



JURONG COUNTRY CLUB



EXTRAORDINARY  
GENERAL MEETING  
31 AUGUST 2018



# AGENDA



- 1. Resolution 1**
- 2. Any Other Business -- Updates on the gym instructor, Mr Yusoff's case**
- 3. Voting of the Secret Ballot**
- 4. Recess for Counting of Votes**
- 5. Announcement of Results of Secret Ballot**
- 6. Conclusion of EGM**



# RESOLUTION 1



**To authorise the General Committee to:**

- a. Accept a total compensation of not less than S\$110 million in full and final settlement of JCC's claim for statutory compensation in respect of the acquisition of JCC's land on 11 May 2015;**
- b. take all necessary steps for the withdrawal or discontinuance of the appeal by JCC in AB2015.030; and**
- c. pay the additional compensation sum received less any applicable fees, costs and expenses into the Scheme Fund for distribution to Members in accordance with the addendum to the Constitution.**



# ANY OTHER BUSINESS



## • UPDATES OF YUSOFF'S CASE

Date	Event
<b>30 April 2018</b>	<b>Parties filed their respective closing submissions.</b>
<b>11 May 2018</b>	<b>The learned District Judge (“DJ”) rules in favour of the Prosecution and convicted JCC of all four (4) charges under section 58(b) of the Act. - The criminal offence under section 58(b) of the CPF Act was one of strict liability and, as such, JCC need not have deliberately withheld Mr Yusoff’s CPF contributions to be criminally liable for not doing so; and - Notwithstanding JCC’s lack of direct supervision on Yusoff as to how he should conduct training and who he should train and no other JCC employee was in a position to give instructions to Yusoff, JCC had exercised indirect control over Yusoff .</b>
<b>11 May 2018</b>	<b>The Prosecution made an informal offer to JCC to waive some of the interest on the arrears owed by JCC which they would otherwise be entitled to pursuant to section 9 of the CPF Act, if JCC does not appeal against the judgment by the DJ. According to the Prosecution, the amount of CPF contributions to be recovered (including the penalty of interest) is estimated to be in the region of S\$200,000.00.</b>



# ANY OTHER BUSINESS



## • UPDATES OF YUSOFF'S CASE

Date	Event
<b>25 May 2018</b>	<p>FLC issued a Without Prejudice letter to CPF's solicitors to request for a computation of the amount of CPF arrears payable by JCC as instructed. FLC had also queried whether CPF would be willing to waive any amounts of the CPF arrears payable by JCC.</p> <p>CPF's solicitors have since replied by way of letter dated 25 May 2018, stating that the total amount of CPF arrears (including the principal sum and interest accrued) is S\$416,924.00. In relation to FLC's query as to CPF's position on whether they would be willing to waive any of the amounts payable by JCC, CPF required JCC provide reasons for the same.</p>
<b>30 May 2018</b>	<p>FLC drafted a response to CPF's solicitors as to why interest should be waived.</p>
<b>31 May 2018</b>	<p>FLC received a certificate of liability dated 11 May 2018.</p>
<b>4 June 2018</b>	<p>FLC prepared a draft Mitigation Plea to be submitted to the court to persuade the court to order a lighter sentence / lower fine against the convicted in view of various circumstantial reasons and/or mitigating factors.</p>



# ANY OTHER BUSINESS



## • UPDATES OF YUSOFF'S CASE

Date	Event
<b>19 June 2018</b>	<b>FLC issued a letter dated 19 June 2018 to CPF's solicitors to address the issue that CPF, by their certification of the amount of arrears in CPF, is asking JCC to pay for both the employer's contribution as well as the employee's contribution. This is despite the fact that the employee's contribution is supposed to be taken from MY and to state JCC's position that CPF should not include the employee's contributions in the Certified CPF Contributions.</b>
<b>29 June 2018</b>	<b>The Court decided as follows: - a. A fine of S\$800.00 is imposed on JCC for each of the first 3 charges (14 Jan 2004, 15 Feb 2007, 15 Feb 2011) and S\$1,200.00 for the 4th charge (15 Jan 2017). The fines totalling S\$3,600 to be paid by 13 July 2018. b. Having noted that the Defence is objecting to the amounts certified by CPF, the Court would not exercise its discretion to order any arrears to be paid by JCC under Section 61B of the CPF Act; c. Notwithstanding the above, the Court noted at the same time that CPF is still able to recover the arrears by instituting civil action and to enforce any judgment of payment thereafter.</b>



# ANY OTHER BUSINESS



- **UPDATES OF YUSOFF'S CASE**

<b>Date</b>	<b>Event</b>
<b>6 July 2018</b>	<b>JCC made payment towards the fine of S\$3,600.00 as ordered by the court.</b>
<b>11 July 2018</b>	<b>GC seek second opinion from Drew and Napier. FLC was informed by way of letter dated 11 July 2018 from Drew &amp; Napier LLC that Drew &amp; Napier LLC is taking over conduct of the matter to act for JCC at the appeal against the conviction and to defend the appeal by the CPF Board.</b>
<b>13 July 2018</b>	<b>The Public Prosecutor has filed an appeal on behalf of the CPF Board in relation to the district court's decision not to order any arrears to be paid by JCC under Section 61B of the CPF Act. CPF is not appealing against the fines.</b>
<b>16 July 2018</b>	<b>Drew and Napier LLC filed an appeal on behalf of JCC against the convictions.</b>
<b>31 August 2018</b>	<b>The Appeal will be heard at the end of the year, possibly in November 2018.</b>



# Secret Ballot for Resolutions

Please vote by marking “X”  
otherwise your votes will be void.

Please proceed to Voting Room for  
your voting.





## **Recess for Counting of Votes**

Please stay behind while the Counting of  
Votes is in Progress.



# **Announcement of Secret Ballot Results**



# **Announcement of Secret Ballot Results – Resolution 1**

**No of Votes For: 1068**

**No of Votes Against: 57**

**No of Votes Void: 85**

**Resolution 1 has been carried**



**Thank you**