

THE STATUTES OF THE REPUBLIC OF SINGAPORE

**PRIVATE HOSPITALS AND MEDICAL CLINICS ACT
(CHAPTER 248)**

**Act
27 of 1980**

REVISED EDITION 1985

Private Hospitals and Medical Clinics Act*

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An Act to provide for the control, licensing and inspection of private hospitals, medical clinics and clinical laboratories, to prohibit trading in human blood, and for purposes connected therewith, and to repeal the Nursing Homes and Maternity Homes Registration Act (Chapter 210 of the Revised Edition).

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1. This Act may be cited as the Private Hospitals and Medical Clinics Act and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Short title
and com-
mencement.

*This Act was not in operation when this Revised Edition was brought into force.

Interpre-
tation.

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

“clinical laboratory” means any premises used or intended to be used for any type of examination of the human body or of any matter derived therefrom for the purpose of providing information for the diagnosis, prevention or treatment of any disease or for the assessment of the health of any person, or for ascertaining the cause of death or the result of any medical or surgical treatment given to any person, but does not include any such premises —

- (a) which are maintained by the Government or the National University of Singapore;
- (b) which form part of the premises of a licensed private hospital; or
- (c) which are maintained by a medical practitioner or dentist as part of his medical clinic for the exclusive use of his practice;

“dentist” means a person who is duly registered under the Dentists Act;

Cap. 76.

“Director” means the Director of Medical Services;

“licence” means a licence issued under this Act to use any premises as a private hospital, medical clinic or clinical laboratory, and “licensed” shall be construed accordingly;

“maternity home” means any premises used or intended to be used for the reception of pregnant women or of women immediately after child-birth;

“medical clinic” means any premises used or intended to be used by a medical practitioner, a dentist or any other person —

- (a) for the diagnosis or treatment of persons suffering from, or believed to be suffering from, any disease, injury or disability of mind or body; or
- (b) for curing or alleviating any abnormal condition of the human body by the application of any apparatus, equipment, instrument or device requiring the use of electricity, heat or light,

but does not include any such premises —

- (i) which are maintained by the Government or the National University of Singapore; or
- (ii) which form part of the premises of a licensed private hospital;

“medical practitioner” means a person who is duly registered under the Medical Registration Act;

Cap. 174.

“nursing home” means any premises other than a maternity home used or intended to be used for the reception of, and the provision of nursing for, persons suffering or convalescing from any sickness, injury or infirmity;

“private hospital” means any premises (other than a Government hospital or a hospital maintained by the National University of Singapore) used or intended to be used for the reception, lodging and treatment and care of persons who require medical treatment or suffer from any disease, and includes a maternity home and a nursing home.

3.—(1) No person shall —

- (a) buy or offer to buy; or
- (b) sell, or offer to sell,

Buying and selling of human blood.

human blood or the right to take blood from the body of another person.

(2) Any person who contravenes subsection (1) 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 one year or to both.

4.—(1) No premises shall be used as a private hospital, medical clinic or clinical laboratory except under the authority of and in accordance with the terms or conditions of a licence issued by the Director.

Licence for private hospital, medical clinic and clinical laboratory.

(2) If the private hospital, medical clinic or clinical laboratory is not licensed or is used otherwise than in accordance with the terms and conditions of its licence, every person having the management or control thereof 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 2 years or to both.

Application
for licence.

5.—(1) An application for the issue of a licence shall be in such form as may be prescribed.

(2) On receipt of an application, the Director may in his discretion issue a licence subject to such terms and conditions as he may think fit to impose.

(3) The Director may refuse to issue a licence if —

- (a) in the case of an application for a licence for a private hospital, the Director is not satisfied as to the character and fitness of the applicant to be the licensee of a private hospital or, where the applicant is a body corporate as to the character and fitness of the members of the board of directors or committee or board of trustees or other governing body of the body corporate;
- (b) in the opinion of the Director, the premises of the private hospital, medical clinic or clinical laboratory are unclean or insanitary, or inadequately equipped; or
- (c) in the opinion of the Director, the nursing or other staff of the private hospital, medical clinic or clinical laboratory is inadequate for the purposes thereof.

(4) On the issue of a licence, the licensee shall pay a fee of such amount as may be prescribed.

(5) A licence shall continue in force for a period of two years from the date of its issue, unless it has been previously revoked, but may be renewed by the issue of a new licence.

Kinds of
licensed
private
hospitals.

6.—(1) Every licensed private hospital shall, according to the tenor of the licence issued in respect thereof, be of one of the following kinds:

- (a) a maternity hospital;
- (b) a medical hospital;
- (c) a surgical hospital;
- (d) a psychiatric hospital;
- (e) a convalescent hospital;
- (f) a children's hospital;
- (g) a hospital licensed for any two or more of the abovementioned purposes; or
- (h) such other kind of hospital as the Minister may, by notification in the *Gazette*, specify.

(2) Every licence to use any premises as a private hospital shall specify the kind of private hospital for which it is issued, and the purposes for which the licensed private hospital may be maintained.

(3) A licensed private hospital shall not be used for any purpose other than the purposes in respect of which the licence is issued, and purposes reasonably incidental thereto.

(4) If a licensed private hospital is used in any manner contrary to subsection (3), the licensee and the person or body responsible for the management thereof 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 2 years or to both.

(5) The Director may, on an application in writing by a licensee of a private hospital, vary the terms or conditions of the licence, by endorsement thereon or otherwise in writing, by altering, in such manner as he thinks fit, the kind of private hospital for which the licence is in force, or the purpose or purposes for which the licensed private hospital may be maintained.

7. The Director shall cause to be kept and maintained a register of all licensed private hospitals, medical clinics and clinical laboratories. Register.

