

**Children Development Co-Savings (Paid Maternity Leave and Adoption Leave)  
(Amendment) Regulations 2007**

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**No. S 80**

**CHILDREN DEVELOPMENT CO-SAVINGS ACT  
(CHAPTER 38A)**

**CHILDREN DEVELOPMENT CO-SAVINGS (PAID MATERNITY LEAVE AND  
ADOPTION LEAVE) (AMENDMENT) REGULATIONS 2007**

In exercise of the powers conferred by section 20 of the Children Development Co-Savings Act, the Minister for Community Development, Youth and Sports hereby makes the following Regulations:

**Citation and commencement**

**1.** These Regulations may be cited as the Children Development Co-Savings (Paid Maternity Leave and Adoption Leave) (Amendment) Regulations 2007 and shall come into operation on 1st March 2007.

**Amendment of regulation 2**

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2. Regulation 2(1) of the Children Development Co-Savings (Paid Maternity Leave and Adoption Leave) Regulations 2004 (G.N. No. S 602/2004) (referred to in these Regulations as the principal Regulations) is amended by deleting the definition of “leave period” and substituting the following definition:

“ “leave period”, in relation to a self-employed woman, means —

- (a) where she is entitled to claim lost income under section 9(4) of the Act, the period referred to in section 9(4)(a), (b) or (c) of the Act, as the case may be;
- (b) where she is entitled to claim lost income under section 9(4A) of the Act, the period referred to in section 9(4A)(c) (i), (ii) or (iii) of the Act, as the case may be;
- (c) where she is entitled to claim lost income under section 9(4B) of the Act, the period referred to in section 9(4B)(c) (i), (ii) or (iii) of the Act, as the case may be;
- (d) where she is entitled to claim lost income under section 9(4C) of the Act, the period referred to in section 9(4C)(d) (i), (ii) or (iii) of the Act, as the case may be;
- (e) where she is entitled to claim lost income under section 12A(4) of the Act, the period referred to in section 12A(4)(d) of the Act;
- (f) where she is entitled to claim lost income under section 12A(4A) of the Act, the period referred to in section 12A(4A)(d) of the Act; or
- (g) where she is entitled to claim lost income under section 22(4) of the Act, the period referred to in section 22(4)(c) of the Act,

when she ceases to be actively engaged in her trade, business, profession or vocation;”.

#### **Amendment of regulation 4**

3. Regulation 4 of the principal Regulations is amended —

(a) by deleting paragraph (1) and substituting the following paragraphs:

“(1) Every female employee who is entitled to receive payment from her employer under section 9(1), (1A), (1B), (1C), (1D), (1E) or (1F) of the Act shall make a declaration as to her eligibility for payment in such form as the Minister may provide.

(1A) Every female employee who is entitled to receive payment from her employer under section 9(1) of the Act shall submit the form referred to in paragraph (1) to her employer —

- (a) at least one week before absenting herself from work under section 9(1) of the Act; or
- (b) where it is not practicable to submit the form one week before absenting herself from work, within one month from the date of birth of her child.

(1B) Every female employee who is entitled to receive payment from her employer under subsection (1A), (1B), (1C), (1D), (1E) or (1F) of section 9 of the Act shall submit the form referred to in paragraph (1) to her employer not later than one week from the date she becomes entitled under the applicable subsection to receive payment from her employer.”;

- (b) by deleting the words “section 9(1) of the Act” in paragraph (2)(a) and substituting the words “section 9(1), (1A), (1B), (1C), (1D), (1E) or (1F) of the Act, as the case may be”;
- (c) by deleting the words “section 12A(1)” in paragraph (3) and substituting the words “section 12A(1) or (1A)”;
- (d) by deleting the words “section 12A(1)(d) of the Act” in paragraph (3)(b)(i) and substituting the words “section 12A(1)(d) or (1A)(d) of the Act, as the case may be”;
- (e) by deleting paragraph (4) and substituting the following paragraph:

“(4) Every employer who wishes to claim reimbursement from the Government under section 12A(1) or (1A) of the Act and regulation 5 shall, before making payment to a female employee in accordance with section 12A(1) or (1A) of the Act, as the case may be —

