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No. S 1042

HEALTHCARE SERVICES ACT 2020 (ACT 3 OF 2020)

HEALTHCARE SERVICES (EXEMPTION) ORDER 2021

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement
2. Definitions
3. Exemption relating to Clinical Governance Officers
4. Exemption for business name used under Private Hospitals and Medical Clinics Act 1980
5. Exemption in relation to blood banking service provided by clinical laboratory service licensees and acute hospital service licensees
6. Exemption in relation to blood banking service provided by outpatient medical service licensee acting on behalf of blood banking service licensee
7. *[Deleted]*
8. Exemption in relation to clinical laboratory services provided by blood banking service or cord blood banking service licensee
9. *[Deleted]*
10. *[Deleted]*
11. Exemption in relation to approved ART providers
12. Exemption in relation to contingency care service licensees
13. Exemption in relation to performance of image-guided procedures
14. Exemption in relation to provision of peritoneal dialysis support by outpatient medical service licensees
15. Exemption in relation to testing of specimens by nuclear medicine service licensees
16. Exemption in relation to provision of clinical laboratory service by human tissue banking service licensees
17. Exemption in relation to healthcare professionals, etc.
18. Exemption in relation to provision of traditional medicine, etc.

Paragraph

19. Exemption in relation to conduct of radiological examinations required under Employment of Foreign Manpower Act 1990
 20. Exemption in relation to administration of anonymous tests for HIV infection by outpatient medical service licensee
 21. Exemption in relation to KK Women's and Children's Hospital Pte Ltd
The Schedules
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In exercise of the powers conferred by section 53 of the Healthcare Services Act 2020, the Minister for Health makes the following Order:

Citation and commencement

1. This Order is the Healthcare Services (Exemption) Order 2021 and comes into operation on 3 January 2022.

Definitions

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

[Deleted by S 422/2023 wef 26/06/2023]

[Deleted by S 422/2023 wef 26/06/2023]

“business name” has the meaning given by regulation 48(2) of the Healthcare Services (General) Regulations 2021 (G.N. No. S 1035/2021).

[S 422/2023 wef 26/06/2023]

[Deleted by S 422/2023 wef 26/06/2023]

Exemption relating to Clinical Governance Officers

- 3.—(1) Section 24(2) of the Act and regulation 5 of the Healthcare Services (Clinical Laboratory Service and Radiological Service) Regulations 2021 (G.N. No. S 1036/2021) do not apply to a person (*A*) who holds a licence to provide a clinical laboratory service in respect of *A*'s appointment of an individual as a Clinical Governance Officer where the individual —

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- (a) was, immediately before 3 January 2022, employed by *A* to manage any premises in which a clinical laboratory service is provided by *A* and continues to be so employed after that date; and
- (b) had, immediately before that date, held a valid licence under the Private Hospitals and Medical Clinics Act 1980 in relation to the use of the premises as a clinical laboratory.

(2) Paragraph (1) only applies so long as every laboratory discipline and specified test provided or that is to be provided as part of the clinical laboratory service was, immediately before 3 January 2022, also provided in the premises.

(3) Section 24(2) of the Act and regulation 6 of the Healthcare Services (Clinical Laboratory Service and Radiological Service) Regulations 2021 do not apply to a person (*B*) who holds a licence to provide a radiological service in respect of *B*'s appointment of an individual as a Clinical Governance Officer where the individual —

- (a) was, immediately before 3 January 2022, employed by *B* to manage any premises in which a radiological service is provided by *B* and continues to be so employed after that date; and
- (b) had, immediately before that date, held a valid licence under the Private Hospitals and Medical Clinics Act 1980 in relation to the use of the premises as a clinical laboratory.

(4) Paragraph (3) only applies so long as every imaging modality provided or that is to be provided as part of the radiological service was, immediately before 3 January 2022, also provided in the premises.

