii) deduct premiums for any insurance period starting before the member’s death from moneys standing to the credit of the member in the Fund; or 25

(iii) pay refunds in the manner provided under this Act or a relevant Act, as the case may be; 30

(c) do any of the following transactions:

- (i) permit a withdrawal under section 16A;
- (ii) a transaction under section 13(7H) or (7I) or 71;
- (iii) a refund under section 19;
- 5 (iv) the crediting of any sum under section 19(2) or (6) or 19A(2) or (6), as in force immediately before 1 April 2022;
- (v) a refund or payment under section 19D;
- 10 (vi) a transfer or payment under section 14(3C) or 27B;
- (vii) the recovery of moneys by the Board under section 14(3) or (3A), 27N(4) or 57C(5) or (6);
- 15 (viii) make any payment, transfer, withdrawal, deduction or refund under this Act that is specified in regulations made under section 77(1) for the purposes of this paragraph;

(d) make any other payment, transfer, withdrawal, deduction or refund under this Act or a relevant Act —

- 20 (i) to correct any mistake or error;
- (ii) that the Board cannot stop for practical or operational reasons;
- (iii) that would benefit the member (if he or she had not died) or an intended beneficiary; or
- 25 (iv) that is necessary or incidental to a transaction permitted under paragraph (a), (b), (c) or (d)(i), (ii) or (iii).

30 (3) Where the Board has done anything (whether before, on or after the date of commencement of section 30 of the Central Provident Fund (Amendment) Act 2023) on or after a member's death as if the member has not died —

- (a) the Board may reverse the act to the extent that it is expedient; and
- (b) no legal proceedings may be instituted in any court of law on account of or in respect of the reversal.

(4) Where the Board has done any act before the date of commencement of section 30 of the Central Provident Fund (Amendment) Act 2023 (called in this subsection the past act) which would be permitted if done under subsection (1), (2) or (3) on that date — 5

- (a) the past act is and is taken always to have been validly done; and 10
- (b) no legal proceedings may be instituted in any court of law on account of or in respect of the past act.

(5) Subsections (1) to (4) do not affect any recourse that any person may have against another person to whom the Board has paid any money or transferred any designated shares by an act permitted or validated by this section. 15

(6) Where the Board or any other person has a duty, power or right to carry out any transaction on or after a member's death under any written law or rule of law, this section does not prevent the Board or that person (as the case may be) from carrying out that transaction. 20

(7) In this section —

“intended beneficiary” means —

- (a) any person nominated by a member by a memorandum under section 25(1) or either of their estates; 25
- (b) a beneficiary mentioned in section 25A; or
- (c) any other person specified in regulations made under section 77(1) for the purposes of subsection (2)(d)(iii); 30

“relevant Act” means the CareShield Life and Long-Term Care Act 2019 or the MediShield Life Scheme Act 2015.”.

## PART 4

### AMENDMENTS RELATING TO NOTICES AND SERVICE METHODS

#### **Amendment of section 62**

**31.** In the principal Act, in section 62 —

(a) in subsection (1), replace “prescribed notice” with “notice”; and

(b) replace subsection (8) with —

“(8) The form of the notice to be utilised for the purposes of subsection (1) must be in a form determined by the Board.”.

#### **Amendment of section 62A**

**32.** In the principal Act, in section 62A —

(a) in subsection (1)(b), delete “or” at the end;

(b) in subsection (1)(c)(ii), replace the full-stop at the end with a semi-colon;

(c) in subsection (1), after paragraph (c), insert —

“(d) by transmitting it to an electronic mail address specified in accordance with subsection (1A); or

(e) by serving it through the electronic service platform mentioned in section 74 with the person’s consent, if so provided by regulations made for the purposes of section 74(4)(b).”;

(d) after subsection (1), insert —



“(1A) A notice to attend court or summons may be served in the manner specified in subsection (1)(d) only if a person mentioned in section 116(5) of the Criminal Procedure Code 2010 who may consent to the mode of service of a summons —

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(a) gives prior written consent for the notice to attend court or summons (as the case may be) to be served in that manner; and

(b) specifies, in that written consent, the electronic mail address to which the notice to attend court or summons (as the case may be) is to be transmitted.”; and

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(e) in subsection (2), replace “the summons” wherever it appears with “the notice or summons (as the case may be)”.

