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1 Overview of Singapore's Work Pass Framework

Foreigners who wish to take up employment or do business in Singapore must have valid Work Passes. Under the Singapore's Work Pass Framework, there are three main types of Work Passes:

- (i) Employment Pass
- (ii) S Pass
- (iii) Work Permit

1.1 What is an Employment Pass...

An Employment Pass (EP) is a Work Pass issued to a foreigner who holds acceptable degrees, professional qualifications or specialist skills and whose monthly basic salary is above SGD\$2,500 if he/she wishes to work or do business in Singapore.

1.2 What is a S Pass...

A S Pass is a new category of Work Pass which replaces the current Q2 Employment Passes with effect from 1 July 2004. The objective of S Pass is to increase flexibility and responsiveness of the foreign manpower framework to industries' needs for skilled manpower at the middle level. A foreigner who is offered a monthly basic salary of at least \$1,800 may be eligible to apply for a S Pass.

For information on Employment Passes / S Passes, please visit Ministry of Manpower's (MOM) website at <http://www.mom.gov.sg>.

1.3 What is a Work Permit...

A Work Permit (WP) is a Work Pass issued to a *skilled or an unskilled foreigner with a monthly basic salary of up to SGD\$2,500 to work in Singapore.

**A skilled foreign worker is one who possesses at least a SPM qualification or its equivalent, or a NTC-3 (Practical) Trade Certificate [also known as ITE's Skills Evaluation Certificate (Level 1) from July 2002] that is relevant to his/her occupation.*

The duration of a WP is generally two years, subject to the validity of the worker's Passport (one month before its expiry), the Banker's/Insurance Guarantee (two months before its expiry) and the worker's employment period, whichever is shorter.

The WP card states information such as the foreign worker's Name, Work Permit Number, Passport Number, Foreign Identification Number (FIN) and Occupation as well as the Employer's Name and Address. The foreign worker is only allowed to work for the employer and in the occupation as stated in the WP card.

A company is not to deploy its workers to its subsidiary because they are separate legal entities. The subsidiary has to apply for WPs for the foreign workers it intends to employ.

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A company may deploy its foreign workers to work in its new branch provided the new branch:

- carries the same company's name;
- operates under the same employer's Central Provident Fund (CPF) account; and
- has the same business activity as the company.

2 Application for a Work Permit

2.1 Who needs a Work Permit...

Any foreigner who wishes to work in Singapore with a monthly basic salary of up to SGD\$2,500 needs a Work Permit. The exemptions are:

- (a) Singapore Permanent Residents (SPR)
- (b) Dependent Pass (DP) holders. They are however required to apply for a Letter of Consent (LOC) from the Employment Pass Department, Ministry of Manpower, for employment in Singapore
- (c) Full-time matriculated or registered students who are on vacation as stated in the Work Permit (Exemption) (Consolidation) Notification
- (d) Full-time matriculated or registered students from approved institutes of higher learning whose working hours do not exceed 16 hours a week as stated in Work Permit (Exemption) (Consolidation) Notification

All foreign workers except Foreign Domestic Workers must be at least 16 years old at the time of the WP application. Foreign Domestic Workers must be at least 18 years old.

2.2 Who should apply for a Work Permit...

A prospective employer must apply to the Controller of Work Permits for a WP before employing a foreign worker.

Non-Traditional Source (NTS¹), North Asian Source (NAS²) and PRC³ workers must not be in Singapore at the time of the WP applications. Their employers can bring them in only after obtaining the In-Principle Approvals and furnishing a security deposit of SGD\$5,000 per worker.

An employer may, however, apply for a WP for a Malaysian worker who is currently holding a valid WP. On approval, the new employer will be issued an In-Principle Approval letter that states the scheduled date for Work Permit collection. The existing employer of the Malaysian worker must cancel the WP for the worker on or before the scheduled date for Work Permit collection.

Generally, NTS workers are allowed to work in the Construction, Shipbuilding and Harbour Craft industries. Only female NTS and female Indonesian workers are allowed to work in the domestic (household) sector.

