

Health Sciences Authority (Amendment) and Other Matters Bill

Bill No. 17/2026.

Read the first time on 4 August 2026.

A BILL

i n t i t u l e d

An Act to amend the Health Sciences Authority Act 2001, the Biological Agents and Toxins Act 2005, the Human Biomedical Research Act 2015 and the Healthcare Services Act 2020, and to make related and miscellaneous amendments to certain other Acts.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act is the Health Sciences Authority (Amendment) and Other Matters Act 2026 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

PART 1

AMENDMENT OF HEALTH SCIENCES AUTHORITY ACT 2001

Amendment of section 2

2. In the Health Sciences Authority Act 2001 (called in this Part the HSA Act), in section 2, after the definition of “Chief Executive”, insert —

““healthcare profession regulatory Act” means any of the following Acts:

- (a) the Allied Health Professions Act 2011;
- (b) the Dental Registration Act 1999;
- (c) the Medical Registration Act 1997;
- (d) the Nurses and Midwives Act 1999;
- (e) the Optometrists and Opticians Act 2007;
- (f) the Pharmacists Registration Act 2007;
- (g) the Traditional Chinese Medicine Practitioners Act 2000;”.

Amendment of section 5

3. In the HSA Act, in section 5, replace subsection (1) with —

“(1) The Authority consists of at least 7 members, all of whom must be appointed by the Minister.”.

New section 5A

4. In the HSA Act, after section 5, insert —

“Chairperson and Deputy Chairperson

5A.—(1) The Minister may, by instrument in writing, appoint —

- (a) a member (other than the Chief Executive) to be the Chairperson of the Authority; and 5
- (b) one or more members (other than the Chairperson) to be a Deputy Chairperson or Deputy Chairpersons of the Authority.

(2) The Chairperson or a Deputy Chairperson holds office until whichever of the following first happens: 10

- (a) his or her term of office as Chairperson or Deputy Chairperson (as the case may be) expires;
- (b) he or she ceases to hold office as a member of the Authority;
- (c) the Minister revokes his or her appointment as Chairperson or Deputy Chairperson, as the case may be. 15

(3) A Deputy Chairperson may, subject to any direction given by the Chairperson, exercise any power or perform any function conferred on the Chairperson by or under this Act.”. 20

Amendment of section 9

5. In the HSA Act, in section 9, replace subsection (1) with —

“(1) The quorum for a meeting of the Authority is the higher of the following:

- (a) one-third of the number of members; 25
- (b) 3 members.

(1A) No business may be transacted at a meeting of the Authority if a quorum is not present.”.

Amendment of section 11

6. In the HSA Act, in section 11 —

(a) in subsection (1), after paragraph (a), insert —

“(aa) to regulate the conduct of human biomedical research and human tissue activities;

(ab) to regulate the possession, use, import, transshipment, transfer and transportation of biological agents, inactivated biological agents and toxins;

(ac) to assist the Minister or Director-General of Health (as the case may be) in relation to the administration or enforcement of the Acts specified in the First Schedule;”;

(b) in subsection (1)(f), delete “and” at the end;

(c) in subsection (1), after paragraph (f), insert —

“(fa) to provide administrative services to any body (whether corporate or unincorporate) responsible for the regulation of persons under a healthcare profession regulatory Act; and”;

(d) after subsection (2), insert —

“(2A) In addition to the functions conferred by this section, the Authority may undertake such other functions as the Minister may assign to the Authority, by notification in the *Gazette*, and in so undertaking —

(a) the Authority is deemed to be fulfilling the purposes of this Act; and

(b) the provisions of this Act apply to the Authority in respect of those other functions.”.

Amendment of section 12

7. In the HSA Act, in section 12 —

- (a) in paragraph (f), after “commissions for”, insert “goods provided,”;
- (b) in paragraph (f), replace “by” with “or work performed by or on behalf of”;
- (c) in paragraph (f), replace “its” with “the Authority’s”; and
- (d) after paragraph (f), insert —

“(fa) waive the payment of fees and charges payable to the Authority;”.

