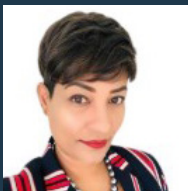




Webinar Q&A

Singapore Simplified: Fair Consideration Framework and Immigration Essentials for Business

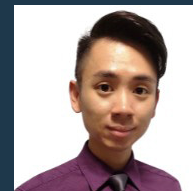
Webinar Q&A Report | 22 February 2022



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Q With the Ministry of Manpower (MOM) facing large numbers of passes to process, how much additional time is needed for pass issuance after the individual lands in Singapore?

Within one working day, provided there are no technical issues within the MOM; often, delays occur when the MOM carries out system enhancements. However, once the Employment Pass/S Pass has been successfully issued, we have seen card registration appointments for S Pass holders at the MOM Service Centre available at a much later date, i.e. two weeks after the pass is issued. Note that the employee can still start work once the pass has been issued while waiting for the card to be ready.

Q Is there a different type of visa for people who go to Singapore on short-term secondment? Does this visa type

take up the Employment Pass ratio in the office?

The only two types of work visa in Singapore are the Employment Pass and S Pass. If a person is in Singapore for company familiarization/training (three months), then the company should consider a Training Employment Pass (TEP).

Q Last year, the MOM announced that it was going to open up Work Permits (traditionally for migrant workers) to enable the now-disbanded Letter of Consent pass holders to have an alternative means of working. Has the MOM provided any further guidance on what this means and how to action?

Based on the information available on the MOM website, Dependent's Pass (DP) holders can get an Employment Pass, S Pass or Work Permit if they wish to work in Singapore. The prospective employer must apply

on their behalf, and the relevant qualifying salaries, quotas and levies of the respective work passes will apply.

DP holders who get a Work Permit:

- Are required to hold on to both the DP and Work Permit. The Work Permit's validity period will be tied to that of the DP
- Can be of all nationalities (i.e.

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source requirements are waived)

- Are not subject to the six-monthly medical examination, security bond or pregnancy restrictions
- Do not need medical insurance from their employers if they are already covered under a medical insurance plan that meets the MOM's prevailing minimum mandatory insurance coverage requirement

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[Singapore Simplified: Fair Consideration Framework and Immigration Essentials for Business](#)

Q There is a new employer declaration in the work pass application form which states that the employer will ensure the candidate is fully vaccinated upon arrival in Singapore. Is it sufficient for the employer to rely on the candidate's declaration that they are fully vaccinated?

We recommend that the employer verifies the candidate's vaccination status by requesting a copy of their proof of vaccination.

Q Is three months the maximum period for TEP?

For TEP, the maximum duration granted is three months. The pass is not renewable.

Q Please explain how the 90-day work pass exemption might be applied to summer interns. Would they be exempt from needing a work pass?

Work Pass Exemptions (WPE) are

issued for certain short-term activities in Singapore without a Work Pass. For a full list of eligible activities, check the Singapore immigration website.

If the interns are undertaking job training, the WPE route will not apply to them. The company may consider applying for a TEP or Work Holiday Pass (WHP).

Q Is it compulsory for DP applications to be submitted only after approval of the EP?

This is not mandatory; however, the employer is encouraged to submit the DP application once the EP has been approved. If the EP application is unsuccessful, all of the other passes submitted along with the EP application will be rejected.

Q With the MOM's new requirement that work pass holders must be fully vaccinated upon EP application and renewal, would the employer be required to keep a copy of the vaccination certificate? What would be the compliance obligation for the company?

The MOM does not specify a requirement for employers to keep a copy of their employees' vaccination certificates.

The employer is obligated to inform and ensure that the foreign employee/foreigner:

(i) is fully vaccinated (www.mom.gov.sg/vac-reqmts) upon arrival in Singapore;

(ii) provides documentation to prove his/her vaccination status when departing from his/her country of origin, and upon arrival in Singapore;

(iii) undergoes serology test(s) after arrival in Singapore, as directed by the Government of Singapore; and

(iv) completes the full vaccination regimen as directed by the Government of Singapore should that foreign employee/foreigner's

serology test show a negative result, in accordance with the following where applicable - the prevailing guidelines of the Singapore Ministry of Health and Ministry of Manpower, or the Employment of Foreign Manpower (Work Passes) Regulations 2012, unless the foreign employee/foreigner meets the conditions for exemption from the vaccination requirements.

Q Do we expect the Immigration & Checkpoints Authority (ICA)/MOM to take a tight stance around business travelers and their allowed activities while in the country, due to the current surge of visitors to Singapore which is expected to continue over the next few months?

We don't have any information about this at the moment. You may refer to the authorities' websites to check for this information if there are any news/updates around the travels/activities for visitors into Singapore.

Q Can agencies post job vacancies to the My Careers Future (MCF) or does this have to be done by the employer?

Yes, an appointed employment agency can post the job vacancy on MCF on behalf of the employer.

Q As part of the "collation of personal information" process with Newland Chase, will you also collect vaccination certificates as part of your service to clients?

As part of the "collation of the personal information" process, we will collect from the employee a copy of their vaccination certificate for verification of the information provided.

Q For travelers who have already applied for a Vaccinated Travel Pass (VTP) but will be arriving on 1st March, do they need to do anything for the already approved VTP?

Travelers who are no longer required to present a VTP upon arrival in

Singapore do not need to do anything further about the VTP that has already been applied for.

Q In Singapore, three doses are considered fully vaccinated. Is this the case for those coming into Singapore?

For details on the criteria to be considered fully vaccinated, please check the Singapore immigration website.

Q If a job advertisement on MCF has a salary range of S\$10-20k, and later, a company offers a foreigner a salary above S\$20k after negotiations, can the company choose not to include the MCF ad in the EP application?

The company may choose not to include the MCF ad in the EP application. However, the company must still practice fair hiring and consider all candidates fairly.

Q Can we use the previous job advertisement once we have an identified candidate (even if that ad has expired)?

The Work Pass application must be submitted within three months from the job advertisement expiry date.

Q The new salary threshold will be implemented from September 2022. For those passes which are due for renewals, will the salaries need to meet this requirement in September 2022 as well?

For renewal applications, the changes will apply from September 2023 – one year later to give businesses enough time to adjust.

Q On the entry approval application, we understand that employers no longer need to apply for entry approval for their foreign employees except for Work Permit holders. How about those

traveling via Vaccinated Travel Lanes (VTL)?

Long-Term Pass holders (excluding Work Permit holders) are no longer required to apply for a VTP.

Q Is the salary threshold for S Pass holders in the financial service sector introduced now?

This is correct. The salary threshold for S Pass holders in the financial service sector is only introduced this year which will be effective September 2022.

Q Are travelers using VTL still required to do their Antigen Rapid Test (ART) until the seventh day of arrival in Singapore?

Unsupervised self-administered ARTs will no longer be required on days 2 to 7 after arrival in Singapore.

Q What is the penalty for employers on discriminatory hiring?

Penalties for discrimination cases may include work pass debarment for up to 12 – 24 months (new and renewal applications). The MOM will prosecute errant employers or key personnel who make false declarations that they have considered all candidates fairly. Employers convicted of false declaration under the Employment of Foreign Manpower Act will face imprisonment of up to two years, or a fine up to S\$20,000, or both.

This publication is not intended as a substitute for legal advice. Readers are reminded that immigration laws are subject to change. We are not responsible for any loss arising from reliance on this publication. Please contact Newland Chase should you require any additional clarification or case-specific advice.

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