

**Regulation of Employment Act
(CHAPTER 272)**

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REGULATION OF EMPLOYMENT ACT

(CHAPTER 272)

(Original Enactment: Act 12 of 1965)

REVISED EDITION 1985

(30th March 1987)

An Act to provide for the regulation of employment in Singapore and for matters connected therewith.

[1st February 1966]

Short title

1. This Act may be cited as the Regulation of Employment Act.

Interpretation

2. In this Act, unless the context otherwise requires —

“Commissioner” means the Commissioner for Employment referred to in section 3;

“contractor” means any person who contracts with any other person to carry out the whole or part of any work undertaken by that other person in the course of, or for the purpose of, that other person’s trade or business;

“contract worker” means any person who seeks employment with, or is offered employment by, or is employed by, a contractor at a salary of not more than \$1,500* a month or such other sum as may, from time to time, be fixed by the Minister by notification in the *Gazette*, and includes any person who is already employed by a contractor on 1st February 1966;

* Increased from \$750 to \$1,000 by G.N. No. S 222/82; and from \$1,000 to \$1,500 by G.N. No. S 235/84.

“employee” means any person who seeks employment with, or is offered employment by, or is employed by, an employer at a salary of not more than \$1,500* a month or such other sum as may, from time to time, be fixed by the Minister by notification in the *Gazette*, and includes any person who is already employed by an employer on 1st February 1966;

“employer” means any person employing an employee;

“employment officer” means the Commissioner and includes the Deputy Commissioner for Employment, any Assistant Commissioner for Employment and any person appointed as an employment officer under section 3;

“levy” means the levy imposed under section 10;

“salary” means all monetary remuneration payable to an employee or a contract worker but does not include the following:

- (a) additional payment by way of overtime, bonus or commission;
- (b) travelling, food or housing allowances;
- (c) any sum paid to an employee or contract worker to defray special expenses incurred by him owing to the special, unusual or hazardous nature of the employment;
- (d) any contribution paid by the employer or contractor to any pension fund or provident fund; or
- (e) any gratuity payable on discharge or retirement;

“work permit” means a work permit issued under section 5.

Officers

3.—(1) The Commissioner for Labour, the Deputy Commissioner for Labour and the Assistant Commissioners for Labour appointed under the Employment Act [Cap. 91] shall be the Commissioner for Employment, Deputy Commissioner for Employment and Assistant Commissioners for Employment respectively for the purposes of this Act.

(2) The Minister may appoint such number of employment officers as he may consider necessary or expedient for the purposes of this Act.

(3) The Commissioner shall, subject to the general direction and control of the Minister, perform the duties imposed and exercise the rights and powers conferred upon him by this Act.

(4) The Deputy Commissioner for Employment, the Assistant Commissioners for Employment and employment officers shall be under the direction and control of the Commissioner.

Application for work permit, etc.

4.—(1) Every employee and every contract worker shall, before accepting employment, make application for a work permit to the Commissioner in such form as the Commissioner may require.

(2) Every employer shall, prior to engaging an employee, submit to the Commissioner in such form as the Commissioner may require particulars of the employment and of the employee.

Issue of work permit, etc.

5.—(1) Upon the receipt of an application for a work permit under section 4, the Commissioner may, in his discretion, issue a work permit to an employee or contract worker attaching thereto such conditions as he may determine for carrying out the purposes of this Act, or without attaching conditions thereto.

(2) The Commissioner may, at any time, vary or revoke any existing conditions or impose new or additional conditions.

(3) The Commissioner may in his discretion at any time cancel or suspend a work permit issued to any employee or contract worker.

(4) Any person aggrieved by a decision of the Commissioner under subsection (1), (2) or (3) may appeal to the Minister whose decision shall be final and shall not be called in question in any court.

Register

6.—(1) The Commissioner shall cause to be kept separate registers of employees and contract workers to whom work permits have been issued under section 5.

(2) The register shall be in such form and shall contain such particulars as the Minister may require.

Termination of employment of employees and contract workers

7.—(1) Notwithstanding the provisions of any written law or of any term or condition of any contract or agreement, an employer or contractor shall terminate the services of any employee or contract worker whose work permit has been cancelled or suspended under section 5(3), within 30 days of his being notified in writing by the Commissioner of the cancellation or suspension.

(2) Every employer and every contractor who, under subsection (1), terminates the services of an employee or contract worker shall inform the Commissioner within 14 days of the termination in such form as the Commissioner may require.

(3) The termination of the services of an employee or contract worker under subsection (1) shall not be —

- (a) capable of negotiation with a trade union representing the employee or contract worker;
- (b) a matter in respect of which any form of industrial action may be taken by any such trade union;
- (c) the subject-matter of a trade dispute or of conciliation proceedings or any method of redress whether or not under any written law; and
- (d) an industrial matter within the meaning of the Industrial Relations Act [Cap. 136].

Prohibition of employment of employee or contract worker without work permit

8.—(1) No employer or contractor shall employ an employee or contract worker, as the case may be, who has not been issued a work permit.

(2) No employee or contract worker, who is not in possession of a valid work permit, shall accept employment from, or be in the employment of, an employer or contractor, as the case may be.

(3) No employer or contractor shall employ an employee or contract worker, as the case may be, otherwise than in accordance with the conditions contained in the work permit.

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