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VOLUNTARY STERILIZATION ACT (CHAPTER 347)

VOLUNTARY STERILIZATION REGULATIONS 2012

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In exercise of the powers conferred by section 13 of the Voluntary Sterilization Act, the Minister for Health hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Voluntary Sterilization Regulations 2012 and shall come into operation on 31st December 2012.

Prescribed branches of medicine for specialist medical clinics

2. For the purpose of the definition of “specialist medical clinic” in section 2 of the Act, the prescribed branches of medicine shall be —

- (a) Obstetrics and Gynaecology;
- (b) General Surgery; and

(c) Urology.

Duties of registered medical practitioners

3.—(1) Every registered medical practitioner who carries out any treatment for sexual sterilization shall —

- (a) submit a report electronically or by facsimile to the Director of Medical Services in the form set out in the electronic filing system of the Ministry of Health at <http://www.moh-topvsreturns.gov.sg>, within 30 days after completing any treatment carried out —
 - (i) under the conditions in section 3(2)(c) of the Act; or
 - (ii) pursuant to an order of the High Court under section 3(2)(d) or (e) of the Act;
- (b) keep and maintain proper medical records of every treatment for sexual sterilization carried out by the registered medical practitioner;
- (c) in the case of any treatment carried out under the conditions in section 3(2)(a), (b) or (c) of the Act, issue to the person who has undergone the treatment, upon his request, a certificate of sexual sterilization in the form set out at <http://www.moh-topvsreturns.gov.sg>;
- (d) in the case of any treatment carried out on a person pursuant to an order of the High Court under section 3(2)(d) or (e) of the Act, issue to such person's spouse, parent or guardian who is the applicant of the order of court, upon the applicant's request, a certificate of sexual sterilization in the form set out at <http://www.moh-topvsreturns.gov.sg>; and
- (e) keep a duplicate of the certificate of sexual sterilization, if it is issued.

(2) Where strict compliance with the form referred to in paragraph (1)(a), (c) or (d) is not possible, the Director of Medical Services may make any modification to that form for the purpose of facilitating the submission or issue, as the case may be, of such form.

(3) Every health institution shall maintain a register of every treatment for sexual sterilization carried out in the health institution containing the information specified in paragraph (4).

(4) The register referred to in paragraph (3) shall contain the following information:

- (a) the name of the operating theatre;
- (b) the name and registration number of the registered medical practitioner who carried out the treatment;
- (c) the name of the person who underwent the treatment, as indicated in his identity card or passport;
- (d) the identity card or passport number of the person who underwent the treatment;
- (e) the date that the treatment was carried out;
- (f) the method of sterilization;
- (g) the reasons for the treatment;
- (h) where the treatment was carried out on a person under the conditions in section 3(2)(a) or (b) of the Act, a copy of the consent given by the person;
- (i) where the treatment was carried out on a person under the conditions in section 3(2)(c) of the Act, a copy each of the consent given by the person and his parent or guardian; and
- (j) where the treatment was carried out on a person pursuant to an order of the High Court under section 3(2)(d) or (e) of the Act —
 - (i) the name of the applicant of the order of court, his identity card or passport number; and
 - (ii) a copy of the order of court.

(5) Any person who without reasonable excuse contravenes paragraph (1) or (3) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

Consent to treatment for sexual sterilization

4. The consent to any treatment for sexual sterilization required under section 3(2)(a), (b) and (c) of the Act shall contain the following information:

(a) in all cases —

- (i) the name, registration number and signature of the registered medical practitioner carrying out the treatment;
- (ii) the name of the health institution;
- (iii) the name, identity card or passport number, residential address and signature of the person undergoing the treatment;
- (iv) a declaration by the registered medical practitioner carrying out the treatment that he has given a full and reasonable explanation as to the meaning and consequences of such treatment to the person undergoing the treatment;
- (v) a declaration by the person undergoing the treatment that he clearly understands the meaning and consequences of such treatment; and
- (vi) the date of the consent; and

(b) in the case of any treatment carried out under the conditions in section 3(2)(c) of the Act —

- (i) the name, identity card or passport number, residential address and signature of the parent or guardian giving consent to the person undergoing such treatment; and
- (ii) the relationship of the parent or guardian giving consent to the person undergoing such treatment.

Treatment for sexual sterilization in specialist medical clinics

5. For the purposes of section 4(2) of the Act, a registered medical practitioner shall be regarded as possessing the requisite surgical or obstetric qualifications for carrying out any treatment for sexual

sterilization in a specialist medical clinic, if he is registered under section 22 of the Medical Registration Act (Cap. 174) as a specialist in the branch of —

- (a) Obstetrics and Gynaecology;
- (b) General Surgery; or
- (c) Urology.

Disclosure of facts or information relating to treatment for sexual sterilization

6.—(1) A person referred to in section 5(1)(a) or (b) of the Act may only disclose facts or information relating to any treatment for sexual sterilization to the following persons and for the following purposes:

- (a) a public officer of the Ministry of Health authorised by the Director of Medical Services, so that the officer may carry out his duties under the Act;
- (b) the Attorney-General or a public officer authorised by the Attorney-General, so that he may carry out his duties in relation to any offence committed under any written law;
- (c) a police officer not below the rank of superintendent or any other police officer authorised by such police officer, for the purpose of investigating whether an offence has been committed under any written law;
- (d) a public officer authorised by the Minister under section 6 of the Act, for the purpose of investigating whether an offence has been committed under the Act;
- (e) a police officer, for the purpose of providing the police officer with information under sections 22 and 424 of the Criminal Procedure Code (Cap. 68);
- (f) a police officer or forensic pathologist appointed under the Coroners Act (Cap. 63A), for the purpose of investigating whether an offence has been committed under any written law;
- (g) any registered medical practitioner or other health staff, for the purpose of, or in relation to, carrying out any treatment or

care for, or counselling, the person who has undergone the treatment for sexual sterilization;

(h) such other person as may be ordered by a court.

(2) For the avoidance of doubt, except as provided in paragraph (1), no facts or information relating to any treatment for sexual sterilization shall be disclosed to any person for any purpose unless the person who has undergone such treatment has given his express consent to such disclosure.

(3) In paragraph (1)(g), “health staff” means any employee of a health institution —

(a) who is involved in the care and management of the person undergoing or who has undergone the treatment for sexual sterilization; and

(b) who requires access to facts and information relating to such treatment of that person in the course of the duties or employment of the employee.

Revocation

7. The Voluntary Sterilization Regulations (Rg 1) (referred to in these Regulations as the revoked Regulations) are revoked.

Saving and transitional provisions

8.—(1) Notwithstanding regulation 7 —

(a) any hospital, maternity home, clinic or other place approved as an approved institution immediately before 31st December 2012 shall be deemed to be a health institution for the purposes of these Regulations until such date as that approval would have expired under the revoked Regulations if they had not been revoked;

(b) any consent to treatment for sexual sterilization given under the revoked Regulations and in force immediately before 31st December 2012 shall be deemed to be a valid consent given under these Regulations; and

(c) any certificate issued or given under the revoked Regulations and in force immediately before 31st December 2012 shall be deemed to be a valid certificate issued or given under these Regulations.

(2) These Regulations shall not apply to any treatment for sexual sterilization started before 31st December 2012 and the revoked Regulations shall continue to apply to such treatment as if they had not been revoked.

Made this 26th day of November 2012.

TAN CHING YEE
*Permanent Secretary,
Ministry of Health,
Singapore.*

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