- (a) require the female employee to comply with paragraph (3); and
- (b) upon receipt of the form referred to in paragraph (3), satisfy himself that the female employee has satisfied the requirements of section 12A(1) or (1A) of the Act, as the case may be.”;

- (f) by deleting the words “section 9(1), 12A (1) or 22(1)” in paragraph (6) and substituting the words “section 9(1), (1B), (1D) or (1F), 12A (1) or (1A) or

22(1)”; and

(g) by inserting, immediately after paragraph (6), the following paragraph:

“(7) The gross rate of pay that is payable to a female employee under section 9(1A), (1C) or (1E) of the Act shall include allowances only if such allowances have been paid to her for a period of 4 or more months immediately preceding the commencement of her period of absence from work under section 76(1) of the Employment Act (Cap. 91).”.

#### **Amendment of regulation 5**

4. Regulation 5 of the principal Regulations is amended —

- (a) by deleting the words “section 10(1), 12A (1) or 22 (1)” in paragraph (1) and substituting the words “section 10(1), 12A (1) or (1A) or 22 (1)”;
- (b) by deleting the words “section 9(1)(a) or (b) of the Act” in paragraph (2)(b)(I) and substituting the words “section 9(1)(a) or (b), (1B) (I), (1D) (I) or (1F) (I) of the Act or section 76(1)(a) or (b) of the Employment Act (Cap. 91)”;
- (c) by deleting sub-paragraphs (ii) and (iii) of paragraph (2)(b) and substituting the following sub-paragraphs:
  - “(ii) where the employer claims reimbursement under section 10(1) or 22(1) of the Act, and the female employee in respect of whom the claim is made absents herself from work during a period referred to in section 9(1)(c), (1B) (ii) or (iii), (1D) (ii) or (iii) or (1F) (ii) or (iii) of the Act or section 76(1)(c) of the Employment Act, the last day of the last period referred to in section 9(1)(c) (ii), (1B) (ii) (B) or (iii), (1D) (ii) (B) or (iii) or (1F) (ii) (B) or (iii) of the Act or section 76(1)(c) (ii) of the Employment Act, as the case may be, when the female employee absents herself from work; or
  - (iii) where the employer claims reimbursement under section 12A(1) or (1A) of the Act, the last day of the last period referred to in section 12A(1)(d) or (1A)(d) of the Act, as the case may be, when the

female employee absents herself from work;  
and”;

- (d) by inserting, immediately after the words “regulation 4 (6)” in paragraph (2)(c)(I) and (ii), the words “or (7)”;
- (e) by inserting, immediately after the words “section 12A(1)” in paragraphs (3)(c)(ii) and (d)(ii) and (4)(c)(ii) and (d)(ii), the words “or (1A)”;
- (f) by deleting the word “and” at the end of paragraph (3)(c)(ii);
- (g) by deleting the words “section 12A(1)(d) of the Act” in paragraphs (3)(d)(ii) and (4)(d)(ii) and substituting in each case the words “section 12A(1)(d) or (1A)(d) of the Act, as the case may be”;
- (h) by deleting the full-stop at the end of sub-paragraph (d) of paragraph (3) and substituting a semi-colon, and by inserting immediately thereafter the following sub-paragraphs:

“(e) where the female employee has received payment from her employer under section 9(1A) (I) or (iii), (1C) (I) or (iii) or (1E) (I) or (iii) of the Act, shall be calculated in accordance with the following formula:

$$\frac{(\text{MGP} + \text{ECPF}) \times 12\,365}{\text{days}} \times \text{N},$$

where	MG P	is the monthly gross rate of pay of that female employee;
	ECP F	is the contribution which an employer is liable to make to the Central Provident Fund under the Central Provident Fund Act (Cap. 36) in respect of that female employee and which is not recoverable from the monthly wages of that female employee; and
	N	is the number of days (inclusive of rest days, non-working days and holidays) after the first 8 weeks of that female employee’s absence from work under section 76(1) (a) or (b) of the Employment Act (Cap. 91), as the case may be, for which that female employee