

Child Development Co-Savings (Application of Employment Act Provisions) Order

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Legislative History

CHILD DEVELOPMENT CO-SAVINGS ACT (CHAPTER 38A, SECTION 12)

CHILD DEVELOPMENT CO-SAVINGS (APPLICATION OF EMPLOYMENT ACT PROVISIONS) ORDER

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G.N. No. S 610/2004

REVISED EDITION 2008

(31st January 2008)

[5th October 2004]

Citation

1. This Order may be cited as the Child Development Co-Savings (Application of Employment Act Provisions) Order.

[S 230/2011 wef 01/05/2011]

Definitions

2. In this Order —

“applicable provisions of the Employment Act” means the provisions of the Employment Act (Cap. 91) referred to in paragraph 3(2)(a), (b) and (c) as

modified by paragraphs 3A to 17;

[S 284/2013 wef 01/05/2013]

“principal Act” means the Child Development Co-Savings Act (Cap. 38A).

[S 700/2008 wef 01/01/2009]

[S 230/2011 wef 01/05/2011]

Application of Employment Act provisions and subsidiary legislation

3.—(1) The provisions of the Employment Act and the subsidiary legislation made under that Act as specified in sub-paragraph (2) shall apply, with such exceptions, adaptations and modifications as are specified in paragraphs 3A to 17, in relation to —

- (a) any employer or employee to whom section 9, 12AA, 12B, 12D, 12E or 12H of the principal Act applies;
- (b) any dispute under Part III of the principal Act, or under any regulations made under section 20 of the principal Act, between any such employer and any such employee; and
- (c) any offence or proceedings under section 12AA, 12B, 12D, 12E, 12H or 17 of the principal Act,

as they apply in relation to any employer, employee, dispute, offence or proceedings, as the case may be, under the Employment Act.

[S 284/2013 wef 01/05/2013]

(2) The applicable provisions of the Employment Act and the applicable subsidiary legislation made under that Act shall be as follows:

- (a) Part XIII of that Act;
- (b) Part XV of that Act (other than sections 116 and 121) read with the Second Schedule to that Act;
- (c) Part XVI of that Act (other than sections 128, 138, 139 and 140);
- (d) Employment (Notes of Evidence — Fees) Regulations (Cap. 91, Rg 2); and
- (e) Employment (Prescribed Form) Regulations (Cap. 91, Rg 4).

[S 284/2013 wef 01/05/2013]

Modification of section 103 of Employment Act

3A. Section 103 of the Employment Act (Cap. 91) shall apply with the following modifications:

- (a) the reference to “an offence under this Act” in subsection (1)(a) shall be read as a reference to an offence under section 12AA, 12B, 12D, 12E, 12H

or 17 of the principal Act;

- (b) the reference to “the provisions of this Act” in subsection (1)(b), (c), (d) and (g) shall be read as a reference to the applicable provisions of the Employment Act and Part III and section 17 of the principal Act; and
- (c) the reference to “this Act” in subsection (1)(h) shall be read as a reference to the applicable provisions of the Employment Act and Part III and section 17 of the principal Act.

[S 284/2013 wef 01/05/2013]

Modification of sections 104 and 107 of Employment Act

3B. Sections 104 and 107 of the Employment Act (Cap. 91) shall apply with the reference to “section 103” wherever they appear in those provisions read as a reference to that section as modified by paragraph 3A.

[S 284/2013 wef 01/05/2013]

Modification of section 115 of Employment Act

4. Section 115 of the Employment Act (Cap. 91) shall apply with the following modifications:

- (a) the Commissioner may only inquire into and decide —
 - (i) any dispute between a female employee to whom section 9 of the principal Act applies and her employer relating to —
 - (A) the entitlement of the female employee to absent herself from work or to pay during any period referred to in section 9(1), (1A) or (1B) of the principal Act under any term of the contract of service between the female employee and her employer or under section 9 of the principal Act, as the case may be; or
 - (B) any matter under sections 77 to 86 of the Employment Act as made applicable by section 12 of the principal Act;
 - (ii) any dispute between a female employee to whom section 12AA of the principal Act applies and her employer relating to the female employee’s entitlement to adoption leave or to pay under that section or under any term of the contract of service between the female employee and her employer, as the case may be;

[S 714/2016 wef 01/01/2017]

[S 284/2013 wef 01/05/2013]