#### **New section 74**

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**33.** In the principal Act, after section 73, insert —

#### **“Electronic service platform**

**74.—**(1) The Board may provide an electronic service platform for the Board to serve documents required or permitted to be served under this Act.

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(2) For the purposes of the electronic service platform, the Board may assign to any person an account with the electronic service platform.

(3) Where regulations made under section 77(1) permit the Board to serve any document through the electronic service platform on a person who has been assigned an account with the electronic service platform, the Board may serve the document on the person by transmitting an electronic record of the document to that account.

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(4) The Minister may make regulations under section 77(1) which are necessary or expedient for carrying out the purposes of this section, including regulations prescribing —

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- (a) the procedure for the use of the electronic service platform, including the procedure in circumstances where there is a breakdown or interruption of the electronic service platform;
- 5 (b) the circumstances in which the Board may serve any document through the electronic service platform on a person assigned an account with the electronic service platform; and
- 10 (c) the manner in which a person who has been served a document through the electronic service platform is to be notified of the transmission of an electronic record of the document to the person's account with the electronic service platform.
- (5) Regulations made for the purpose of subsection (4)(b) —
- 15 (a) may provide for service of any document through the electronic service platform in circumstances where —
- (i) the person consents to such service; or
- (ii) the Board gives the person notice of the Board's intention of such service and the person does not refuse such service;
- 20 (b) may make provision with respect to the giving of any notice of the Board's intention, or the person's consent or refusal, mentioned in paragraph (a), including —
- 25 (i) the matters that must be contained in the notice; and
- (ii) the time within which, and the form and manner in which, the consent or refusal must be received by the Board;
- 30 (c) may provide when the consent or refusal of the person takes effect and when the Board must give effect to such consent or refusal; and

(d) may provide for any other matter necessary or incidental to the purposes in paragraphs (a), (b) and (c) and subsection (4)(b).”.

### **Amendment of section 77**

**34.** In the principal Act, in section 77(1), after paragraph (qa), insert —

“(r) without affecting service under sections 62A and 74, to provide for the service by any other means of any document that is required or permitted to be served under this Act, except a notice to attend court or a summons mentioned in section 62A and any document to be served in proceedings in court;”.

## **PART 5**

### **SAVING AND TRANSITIONAL PROVISIONS**

#### **Saving and transitional provision for Part 1**

**35.**—(1) Every application to withdraw the sum standing to the credit of a member in the Fund made or purporting to be made on the grounds of section 15(2)(b) or (c) of the principal Act as in force before the date of commencement of section 5 that is —

(a) pending on that date; or

(b) received by the Board on or after that date,

is, on or after that date, deemed to be an application to withdraw that sum on the grounds of section 15(2)(b) of the principal Act as in force on or after that date.

(2) Section 12 does not affect the validity of any nomination made before the date of commencement of that section.

#### **Saving and transitional provision for Part 2**

**36.**—(1) Despite sections 20 and 21, where the Board has been notified of a member’s death before the date of commencement of section 21 —

(a) the member's consent (if any) given under section 25(6A) of the principal Act as in force immediately before that date continues to apply; and

(b) section 59(10) and (11) of the principal Act does not apply to the deceased member.

(2) Where the Board is notified of a member's death on or after the date of commencement of section 21, section 59 of the principal Act as amended by section 21 applies to the deceased member —

(a) whether the member died before, on or after that date; and

(b) whether or not the member has given consent under section 25(6A) of the principal Act before that date.

(3) Where the Board has not been notified of a member's death before the date of commencement of section 21, the member's consent (if any) given under section 25(6A) of the principal Act that is in force immediately before the date of commencement of section 20 is deemed revoked with effect from that date.

### **General saving and transitional provision**

**37.** For a period of 2 years after the date of commencement of any provision of this Act, the Minister may, by regulations, prescribe such additional provisions of a saving or transitional nature consequent on the enactment of that provision as the Minister may consider necessary or expedient.

