

Pensions (Conversion to the Central Provident Fund Scheme) Regulations

Table of Contents

1 Citation

2 Application

3 Option

4 Preserved pension

5 Pension options

6 Reduced pension plus gratuity and commuted pension gratuity

7 Preserved gratuity

Legislative History

PENSIONS ACT (CHAPTER 225, SECTION 3)

PENSIONS (CONVERSION TO THE CENTRAL PROVIDENT FUND SCHEME) REGULATIONS

Rg 2

G.N. No. S 237/1986

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Citation

1. These Regulations may be cited as the Pensions (Conversion to the Central Provident Fund Scheme) Regulations.

Application

2. These Regulations shall apply to —

- (a) all Division I and Division II officers holding pensionable offices except those in such schemes of service as may, by notification in the *Gazette*, be excluded from these Regulations by the President; and
- (b) all Division III Police and Narcotics officers holding pensionable offices.

Option

3.—(1) An officer to whom these Regulations apply may be given an option to convert to the provident fund scheme applicable to non-pensionable employees of the Government under the Central Provident Fund Act (Cap. 36).

(2) The option exercised by the officer shall be irrevocable except that he may be required to revert to the pensionable service if he is appointed or transferred to a scheme of service which is excluded from these Regulations.

Preserved pension

4. Every officer exercising an option under regulation 3 who has been in the service of the Government for not less than 10 years on his conversion to the provident fund scheme applicable to non-pensionable employees of the Government under the Central Provident Fund Act (Cap. 36) may be granted, on his retirement, a pension at the rate of 1/600 of his annual pensionable emoluments at the date immediately before his conversion in respect of each complete month of pensionable service before his conversion subject to the limit prescribed in section 10 of the Act.

Pension options

5.—(1) Subject to this regulation, an officer to whom a pension is granted under the Act may, at his option exercisable in accordance with this regulation, be paid —

- (a) a full pension without any gratuity;
- (b) a reduced pension together with a gratuity ascertained in accordance with regulation 6; or
- (c) a commuted pension gratuity ascertained in accordance with regulation 6 without any pension.

(2) The option shall be exercisable not later than the day immediately preceding the date of the officer's retirement, except that if the officer has not exercised the option

prior to the day preceding the date of his retirement, the relevant Pension Authority may, if it appears in the circumstances equitable to do so, allow the officer to exercise the option at any time between that date and the day prior to the date of payment of a pension or gratuity to him.

(3) If an officer has exercised the option, his decision shall, subject to paragraph (5), be irrevocable so far as concerns any pension or gratuity to be granted to him under the Act.

(4) An officer who has not exercised an option in accordance with this regulation shall be deemed to have opted to receive a commuted pension gratuity ascertained in accordance with regulation 6 without any pension.

(5) An officer who is paid a reduced pension pursuant to his option exercised in accordance with this regulation shall, after the expiration of 12 years and 6 months from the date he is granted the reduced pension, be eligible for the full pension as if there had been no reduction.

(6) Where an officer opts in accordance with this regulation to receive a commuted pension gratuity ascertained in accordance with regulation 6, the commuted pension gratuity shall, unless suspended, be payable as follows:

- (a) part of the commuted pension gratuity, being a sum equal to the difference between —
 - (i) the total amount paid by the Government to the Central Provident Fund on account of the officer with respect to his service before his conversion to the provident fund scheme applicable to the non-pensionable employees of the Government under the Central Provident Fund Act (Cap. 36.); and
 - (ii) the total amount payable by the Government to that Fund on account of the officer with respect to that same service as if the officer had not been on the pensionable establishment,together with the interest thereon, shall be paid to the officer's account in the Central Provident Fund; and
- (b) the balance of the commuted pension gratuity shall be paid to the officer.

(7) Where the commuted pension gratuity ascertained in accordance with regulation 6 is less than the sum referred to in paragraph (6)(a), the entire commuted pension gratuity shall be paid to the officer's account in the Central Provident Fund.

(8) For the purposes of paragraph (6)(a), the reference therein to the total amount paid or payable by the Government to the Central Provident Fund in respect of any officer shall not include reference to any amount thereof which is recoverable from the