

**LIST OF TECHNICAL AMENDMENTS**

<b>S/N</b>	<b>Proposed Changes</b>	<b>Rationale</b>
<b>1. Clarify legal ambiguities</b>		
(a)	<p><u>Recognise charges for medical examination and consultation as medical expenses</u></p> <p>The WICA provides compensation for the cost of medical treatment but is not explicit that this includes medical examination and consultation.</p> <p>MOM proposes that WICA state explicitly that medical examination and consultation are claimable as part of the cost of medical treatment.</p>	<p>Examination and consultation are essential components of medical treatment.</p>
(b)	<p><u>Recognise medical treatment and medical certificates provided by dentists</u></p> <p>The WICA recognises medical treatment and medical certificates provided by medical practitioners, but is not explicit that this includes those provided by dentists.</p> <p>MOM proposes that WICA state explicitly that medical treatment and medical certificates provided by dentists registered under the Dental Registration Act are recognised as well.</p>	<p>Dental treatment may be required as a result of work injury. This is in line with the recent Employment Act amendment to require employers to recognise medical certificates from all dentists for the purposes of granting paid sick leave.</p>

S/N	Proposed Changes	Rationale
(c)	<p><u>28-day period for appeals to the High Court to run from the date of the most recent order</u></p> <p>It is ambiguous when the 28-day period for appeals to be served to the High Court should run if multiple orders are served.</p> <p>MOM proposes that WICA clarify that the 28-day period shall run from the date of the most recent order.</p>	<p>Intent is to run the 28-day period for appeals to be served to the High Court from the date of the most recent order.</p>
Proposed Changes		Rationale
(d)	<p><u>Not to require a grant of representation for dependants of deceased employees to make a WIC claim</u></p> <p>It is ambiguous under the WICA whether the dependants of deceased employees can make a WICA claim without first obtaining a grant of representation. The High Court has ruled that there is no need for the dependants to do so.</p> <p>MOM proposes to formalise the High Court's grounds of decision in the WICA by clarifying that the dependants of deceased employees do not require a grant of representation to make a WIC claim.</p>	<p>Intent is to make clear that the dependants of deceased employees can make a WIC claim without first obtaining a grant of representation.</p>

S/N	Proposed Changes	Rationale
(e)	<p><u>Clarify that “dependants” refers to both the dependents of the deceased and non-deceased employees</u></p> <p>The WICA defines “dependants” as the dependants of deceased employees, but makes reference to the dependants of non-deceased (mentally incapacitated) employees in the main provisions.</p> <p>MOM proposes to clarify that “dependants” refers to the dependants of both deceased and non-deceased employees.</p>	<p>Intent is to broaden the definition of “dependants” to refer to the dependants of all employees, regardless of whether they are deceased.</p>
(f)	<p><u>Treat unclaimed compensation of a mentally incapacitated employee in the same manner as in the case of a deceased employee</u></p> <p>Today, the WICA only specifies the treatment of unclaimed compensation of a deceased employee, and is silent on the treatment of unclaimed compensation of a mentally incapacitated employee.</p> <p>MOM proposes to clarify that the treatment of unclaimed compensation of a mentally incapacitated employee is the same as that of a deceased employee.</p>	<p>MOM has encountered one case in the past 10 years where compensation was not claimed by any dependant of the mentally incapacitated employee. However, there are no provisions in the WICA that specifies the treatment of such monies. The intent is to treat these unclaimed monies in the same manner as in the case of a deceased employee. This means that efforts will be made to locate a dependant who could receive the monies. If, after six years from the order, a dependant still cannot be found to receive the compensation, the monies will be deposited in the Workers’ Fund.</p>

S/N	Proposed Changes	Rationale
(g)	<p><u>Clarify that the “days” in the WICA refers to calendar days</u></p> <p>It is ambiguous whether “days” in the WICA refers to calendar days or working days.</p> <p>MOM proposes to clarify that “days” in the WICA refers to calendar days.</p>	<p>Intent is to make clear that “days” in the WICA refers to calendar days.</p>
<b>2. Streamline processing of WICA claims</b>		
(a)	<p><u>Allow different modes for the service of any notice or document</u></p> <p>The WICA prescribes that any notice or document required or authorised to be served under it has to be sent by registered mail or by hand.</p> <p>MOM proposes to allow such notices and documents to be served in a manner deemed fit by the Commissioner.</p>	<p>Intent is to expedite claims by permitting more expedient and effective ways to service notices and documents, including by electronic means.</p>

S/N	Proposed Changes	Rationale
(b)	<p><u>Allow insurers to directly disburse compensation to employees and their dependants</u></p> <p>Any compensation to the employees and their dependants has to be either deposited with the Commissioner first, or has to have sought the Commissioner's authorisation first.</p> <p>When insurers process death and PI claims, MOM proposes to allow insurers to disburse compensation directly to the employees and their dependants.</p>	<p>Intent is to empower insurers to disburse compensation directly to the employees and their dependants, which will allow them to receive compensation earlier.</p>
(c)	<p><u>Allow compensation from employer to be directed to the Workers' Fund</u></p> <p>Any recovered compensation from employer will be directed to the Workers' Fund if the claimant has already received ex-gratia payouts from the Fund.</p>	<p>Intent is for the recovered compensation to be directed to the Workers' Fund if the claimant has already received ex-gratia payouts from the Fund.</p>