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Amendment of Part 6 heading

8. In the HSA Act, in Part 6, in the Part heading, after “EMPLOYEES”, insert “ON 1 APRIL 2001”.

New Part 6A

9. In the HSA Act, after Part 6, insert —

“PART 6A

TRANSFER OF PROPERTY, ASSETS, LIABILITIES
AND EMPLOYEES IN RELATION TO
TRANSFERRING MOH FUNCTIONS

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Interpretation of this Part

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36A. In this Part —

“agreement” includes an arrangement or undertaking;

“asset”, in relation to the transferor, means property of any kind (whether tangible or intangible, whether arising from, accruing under, created or evidenced by or the subject of an instrument or otherwise, and whether actual or contingent) of the transferor on the eve of the first transfer date and includes, without limitation, any —

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(a) legal or equitable interest in real or personal property, whether situated in or outside Singapore;

(b) chose in action;

(c) money or securities;

(d) plant and equipment, whether situated in or outside Singapore;

(e) intellectual property;

(f) infrastructure, whether situated in or outside Singapore;

(g) records and information (including data) in any form; and

(h) right;

“first transfer date” means the date of commencement of section 9 of the Health Sciences Authority (Amendment) and Other Matters Act 2026;

“liability”, in relation to the transferor, means any liability, duty or obligation (whether actual or contingent, liquidated or unliquidated, and whether owed alone or jointly, or jointly and severally, with any other person) of the transferor on the eve of the first transfer date;

“records”, in relation to the transferor, means registers, papers, documents, minutes, receipts, books of account and other records, however compiled, recorded or stored, of the transferor existing on the eve of the first transfer date;

“right”, in relation to the transferor, means any right, power, privilege or immunity of the transferor on the eve of the first transfer date;

“transferor” means the Government;

“transferring MOH employee” means an employee of the Government who, on the eve of the first transfer date, is

in any of the departments of the Ministry of Health as specified in the Third Schedule;

“transferring MOH functions” means the functions discharged by any of the departments of the Ministry of Health as specified in the Third Schedule on the eve of the first transfer date.

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Transfer of undertakings to Authority

36B.—(1) On the first transfer date, all assets and liabilities of the Government that relate solely to the transferring MOH functions are transferred to the Authority.

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(2) A certificate signed by the Minister certifying whether an asset or a liability specified in the certificate has been transferred to the Authority under subsection (1) is admissible in evidence in any proceedings as proof of the matters stated in the certificate.

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(3) When any asset or liability of the transferor is transferred to the Authority under subsection (1), the following provisions have effect:

(a) the asset vests in the Authority without the need for any further conveyance, transfer, assignment or assurance;

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(b) the liability becomes the liability of the Authority;

(c) all legal or other proceedings relating to that asset or liability that are pending immediately before the first transfer date by or against the transferor (or a predecessor of the transferor) are taken to be proceedings pending by or against the Authority;

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(d) any legal or other proceedings relating to that asset or liability which could have been started immediately before the first transfer date by or against the transferor (or a predecessor of the transferor) may be started by or against the Authority;

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(e) a judgment or an order of a court or other tribunal obtained before the first transfer date by or against the

transferor (or a predecessor of the transferor) relating to that asset or liability becomes enforceable by or against the Authority;

5 (f) any document in any legal or other proceedings relating to that asset or liability that has been served on or by the transferor (or a predecessor of the transferor) before the first transfer date is taken, where appropriate, to have been served on or by the Authority;

10 (g) any act, matter or thing done or omitted to be done before the first transfer date in relation to that asset or liability by, to or in respect of the transferor (or a predecessor of the transferor) is (to the extent to which that act, matter or thing has any force or effect)
15 taken to have been done or omitted to be done by, to or in respect of the Authority;

(h) a reference to the transferor (or a predecessor of the transferor) in any Act, any instrument made under any Act, any agreement or any document of any kind is
20 taken to be or includes (to the extent to which the reference relates to that asset or liability) a reference to the Authority;

(i) any agreement relating to that asset or liability and to which the transferor (or a predecessor of the transferor) is a party becomes enforceable by or
25 against the Authority.

(4) The operation of this section does not —

(a) constitute a breach of, or default under, any Act or other law, or any agreement, or otherwise a civil
30 wrong or criminal wrong;

(b) constitute a breach of any duty of confidence (whether arising by contract, in equity, by custom, or in any other way);

(c) constitute a breach of any contractual provision prohibiting, restricting or regulating the assignment
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or transfer of assets or liabilities or the disclosure of any information;

- (d) terminate an agreement or obligation, or fulfil any condition that allows a person to terminate or otherwise releases a person from any agreement or obligation, or give rise to any right or remedy in respect of any agreement or obligation; 5
- (e) cause any contract or other instrument to be void or otherwise unenforceable;
- (f) frustrate any contract; 10
- (g) release a surety or other obligor or obligee wholly or in part from an obligation; or
- (h) constitute an event of breach of, or default under, any contract or other instrument.

