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No. S 851

HEALTHCARE SERVICES ACT 2020

HEALTHCARE SERVICES (ASSISTED REPRODUCTION SERVICE) (AMENDMENT) REGULATIONS 2023

In exercise of the powers conferred by section 57 of the Healthcare Services Act 2020, the Minister for Health makes the following Regulations:

Citation and commencement

1. These Regulations are the Healthcare Services (Assisted Reproduction Service) (Amendment) Regulations 2023 and come into operation on 18 December 2023.

Amendment of regulation 2

2. In the Healthcare Services (Assisted Reproduction Service) Regulations 2023 (G.N. No. S 429/2023) (called in these Regulations the principal Regulations), in regulation 2 —

(a) after the definition of “donor”, insert —

““donor embryo” means an embryo that is created from a donor oocyte and donor sperm;”;

(b) in the definition of “relevant assisted reproduction service”, replace paragraph (b) with —

“(b) in a medical clinic or an acute hospital that was licensed under the repealed Act and was approved under that Act to provide assisted reproduction services;”.

Amendment of regulation 24

3. In the principal Regulations, in regulation 24 —

- (a) in paragraph (1), replace “qualified assisted reproduction practitioner” with “fully registered medical practitioner”;
- (b) in paragraph (2), delete sub-paragraphs (a) and (b); and
- (c) after paragraph (2), insert —

“(3) In this regulation, a “fully registered medical practitioner” means a medical practitioner who is registered under section 20(1) or (2) of the Medical Registration Act 1997 as a fully registered medical practitioner and holds a valid practising certificate under that Act.”.

Amendment of regulation 31

4. In the principal Regulations, in regulation 31, after paragraph (3), insert —

“(4) A licensee must not provide any ovarian stimulation treatment where the licensee is not also providing any assisted reproduction procedure to a patient unless —

- (a) a qualified assisted reproduction practitioner who is the licensee’s personnel is of the view that the provision of the ovarian stimulation treatment may be provided safely to the patient; and
- (b) the purpose of the patient receiving the ovarian stimulation treatment is to enable the patient to undergo either or both of the following procedures on the following conditions:
 - (i) a procedure to collect one or more oocytes for storage that is to be performed by another person, whether in or outside Singapore, if any condition in paragraph (5) applies;
 - (ii) an assisted reproduction procedure (other than elective oocyte storage) that is to be performed by another person, whether in or outside

Singapore, if all the conditions in paragraph (6) are satisfied.

(5) The conditions mentioned in paragraph (4)(b)(i) are any of the following:

- (a) the patient has any medical condition that significantly, permanently and adversely affects the patient's fertility;
- (b) the patient is undergoing any medical treatment that will significantly, permanently and adversely affect the patient's fertility;
- (c) the patient is a patient in respect of whom there is otherwise a medical indication for the storage of the oocyte;
- (d) the patient is at least 21 years of age but below 38 years of age.

(6) The conditions mentioned in paragraph (4)(b)(ii) are —

- (a) either —
 - (i) the patient is above 35 years of age; or
 - (ii) the patient is 35 years of age or younger and there are medical indications for the performance of the assisted reproduction procedure on the patient;
- (b) the patient is legally married to a man; and
- (c) the patient's husband informs the licensee in writing that he consents to the patient receiving the assisted reproduction procedure to be performed by another person, whether in or outside Singapore.

(7) A licensee must record a patient's purpose of receiving any ovarian stimulation treatment as part of the patient's patient health record.

(8) In this regulation, "ovarian stimulation treatment" is a treatment that is provided by a licensee to a patient to increase

the number of mature oocytes of the patient available for fertilisation, without collecting any oocyte from the patient.”.

Amendment of regulation 37

5. In the principal Regulations, in regulation 37 —

(a) in paragraph (1), replace sub-paragraphs (a) and (b) with —

“(a) was not created from an oocyte collected from the patient, unless —

- (i) the patient is unable to produce any viable oocytes for collection;
- (ii) the patient has had one or more unsuccessful attempts at the collection of viable oocytes; or
- (iii) a qualified assisted reproduction practitioner who is the licensee’s personnel is of the view that the likelihood of a foetus with no significant health condition or disability developing from any of the patient’s oocytes is low;

(b) was not created from sperm collected from the patient’s husband, unless —

- (i) the patient’s husband is unable to produce viable sperm for fertilisation of an oocyte; or
- (ii) a qualified assisted reproduction practitioner who is the licensee’s personnel is of the view that the likelihood of a foetus with no significant health condition or disability developing from any of the patient’s husband’s sperm is low; or”; and

(b) in paragraph (3), replace the definition of “donor embryo” with —

““viable oocyte” means an oocyte that can result in the formation of an embryo;

“viable sperm” means a sperm that can result in the formation of an embryo.”.

Amendment of regulation 47

6. In the principal Regulations, in regulation 47(6), replace sub-paragraphs (b), (c) and (d) with —

“(b) hepatitis B virus;

(c) hepatitis C virus;

(d) *Treponema pallidum* bacterium.”.

Made on 13 December 2023.

CHAN YENG KIT
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Singapore.*

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