(5) Section 24(2) of the Act and regulation 4 of the Healthcare Services (Cord Blood Banking Service) Regulations 2021 (G.N. No. S 1037/2021) do not apply to a licensee (*C*) in respect of *C*'s appointment of an individual as a Clinical Governance Officer where the individual —

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- (a) was, immediately before 3 January 2022, employed by *C* to manage any premises in which a cord blood banking service is provided by *C* and continues to be so employed after that date; and
- (b) had, immediately before that date, held a valid licence under the Private Hospitals and Medical Clinics Act 1980 in relation to the use of the premises as a clinical laboratory.
- (6) In this paragraph —

“imaging modality” means —

- (a) any imaging modality set out in paragraph 1(a) of Part 2 of the Schedule to the Healthcare Services (Clinical Laboratory Service and Radiological Service) Regulations 2021;
- (b) the provision of minimally invasive image-guided biopsy of breast, thyroid, superficial lump or bump or any superficial lymph node;
- (c) bone densitometry; or
- (d) ultrasound;

“laboratory discipline” means any laboratory discipline set out in paragraph 1(a) of Part 1 of the Schedule to the Healthcare Services (Clinical Laboratory Service and Radiological Service) Regulations 2021;

“specified test” means any test set out in paragraph 1(b) of Part 1 of the Schedule to the Healthcare Services (Clinical Laboratory Service and Radiological Service) Regulations 2021.

[S 422/2023 wef 26/06/2023]

Exemption for business name used under Private Hospitals and Medical Clinics Act 1980

4.—(1) Section 29(1)(a) and (2) of the Act does not apply in relation to the use of a business name by a licensee who holds a licence under the Act for the provision of a licensable healthcare

service specified in paragraph 1(d) or (e) of the First Schedule to the Act if —

- (a) the licensee had, immediately before 3 January 2022, held a valid PHMC licence; and
- (b) the licensee’s business name is identical to the business name used by the licensee under the PHMC licence,

for so long as the licensee continues to use that business name.

[S 422/2023 wef 26/06/2023]

(2) In this paragraph, “PHMC licence” means a licence issued under section 6(2)(a) of the Private Hospitals and Medical Clinics Act 1980.

Exemption in relation to blood banking service provided by clinical laboratory service licensees and acute hospital service licensees

5.—(1) Section 8 of the Act does not apply in relation to the provision of a blood banking service by a person who —

- (a) holds a valid licence to provide a clinical laboratory service;
- (b) is approved to provide transfusion medicine for the clinical laboratory service; and

[S 422/2023 wef 26/06/2023]

- (c) only carries out any one or more of the following activities in the provision of the blood banking service, for the purpose of providing the clinical laboratory service:
 - (i) testing of blood or blood components;
 - (ii) processing of blood or blood components;
 - (iii) distribution of blood or blood components;
 - (iv) storage of blood or blood components incidental to any activity mentioned in sub-paragraphs (i), (ii) and (iii).

(2) Section 8 of the Act does not apply in relation to the provision of a blood banking service by a person who holds a valid licence to provide an acute hospital service and only carries out any one or

more, but not all, of the following activities in relation to blood or blood components for therapeutic transfusion, in the provision of the acute hospital service:

- (a) collection of blood or blood components;
- (b) distribution of blood or blood components;
- (c) storage of blood or blood components incidental to any activity mentioned in sub-paragraph (a) or (b).

[S 422/2023 wef 26/06/2023]

(3) Section 8 of the Act does not apply in relation to the provision of a blood banking service by a person who holds a valid licence to provide an acute hospital service, and provides the blood banking service only to enable the therapeutic transfusion of blood or blood components collected from an individual (A) to either of the following individuals in the provision of the acute hospital service:

- (a) A;
- (b) another individual specified by A.