(5) No attornment to the Authority by a lessee of the transferor is required. 15

Transfer of employees and secondees to Authority

36C.—(1) On the first transfer date, every transferring MOH employee —

- (a) stops being an employee of the Government; and 20
- (b) is each transferred to the service, and becomes an employee, of the Authority on terms no less favourable than those enjoyed by the employee on the eve of the first transfer date.

(2) A certificate signed by the Minister certifying whether an individual named in the certificate has been transferred to the service of the Authority under subsection (1) is admissible in evidence in any proceedings as proof of the matters stated in the certificate. 25

(3) The transfer under subsection (1) of a transferring MOH employee to the service of the Authority — 30

(a) does not interrupt continuity of that employee's service;

(b) does not constitute a retrenchment or redundancy of that employee's employment by the Government; and

(c) does not entitle that employee to any compensation or other payment or benefit merely because he or she stops being employed by the Government.

(4) Nothing in this section prevents —

(a) any of the terms and conditions of employment of an individual transferred to the service of the Authority under subsection (1) from being altered by or under any law, award or agreement with effect from any time after the first transfer date; and

(b) an individual transferred to the service of the Authority under subsection (1) from resigning from that service any time after the first transfer date, in accordance with the terms and conditions of his or her employment then applicable.

(5) To avoid doubt, section 18A of the Employment Act 1968 does not apply to the transfer under this Part of any transferring MOH employee to the service of the Authority.

(6) On the first transfer date, every public officer seconded to any of the departments of the Ministry of Health as specified in the Third Schedule under an arrangement made by the Government that is in force on the eve of the first transfer date, continues on secondment to the Authority.

(7) On the first transfer date, every employee of a public body seconded to any of the departments of the Ministry of Health as specified in the Third Schedule under an agreement or arrangement between the transferor and that public body that is in force on the eve of the first transfer date, continues on secondment to the Authority.

General preservation of employment terms, etc.

36D.—(1) When a transferring MOH employee is transferred to the service of the Authority under section 36C(1) (called in this section a transferred employee), the transferred employee's service with the Authority must be regarded for all purposes as having been continuous with his or her service with the transferor immediately before the first transfer date.

(2) On the first transfer date —

(a) a transferred employee retains all accrued rights as if his or her employment with the Authority were a continuation of employment with the transferor;

(b) the liabilities of the transferor relating to the transferred employee's accrued rights to annual, sick, maternity or other leave and superannuation become the liabilities of the Authority; and

(c) a reference to the transferor in the contract of employment that had effect in relation to the transferred employee immediately before the first transfer date is taken to be, or includes, a reference to the Authority.

(3) Until the time the Authority draws up the terms and conditions of employment for the transferred employee, the Authority is to be regarded as employing the transferred employee on the same terms and conditions of his or her employment with the transferor on the eve of the first transfer date.

(4) Any term or condition of employment drawn up by the Authority relating to the length of service of the transferred employee with the Authority must recognise the length of service of that employee with the transferor (including any previous service of that employee taken to be service with the transferor) to be service with the Authority.

(5) For any conduct of the transferred employee when he or she was employed by the transferor which would have rendered

that employee liable to be reprimanded, reduced in rank, retired, dismissed or punished by the transferor, the Authority may —

(a) start any disciplinary proceedings against that employee;

(b) carry on and complete any disciplinary proceedings started by the transferor against that employee if those proceedings are pending on the eve of the first transfer date; and

(c) reprimand, reduce in rank, retire, dismiss or otherwise punish that employee as if that employee were not transferred.

(6) Where, on the eve of the first transfer date, any matter about the conduct of the transferred employee during his or her employment with the transferor concerned —

(a) was in the course of being heard or investigated by a committee of the transferor acting under due authority; or

(b) had been heard or investigated, but no order, ruling or direction had been made, by that committee,

that committee must complete the hearing or investigation and make such order, ruling or direction as it could have made under the authority vested in it before that date, and that order, ruling or direction is to be regarded as an order, ruling or direction of the Authority.

Transfer of records

36E. On the first transfer date, every record, or part of any record, of the transferor that relates to the following becomes the record of the Authority:

(a) any asset or liability transferred to the Authority under section 36B(1);

(b) any transferring MOH employee.”.