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## **EXPLANATORY STATEMENT**

This Bill seeks to amend the Central Provident Fund Act 1953 (the Act) for the following main purposes:

(a) to limit Central Provident Fund schemes (CPF schemes) primarily to citizens and permanent residents of Singapore in order to provide for their retirement and healthcare needs;

(b) to allow the Central Provident Fund Board (the Board) to disclose certain information about a member after notification of the member's death to persons who may be entitled to the amount payable out of the Central Provident Fund (the Fund) on the deceased member's death, in

the course of performing its functions in relation to any amount payable on the member's death or in relation to any vested shares or designated shares payments;

- (c) to provide clarity that the Board may in certain cases continue to carry out transactions under the Act, the CareShield Life and Long-Term Care Act 2019 or the MediShield Life Scheme Act 2015 as if a member has not died, without affecting any person's recourse against another person to whom the Board has paid money or transferred designated shares through such transactions;
- (d) to allow the Board to determine the form of a notice to attend court and to provide for the manner of service of documents.

Clause 1 relates to the short title and commencement.

## PART 1

### AMENDMENTS RELATING TO CPF SCHEMES PRIMARILY LIMITED TO CITIZENS AND PERMANENT RESIDENTS OF SINGAPORE

Clause 2 amends section 2(1) to define “applicable person” as a citizen or permanent resident of Singapore, or any other person of a class prescribed for the purposes of a particular provision of the Act or subsidiary legislation made under the Act.

Clause 3 amends section 6(4C), (4D), (4E)(a), (b) and (c), (4F), (4G), (4H) and (4I) to replace references to “the effective date” with “1 April 2022”, the date of commencement of section 26 of the Central Provident Fund (Amendment) Act 2021. Subsection (6) is deleted as it is no longer required. Similar amendments are made to section 13 by clause 4.

Clause 4 amends section 13 by inserting new subsections (7B), (7E) and (7F).

The new subsection (7B) empowers the Board, on or after 1 April 2024, to transfer moneys standing in a member's account in the Fund to the general moneys of the Fund in accordance with regulations made under section 77(1), if the Board is satisfied that the member is not an applicable person.

The new subsection (7E) provides for the Board to pay, under section 13(7C)(b), an amount of interest not exceeding the reduced amount (defined in the new subsection (7F)) if the Board is satisfied that while any part of the moneys to be restored or transferred under section 13(7C)(a) was standing in the general moneys of the Fund, the member was not an applicable person.

Clause 5 amends section 15(2) to replace paragraphs (b) and (c) such that a member is entitled to withdraw the sum standing to the member's credit in the

Fund at any time after the Board is satisfied that the member is not an applicable person.

Clause 6 makes a consequential amendment to section 15A.

Clause 7 replaces section 19(3) and amends section 19(4) to make consequential amendments.

Clause 8 makes a consequential amendment to section 19D(6)(b).

Clause 9 makes consequential amendments to section 20(1B) to refer in paragraph (b) to section 15(2)(b) as in force on or after the date of commencement of clause 9(a) and in paragraph (c) to the Board being satisfied that the person is not an applicable person for the purposes of section 15(2)(b).

Clause 10 amends section 22 by inserting new subsections (4B), (4C) and (4D). The clause also makes subsection (5) subject to the new subsection (4D).

The new subsection (4B) provides that the new subsection (4C) applies where a member's child or relative has given an undertaking under section 22(3) and the Board is satisfied that the member is an applicable person and that the member's child or relative is not an applicable person.

The new subsection (4C) empowers the Board to recover the whole or part of the amount repayable or payable pursuant to the undertaking given by the member's child or relative, if the child or relative makes a withdrawal under section 15(2)(b) or moneys are to be transferred from an account in the Fund of the child or relative to the general moneys of the Fund under the new section 13(7B), from the sum to be withdrawn or transferred.

The new subsection (4D) provides that an undertaking given, or a guarantee furnished, under section 22(3) for the repayment of an amount to the member's account in the Fund or payment of an amount to the Fund is deemed to lapse when the Board is satisfied that the member has ceased to be an applicable person.

Clause 11 amends section 24(2) to subject the protection of benefits to the recovery of withdrawals under section 22 and repayment of any loan given to the member by the Government mentioned in section 27.

Clause 12 amends section 25(1) and (1A) to provide that the member of the Fund must be an applicable person to make a nomination under section 25(1).

Clause 13 amends section 26(1) to provide for designated shares to vest in the Board, subject to regulations made under section 77(1), on or after 1 May 2024, where the Board is satisfied that the member is not an applicable person and the member has not instructed the Board to transfer the designated shares to the member's securities account or to sell the designated shares. The clause also amends section 26(6) to empower the Board to sell those vested shares.

