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No. S 148

MEDICAL REGISTRATION ACT (CHAPTER 174)

MEDICAL REGISTRATION (AMENDMENT) REGULATIONS 2018

In exercise of the powers conferred by section 70 of the Medical Registration Act, the Singapore Medical Council, with the approval of the Minister for Health, makes the following Regulations:

Citation and commencement

1. These Regulations are the Medical Registration (Amendment) Regulations 2018 and come into operation on 1 April 2018.

Amendment of regulation 21

2. Regulation 21 of the Medical Registration Regulations 2010 (G.N. No. S 733/2010) (called in these Regulations the principal Regulations) is amended —

- (a) by deleting the words “Fourth Schedule” in paragraph (1) and in the regulation heading and substituting in each case the words “Fourth and Fifth Schedules”;
- (b) by deleting the definition of “active practice” in paragraph (1);
- (c) by inserting, immediately after the definition of “general core programme” in paragraph (1), the following definition:

“ “practice”, in relation to a practitioner, means the practice of medicine —

- (a) whether on a full-time or part-time basis, or as a locum; and
- (b) whether or not the practitioner demands or receives any payment or

other remuneration (whether monetary or otherwise) —

- (i) for or in connection with any medical or surgical advice, service, attendance or treatment provided or any operation performed; or
- (ii) for any medicine which the practitioner has prescribed and supplied;”; and

(d) by inserting, immediately after the definition of “qualifying period” in paragraph (1), the following definition:

““reduced practice”, in relation to a practitioner, means the prescription of medication for —

- (a) the practitioner himself; or
- (b) the practitioner’s spouse, child, adopted child, stepchild, grandchild, sibling, parent, step-parent or grandparent;”.

Amendment of regulation 24

3. Regulation 24 of the principal Regulations is amended by deleting paragraphs (3) and (4) and substituting the following paragraphs:

“(3) A registered medical practitioner who is, or will be, in reduced practice is not entitled to rely on item 8 or 9 of the Fourth Schedule for the renewal of his practising certificate unless —

- (a) the registered medical practitioner files with the Medical Council, in such form and manner as may be specified on the Medical Council’s website, a declaration that he —
 - (i) is currently in reduced practice; or
 - (ii) will be in reduced practice commencing on a specified date; and

(b) the Medical Council grants its approval for the registered medical practitioner to rely on item 8 or 9 (as the case may be) of the Fourth Schedule.

(4) A registered medical practitioner mentioned in paragraph (3) may resume practice only if, in the period of 24 months immediately preceding the date on which the registered medical practitioner wishes to resume practice as he has indicated to the Medical Council, he obtains at least 50 continuing medical education points of which at least 10 are from one or more general or specific core programmes.”.

New regulation 24A

4. The principal Regulations are amended by inserting, immediately after regulation 24, the following regulation:

“Conditions for applications for grant or renewal of practising certificate

24A.—(1) For the purposes of section 36(6) and (7) of the Act, the Medical Council may refuse to grant a practising certificate to a registered medical practitioner, or refuse to renew the practising certificate of a registered medical practitioner, if the registered medical practitioner fails to comply with any of the conditions in paragraph (2).

(2) For the purposes of paragraph (1), a registered medical practitioner (called in this regulation the applicant) who applies for the grant of a practising certificate, or for the renewal of the applicant’s practising certificate, must —

- (a) furnish any document or information the Medical Council requires for those purposes;
- (b) subject to paragraph (5), have paid, or have made arrangements to pay, any penalty imposed on the applicant under Part 7 of the Act; and
- (c) give such undertaking, or make such declaration (including a statutory declaration), in such form and manner as the Medical Council may require.

(3) Without limiting paragraph (2)(a), the Medical Council may require an applicant to furnish any document or information in relation to any of the following matters:

- (a) where the applicant is registered with any foreign authority having the function conferred by law of authorising or registering individuals to practise medicine in a State or territory other than Singapore — the applicant's registration status and disciplinary record with the foreign authority;
- (b) where the applicant was convicted, in Singapore or elsewhere, of any criminal offence —
 - (i) the facts and circumstances of the offence;
 - (ii) the court of law that convicted the applicant of the offence; and
 - (iii) the sentence or punishment imposed on the applicant;
- (c) where the applicant was found guilty, in Singapore or elsewhere, of professional misconduct or an improper act or conduct which brings disrepute to the medical profession —
 - (i) the facts and circumstances of the professional misconduct or improper act or conduct;
 - (ii) the tribunal, professional body or authority that found the applicant guilty; and
 - (iii) the disciplinary action taken against the applicant and the outcome of that action;
- (d) where the applicant, as at the date of the application for the grant or renewal of the practising certificate, is the subject of any proceedings, inquiry or investigation by any court of law, tribunal, professional body, licensing or health authority, or the police or other enforcement agency, in respect of any matter mentioned in sub-paragraph (b) or (c) —

