
First published in the *Government Gazette*, Electronic Edition, on 30 December 2021 at 7 pm.

No. S 1034

HEALTHCARE SERVICES ACT 2020 (ACT 3 OF 2020)

HEALTHCARE SERVICES (ADVERTISEMENT — EXEMPTION) ORDER 2021

ARRANGEMENT OF PARAGRAPHS

Paragraph

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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 (Advertisement — Exemption) Order 2021 and comes into operation on 3 January 2022.

Definitions

2. In this Order —

“Advertisement Regulations” means the Healthcare Services (Advertisement) Regulations 2021 (G.N. No. S 1033/2021);

“business name”, in relation to a licensee, means the name under which the licensee is authorised by a licence to carry on the business of providing a licensable healthcare service;

“contact information”, in relation to a licensee, means all or any combination of the following information:

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- (a) the business name and logo (if any) of the licensee;
 - (b) the location of the licensed premises or licensed conveyance of the licensee, including information on the directions to that location;
 - (c) the operating hours of the licensee;
 - (d) the telephone number or email address of the licensee or any individual employed or engaged by the licensee to assist the licensee in the provision of any licensable healthcare service.

Exempt advertisements

3.—(1) Subject to sub-paragraphs (2) and (3), the Advertisement Regulations do not apply to the following advertisements:

- (a) an advertisement the substantive content of which exclusively or substantially comprises factual information relating to —
 - (i) the donation of human blood for therapeutic transfusion to any individual other than the donor or an individual specified by the donor;
 - (ii) the removal of any organ of a human body specified in the First Schedule to the Human Organ Transplant Act 1987 from the body of a deceased person for the purpose of its transplantation into the body of a living person in accordance with Part 2 of that Act; or
 - (iii) a living donor organ transplant within the meaning given by section 2 of the Human Organ Transplant Act 1987, or the carrying out of a living donor organ transplant in accordance with Part 4A of that Act;
- (b) an advertisement, other than an advertisement mentioned in sub-paragraph (a), the substantive content of which exclusively or substantially comprises factual information about the donation of any part of the human body for any of the following purposes in accordance with any written law applicable to the donation:

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- (i) medical or dental education;
 - (ii) research;
 - (iii) advancement of medical or dental science;
 - (iv) treatment or therapy of, or transplantation to, any individual other than the donor of the part of the human body or an individual specified by the donor;
- (c) an advertisement the substantive content of which exclusively or substantially comprises factual information about or relating to any of the following healthcare services provided by a licensee, where the healthcare service is provided in relation to a programme that is funded (in whole or in part), initiated or endorsed by the Government or the Health Promotion Board:
- (i) a health screening service;
 - (ii) the administration of vaccinations against any disease;
- (d) an advertisement relating to a programme that is initiated by the Government in relation to a public scheme, where the advertisement comprises exclusively of information or materials provided, approved or endorsed by the Government.

(2) An advertisement mentioned in sub-paragraph (1) must not contain any misleading information or present any factual information that may be included in accordance with that sub-paragraph in a misleading manner.

(3) An advertisement mentioned in sub-paragraph (1) may include the contact information of the licensee who publishes the advertisement or causes the advertisement to be published, as the case may be.

Exempt directories

4.—(1) The Advertisement Regulations do not apply to a directory relating to one or more licensees, that satisfies the requirements in sub-paragraph (2).

(2) The requirements mentioned in sub-paragraph (1) are the following:

- (a) the listing relating to a licensee in a directory must contain only contact information about the licensee;
- (b) the directory must list all licensees —
 - (i) by name in alphabetical order; or
 - (ii) in numerical or other sequential order;
- (c) the directory must not give greater prominence to the listing relating to any licensee relative to the listing relating to any other licensee.

(3) In this paragraph, “directory” includes —

- (a) a list of the occupants of a building; or
- (b) a list of licensees published in any form or medium,

whether or not the list also includes any person who is not a licensee.

Exempt directional signs

5.—(1) The Advertisement Regulations do not apply to a directional sign that is affixed to, or displayed in a fixed location on or within, a building or structure, and which contains only any or any combination of the following information:

- (a) the contact information of a licensee;
- (b) factual information about any licensable healthcare service provided by the licensee;
- (c) any of the following information relating to any healthcare professional employed or engaged by the licensee:
 - (i) the healthcare professional’s name;
 - (ii) the healthcare professional’s professional qualifications;
 - (iii) the healthcare professional’s professional title;

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- (iv) the healthcare professional's title or designation in relation to the licensable healthcare service provided by the licensee.

(2) In sub-paragraph (1) —

“healthcare professional” means —

- (a) an allied health professional who is registered under the Allied Health Professions Act 2011 and holds a valid practising certificate under that Act;
- (b) a dentist or an oral health therapist who is registered under the Dental Registration Act 1999 and holds a valid practising certificate under that Act;
- (c) a medical practitioner who is registered under the Medical Registration Act 1997 and holds a valid practising certificate under that Act;
- (d) a person who is a registered nurse, a registered midwife or an enrolled nurse under the Nurses and Midwives Act 1999 and holds a valid practising certificate under that Act;
- (e) an optometrist or optician who is registered under the Optometrists and Opticians Act 2007 and holds a valid practising certificate under that Act;
- (f) a pharmacist who is registered under the Pharmacists Registration Act 2007 and holds a valid practising certificate under that Act; or
- (g) a traditional Chinese medicine practitioner who is registered under the Traditional Chinese Medicine Practitioners Act 2000 and holds a valid practising certificate under that Act;

“professional qualification”, in relation to a healthcare professional, means a qualification that, in accordance with the Act under which the healthcare professional is registered or enrolled —

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- (a) is registered against or in relation to the healthcare professional's registration or enrolment under that Act; or
 - (b) the healthcare professional is permitted, approved or required to use under that Act;

“professional title”, in relation to a healthcare professional, means a name, a title, an addition or a description —

- (a) stating or implying that the healthcare professional —
 - (i) is registered or enrolled under the Act under which the healthcare professional is registered or enrolled; or
 - (ii) holds any qualification, or is qualified, to practise any healthcare profession; or
- (b) that the healthcare professional is permitted, approved or required to use under the Act under which the healthcare professional is registered or enrolled.

Made on 24 December 2021.

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

[MH 78:44/1; AG/LEGIS/SL/122E/2020/21 Vol. 1]