New Part 6B

10. In the HSA Act, before Part 7, insert —

“PART 6B

TRANSFER OF PROPERTY, ASSETS, LIABILITIES AND EMPLOYEES IN RELATION TO TRANSFERRING ADMINISTRATIVE SERVICES FUNCTION

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Interpretation of this Part

36F. In this Part —

“agreement” includes an arrangement or undertaking;

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“asset”, in relation to the transferor, means property of any kind (whether tangible or intangible, whether arising from, accruing under, created or evidenced by or the subject of an instrument or otherwise, and whether actual or contingent) of the transferor on the eve of the second transfer date and includes, without limitation, any —

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(a) legal or equitable interest in real or personal property, whether situated in or outside Singapore;

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(b) chose in action;

(c) money or securities;

(d) plant and equipment, whether situated in or outside Singapore;

(e) intellectual property;

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(f) infrastructure, whether situated in or outside Singapore;

(g) records and information (including data) in any form; and

(h) right;

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“liability”, in relation to the transferor, means any liability, duty or obligation (whether actual or contingent,

liquidated or unliquidated, and whether owed alone or jointly, or jointly and severally, with any other person) of the transferor on the eve of the second transfer date;

“records”, in relation to the transferor, means registers, papers, documents, minutes, receipts, books of account and other records, however compiled, recorded or stored, of the transferor existing on the eve of the second transfer date;

“right”, in relation to the transferor, means any right, power, privilege or immunity of the transferor on the eve of the second transfer date;

“second transfer date” means the date of commencement of section 10 of the Health Sciences Authority (Amendment) and Other Matters Act 2026;

“transferor” means —

(a) in relation to any asset, liability, employee or department of the Government — the Government; and

(b) in relation to any asset, liability, employee or department of the Singapore Medical Council — the Singapore Medical Council mentioned in section 3 of the Medical Registration Act 1997;

“transferring employee” means an employee of the Government or the Singapore Medical Council who, on the eve of the second transfer date, is in any of the departments of the Ministry of Health or the Singapore Medical Council (as the case may be) as specified in the Fourth Schedule;

“transferring functions” means —

(a) the function of providing administrative services to any body (whether corporate or unincorporate) responsible for the regulation of persons under a healthcare profession regulatory

Act, discharged by the department of the Singapore Medical Council as specified in the Fourth Schedule on the eve of the second transfer date; and

- (b) any ancillary administrative support services provided by any of the departments of the Ministry of Health as specified in the Fourth Schedule on the eve of the second transfer date to the department of the Singapore Medical Council specified in the Fourth Schedule. 5 10

Transfer of undertakings to Authority

36G.—(1) On the second transfer date, all assets and liabilities of the Government and the Singapore Medical Council that relate solely to the transferring functions are transferred to the Authority. 15

(2) A certificate signed by the Minister certifying whether an asset or a liability specified in the certificate has been transferred to the Authority under subsection (1) is admissible in evidence in any proceedings as proof of the matters stated in the certificate. 20

(3) When any asset or liability of the transferor is transferred to the Authority under subsection (1), the following provisions have effect:

- (a) the asset vests in the Authority without the need for any further conveyance, transfer, assignment or assurance; 25
- (b) the liability becomes the liability of the Authority;
- (c) all legal or other proceedings relating to that asset or liability that are pending immediately before the second transfer date by or against the transferor (or a predecessor of the transferor) are taken to be proceedings pending by or against the Authority; 30

- (d) any legal or other proceedings relating to that asset or liability which could have been started immediately before the second transfer date by or against the transferor (or a predecessor of the transferor) may be started by or against the Authority;
- (e) a judgment or an order of a court or other tribunal obtained before the second transfer date by or against the transferor (or a predecessor of the transferor) relating to that asset or liability becomes enforceable by or against the Authority;
- (f) any document in any legal or other proceedings relating to that asset or liability that has been served on or by the transferor (or a predecessor of the transferor) before the second transfer date is taken, where appropriate, to have been served on or by the Authority;
- (g) any act, matter or thing done or omitted to be done before the second transfer date in relation to that asset or liability by, to or in respect of the transferor (or a predecessor of the transferor) is (to the extent to which that act, matter or thing has any force or effect) taken to have been done or omitted to be done by, to or in respect of the Authority;
- (h) a reference to the transferor (or a predecessor of the transferor) in any Act, any instrument made under any Act, any agreement or any document of any kind is taken to be or includes (to the extent to which the reference relates to that asset or liability) a reference to the Authority;
- (i) any agreement relating to that asset or liability and to which the transferor (or a predecessor of the transferor) is a party becomes enforceable by or against the Authority.

