



THE STATUTES OF THE REPUBLIC OF SINGAPORE

VOLUNTARY STERILIZATION ACT

(CHAPTER 347)

(Original Enactment: 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]

Short title

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

Interpretation

2. In this Act, unless the context otherwise requires —

“health institution” means —

- (a) any private hospital licensed under the Private Hospitals and Medical Clinics Act (Cap. 248);
- (b) any medical clinic licensed under the Private Hospitals and Medical Clinics Act to provide ambulatory surgery services; or
- (c) any specialist medical clinic;

“registered medical practitioner” has the same meaning as in the Medical Registration Act (Cap. 174);

“specialist medical clinic” means a medical clinic —

- (a) that is licensed under the Private Hospitals and Medical Clinics Act; and
- (b) at which a registered medical practitioner, who is registered under section 22 of the Medical Registration Act as a specialist in such branches of medicine as may be prescribed, works;

“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.

[26/2001; 28/2012]

Treatment for sexual sterilization

3.—(1) Notwithstanding the provisions of any written law, but subject to this section and section 4, it shall be lawful for a registered medical practitioner to carry out treatment for sexual sterilization.

[28/2012]

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

- (a) subject to paragraphs (d) and (e), in the case of a married or an unmarried person who is 21 years of age or older, if the person gives consent to such treatment;
- (b) subject to paragraph (d), in the case of a married person who is below 21 years of age, if the person gives consent to such treatment;
- (c) subject to paragraph (e), in the case of an unmarried person who is below 21 years of age, if the person, and at least one parent or guardian of the person, both give consent to such treatment;
- (d) in the case of a married person who lacks capacity within the meaning of section 4 of the Mental Capacity Act (Cap. 177A) to consent to such treatment, if, on the application of the person's spouse, the High Court makes an order declaring that such treatment is necessary in the best interests of that person;
- (e) in the case of an unmarried person who lacks capacity within the meaning of section 4 of the Mental Capacity Act to consent to such treatment, if, on the application of at least one parent or guardian of the person, the High Court makes an order declaring that such treatment is necessary in the best interests of that person.

[28/2012]

(3) Before a registered medical practitioner carries out treatment for sexual sterilization, he shall give to the person undergoing such treatment, not being a person who lacks capacity within the meaning of section 4 of the Mental Capacity Act to consent to such treatment, a full and reasonable explanation as to the meaning and consequences of that treatment, and such person shall certify that he clearly understands the meaning and consequences of that treatment.

[28/2012]

(4) For the purposes of this section, Part II of the Mental Capacity Act shall apply, with the necessary modifications, for the purposes of determining —

- (a) whether a person lacks capacity within the meaning of section 4 of that Act to consent to treatment for sexual sterilization; and

(b) whether such treatment is in the best interests of that person.
[28/2012]

(5) Any registered medical practitioner who carries out any treatment for sexual sterilization on a person when the requisite conditions referred to in subsection (2) in respect of that person are not satisfied shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 5 years or to both.

[28/2012]

Sexual sterilization to be carried out in health institution

4.—(1) Subject to subsection (2), every treatment for sexual sterilization shall be carried out only —

- (a) in a health institution; and
- (b) by a registered medical practitioner who is authorised by the person having the management or control of the health institution to carry out such treatment.

[28/2012]

(2) Where the treatment for sexual sterilization is carried out in a health institution that is a specialist medical clinic, the registered medical practitioner referred to in subsection (1)(b) shall in addition possess such surgical or obstetric qualifications as may be prescribed.

[28/2012]

Privilege against disclosure of matters or treatment relating to sexual sterilization

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,

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

\$10,000 or to imprisonment for a term not exceeding 12 months or to both.

[28/2012]

Power to inspect health institutions and examine records, etc.

6. Any public officer authorised by the Minister for the purpose shall have power to enter any health 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.

[28/2012]

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 \$10,000 or to imprisonment for a term not exceeding 5 years or to both.

[28/2012]

Immunity of registered medical practitioners

8. No registered medical practitioner shall be liable civilly or criminally for carrying out treatment for sexual sterilization on any person so long as —

- (a) the conditions in section 3(2) are satisfied in respect of that person; and
- (b) such treatment is not carried out in a negligent manner.

[28/2012]

Sexual sterilization not to constitute grievous hurt under section 320 of Penal Code

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 section 320 of the Penal Code (Cap. 224).

[28/2012]

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.

11. [*Repealed by Act 26 of 2001*]

12. [*Repealed by Act 28 of 2012*]

Regulations

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.

(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 person undergoing treatment for sexual sterilization as required under section 3(3) 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; and
- (d) prescribing the qualifications of registered medical practitioners who may carry out treatment for sexual

sterilization in specialist medical clinics, which qualifications may differ in respect of treatment for sexual sterilization on males or on females.

[28/2012]

LEGISLATIVE HISTORY
VOLUNTARY STERILIZATION ACT
(CHAPTER 347)

This Legislative History is provided for the convenience of users of the Voluntary Sterilization Act. It is not part of the Act.

1. Act 25 of 1974 — Voluntary Sterilization Act 1974

Date of First Reading	:	23 October 1974 (Bill No. 32/74 published on 25 October 1974)
Date of Second and Third Readings	:	6 November 1974
Date of commencement	:	27 December 1974

2. 1985 Revised Edition — Voluntary Sterilization Act (Chapter 347)

Date of operation	:	30 March 1987
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**3. G.N. No. S 85/92 — Revised Edition of the Laws (Rectification)
Order 1992**

Date of commencement	:	30 March 1987
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**4. Act 26 of 2001 — Statutes (Miscellaneous Amendments and Repeal) Act
2001**

Date of First Reading	:	11 July 2001 (Bill No. 24/2001 published on 12 July 2001)
Date of Second and Third Readings	:	25 July 2001
Dates of commencement	:	22 August 2001 (section 17) 1 September 2001 (except sections 3 and 17) 1 March 2002 (section 3)

5. Act 28 of 2012 — Voluntary Sterilization (Amendment) Act 2012

Date of First Reading	:	10 September 2012 (Bill No. 26/2012 published on 10 September 2012)
Date of Second and Third Readings	:	16 October 2012
Date of commencement	:	31 December 2012