Clause 14 inserts a new section 26B to empower the Board, on its own motion, where the Board is satisfied that a member is not an applicable person, to declare that the member is authorised to withdraw all moneys standing to the member's credit in the member's CPF Investment Account (if any) and that all of the member's securities purchased or acquired under an investment scheme introduced under Part II or III of the Central Provident Fund (Investment Schemes) Regulations (Rg 9) are withdrawn from those investment schemes. The member will not be obliged to repay to the Fund any moneys, and any proceeds or benefits of any securities, withdrawn pursuant to the Board's declaration. The protections under section 24(2) will not therefore apply to those moneys and securities.

Clause 15 amends section 27 by deleting subsection (2A) as section 24(2), read with section 24(1)(b), already protects withdrawals from the Fund by undischarged bankrupts.

Clause 16 amends section 27K to insert new subsections (5D) and (5E).

The new subsection (5D) provides that where the Board is satisfied that a member is not a citizen or permanent resident of Singapore, the Lifelong Income Scheme ceases to apply to that member, and his or her annuity plan (if any) is deemed to be terminated, within the period prescribed in the relevant regulations.

The new subsection (5E) provides that the period prescribed for the Lifelong Income Scheme to cease or the annuity plan to be terminated may differ for different classes of members.

Clause 17 amends section 27L(5) and (7) to clarify that the amount to be refunded includes any goodwill sum the Board may, in its discretion, determine.

Clause 18 amends section 29 by inserting a new paragraph (aa) in subsection (5) to provide that the Home Protection Insurance Scheme does not apply to any member who is not a citizen or permanent resident of Singapore at the time the member is required to join the Scheme. The clause also amends subsection (7) to provide that the subsection is subject to such terms, conditions and restrictions as the Board may impose and inserts new subsections (8) and (9).

The new subsection (8) provides that, where the Board is satisfied that a member of the Home Protection Insurance Scheme is not a citizen or permanent resident of Singapore, that member's cover is deemed to be terminated at the prescribed time.

The new subsection (9) provides that the time prescribed for termination may differ for different classes of members.

Clause 19 amends section 77(1) to include references to section 13(7B), (7E) and (7F) in paragraph (ba) and to clarify in paragraph (s) that regulations may be made to prescribe anything that is required or permitted to be prescribed by regulations made under the Act.

## PART 2

AMENDMENTS RELATING TO  
DISCLOSURE OF INFORMATION  
AFTER NOTIFICATION OF MEMBER'S DEATH

Clause 20 amends section 25 by deleting subsection (6A) as consent to disclosure of information after death will no longer be required.

Clause 21 amends section 59 by inserting new subsections (10) and (11) to allow the Board to disclose, after being notified of a member's death, certain information about the deceased member (specified in the new subsection (11)) to the member's nominees, the persons who would be the member's beneficiaries under section 25A(1) on the assumption that a nomination was not made by the deceased member under section 25(1) or other prescribed persons.

## PART 3

AMENDMENTS RELATING TO  
TRANSACTIONS FOR DECEASED MEMBER

Clause 22 replaces section 2(6) to construe a reference to the amount payable on a member's death out of the Fund as a reference to the balance standing to the credit of a member in the Fund as computed from time to time by the Board after it is notified of a member's death, taking into account anything done under the new section 75 inserted by clause 30.

Clause 23 amends section 19D(3)(b) such that the provision applies where the Board has been notified that the payer has died.

Clause 24 amends section 20(1)(b) such that the provision applies where the Board has been notified that the member has died.

Clause 25 amends section 24(3A) to make a consequential amendment to refer to the new section 75. The clause also amends subsections (3A) and (3B) to refer to moneys paid out of the Fund both on or after the death of a member.

Clause 26 amends section 25(4A) such that the provision applies where the Board has been notified that a nominated person has died.

Clause 27 replaces section 27B(1)(a)(ii)(A) and (b)(i) such that the payment to the spouse is to take place after the Board has been notified that the member has died, if the member was not entitled to withdraw the sum standing to the credit of the member under section 15(2), 15AA(1) or 27 prior to the member's death.