8.—(1) The Director may revoke or suspend a licence to use any premises as a private hospital, medical clinic or clinical laboratory — Revocation
and
suspension
of licence.

(a) on any of the grounds specified in section 5 (3);

(b) if the licensee fails to comply with any direction given by the Director under section 11 (1) or (2);

(c) if the Director is of the opinion that the private hospital, medical clinic or clinical laboratory is managed or conducted in such a manner that the revocation or suspension of the licence, as the case may be, is desirable in the public interest; or

(d) if the private hospital, medical clinic or clinical laboratory has ceased to operate as such.

(2) Before revoking or suspending a licence, the Director shall give notice to the licensee of the ground or grounds on which it is proposed to revoke or suspend the licence and shall afford the licensee an opportunity of showing cause why the licence should not be revoked or suspended.

Appeal.

9.—(1) Any person aggrieved by any decision of the Director under section 5 (3) or 8 (1) may, within 21 days after notice of the decision is given to him, appeal to the Minister whose decision shall be final.

(2) Before making a decision under subsection (1), the Minister shall refer the matter to an advisory committee consisting of —

Cap. 174.

(a) in the case of an appeal by a medical practitioner relating to his medical clinic, 3 members of the Medical Council established under the Medical Registration Act as the Council may designate; and

Cap. 76.

(b) in the case of an appeal by a dentist relating to his medical clinic, 3 members of the Dental Board established under the Dentists Act as the Board may designate,

and in making his decision, the Minister shall have regard to any report made to him by the advisory committee.

Inspection.

10.—(1) The Director or any person authorised by him in that behalf may at any time visit and inspect —

(a) any private hospital, medical clinic or clinical laboratory; and

(b) any premises which the Director suspects or has reason to believe to be used as a private hospital, medical clinic or clinical laboratory,

and may inspect —

(i) any apparatus, appliance, equipment or instrument; or

(ii) any book, document or record relating to the private hospital or to the clinical laboratory or to the medical or dental practice of the medical clinic.

(2) Any person who prevents or obstructs or attempts to prevent or obstruct the Director or any authorised person in

the execution of his powers under 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 one year or to both.

11.—(1) Where, in the opinion of the Director or any person authorised by him in that behalf, the use of any apparatus, appliance, equipment or instrument in a private hospital, medical clinic or clinical laboratory is dangerous or detrimental to any person therein or is otherwise unsuitable for the purpose for which it is used, the Director or the authorised person may by notice direct the licensee to stop using it.

Directions as to apparatus and equipment.

(2) The Director may by notice direct the licensee of a private hospital, medical clinic or clinical laboratory to install or replace such apparatus, appliance, equipment or instrument therein, as may be specified in the notice.

12.—(1) The Director may from time to time require the licensee of a private hospital, medical clinic or clinical laboratory to furnish such information as he may require relating to —

Furnishing information.

- (a) the staff thereof;
- (b) any apparatus, appliance, equipment or instrument used therein; and
- (c) the condition, treatment or diagnosis of any patient thereof or any person for whom the facilities thereof are or have been provided.

(2) A licensee who on receipt of any requisition under this section —

- (a) refuses or fails to furnish any information required by the Director; or
- (b) gives any false or misleading information,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

(3) Nothing in section 10 or this section shall authorise —

- (a) the Director or any officer to inspect the medical record of any person treated in a private hospital or medical clinic or examined in a clinical laboratory; or

(b) the Director to obtain any information in respect of any person on any matter referred to in subsection (1) (c),

without the prior consent of that person or his representative.

(4) For the purposes of subsection (3), “representative”, in relation to any person, means his executor or administrator or next of kin if the person is dead, or one of his parents or his guardian if the person is an infant.

Exemption.

13.—(1) The Minister may, subject to such terms or conditions as he may impose, exempt any private hospital, medical clinic or clinical laboratory from all or any of the provisions of this Act.

(2) An exemption granted under this section may be withdrawn at any time.

Advisory committees.

14. The Minister may establish one or more advisory committees consisting of such persons as he may appoint for the purpose of advising on such matters arising out of the administration of this Act as are referred to them by the Minister.

Offences by bodies corporate.

15. Where an offence under this Act committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who purported to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Restriction on disclosure of information.

16. If any person discloses to any other person any information obtained by or given to him in pursuance of this Act he shall, unless the disclosure was made in the performance of his duty, be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

Regulations.

17.—(1) The Minister may make regulations for any purpose for which regulations are required to be made under this Act and generally for carrying out the purposes and provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Minister may make regulations for or with respect to all or any of the following matters:

- (a) the forms, fees and registers for the purposes of this Act;
- (b) the records of patients treated in a private hospital or a medical clinic, or persons for whom the facilities of a clinical laboratory are provided;
- (c) the records of the staff of a private hospital, medical clinic or clinical laboratory;
- (d) the requirements as to the number and qualifications of nursing and other staff in a private hospital, medical clinic and clinical laboratory;
- (e) the apparatus, appliances, equipment and instruments to be provided and maintained in a private hospital, medical clinic and clinical laboratory;
- (f) the ambulances to be provided and maintained by a private hospital;
- (g) the minimum standards of accommodation, sanitation, and other amenities in a private hospital or medical clinic;
- (h) the cleanliness and hygiene in a private hospital, medical clinic and clinical laboratory;
- (i) the safety and welfare of patients in a private hospital or medical clinic or persons for whom the facilities of a clinical laboratory are provided;
- (j) the management, control, superintendence and care of a private hospital, medical clinic and clinical laboratory.

18. The Nursing Homes and Maternity Homes Registration Act is repealed.

Repeal.
Cap. 210.