[S 422/2023 wef 26/06/2023]

[S 422/2023 wef 26/06/2023]

Exemption in relation to blood banking service provided by outpatient medical service licensee acting on behalf of blood banking service licensee

6. Section 8 of the Act does not apply in relation to the provision of a blood banking service by a person who holds a valid licence to provide an outpatient medical service in relation only to the carrying out of the following activities on behalf of another person who holds a valid licence to provide a blood banking service:

- (a) collection of blood or blood components;
- (b) storage of blood or blood components incidental to sub-paragraph (a).

[S 422/2023 wef 26/06/2023]

7. *[Deleted by S 422/2023 wef 26/06/2023]*

Exemption in relation to clinical laboratory services provided by blood banking service or cord blood banking service licensee

8.—(1) Section 8 of the Act does not apply in relation to the provision of a clinical laboratory service by a person who holds a valid licence to provide a blood banking service and who —

- (a) conducts any test on any blood collected by the person as part of the person’s provision of a blood banking service, to ensure the suitability of the blood for transfusion; or
- (b) conducts any test on any blood collected from a donor or recipient to ensure the suitability of the donor’s blood for transfusion to the recipient, as part of the person’s provision of a blood banking service.

(2) Section 8 of the Act does not apply in relation to the provision of a clinical laboratory service by a person (*X*) who holds a valid licence to provide a cord blood banking service and conducts, as part of *X*’s provision of a cord blood banking service, any test on —

- (a) any cord blood collected by *X* to ensure the suitability of the cord blood for transplant or storage; or
- (b) any cord blood that —
 - (i) is collected by another person (*Y*) who holds a valid licence to provide a cord blood banking service; and
 - (ii) is provided by *Y* to *X* solely for the purpose of testing to ensure the suitability of the cord blood for transplant or storage.

[S 422/2023 wef 26/06/2023]

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9. *[Deleted by S 422/2023 wef 26/06/2023]*

10. *[Deleted by S 422/2023 wef 26/06/2023]*

Exemption in relation to approved ART providers

11. Section 8 of the Act does not apply in relation to the provision of an antigen rapid test by an approved test provider under the Infectious

Diseases (Antigen Rapid Test Providers) Regulations 2021 (G.N. No. S 267/2021).

Exemption in relation to contingency care service licensees

12. Section 8 of the Act does not apply in relation to the provision of a community hospital service by a person who holds a valid licence to provide a contingency care service in relation to the provision of a healthcare service that is provided to an inpatient who, having been treated for any disease or trauma or having undergone surgery, needs to receive constant medical oversight by a medical practitioner, for the purpose of assisting the inpatient in regaining his or her health.

[S 422/2023 wef 26/06/2023]

Exemption in relation to performance of image-guided procedures

13.—(1) Section 8 of the Act does not apply in relation to the provision of a radiological service by a person who holds a valid licence to provide an acute hospital service in relation only to the performance of any image-guided procedure, where the performance of the procedure is incidental to the provision of the acute hospital service.

(2) Section 8 of the Act does not apply in relation to the provision of a radiological service by a person who holds a valid licence to provide an ambulatory surgical centre service in relation only to the performance of any image-guided procedure, where the performance of the procedure is incidental to the provision of the ambulatory surgical centre service.

(3) In this paragraph, “image-guided procedure” means any procedure which is facilitated by an imaging modality that obtains real-time images of the body of an individual.

[S 422/2023 wef 26/06/2023]

Exemption in relation to provision of peritoneal dialysis support by outpatient medical service licensees

14.—(1) Section 8 of the Act does not apply in relation to the provision of an outpatient renal dialysis service by a person who

holds a valid licence to provide an outpatient medical service and only provides peritoneal dialysis support.

(2) In sub-paragraph (1), “peritoneal dialysis support” has the meaning given by paragraph 2 of the First Schedule to the Act.

[S 422/2023 wef 26/06/2023]

Exemption in relation to testing of specimens by nuclear medicine service licensees

15.—(1) Section 8 of the Act does not apply in relation to the provision of a clinical laboratory service by a person who holds a valid licence to provide a nuclear medicine service in relation only to the testing of any specimen derived from a patient by the person, if both of the following conditions are satisfied:

- (a) the specimen is not subject to more than minimal manipulation;
- (b) the test is conducted using beta scintillation or gamma counting.

