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ACTS SUPPLEMENT

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The following Act was passed by Parliament on 6 March 2023 and assented to by the President on 27 March 2023:—

REPUBLIC OF SINGAPORE

No. 11 of 2023.

I assent.

HALIMAH YACOB,
President.
27 March 2023.



An Act to amend the Healthcare Services Act 2020 and to make consequential and related amendments to certain other Acts.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act is the Healthcare Services (Amendment) Act 2023 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 2

2. Section 2(1) of the Healthcare Services Act 2020 (called in this Act the principal Act) is amended —

(a) by inserting, immediately after the definition of “application”, the following definitions:

““approved conveyance” means any conveyance approved under section 11B to be used for the provision of a licensable healthcare service;

“approved permanent premises” means any permanent premises approved under section 11B to be used for the provision of a licensable healthcare service;

“approved specified service” means any specified service approved under section 11D;”;

(b) by deleting the definition of “Director” and substituting the following definition:

““Director-General” means the Director-General of Health and includes any individual who is, for the time being, discharging the duties of the Director-General of Health;”;

(c) by deleting the definitions of “licensed conveyance” and “licensed premises”;

(d) by inserting, immediately after the definition of “oral health therapist”, the following definition:

““permanent premises”, in relation to an applicant for a licence to provide a licensable healthcare service or a licensee, means any premises at which the applicant or licensee (as the case

may be) intends to provide the licensable healthcare service for the entire term or remainder of the term (as the case may be) of the licence;”;

- (e) by inserting, immediately after the definition of “public scheme”, the following definition:

““remote provision”, in relation to a licensable healthcare service, means provision of the licensable healthcare service —

(a) to a patient or customer who is not physically present at the same place as any individual providing the licensable healthcare service; and

(b) involving communication through —

(i) the Internet;

(ii) the telephone or other communication device; or

(iii) any other kind of electronic or other technology for facilitating communication,

but does not include any specific system or method of communication that is prescribed to be excluded for the purposes of this paragraph;”;

- (f) by deleting the definition of “special licensable healthcare service” and substituting the following definition:

““service delivery mode”, in relation to a licensable healthcare service, means any of the following modes by which the licensable healthcare service is provided:

(a) at permanent premises;

(b) at any premises other than permanent premises;

- (c) using a conveyance;
- (d) by remote provision;”; and
- (g) by inserting, immediately after the definition of “specified committee”, the following definition:

““specified service”, in relation to a licensable healthcare service, means a service of a medical or healthcare nature prescribed under section 9A(1) as a specified service for that licensable healthcare service;”.

Repeal and re-enactment of section 4

3. Section 4 of the principal Act is repealed and the following section substituted therefor:

“Purpose of Act

4. The purpose of this Act is to regulate the provision of healthcare services, including —

- (a) the modes by which healthcare services are provided and the premises and conveyances used for the provision of healthcare services; and
- (b) the advertisement of any healthcare service,

so as to ensure the safety and welfare of, and the general continuity of healthcare provided to, people in Singapore.”.

Repeal and re-enactment of section 9

4. Section 9 of the principal Act is repealed and the following section substituted therefor:

“Permanent premises, conveyances and service delivery mode to be approved

9.—(1) A licensee must not provide a licensable healthcare service —

- (a) at any permanent premises in Singapore that is not an approved permanent premises for the provision of the licensable healthcare service;

- (b) using any conveyance that is not an approved conveyance for the provision of the licensable healthcare service; or
 - (c) by any other service delivery mode that is not approved under section 11B for the provision of the licensable healthcare service.
- (2) A licensee that contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction —
 - (a) in the case of a first offence, to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 12 months or to both; and
 - (b) if the licensee has a previous qualifying conviction, to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 12 months or to both.
- (3) In subsection (2), “qualifying conviction” means —
 - (a) a conviction for an offence under subsection (2); or
 - (b) a conviction (whether before, on or after the date of commencement of section 4 of the Healthcare Services (Amendment) Act 2023) for an offence under —
 - (i) section 9(1) as in force immediately before that date; or
 - (ii) section 5(2) or (4)(a) of the repealed Act.”.