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- (i) the facts and circumstances of the alleged offence, professional misconduct or improper act or conduct; and
 - (ii) the nature and status of the proceedings, inquiry or investigation;
- (e) where the applicant is receiving or undergoing treatment for a physical or mental condition, a medical report prepared by the registered medical practitioner providing treatment to the applicant stating —
- (i) the diagnosis and prognosis of, and the treatment provided to, the applicant; and
 - (ii) the effect (if any) of the applicant's condition on the applicant's fitness to practise.

(4) For the purposes of paragraph (3)(a), the Medical Council may require an applicant to submit a document from the foreign authority that the applicant is registered with, issued no earlier than 3 months before the later of the following dates:

- (a) the date of the applicant's application for the grant or renewal of the practising certificate;
- (b) the date of the Medical Council's requirement.

(5) Paragraph (2)(b) does not apply if, as at the date of the applicant's application for the grant or renewal of the practising certificate —

- (a) the period mentioned in section 55(1), (2) or (9) of the Act (as the case may be) has not lapsed;
- (b) any proceedings before a Review Committee appointed under section 55(3) of the Act in respect of the applicant are pending; or
- (c) any appeal to the High Court under section 55 of the Act in respect of the applicant is pending.

(6) The applicant must comply with any requirement by the Medical Council made under paragraph (2)(a) or (c) or (4) within such time as the Medical Council may specify.

(7) In paragraph (2)(b), “penalty” means —

- (a) any penalty imposed on the applicant by a Disciplinary Tribunal under section 53(2)(e) of the Act, unless sub-paragraph (b) applies;
- (b) where an appeal has been made to the High Court under section 55 of the Act in respect of any penalty mentioned in sub-paragraph (a) — the penalty as confirmed or varied by the High Court; or
- (c) where an appeal has been made to the High Court under section 55 of the Act in respect of any other order of a Disciplinary Tribunal under section 53(2) or (4) or 54 of the Act — any penalty the High Court orders the applicant to pay, whether in addition to or in substitution for any such order of the Disciplinary Tribunal.”.

Amendment of Fourth Schedule

5. The Fourth Schedule to the principal Regulations is amended —

- (a) by deleting the word “active” in the first column of items 1 to 6; and
- (b) by deleting the words “not in active practice” in the first column of items 8 and 9 and substituting in each case the words “who is, or will be, in reduced practice”.

Amendment of Fifth Schedule

6. The Fifth Schedule to the principal Regulations is amended —

(a) by deleting item 1 and substituting the following item:

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- 1. Application for registration under regulation 15 as follows :
 - (a) in the Register of Medical Practitioners —
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- (i) as a fully registered medical practitioner \$300
 - (ii) as a medical practitioner with conditional registration \$300
 - (b) as a medical practitioner in the Register of Temporarily Registered Medical Practitioners —
 - (i) for an initial period not exceeding 2 years \$300
 - (ii) for each renewal for a period not exceeding 12 months \$300
 - (c) in the Register of Provisionally Registered Medical Practitioners \$150
- ”;

(b) by deleting items 4 and 5 and substituting the following item:

- “
- 4. Application under section 36(1) of the Act for a practising certificate by —
 - (a) a medical practitioner registered in the Register of Medical Practitioners who is in practice \$450 per year or part of a year
 - (b) a medical practitioner registered in the Register of Medical Practitioners who is in reduced practice \$150 per year or part of a year
 - (c) a medical practitioner registered in the Register of Temporarily Registered Medical Practitioners \$450 per year or part of a year
 - (d) a medical practitioner registered in the Register of Provisionally Registered Medical Practitioners \$450 per year or part of a year
- ”;

(c) by deleting the words “good standing” in item 8 and substituting the words “professional status”; and

(d) by deleting item 9.

*[G.N. Nos. S 357/2011; S 659/2011; S 677/2012;
S 100/2013; S 403/2014; S 711/2015]*

Made on 26 March 2018.

TAN SER KIAT
President,
Singapore Medical Council.

[SMC 1.2; AG/LEGIS/SL/174/2015/1 Vol. 1]