

**EMPLOYEE TRUST ACT  
(CHAPTER 167)  
EMPLOYEE TRUST RULES**

**S 10/1999**

Amended by

S 7/2010

S 7/2013

S 30/2015

S 2/2016

**2019 Edition, Chapter 167**

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S 22/2024

S 23/2024

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**SUBSIDIARY LEGISLATION**

**EMPLOYEE TRUST RULES**

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**SUBSIDIARY LEGISLATION****Rules made under section 38(2)****EMPLOYEE TRUST RULES**

*Commencement: 13th March 1999*

## PART 1

## PRELIMINARY

**Citation**

1. These Rules may be cited as the Employee Trust Rules.

**Interpretation**

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

“approved bank” means a bank which has been approved by the Board to receive contribution payments for the purposes of rule 10;

“approved computer programme” means a computer programme which has been either designed and approved, or approved, by the Board.

## PART 2

## REGISTRATION OF EMPLOYERS

**Registration of employers**

3. (1) Every employer shall, before the end of the first week in the first month in which he is paying wages in respect of which he is required to pay contributions under the Act or regulations under the Act, register with the Board by submitting to the Board in such form and manner as the Board may determine.

- (2) Any employer who contravenes the provisions of subrule (1) is guilty of an offence.

- (3) Where any person ceases to be an employer, within the meaning of the Act, he shall, within 30 days of such cesser, notify the Board of the same in writing.

- (4) Any person who contravenes the provisions of subrule (3) is guilty of an offence.

[Subsidiary]

**Different registrations allowed**

4. An employer may register with the Board for —
- (a) different categories of employees; and
  - (b) different locations of his company,

up to a maximum of eight registrations altogether.

**Particulars required**

5. (1) An employer who is required to register under rule 3 shall give the particulars as required in the form and may be required to produce such documentary evidence as the Board may consider necessary to support the accuracy of any particular submitted.

[S 22/2024]

(2) Every employer shall notify the Board in writing of any change of such particulars as required under subrule (1) not later than 30 days after any such change in particulars.

[S 22/2024]

(3) Any employer who contravenes subrule (2) is guilty of an offence.

[S 22/2024]

## PART 3

## REGISTRATION OF EMPLOYEES

**Registration of employees**

6. (1) Every employer shall, not later than the 7th day of the month following the month referred to in rule 3(1), register all his employees for whom contributions are required with the Board.

[S 22/2024]

(2) An employer who fails to register his employees with the Board as required by subrule (1) is guilty of an offence.

**Application for registration**

7. Application for registration shall be made in such form and manner as the Board may determine.

**Registration card**

8. A member whose registration has been accepted by the Board shall be sent a registration card in such form and manner as the Board may determine which he shall produce whenever he requires any of the Board's services.

**Two registrations**

9. A member who has received two registration numbers shall forthwith inform the Board of this fact and the Board shall withdraw one of the registration numbers.

## PART 4

## PAYMENT OF CONTRIBUTIONS

**Forms of payment**

10. (1) All payments of contributions shall be made by submitting such form as the Board may determine together with such payments or using computer tapes and diskettes using an approved computer programme in such form as the Board may determine.

(2) Payment shall be made —

(a) in cash or by crossed cheque, postal order or money order payable to the Managing Director;

(b) by any electronic means as the Board may permit, subject to such conditions as the Board may impose in connection with the use of such means; or

(c) in such other manner as the Board may authorise in any particular case or class of cases.

[S 22/2024]

(3) An employer paying by cheque, postal order or money order shall write his account number at the back of such cheque, postal order or money order.

**Payment received**

11. Payment of contributions for each preceding month shall be submitted not later than the 15th of the following month to any of the offices of the Board.

**Payment by post**

12. Payment of contributions for each preceding month sent through the postal service shall be postmarked not later than the 15th of the following month.

[Subsidiary]

### **Payment through banks**

13. Payment of contributions for each preceeding month paid through approved banks shall be received by the banks not later than the 15th of the following month.

14. *(Repealed by S 23/2024).*

### **Penalty**

15. An employer who fails to pay to the Board within the period prescribed in rules 11, 12 and 13 which he is liable to pay under the provisions of the Act is guilty of an offence.

### **Two employers**

16. (1) Where an employee is employed by two employers and receiving payments from both, both employers are liable to pay contributions and the employee shall be required to pay contributions from both wages.

(2) Notwithstanding subrule (1), if an employee is employed by two employers but only receiving one wage, he shall be required to pay contributions from that one wage only; and his employer is liable to pay contribution from that one wage only.