Clause 28 amends section 27Q(2)(h) to clarify that the refund of the premium is on account of the death of the member. The regulations may therefore provide for the refund to be made on or after the member's death or notification of the member's death.



Clause 29 amends section 57C(4), (5) and (6) to clarify that the Board may exercise its powers under those subsections on or after the death of the eligible member or member of the Fund.

Clause 30 inserts a new section 75, which relates to transactions by the Board under the Act, the CareShield Life and Long-Term Care Act 2019 or the MediShield Life Scheme Act 2015 after a member's death. Subsection (1) clarifies that the Board may, before being notified of a member's death, do anything under those Acts as if the member has not died. Subsection (2) empowers the Board to do certain things under those Acts as if the member has not died even after being notified of the member's death. Subsection (3) empowers the Board to reverse an act done by the Board (whether before, on or after the date of commencement of the new section 75) on or after the member's death as if the member has not died to the extent that it is expedient, and grants immunity to the Board in relation to such acts. Subsection (4) validates acts done by the Board before the new section 75 comes into force which would be permitted under the new section 75(1), (2) or (3) if done when those new provisions come into force, and grants immunity to the Board in relation to such acts. Subsection (5) clarifies that subsections (1) to (4) do not affect any recourse a person may have against another person to whom the Board has paid money or transferred designated shares. Subsection (6) clarifies that the new section 75 does not prevent the Board or any person from carrying out a transaction on or after the member's death under any written law or rule of law. Subsection (7) defines certain terms used in the section.

#### PART 4

##### AMENDMENTS RELATING TO NOTICES AND SERVICE METHODS

Clause 31 amends section 62(1) and replaces subsection (8) to permit the Board to determine the form of a notice to attend court, instead of using a prescribed notice.

Clause 32 amends section 62A to provide that a notice to attend court or summons may be served by transmitting it to an electronic mail address if certain requirements with respect to consent are satisfied or by serving it through the electronic service platform mentioned in section 74 with the person's consent if so provided by regulations made for the purposes of section 74(4)(b).

Clause 33 inserts a new section 74 to provide for the Board's electronic service platform for the service of documents required or permitted to be served under the Act on persons who have been assigned an account by the Board. The clause also provides that regulations may be made in relation to the procedure for the use of the platform and safeguards relating to service through the platform with the

member's consent, or with notice of the Board's intention of service through the platform if the person does not refuse such service.

Clause 34 amends section 77(1) by inserting a new paragraph (*r*) to allow regulations to be made to provide for service by any means (other than under sections 62A and 74) of any document required or permitted to be served under the Act, except a notice to attend court or a summons mentioned in section 62A and any document to be served in proceedings in court. Section 62A governs the service of notice to attend court and summons and section 74 governs the service of documents by the electronic service platform.

## PART 5

### SAVING AND TRANSITIONAL PROVISIONS

Clause 35 provides saving and transitional provisions for Part 1 of the Bill. Clause 35(1) deems every application for withdrawal on the grounds of section 15(2)(*b*) or (*c*) as in force before the date of commencement of clause 5 to be an application for withdrawal on the grounds of the new section 15(2)(*b*). This applies to applications pending on that date or received by the Board on or after that date. Clause 35(2) provides that clause 12 does not affect the validity of any nomination made before the date of commencement of that clause.

Clause 36 provides saving and transitional provisions for Part 2 of the Bill. Clause 36(1) provides that where the Board has been notified of the member's death before the date of commencement of clause 21, the deceased member's consent (if still in force immediately before that date) will continue to apply instead of the new section 59(10) and (11). Clause 36(2) provides that the Board can disclose such information under the new section 59(10) and (11) where the Board is notified of the member's death on or after the date of commencement of clause 21, whenever the member died and whether or not any consent has been given under section 25(6A). Clause 36(3) deems that the member's consent for the disclosure of information by the Board given under section 25(6A) and that is in force immediately before the date of commencement of clause 20 is revoked with effect from that date where the Board has not been notified of the member's death before that date.

Clause 37 empowers the Minister to make regulations to prescribe additional provisions of a saving or transitional nature for any provision of the Bill for a period of 2 years after the date of commencement of any provision of the Bill.

## EXPENDITURE OF PUBLIC MONEY

This Bill will involve the Government in extra financial expenditure, the exact amount of which cannot at present be ascertained.

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