2.3 How to apply for a Work Permit...

WP applications can be made:

- electronically through the LabourNet if business employers subscribe to the LabourNet service or through employment agencies with LabourNet access

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¹ NTS countries include India, Bangladesh, Thailand, Myanmar, Sri Lanka, Pakistan and the Philippines.

² NAS countries include Hong Kong, Taiwan, Macau and South Korea

³ PRC refers to People's Republic of China.

- using application forms (click on 'Application for Work Permit' under 'Forms') which can be downloaded from MOM's website
- through the Internet (for employers of Foreign Domestic Workers only)

MOM's website: <http://www.mom.gov.sg>

Completed application forms can be submitted:

- by Post to WPD, Ministry of Manpower, 18 Havelock Road, Singapore 059764
- by Deposit Box (located on Level 1, MOM Building)

Please refer to the WP Application Form for documents to be submitted.

The WP classifies a company's business activities based on the principal activities stated in the Instant Business Profile issued by the Accounting and Corporate Regulating Authority (ACRA).

2.4 How long to process a Work Permit application...

Our service standards for processing WP applications are:

By LabourNet	-	Next working day
By Post & Deposit Box	-	7 working days
By Internet (for FDWs)	-	3 working days

2.5 How to know the outcome of the Work Permit Application...

WP application submitted:

- **By LabourNet**

Results of the application will be available on LabourNet by next working day.

Companies that are LabourNet users can apply for WPs electronically through the LabourNet. The functions available on the LabourNet are:

Application for

- ◆ Work Permits [except for application for trainee Work Permit and application for Work Permit for Long Term Visit Pass (LTVP) holders]

Enquiry on

- ◆ Work Permit Status
- ◆ Company Quota Entitlements
- ◆ Occupation Codes

Renewal of Work Permit

- ◆ Printing of Renewal Forms

- **By Post/Deposit Box**

Results of the application will be sent to employers by post within 7 working days.

- **By Internet**

Employers who wish to employ Foreign Domestic Workers (FDWs) may do so through the Internet. They can check the outcomes of their applications through the Internet 3 working days after the date of submission. Result of the applications will be sent to the employers by post.

To make application through Internet, please go to “**Online Application for a Work Permit for a Foreign Domestic Worker**” (under ‘e-Services’) of MOM’s website.

2.6 Legal Stay of Worker...

The foreign worker’s stay in Singapore is subject to the period of legal stay under the existing Immigration regulations.

2.7 Levy Charge/Payment for Worker...

Employers of WP holders are required to pay the foreign worker levy every month.

Payment of foreign worker levy can be made by:

- Cheque/NETS at
 - any Central Provident Fund Board (CPF) branch offices. The cheque should be made payable to the “Central Provident Fund Board”. Please write the employer’s reference number on the reverse of the cheque.

2.8 Things to Note

- A SGD\$5,000 Security Bond is required for each NTS/NAS/PRC worker employed.
- Prior Approvals are required for some industries such as the Construction industry.
- To discourage large groups of unskilled workers coming to look for employment in Singapore, Work Permit applications for NTS, NAS and PRC workers who are already in Singapore will not be approved.

3 Prior Approvals

3.1 What is a Prior Approval (PA)...

A Prior Approval (PA) reflects the number of NTS foreign workers that a company can employ based on the company’s eligibility at the point of application.

3.2 Which industries need to apply for Prior Approvals...

PAs are required for the following industries:

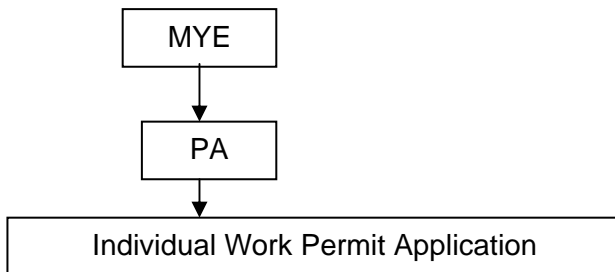
- ◆ Construction
- ◆ Shipbuilding
- ◆ Hot & Dirty Works
- ◆ Grass-Cutting
- ◆ Conservancy Work

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3.3 Prior Approvals for the Construction and Non-Construction Industry...