### **Register of contributions payment**

17. (1) Every employer shall prepare and furnish statement of wages to each and every employee and the statement of wages shall contain such information as may be prescribed by the Board.

(2) Every employer shall prepare and keep one or more registers containing the following particulars of every employee —

- (a) full name of employee;
- (b) fund membership number;
- (c) sex;
- (d) date of birth;
- (e) identity card number and colour;
- (f) permanent home address;
- (g) occupation;
- (h) date of commencement of employment;

- (i) duration of wage period;
- (j) wages for the period;
- (k) other remuneration for the period;
- (l) amount deducted for contributions; and
- (m) amount paid by employer for employer's share of contributions,

and such registers shall be kept for such period that every particular recorded therein shall be available for inspection for not less than 6 years after recording thereof.

(3) The register or registers required to be kept under subrule (2) shall be *prima facie* evidence of such entry having been made.

## PART 5

### WITHDRAWALS

#### Withdrawal forms

18. All applications for withdrawals under section 17 shall be made using such forms as the Board may determine.

#### Withdrawals under section 11

19. All applications for refunds under section 11 shall be made using such forms as the Board may determine.

#### Documents required

20. A member who is applying for any form of withdrawal shall give the particulars as required in the forms and may be required to produce such documentary evidence as the Board may consider necessary to support the accuracy of any particular submitted.

#### Housing withdrawals

21. (1) A member who is applying for withdrawal under section 17(2)(b) or (c) shall have been a member for a minimum period of 10 years and has been contributing for at least 5 of those 10 years or has a minimum savings of \$40,000, whichever is less:

Provided that the member has not made an application for, or has not received, any cash grant made by the Government under any scheme approved by the Minister in respect of housing under section 16.

[Subsidiary]

(2) The value of the house for which a member is applying withdrawal for shall be determined by the Board.

(3) The value of the cost of a house may include payment for legal charges but shall not include the cost of the land, the cost of developing the same and any other pre-construction cost.

#### **Withdrawal under section 17(2)(b)**

22. A member who is applying for withdrawal under section 17(2)(b) may apply for a withdrawal of a payment of 10 *per cent* of the total cost of the purchase price of a house if the cost of the house is valued at \$150,000 and above or 15 *per cent* of the total cost of the purchase price of a house if the cost of the house is valued at below \$150,000, or the amount standing to the credit of such member, whichever is less.

23. *(Repealed by S 23/2024).*

24. *(Repealed by S 23/2024).*

#### **Collection of withdrawal payments**

25. (1) Any withdrawal approved under section 17 shall be collected by the member who applied for the withdrawal or in any other manner as the Board may determine.

*[S 22/2024]*

(2) No collections are allowed by anyone other than the member himself unless the payments made are withdrawals under section 17(1)(a) or the payments made are for withdrawals under section 17(1)(c) and (d) and the member is certified incapacitated or unable to come to collect the payments himself.

(3) Notwithstanding subrule (1), a member may apply to the Board for payments to be paid to his own bank account or posted to him at his address and the Board shall not be held responsible for any loss or non-receipt of the payments.

## PART 6

## GENERAL

**Fee for services under section 24(3)**

26. The prescribed fee for application of information under section 24(3) is \$50 for every member for which an employer is seeking information on.

**Inaccurate documents** [S 22/2024]

27. Where any document required to be completed by an employer under these Rules is incomplete, inaccurate or illegible or any impression made on it unclear, the Board may return the document to the employer who shall, as the Board may require, either immediately complete and return to the Board within one week of the date of return to him of that document a fresh document in place thereof or correct and return the original document within one week.

**Forms etc. sent or made available by Board in electronic form** [S 22/2024]

28. The Board may send or make available to any employer any form, document or information under these Rules in electronic form and by electronic means.

**Submission of forms etc. through electronic means** [S 22/2024]

29. The Board may, subject to such conditions as it may impose, allow any form, document or information which may be submitted under these Rules to be submitted in such electronic form and by such electronic means as the Board may determine.

**Disposal of documents after more than 7 years** [S 22/2024]

30. (1) The Managing Director may authorise any paper-based document belonging to the Board to be copied onto an electronic medium by such means as to ensure that the exact image of that document is capable of being viewed, reproduced and copied.

(2) Where a paper-based document has been copied in accordance with subrule (1), the Managing Director may authorise the disposal of the paper-based document after the expiry of a period of 7 years from the making of such electronic copy.

(3) A copy of the document kept on an electronic medium in accordance with subrule (1) shall be admissible as evidence of any fact stated in it in accordance with section 35A of the Evidence Act (Chapter 108).