

Singapore Armed Forces (Pensions) (Amendment) Regulations 1997

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No. S 282

SINGAPORE ARMED FORCES ACT (CHAPTER 295)

SINGAPORE ARMED FORCES (PENSIONS) (AMENDMENT) REGULATIONS 1997

In exercise of the powers conferred by section 205 of the Singapore Armed Forces Act, the Armed Forces Council hereby makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Singapore Armed Forces (Pensions) (Amendment) Regulations 1997 and, except for regulations 2(a) and 5, shall be deemed

to have come into operation on 1st January 1995.

(2) Regulation 2(a) shall be deemed to have come into operation on 28th December 1996.

(3) Regulation 5 shall be deemed to have come into operation on 14th August 1995.

Amendment of regulation 2

2. Regulation 2 of the Singapore Armed Forces (Pensions) Regulations (Rg 9) (referred to in these Regulations as the principal Regulations) is amended —

- (a) by deleting the word “service” wherever it appears in paragraph (a) of the definition of “injuries received in and which are attributable to service” and substituting in each case the word “duty”; and
- (b) by inserting, immediately after the definition of “regular service”, the following definition:

“ “relevant commutation factor” and “relevant discount rate” mean the relevant commutation factor and the relevant discount rate determined in accordance with regulation 26A(3);”.

Deletion and substitution of regulation 23

3. Regulation 23 of the principal Regulations is deleted and the following regulation substituted therefor:

“Eligibility for pension

23.—(1) Subject to paragraph (2), a member in the pensionable service who has not less than 10 years of pensionable service who retires, or is required to retire, on any of the grounds specified in regulation 22 may on his retirement be granted a pension to be computed according to regulation 24.

(2) A member who retires on the ground referred to in regulation 22(d) or (g) shall not be paid a pension until he has attained the minimum age.

(3) Notwithstanding paragraph (2), a member who retires on the ground referred to in regulation 22(d) or (g) may —

- (a) if he becomes physically or mentally incapacitated to such an extent that he is incapable of continuing in any employment before he attains the minimum age, be paid the pension granted to him with effect from the date of the physical or mental incapacity; and
- (b) if he opts to be paid a commuted full pension gratuity under

regulation 26 without pension, be paid the gratuity, discounted in the manner prescribed in regulation 26A, before he attains the minimum age.

(4) Where a member who had retired on the ground referred to in regulation 22(*d*) or (*g*) dies before he attains the minimum age and was not paid a pension pursuant to paragraph (3) at any time before his death, the Armed Forces Council may pay his dependants or, where there are no dependants, his personal representatives, a gratuity amounting to the higher of the following sums:

(*a*) a sum ascertained by —

- (i) multiplying the amount of monthly full pension that may have been granted to the member under this regulation by the relevant commutation factor; and
- (ii) discounting the sum obtained under sub-paragraph (i) at the relevant discount rate in respect of each year or part thereof falling between the date the member would have obtained his pension had he not died and the date of his death (both dates inclusive); or

(*b*) a sum amounting to one year's pensionable emoluments.

(5) No pension or gratuity shall be granted under this regulation to a member who is —

- (*a*) discharged on any of the grounds specified in regulations 17 and 18 of the Enlistment Regulations (Cap. 93, Rg 1);
- (*b*) discharged with ignominy; or
- (*c*) dismissed as a result of the sentence of a subordinate military court or Military Court of Appeal or a sentence substituted by the Armed Forces Council.

(6) For the purposes of this regulation —

“minimum age” means —

- (*a*) in the case of a person who retires on the ground referred to in regulation 22(*d*), the retirement age appropriate to his age set out in regulation 20; and
- (*b*) in the case of a person who retires on the ground referred to in

regulation 22(g) —

- (i) the age of 45 years in the case of a member below the rank of warrant officer; and
- (ii) the age of 50 years in the case of a member of or above the rank of warrant officer;

“one year’s pensionable emoluments” has the same meaning as in regulation 38(2).”.

Deletion and substitution of regulation 26 and new regulation 26A

4. Regulation 26 of the principal Regulations is deleted and the following regulations substituted therefor:

“Pension options

26.—(1) Subject to these Regulations, a member to whom a pension is granted under regulation 23 may, at his option exercisable in accordance with this regulation, be paid —

- (a) in the case of a member retiring from, or appointed to, the pensionable service on or after 1st January 1995 but before 13th June 1997 —
 - (i) a full pension without any gratuity;
 - (ii) a reduced pension together with a gratuity ascertained in accordance with regulation 26A; or
 - (iii) a commuted full pension gratuity ascertained in accordance with regulation 26A without any pension; or
- (b) in the case of a member appointed to the pensionable service on or after 13th June 1997 —
 - (i) a full pension without any gratuity;
 - (ii) a commuted full pension gratuity ascertained in accordance with regulation 26A without any pension.

(2) The option under paragraph (1) is exercisable not later than the day immediately before the date of the member’s retirement, but if the member does