For Construction Industry

After obtaining the Man-Year Entitlements (MYE), the main contractor or its subcontractor has to apply for a PA based on the MYEs allowed. Employers can submit WP applications for workers only after they have been given a PA. The flow is as shown below:



PAs for the Construction industry are valid for five months. In general, PAs for all other sectors are valid for three months.

Application forms (click on 'Application for Work Permit' under 'Forms') can be downloaded from MOM's website. Applications for MYEs/PAs should be sent by Post or dropped into the Deposit Box located on Level 1, MOM Building.

For details, please refer to "**A Guide on Work Permits – Construction Sector**" (under 'Procedures/Guidelines') which can be downloaded from MOM's website.

For Non-Construction Industry

Application forms (click on 'Application for Work Permit' under 'Forms') can be downloaded from MOM's website. Completed applications should be sent by post or dropped into deposit box located on Level 1, MOM Building.

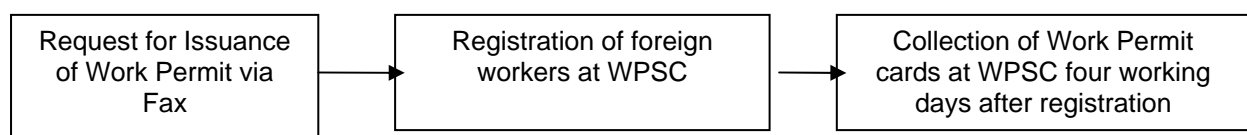
For details, please refer to "**A Guide on Work Permits – Non-Construction Sector**" (under 'Procedures/Guidelines') which can be downloaded from MOM's website.

4 Issuance of a Work Permit

4.1 Procedure for Issuance of a Work Permit...

The 3-in-1 Work Permit identification card was introduced in May 1999. The card combines the Work Permit, the Immigration Disembarkation/Embarkation card and Visit Pass.

The procedures for Work Permits to be issued are as follows:



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4.2 Medical Examination...

The foreign worker is required to undergo a medical examination and must be certified fit for employment by a Singapore-registered medical practitioner before a WP can be issued to him/her.

4.3 When to Request for Issuance of Work Permit...

For a Malaysian worker and a worker changing employer

- on the scheduled date stated in the In-Principle Approval (IPA) letter

For a NTS/NAS worker (including a foreign domestic worker)

- within 14 days of the worker's arrival in Singapore

For details, please refer to the In-Principle Approval (IPA) letter and the Request Form for Issuance of New Work Permits via Fax sent to the company. The Request Form for Issuance of New Work Permits via Fax can be downloaded from the MOM's website (click on 'Issuance of Work Permit' under 'Forms').

4.4 Registration at Work Pass Services Centre (WPSC)...

Once the request for issuance of Work Permit via Fax is successful, a Notification Letter will be issued for the foreign worker to report to WPSC **within seven calendar days** to take his/her fingerprint and photo image for the WP card.

A foreign worker who is a first-time applicant or has previously worked in Singapore but subsequently cancelled his/her WP and returned to his/her home country is required to report at WPSC.

The WPSC is located at

**Tanjong Pagar Complex,
7 Keppel Road, #02-27/29,
Singapore 089053.**

4.5 When to collect the Work Permit Card...

The Work Permit card will only be ready for collection at WPSC **four working days after registration**.

The foreign worker, the employer or an authorised representative can collect the Work Permit card from WPSC.

For details, please refer to the Notification Letter.

4.6 What to do when a Work Permit Card is Lost/Misplaced...

The foreign worker has to make a police report on the loss of the WP card and the employer has to apply for a WP replacement for the foreign worker at WPSC with the necessary documents.

For details, please refer to "**Application for A Work Permit Replacement**" (click on 'Loss of Work Permit Card' under 'Forms') which can be downloaded from MOM's website.