New section 9A

5. The principal Act is amended by inserting, immediately after section 9, the following section:

“Specified service to be approved

9A.—(1) The Minister may prescribe a service of a medical or healthcare nature that is part of a licensable healthcare service as a specified service for the licensable healthcare service, the provision of which would require approval by the Director-General under section 11D.

(2) Despite holding a licence for the provision of a licensable healthcare service, a licensee must not provide any specified service for the licensable healthcare service unless the licensee is granted approval under section 11D for the provision of the specified service.

(3) A licensee that contravenes subsection (2) shall be guilty of an offence and shall be liable on conviction —

- (a) to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 2 years or to both; and
- (b) in the case of a second or subsequent offence, to a fine not exceeding \$200,000 or to imprisonment for a term not exceeding 2 years or to both.”.

Amendment of section 10

6. Section 10 of the principal Act is amended —

- (a) by deleting sub-paragraphs (iv) and (v) of subsection (2)(c) and substituting the following sub-paragraph:

“(iv) the prescribed details of every application made by the applicant under section 11A or 11C for the approval of any permanent premises, conveyance or other service delivery mode, or specified service;”;

- (b) by inserting, immediately after the word “conveyance” in subsection (4), the words “, the facilities”.

Amendment of section 11

7. Section 11(3) of the principal Act is amended by deleting paragraphs (b) and (c) and substituting the following paragraph:

- “(b) whether the applicant has been granted or is likely to be granted approval for at least one permanent premises, conveyance or other service delivery mode under section 11B;”.

New sections 11A to 11E

8. The principal Act is amended by inserting, immediately after section 11, the following sections:

**“Application for approval of permanent premises,
conveyance and other service delivery mode**

11A.—(1) An application for approval of every permanent premises, conveyance or other service delivery mode by which a licensable healthcare service is or is intended to be provided must —

(a) be made to the Director-General in the form and manner that the Director-General may determine; and

(b) be accompanied by an application fee (if prescribed).

(2) An application for approval mentioned in subsection (1) must state all of the following:

(a) every service delivery mode by which the person applying for approval intends to provide or continue to provide the licensable healthcare service;

(b) whether the person applying for approval is a licensee or an applicant for a licence;

(c) if any permanent premises are to be used or continue to be used to provide the licensable healthcare service, the address of those premises;

(d) if any conveyance is to be used or continue to be used to provide the licensable healthcare service, the registration number and other particulars, and the name and particulars of the owner, of the conveyance;

(e) other particulars or information (if prescribed);

(f) any other additional information that the Director-General requires to decide on the application in the particular case.

(3) The Director-General may carry out any inquiries and investigations in relation to the application that are necessary for

a proper consideration of the application, including inspections of —

- (a) the permanent premises at which the licensable healthcare service is provided or intended to be provided;
- (b) the conveyance used or intended to be used in connection with the licensable healthcare service; and
- (c) any premises, facilities, equipment or device used or intended to be used in connection with the service delivery mode that is the subject of the application.

(4) The Director-General may refuse to consider an application —

- (a) that is incomplete or not made in accordance with this section; or
- (b) where an inquiry or investigation mentioned in subsection (3) in relation to the application is refused by the applicant.

Grant of approval for permanent premises, conveyance or other service delivery mode

11B.—(1) After considering any application under section 11A, the Director-General may, subject to subsection (4) —

- (a) on payment of an approval fee (if prescribed), grant the approval; or
- (b) refuse to grant the approval.

(2) In determining whether an applicant should be granted an approval for any permanent premises, conveyance or other service delivery mode by which a licensable healthcare service is or is intended to be provided, the Director-General is to have regard, and give such weight as the Director-General considers appropriate, to all of the following matters:

- (a) for the approval of any permanent premises or conveyance — the suitability of the permanent

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