

UPDATES ON EMPLOYMENT LAW IN SINGAPORE – EMPLOYMENT PASS HOLDERS MAY NOW TAKE UP SECONDARY DIRECTORSHIP SUBJECT TO APPROVAL BY MOM

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Category: [CNPupdates](#)

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The Ministry of Manpower (“**MOM**”) has recently clarified on its website that Employment Pass (“**EP**”) holders may be appointed as directors in another company other than the company for which the EP has been approved (“**Secondary Directorship**”) if the EP holder has obtained a letter of consent (“**LOC**”) from MOM. In general, EP holders are only allowed to work for the company specified in their EP.

MOM has recognised that Secondary Directorships in related companies (e.g. subsidiaries) may be critical to the roles of EP holders. As a result, MOM has confirmed that it would generally allow EP holders to take on such secondary roles by granting a LOC.

As for Secondary Directorship in unrelated entities (for example, fund entities), MOM has clarified that they may still grant the LOC if it is relevant to the EP holder’s primary occupation. MOM does not clarify the meaning of “fund entities” so it remains to be seen in practice if it will grant LOCs for an employee of a fund manager under an EP who sits on the board of the investee companies in which the fund invests.

Application Process

To apply for a LOC, the company who intends to appoint the EP holder to the board of directors must ensure that the company has updated its shareholder records with the Accounting and Corporate Regulatory Authority of Singapore.

The company must complete and sign a [request form](#) and submit a scanned copy of the signed form using iSubmit. Under the Request Type in the iSubmit application portal, to choose option 1: Work Pass

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Application Matters (Excluding Work Permit). Then choose Appointment of pass holder from a related company to your Board of Directors.

The request will take approximately 5 weeks to be processed.

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