

**Children Development Co-Savings (Third Child Paid Maternity Leave)  
Regulations 2001**

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**No. S 170**

**CHILDREN DEVELOPMENT CO-SAVINGS ACT 2001  
(ACT 13 OF 2001)**

**CHILDREN DEVELOPMENT CO-SAVINGS  
(THIRD CHILD PAID MATERNITY LEAVE) REGULATIONS 2001**

In exercise of the powers conferred by section 20 of the Children Development Co-Savings Act 2001, the Minister for Community Development and Sports hereby makes the following Regulations:

## **Citation and commencement**

1. These Regulations may be cited as the Children Development Co-Savings (Third Child Paid Maternity Leave) Regulations 2001 and shall come into operation on 1st April 2001.

## **Definitions**

2. In these Regulations, unless the context otherwise requires —

“authorised officer” means any officer authorised by the Director or the Board;

“Board” means the Self-employed Reimbursement Board referred to in regulation 3;

“Director” means the Director of Family Services of the Ministry of Community Development and Sports;

“net income” means the income derived by a self-employed woman less all outgoings and expenses incurred by her in the production of that income.

## **Authorities responsible for assessment of claims**

3.—(1) For the purposes of section 20(2)(d) of the Act —

- (a) the Director shall be responsible for the assessment and determination of a claim by an employer under regulation 5; and
- (b) the Self-employed Reimbursement Board shall be responsible for the assessment and determination of a claim by a self-employed woman under regulation 6.

(2) The Board shall consist of —

- (a) one officer nominated by the Comptroller of Income Tax who shall be the Chairman of the Board;
- (b) one officer nominated by the Permanent Secretary to the Ministry of Community Development and Sports; and
- (c) one officer nominated by the Permanent Secretary to the Ministry of Manpower.

## **Claim by female employees**

4.—(1) Every female employee who is entitled to receive payment from her employer under section 9(1) of the Act shall —

- (a) make a declaration as to her eligibility for payment in such form as the Minister may provide; and
  - (b) submit the form to her employer —
    - (i) at least one week before absenting herself from work under section 9 of the Act; or
    - (ii) 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.
- (2) Every employer shall, upon receipt of the form under paragraph (1) —
  - (a) satisfy himself that the female employee is entitled to payment under section 9(1) of the Act; and
  - (b) if he is so satisfied, make payment to the female employee at her gross rate of pay in accordance with Part III of the Act and this regulation.
- (3) An employer may —
  - (a) for the purpose of paragraph (2)(a), require the female employee to furnish or provide access to such information or document as may be necessary to ascertain her entitlement to payment; and
  - (b) if the female employee fails to furnish or provide access to such information or document, withhold or refuse to make payment to the female employee at her gross rate of pay for her benefit period.
- (4) The gross rate of pay payable to a female employee for her benefit period under section 9(1) of the Act shall include allowances only if such allowances —
  - (a) are of a fixed amount payable to her every month under her contract of service; and
  - (b) have been paid to her for a period of no less than 4 months immediately preceding the commencement of her benefit period.

### **Claim by employers**

**5.—**(1) Every employer who is entitled to claim reimbursement from the Government under section 10 of the Act shall apply to the Director for such reimbursement.

- (2) An application under paragraph (1) shall —
  - (a) be made in such form as the Director may provide;