(2) In sub-paragraph (1), “minimal manipulation” has the meaning given by regulation 34(3) of the Healthcare Services (Nuclear Medicine Service) Regulations 2023 (G.N. No. S 412/2023).

[S 422/2023 wef 26/06/2023]

Exemption in relation to provision of clinical laboratory service by human tissue banking service licensees

16. Section 8 of the Act does not apply to the provision of a clinical laboratory service by a person (*X*) who holds a valid licence to provide a human tissue banking service and conducts, as part of *X*'s provision of the human tissue banking service, any test on —

- (a) any human tissue collected by *X* to ensure the suitability of the human tissue for transplant or storage; or
- (b) any human tissue that —
 - (i) is collected by another person (*Y*) who holds a valid licence to provide a human tissue banking service; and

- (ii) is provided by *Y* to *X* solely for the purpose of testing to ensure the suitability of the human tissue for transplant or storage.

[S 422/2023 wef 26/06/2023]

Exemption in relation to healthcare professionals, etc.

17.—(1) Section 8 of the Act does not apply in relation to the practice of dentistry by a dentist or an oral health therapist, where the dentist or oral health therapist practises dentistry in the course of his or her employment or engagement by a licensee to assist in the provision of a licensable healthcare service by the licensee.

(2) Section 8 of the Act does not apply in relation to the practice of medicine by a medical practitioner, where the medical practitioner practises medicine in the course of his or her employment or engagement by a licensee to assist in the provision of a licensable healthcare service by the licensee.

(3) Section 8 of the Act does not apply in relation to the carrying out of any act or activity, or the provision of any service, specified in the first column of the First Schedule by an individual specified opposite in the second column of that Schedule.

[S 422/2023 wef 26/06/2023]

Exemption in relation to provision of traditional medicine, etc.

18.—(1) Subject to sub-paragraph (2), section 8 of the Act does not apply to any of the following:

- (a) the practice of a system of therapeutics according to a Chinese, Malay or Indian method by a person;
- (b) the provision of chiropractic or osteopathic services by a person;
- (c) the provision of complementary and alternative medicine services by a person.

(2) Sub-paragraph (1) does not apply in relation to the performance by a person of any invasive procedure that penetrates beyond the epidermis layer of an individual's skin and which changes, or is intended to change, that individual's appearance or anatomy.

[S 422/2023 wef 26/06/2023]

Exemption in relation to conduct of radiological examinations required under Employment of Foreign Manpower Act 1990

19.—(1) Regulation 13 of the Healthcare Services (Clinical Laboratory Service and Radiological Service) Regulations 2021 does not apply to a person who holds a valid licence to provide a radiological service and conducts, in the provision of the radiological service, an applicable examination for a patient.

(2) In sub-paragraph (1), “applicable examination”, in relation to a patient, means a radiological examination which the patient undergoes, or is required to undergo, to comply with the Employment of Foreign Manpower Act 1990 or any requirement imposed under that Act.

[S 422/2023 wef 26/06/2023]

Exemption in relation to administration of anonymous tests for HIV infection by outpatient medical service licensee

20.—(1) This paragraph applies to a person who holds a valid licence to provide an outpatient medical service and is approved under the Act to use any premises specified in the Second Schedule as an approved permanent premises to provide the outpatient medical service.

(2) Regulation 37(2) of the Healthcare Services (General) Regulations 2021 does not apply in relation to the administration of an anonymous test on any individual by a person mentioned in sub-paragraph (1) in the provision of an outpatient medical service.

(3) In sub-paragraph (2), “anonymous test” means a test for HIV Infection where no identifying information is asked of the individual seeking the test.

