

THE STATUTES OF THE REPUBLIC OF SINGAPORE

VOLUNTARY STERILIZATION ACT
(CHAPTER 347)

Act
25 of 1974

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Voluntary Sterilization Act

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An Act relating to treatment for voluntary sexual sterilization by registered medical practitioners and for matters connected therewith.

[27th December 1974]

1. This Act may be cited as the Voluntary Sterilization Act. Short title.

2. In this Act, unless the context otherwise requires — Inter-pretation.
 “approved institution” means any hospital, maternity home, clinic or other place approved by the Minister for the purposes of this Act;

Cap. 174.

“Government hospital” means any hospital, maternity home or clinic under the control of the Minister;

“registered medical practitioner” means a person registered under the Medical Registration Act who —

(a) is in possession of such medical qualifications as may be prescribed; or

(b) has acquired skill in the treatment for sexual sterilization either in practice or by virtue of holding an appointment in a Government hospital or in an approved institution over such period as may be prescribed;

“treatment for sexual sterilization” means the surgical sterilization of a male or female that does not involve removal of the reproduction glands or organs unless such removal is necessary for medical or therapeutic reasons.

Treatment for sexual sterilization.

3.—(1) Notwithstanding the provisions of any written law, but subject to this section, it shall be lawful for a registered medical practitioner to carry out treatment for sexual sterilization.

(2) A registered medical practitioner may carry out treatment for sexual sterilization on any person if the following conditions are satisfied:

(a) in the case of a person over 21 years of age who is not married, if the person gives consent to such treatment;

(b) in the case of a person under 21 years of age who is married, if the person gives consent to such treatment;

(c) in the case of a person under 21 years of age who is not married, if the person together with his parent or guardian (if there is no parent living) give consent to such treatment;

(d) in the case of a person who is married and is afflicted with any hereditary form of illness that is recurrent, mental illness, mental deficiency or epilepsy, if the wife or husband of that person gives consent on behalf of that person to such treatment;

(e) in the case of a person who is not married and is afflicted with any form of hereditary form of illness that is recurrent, mental illness, mental

deficiency or epilepsy, if a parent or guardian (if there is no parent living) gives consent on behalf of that person to such treatment,

so long as in the cases to which paragraphs (d) and (e) refer the registered medical practitioner certifies that the treatment is necessary in the interest of the person undergoing such treatment and of society generally.

(3) Before a registered medical practitioner carries out treatment for sexual sterilization he shall give to the person undergoing such treatment, or to the person that gives consent to that treatment on his behalf, a full and reasonable explanation as to the meaning and consequences of that treatment and such person, or the person who gives consent on his behalf, shall certify that he clearly understands the meaning and consequences of that treatment.

4. Subject to section 12, every treatment for sexual sterilization shall be carried out in a Government hospital or in an approved institution.

Sexual sterilization to be carried out in Government hospital or approved institution.

5.—(1) No person who —

(a) is concerned with the keeping of medical records in connection with any treatment for sexual sterilization; or

(b) participates in any treatment for sexual sterilization,

Privilege against disclosure of matters or treatment relating to sexual sterilization.

shall, unless the person upon whom the treatment has been performed expressly gives consent thereto, disclose any facts or information relating to that treatment except to such persons and for such purposes as may be prescribed.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 12 months or to both.

6. Any public officer authorised by the Minister for the purpose shall have power to enter any approved institution for the purpose of ensuring that the provisions of this Act, and any regulations made thereunder, are being complied with and may examine and make copies of or take extracts from any records or documents connected with any treatment for sexual sterilization.

Power to inspect approved institutions and examine records, etc.

Penalty for compelling any person to undergo treatment for sexual sterilization.

7. Any person who, by means of coercion or intimidation, compels or induces another person against that person's will to undergo treatment for sexual sterilization shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 5 years or to both.

Immunity of registered medical practitioners.

8. No registered medical practitioner shall be liable civilly or criminally for carrying out treatment for sexual sterilization so long as the person undergoing that treatment gives his consent or consent is given on his behalf under this Act and such treatment is not carried out in a negligent manner.

Sexual sterilization not to constitute grievous hurt under sections 87 and 320 of the Penal Code. Cap. 224.

9. For the avoidance of doubt it is hereby declared that any treatment for sexual sterilization by a registered medical practitioner shall not constitute grievous hurt under sections 87 and 320 of the Penal Code.

Conscientious objection to participate in treatment for sexual sterilization.

10. No person shall be under any duty whether by contract or by any statutory or legal requirement to participate in any treatment for sexual sterilization authorised by this Act to which he has a conscientious objection.

Charges for treatment for sexual sterilization.

11.—(1) Where treatment for sexual sterilization is carried out in a Government hospital the fee payable for such treatment shall be \$5.

(2) Any additional hospital costs that may be incurred in the Government hospital, where the treatment is carried out, shall be borne by the person undergoing such treatment.

(3) The Minister may, from time to time by notification in the *Gazette*, vary the fee payable for the treatment specified in subsection (1).

12. Notwithstanding anything in this Act, where the treatment for sexual sterilization consists solely of the use of drugs prescribed by a registered medical practitioner and does not, therefore, include any surgical operation or procedure it shall not be necessary —

Relief from certain restrictions where treatment consists solely of drugs.

- (a) for the registered medical practitioner to hold the prescribed qualifications or to have acquired skill in such treatment over such period as may be prescribed; and
- (b) for the treatment to be carried out in a Government hospital or in an approved institution.

13.—(1) The Minister may make regulations for or in respect of every purpose which is considered by him necessary for carrying out the provisions of this Act and for prescribing any matter which is authorised or required under this Act to be so prescribed.

Regulations.

(2) Without prejudice to the generality of subsection (1), the Minister may make regulations —

- (a) requiring registered medical practitioners to keep records of treatment for sexual sterilization and to forward such records to the Director of Medical Services together with such information relating to such treatment as the Director may require;
- (b) prescribing the forms of consent to be given by a person undergoing treatment for sexual sterilization under section 3 and the form of certification to be given by a registered medical practitioner under section 3 (2) (d) and (e) and such other forms of certification as may be required;
- (c) providing for the preservation and disposal of records in respect of treatment for sexual sterilization authorised under this Act and for the use of such records for statistical or research purposes so long as such use does not disclose the identities of the persons who have received treatment in respect of sexual sterilization;

- (d) prescribing the qualifications of registered medical practitioners who may carry out treatment for sexual sterilization or the period of time considered adequate to confer skill in such treatment upon registered medical practitioners who do not possess such prescribed qualifications. Different qualifications may be prescribed in respect of registered medical practitioners who carry out treatment for sexual sterilization on males or females.