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5 Renewal of a Work Permit

5.1 How to renew a Work Permit...

Work Permits can be renewed via Fax. The WPs should be renewed within the last thirty calendar days before the expiry of the WPs. **Renewal via Fax will not be allowed for WPs that have expired.**

For WP renewal via Fax, the renewal documents can be faxed during the Fax Services' Operating Hours. WPD will process the request and fax the Notification Letter within the same day of receiving the request.

For details, please refer to "**Guidelines on Work Permit Renewal and Cancellation via Fax**" (click on 'Renewal and Cancellation of Work Permit' under 'Forms') which can be downloaded from MOM's website.

5.2 Medical Examination...

The foreign worker is required to undergo a medical examination and must be certified fit for employment by a Singapore-registered medical practitioner before the WP can be renewed.

5.3 When to collect Work Permit Card...

For WP renewed via Fax, the WP card will only be ready for collection at WPSC **four working days after the date of the Notification Letter**. WPD will fax the Work Permit Renewal Notification Letter to the employer on approval of the Work Permit Renewal Request.

There is no need for the worker to report to the WPSC for fingerprinting and photo imaging.

The foreign worker, the employer or his authorised representative can collect the Work Permit card from WPSC.

For details, please refer to the Notification Letter.

5.4 Renewal of Work Permit for a Foreign Worker in the Construction Industry...

The WP of a foreign worker in the Construction industry can be renewed if:

- The company has valid Prior Approvals
- The company has sufficient full-time local workers to meet the Dependency Ceiling/Quota

6 Cancellation of a Work Permit

6.1 How to cancel a Work Permit via Fax...

Work Permits can be cancelled via Fax. An employer has to cancel the worker's WP

- on the termination of the worker's employment (inclusive of resignation)
- before the expiry of the worker's WP if the employer does not want to renew the WP or
- on the expiry of the WP

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For WP cancellation via Fax, the Work Permit Cancellation Request Form can be faxed during the Fax Services' Operating Hours. WPD will process the request and fax the Cancellation Acknowledgement Letter and the worker's Special Pass within the same day of receiving the request. **WP Cancellation via Fax will not be allowed if the WP has expired, has already been cancelled or revoked by WPD.**

For details, please refer to "**Guidelines on Work Permit Renewal and Cancellation via Fax**" (click on 'Renewal and Cancellation of Work Permit' under 'Forms') which can be downloaded from MOM's website.

6.2 After Cancellation...

The employer's levy liability will cease from the date of cancellation.

For a NTS/NAS/PRC worker, the Security Bond (SB) will be discharged within two weeks of the worker's departure from Singapore if there is no breach of any of the conditions stated in the Security Bond.

7 Change of Employer (for NTS / PRC Workers in the Construction Industry)

7.1 Conditions for Change of Employer...

- The worker's WP is valid for at least 30 days
- The new employer has a valid PA to support the new application
- The current employer must consent to transfer the worker to the new employer

7.2 How to apply for a Change of Employer...

The new employer has to apply for WPs for the workers involved

- Through the LabourNet
- By Post or Deposit Box located on Level 1, MOM Building

For details, please refer to "**Guidelines on Change of Employers for NTS Construction Workers**" [click on 'Change of Employer (for Construction Workers)' under 'Forms'] which can be downloaded from MOM's website.

8 Employment of Long-Term Social Visit Pass Holders...

Long-Term Social Visit Passes (LTSVPs) are issued by Immigration and Checkpoints Authority (ICA). Generally, LTSVP holders are allowed to work in Singapore on Work Permits (or R Passes) or S Pass or Employment Passes (P and Q Passes). There are various categories of LTSVP holders. Work Pass policies for each category may vary and certain controls and criteria may apply depending on the category of LTSVP holders.

8.1 All LTSVP Holders Applying For Employment Passes or S Passes

The grant of Employment Passes to LTSVP holders is based on the prevailing criteria (salary, educational qualification, job type, etc) for the specific pass type (P, Q or S pass). Applications will be assessed in the same manner as for any other foreigner.