[S 422/2023 wef 26/06/2023]

Exemption in relation to KK Women’s and Children’s Hospital Pte Ltd

21. Regulation 14(3)(e) of the Healthcare Services (Nuclear Medicine Service) Regulations 2023 does not apply in relation to the provision of a nuclear medicine service for an imaging purpose by

KK Women's and Children's Hospital Pte Ltd at the approved permanent premises at 100 Bukit Timah Road, Singapore 229899.

[S 422/2023 wef 26/06/2023]

FIRST SCHEDULE

Regulation 17(3)

ACTS, ACTIVITIES AND SERVICES BY INDIVIDUAL EXEMPTED FROM HOLDING LICENCE

	<i>First column</i> <i>Act, activity or service</i>	<i>Second column</i> <i>Individual</i>
1.	Any act or activity within the description of a prescribed allied health profession set out in the third column of the Second Schedule to the Allied Health Professions Act 2011 that is a healthcare service	An allied health professional who is registered under the Allied Health Professions Act 2011 for the prescribed allied health profession and holds a valid practising certificate under that Act
2.	Any act or service involved in attending a woman at childbirth that is a healthcare service	An individual who is a registered midwife under the Nurses and Midwives Act 1999 and holds a valid practising certificate under that Act
3.	Any act of nursing that is a healthcare service	An individual who is a registered nurse or an enrolled nurse, under the Nurses and Midwives Act 1999 and holds a valid practising certificate under that Act
4.	Any act or activity specified in Part 1 of the Schedule to the Optometrists and Opticians Act 2007 that is a healthcare service	An individual who is registered under the Optometrists and Opticians Act 2007 as an optician and holds a valid practising certificate under that Act
5.	Any act or activity specified in Part 2 of the Schedule to the Optometrists and Opticians Act 2007 that is a healthcare service	An individual who is registered under the Optometrists and Opticians Act 2007 as an optometrist and has a valid practising certificate under that Act

FIRST SCHEDULE — *continued*

6.	Any act or activity specified in the Schedule to the Pharmacists Registration Act 2007 that is a healthcare service	An individual who is registered under the Pharmacists Registration Act 2007 and holds a valid practising certificate under that Act
7.	Any act or activity within the scope of the practice of an allied health profession that is a healthcare service, other than an act or activity mentioned in item 1	An individual who has a professional qualification in the allied health profession concerned

[S 422/2023 wef 26/06/2023]

SECOND SCHEDULE

Regulation 20(1)

PERMANENT PREMISES WHERE
ANONYMOUS TESTING IS CONDUCTED

1. Anteh Dispensary, 1 Lorong 22 Geylang, #01-02, Grandview Suites, Singapore 398664
2. Department of Sexually Transmitted Infections Control Clinic, 31 Kelantan Lane, #01-16, Singapore 200031
3. Doctor Jay Medical Centre, 115 Killiney Road, Singapore 239553
4. Doctors Clinic and Surgery, 305 Woodlands Street 31, #01-91, Singapore 730305
5. Dr Soh Family Clinic, Block 966, Jurong West Street 93, #01-221, Singapore 640966
6. Dr Tan & Partners, 11 Unity Street, Robertson Walk, #02-07, Singapore 237995
7. Kensington Family Clinic, 14D Kensington Park Road, Serangoon Garden Estate, Singapore 557265
8. M Lam Clinic, 739 Geylang Road, Singapore 389649
9. Q&M Medical & Aesthetic Clinic (Tampines Central) Pte. Ltd., 10 Tampines Central 1, #04-18/19, Tampines One, Singapore 529536
10. Tanjong Pagar Medical Clinic, Block 1 Tanjong Pagar Plaza, #01-06, Singapore 082001

[S 422/2023 wef 26/06/2023]

Made on 29 December 2021.

CHAN YENG KIT
*Permanent Secretary,
Ministry of Health,
Singapore.*

[MH 78:44/1; AG/LEGIS/SL/122E/2020/15 Vol. 1]