



REPUBLIC OF SINGAPORE

GOVERNMENT GAZETTE

BILLS SUPPLEMENT

Published by Authority

NO. 18]

TUESDAY, OCTOBER 18

[2011

First published in the *Government Gazette*, Electronic Edition, on 17th October 2011 at 5:00 pm.

Notification No. B 18 — The Work Injury Compensation (Amendment) Bill is hereby published for general information. It was introduced in Parliament on the 17th day of October 2011.

Work Injury Compensation (Amendment) Bill

Bill No. 18/2011.

Read the first time on 17th October 2011.

A BILL

i n t i t u l e d

An Act to amend the Work Injury Compensation Act (Chapter 354 of the 2009 Revised Edition).

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 may be cited as the Work Injury Compensation (Amendment) Act 2011 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 3

2. Section 3(5) of the Work Injury Compensation Act (referred to in this Act as the principal Act) is amended —

(a) by deleting the word “or” at the end of paragraph (a); and

(b) by deleting the full-stop at the end of paragraph (b) and substituting the word “; or”, and by inserting immediately thereafter the following paragraph:

“(c) any injury to an employee suffered in a fight or an attempted assault on one or more persons unless —

(i) the employee did not assault or attempt to assault any other person in the fight or attempted assault, or did assault any such person in the exercise of the right of private defence in accordance with sections 97 to 106 of the Penal Code (Cap. 224); or

(ii) the employee was, at the time when the injury was received, breaking up or preventing the fight or assault, or in the course of safeguarding life or any property of any person or maintaining law and order, under any instruction or with the consent (whether express or implied) of his employer or a principal referred to in section 17.”.

Amendment of section 4

3. Section 4 of the principal Act is amended —

(a) by inserting, immediately after the words “opposite that occupation” in subsection (1)(b), the words “(referred to in this section as the limitation period for that occupational disease)”;

5 (b) by inserting, immediately after subsection (1), the following subsections:

“(1A) If an employee contracts, on or after the date of commencement of the Work Injury Compensation (Amendment) Act 2011 (referred to in this section as the appointed day), a disease which is not specified in the
10 first column of the Second Schedule but which is directly attributable to an exposure, arising out of and in the course of his employment, to a chemical or biological agent and the incapacity or death of the employee results
15 from that disease, compensation shall be payable as if the disease were a personal injury by accident arising out of and in the course of that employment and all the other provisions of this Act shall apply accordingly, subject to this section.

20 (1B) Subsection (1A) shall apply only if the exposure to a chemical or biological agent commences on or after the appointed day, or commences before and continues on or after the appointed day.”;

25 (c) by deleting subsection (3) and substituting the following subsection:

“(3) No compensation shall be payable by an employer under this section in respect of the incapacity or death of an employee resulting from an occupational disease specified in the first column of the Second Schedule or
30 other disease referred to in subsection (1A) if —

(a) in the case of an occupational disease —

(i) the employee is, on or after the appointed day, employed by the employer in the occupation specified opposite the
35 occupational disease;

- (ii) the occupational disease is contracted on or after the appointed day; and
 - (iii) the employee's incapacity commences or his death happens after ceasing to be so employed and after the lapse of the limitation period for that occupational disease; or
- (b) in the case of other disease referred to in subsection (1A), the employee's incapacity commences or his death happens more than one year after the employee ceases to be exposed to the chemical or biological agent referred to in that subsection.”;
- (d) by inserting, immediately after the words “occupational disease” in subsections (4), (5) and (6), the words “referred to in subsection (1) or other disease referred to in subsection (1A)”;
- (e) by deleting the words “an occupational disease specified in the Second Schedule” in subsection (7) and substituting the words “an occupational disease referred to in subsection (1) or other disease referred to in subsection (1A),”; and
- (f) by deleting the section heading and substituting the following section heading:

“Compensation for diseases”.

Amendment of section 11

4. Section 11 of the principal Act is amended by deleting subsection (4) and substituting the following subsections:

- “(4) Subject to subsection (4A), the making of a claim after the lapse of the period specified in subsection (1) shall not be a bar to the maintenance of proceedings if it is found that the delay was occasioned by mistake, absence from Singapore or other reasonable cause.