For the LTSVP holders who cannot meet the criteria for Employment Passes or S passes, they will have to apply for Work Permits.

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8.2 LTSVP Holders with Strong Family Ties in Singapore and Applying for Work Permits

This group refers to the LTSVP holders who are foreign spouses, unmarried children, parents of Singapore Citizens or Permanent Residents.

These LTSVP holders are allowed to work on Work Permits in all economic sectors (without any source or sectoral control). They are however not allowed to work in objectionable occupations such as bar or dance hostess and masseur.

The LTSVP holder should first secure a job with an employer, after which the employer should file the normal Work Permit application for MOM's consideration. The completed Work Permit application form should have the following supporting documents attached, in addition to the NRIC of the Singapore Citizen or Permanent Resident.

- (i) A copy of the Marriage Certificate where the LTSVP holder is the spouse of a Singapore Citizen or Permanent Resident.
- (ii) A copy of the Birth Certificate of the LTSVP holder where the LTSVP holder is the unmarried child of a Singapore Citizen or Permanent Resident.
- (iii) A copy of the Birth Certificate of the Singapore Citizen or Permanent Resident where the LTSVP holder is the parent of a Singapore Citizen or Permanent Resident.

Approval of the Work Permit application is subject to the employer meeting the prevailing Work Permit criteria such as Dependency Ceiling and levy, like for other Work Permit holders.

8.3 LTSVP Holders who are Mothers accompanying their Child Attending Mainstream Schools (Primary, Secondary and JC levels) here and Applying for Work Permits

We strongly advise that new LTSVP holders in this group spend time with their children especially when their children have just enrolled in our school system. This will ensure that their children adjust well and have a firm grounding to cope with the rigorous demands of our education system. Hence, this group of LTSVP holders is not allowed to work during the first year of their arrival in Singapore. For this purpose, they should ensure that they have the financial means to support themselves and their children during the initial year or so. They should not expect to come to Singapore and be able to find work easily.

After a period of one year, accompanying mothers can apply to the Ministry for Work Permits to work in all economic sectors (without any source or sectoral control) subject to the condition of a remaining duration of 4 months in their LTSVP. They are however not allowed to work in objectionable occupations such as bar or dance hostess and masseurs, or in foodstalls.

The LTSVP holder should first secure a job with an employer, after which the employer should file the normal Work Permit application for MOM's consideration. The completed Work Permit application form should have the following supporting documents attached.

- (i) A copy of the child's Student Pass.
- (ii) Copies of the current LTSVP and the first LTSVP issued.

Approval of the Work Permit application is subject to the company meeting the prevailing Work Permit criteria such as Dependency Ceiling and levy, like for other Work Permit holders.

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If there is strong evidence to show that the student is not coping as well as he should, the mother will be strongly discouraged from working, so that she can focus her energies on her child's studies. It is the duty of the school and the mother to ensure that the child has a conducive environment to do his best.

8.4 Other Categories of LTSVP Holders Applying for Work Permits

This group of LTSVP holders is generally allowed to work in Singapore on a Work Permit in all economic sectors, subject to the condition of a remaining duration of 4 months in their LTSVP. They are not allowed to work in objectionable occupations or food-stalls.

The LTSVP holder should first secure a job with an employer, after which the employer should file the normal Work Permit application for MOM's consideration.

Approval of the Work Permit application is subject to the employer meeting the normal Work Permit criteria such as Dependency Ceiling and levy, like for other Work Permit holders.

9 Foreign Worker Levy and Dependency Ceiling/Quota

9.1 Foreign Worker Levy...

The levy is payable for the period the Temporary Work Permit/Work Permit is valid. The levy rates are different for foreign workers in different Industry Sectors.

For details on foreign worker levy rates, please refer to "**Foreign Worker Levy Rates**" (click on 'Foreign Worker Levy' under 'Forms') which can be downloaded from MOM's website.

