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No. S 97

MESSAGE ESTABLISHMENTS ACT 2017 (ACT 45 OF 2017)

MESSAGE ESTABLISHMENTS (EXEMPTION) ORDER 2018

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In exercise of the powers conferred by section 32 of the *Massage Establishments Act 2017*, the Minister for Home Affairs makes the following Order:

Citation and commencement

1. This Order is the *Massage Establishments (Exemption) Order 2018* and comes into operation on 1 March 2018.

Healthcare premises

2.—(1) The following premises that are licensed under the *Private Hospitals and Medical Clinics Act 1980* are exempt from the provisions of the Act:

- (a) a clinical laboratory;
- (b) a hospital;
- (c) a maternity home;

(d) a medical clinic;

(e) a nursing home.

[S 310/2018 wef 19/05/2018]

[S 817/2023 wef 31/12/2021]

(2) For the purposes of sub-paragraph (1) —

“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 from the human body 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;

“hospital” means any premises used or intended to be used for the reception, lodging, treatment and care of persons who require medical treatment or suffer from any sickness, disease, injury or infirmity;

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

“medical clinic” means any premises used or intended to be used by a medical practitioner registered under the Medical Registration Act 1997, a dentist registered under the Dental Registration Act 1999 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;

[S 817/2023 wef 31/12/2021]

[S 817/2023 wef 15/09/2022]

“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.

Premises at which massage is by registered persons

3. Any premises used, or which are represented as being used, or intended to be used, for the reception or treatment of individuals seeking massage administered only by the following individuals are exempt from the provisions of the Act:

(a) an individual who is registered under section 14 of the Traditional Chinese Medicine Practitioners Act 2000 and has in force a practising certificate issued under section 17 of that Act;

[S 817/2023 wef 31/12/2021]

(b) an individual who has a certificate of registration as an allied health professional under section 22 of the Allied Health Professions Act 2011, and has in force a practising certificate issued under section 23 of that Act;

[S 817/2023 wef 31/12/2021]

(c) an individual who is a registered medical practitioner under the Medical Registration Act 1997 and has in force a practising certificate issued under section 36 of that Act.

[S 817/2023 wef 31/12/2021]

Premises at which massage is only to head or scalp

4. Any premises at which massage is administered only to an individual's head or scalp is exempt from the provisions of the Act.

Premises at which massage is only for customers below 12 years of age

5. Any premises at which massage is administered only to an individual below 12 years of age is exempt from the provisions of the Act.

Premises at which massage is provided in full public view

6.—(1) Subject to sub-paragraph (1A), any premises is exempt from the provisions of the Act if all the following conditions are satisfied:

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- (a) any customer and any member of public can see at any time the massage services provided in every part of the premises from inside and outside of the premises;
 - (b) no window in the premises and no entrance to the premises is obscured with any device or accessory, such as a tinted glass panel, a curtain, blinds or any poster or notice;
 - (c) there are no rooms, partitions, cubicles, or other form of furniture in the premises that allow massage services to be administered in private;
 - (d) the provision of massage services at the premises only takes place between 7 a.m. to 10.30 p.m. in a day (both times inclusive), or such extended period as the Licensing Officer may allow in any particular case;
 - (e) the person carrying on the business of providing massage services at the premises notifies the Licensing Officer of the name and address of the establishment for massage before the date when the person starts carrying on that business.

[S 310/2018 wef 19/05/2018]

[S 310/2018 wef 19/05/2018]

[S 205/2020 wef 01/04/2020]

(1A) For the purpose of sub-paragraph (1)(d), in allowing an extended period in relation to any premises, the Licensing Officer must consider whether —

- (a) the person carrying on the business of providing massage services at the premises —
 - (i) has been convicted of any offence under the Act or under the repealed Massage Establishments Act (Cap. 173, 2013 Ed.) as in force immediately before 1 March 2018;
 - (ii) has had any offence under the Act compounded under the Massage Establishment (Composition of Offences) Rules 2018 (G.N. No. S 98/2018); and
 - (iii) has had any offence under the revoked Massage Establishments Rules (Cap. 173, R 1) as in force

immediately before 1 March 2018 compounded under the revoked Massage Establishments (Composition of Offences) Rules 2005 (G.N. No. S 657/2005); and

- (b) the carrying on of the business of providing massage services at the premises is likely to cause annoyance or inconvenience to the public or any class of the public.

[S 310/2018 wef 19/05/2018]

(2) Any notification required under sub-paragraph (1)(e) must be —

- (a) made using the electronic application service provided at <https://licencel.business.gov.sg>; or
- (b) if the electronic application service is not operating, in such form as the Licensing Officer may require.

(3) The Licensing Officer may disregard any notification not made according to this paragraph.

Revocation

7. The following Orders are revoked:

- (a) the Massage Establishments (Exemption) Order 2004 (G.N. No. S 582/2004);
- (b) the Massage Establishments (Exemption) Order 2006 (G.N. No. S 351/2006);
- (c) the Massage Establishments (Exemption) (No. 2) Order 2006 (G.N. No. S 352/2006).

Made on 23 February 2018.

PANG KIN KEONG
*Permanent Secretary,
Ministry of Home Affairs,
Singapore.*

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