9.2 Dependency Ceiling/Quota...

The average local workforce is based on the company's CPF Contribution for full-time local employees over the most recent past 3 months. For example, the average size of a company's local workforce on 1 May 2003 is based on the company's CPF contribution for January, February and March 2003 as the April's CPF contribution has not been reflected.

The Dependency Ceiling/Quota are different for companies in different Industry sectors. For details on Dependency Ceiling/Quota, please refer to "**Foreign Worker Levy Rates**" (click on 'Foreign Worker Levy' under 'Forms') which can be downloaded from MOM's website.

10 Workers going on Home Leave

If you are sending your NAS / NTS / PRC foreign worker for Home Leave, you may either:

- Cancel the foreign worker's WP, or
- Allow the foreign worker to go for his/her Home Leave without WP cancellation

Regardless of which option you have chosen, you are advised to check with the worker's respective home country Embassy on its Immigration requirements. This is to make sure that the worker will not encounter any problem with his/her home country Immigration Authority on his/her return to Singapore to resume his/her employment with the employer after the home leave.

10.1 If you choose to cancel the Work Permit...

For details, please refer to "**Guidelines on Foreign Workers going on Home Leave**" (click on 'Worker on Home Leave' under 'Forms') which can be downloaded from MOM's website.

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If you choose to cancel the foreign worker's WP,

- You will be discharged of the liabilities under the Security Bond
- You have to execute a new Security Bond before the worker returns to Singapore
- The levy liability will cease on the day of cancellation

10.2 If you choose not to cancel the Work Permit...

The worker will leave Singapore with his/her Passport, original WP card and air-ticket. He/She will subsequently re-enter Singapore with his/her Passport and original WP card which must still be valid when he/she returns from home leave.

The employer should continue to pay the foreign worker levy during the period of the worker's Home Leave and apply for a levy refund subsequently.

10.3 How to apply for Levy Refund...

You may apply for a levy refund paid during the period when your foreign worker is on Home Leave, on vacation (for a continuous period of at least seven days) or on an overseas assignment. The refund also applies if the foreign worker is at the Embassy or in police custody, if he/she fails to return to Singapore after his/her vacation or if he/she is hospitalised.

Application for levy refund can be made in person at the CPF Board's Main Office at 79 Robinson Road, CPF Building or at any CPF Board's Branch Offices. The employer or authorised representative must bring along the completed "**Form for Waiver for Foreign Workers Levy**" (click on 'Foreign Worker on Home Leave' under 'Forms') which can be downloaded from MOM's website and the worker's original Passport / Boarding Passes.

Application for levy refund should be made within one year after the end of the month in which the levy has been paid. For example, the employer has till end Feb 2004 to write to the Controller of Work Permits to claim for levy refunds for Jan 2003 which has been paid in Feb 2003.

11 Responsibilities of Employers

During a foreign worker's employment in Singapore, the employer is generally responsible for:

- paying the foreign worker levy
- arranging for the worker to be certified medically fit and free from contagious diseases and drug addiction by a Singapore-registered doctor when requested by the Controller of Work Permits
- ensuring that the worker does not engage in any form of employment other than that stated in the Work Permit card
- ensuring that the worker does not engage in any form of free-lancing arrangements or self-employment
- providing basic terms and condition of employment as stipulated in the Employment Act
- resolving all employment-related disputes with the worker amicably
- providing workmen's compensation for the worker
- sending the worker to the Safety Orientation Course if the worker is a Construction worker

For a non-Malaysian worker, the employer is also responsible for:

- the upkeep, maintenance and cost of the worker's eventual repatriation
- providing adequate housing
- putting up a SGD\$5,000 Security Bond
- buying a Personal Accident Insurance of minimum coverage SGD\$10,000 if the worker is a foreign domestic worker

The employer should ensure the worker's welfare and interests are well looked after. These include non-statutory requirements such as proper orientation, medical care, hospitalisation expenses and providing for the worker's social and recreational needs. Employers should also note that as the Security Bond is signed between the employer and the Government, the foreign worker is not required to pay for the security deposit.

(The information is updated on 26 July 2004.)

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