(4) The operation of this section does not —

- (a) constitute a breach of, or default under, any Act or other law, or any agreement, or otherwise a civil wrong or criminal wrong;
- (b) constitute a breach of any duty of confidence (whether arising by contract, in equity, by custom, or in any other way); 5
- (c) constitute a breach of any contractual provision prohibiting, restricting or regulating the assignment or transfer of assets or liabilities or the disclosure of any information; 10
- (d) terminate an agreement or obligation, or fulfil any condition that allows a person to terminate or otherwise releases a person from any agreement or obligation, or give rise to any right or remedy in respect of any agreement or obligation; 15
- (e) cause any contract or other instrument to be void or otherwise unenforceable;
- (f) frustrate any contract;
- (g) release a surety or other obligor or obligee wholly or in part from an obligation; or 20
- (h) constitute an event of breach of, or default under, any contract or other instrument.

(5) No attornment to the Authority by a lessee of the transferor is required. 25

Transfer of employees and secondees to Authority

36H.—(1) On the second transfer date, every transferring employee —

- (a) stops being an employee of the Government or the Singapore Medical Council, as the case may be; and 30
- (b) is each transferred to the service, and becomes an employee, of the Authority on terms no less

favourable than those enjoyed by the employee on the eve of the second transfer date.

(2) A certificate signed by the Minister certifying whether an individual named in the certificate has been transferred to the service of the Authority under subsection (1) is admissible in evidence in any proceedings as proof of the matters stated in the certificate.

(3) The transfer under subsection (1) of a transferring employee to the service of the Authority —

(a) does not interrupt continuity of that employee's service;

(b) does not constitute a retrenchment or redundancy of that employee's employment by the Government or the Singapore Medical Council, as the case may be; and

(c) does not entitle that employee to any compensation or other payment or benefit merely because he or she stops being employed by the Government or the Singapore Medical Council, as the case may be.

(4) Nothing in this section prevents —

(a) any of the terms and conditions of employment of an individual transferred to the service of the Authority under subsection (1) from being altered by or under any law, award or agreement with effect from any time after the second transfer date; and

(b) an individual transferred to the service of the Authority under subsection (1) from resigning from that service any time after the second transfer date, in accordance with the terms and conditions of his or her employment then applicable.

(5) To avoid doubt, section 18A of the Employment Act 1968 does not apply to the transfer under this Part of any transferring employee to the service of the Authority.

(6) On the second transfer date, every public officer seconded to any of the departments of the Ministry of Health as specified in the Fourth Schedule under an arrangement made by the Government that is in force on the eve of the second transfer date, continues on secondment to the Authority.

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(7) On the second transfer date, every public officer seconded to the department of the Singapore Medical Council as specified in the Fourth Schedule under an agreement or arrangement between the Government and the Singapore Medical Council that is in force on the eve of the second transfer date, continues on secondment to the Authority.

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(8) On the second transfer date, every employee of a public body seconded to any of the departments of the transferor as specified in the Fourth Schedule under an agreement or arrangement between the transferor and that public body that is in force on the eve of the second transfer date, continues on secondment to the Authority.

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General preservation of employment terms, etc.

36I.—(1) When a transferring employee is transferred to the service of the Authority under section 36H(1) (called in this section a transferred employee), the transferred employee's service with the Authority must be regarded for all purposes as having been continuous with his or her service with the transferor immediately before the second transfer date.

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(2) On the second transfer date —

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(a) a transferred employee retains all accrued rights as if his or her employment with the Authority were a continuation of employment with the transferor;

(b) the liabilities of the transferor relating to the transferred employee's accrued rights to annual, sick, maternity or other leave and superannuation become the liabilities of the Authority; and

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(c) a reference to the transferor in the contract of employment that had effect in relation to the

transferred employee immediately before the second transfer date is taken to be, or includes, a reference to the Authority.

5 (3) Until the time the Authority draws up the terms and conditions of employment for the transferred employee, the Authority is to be regarded as employing the transferred employee on the same terms and conditions of his or her employment with the transferor on the eve of the second transfer date.

10 (4) Any term or condition of employment drawn up by the Authority relating to the length of service of the transferred employee with the Authority must recognise the length of service of that employee with the transferor (including any previous service of that employee taken to be service with the transferor) to be service with the Authority.

15 (5) For any conduct of the transferred employee when he or she was employed by the transferor which would have rendered that employee liable to be reprimanded, reduced in rank, retired, dismissed or punished by the transferor, the Authority may —

20 (a) start any disciplinary proceedings against that employee;

25 (b) carry on and complete any disciplinary proceedings started by the transferor against that employee if those proceedings are pending on the eve of the second transfer date; and

(c) reprimand, reduce in rank, retire, dismiss or otherwise punish that employee as if that employee were not transferred.

30 (6) Where, on the eve of the second transfer date, any matter about the conduct of the transferred employee during his or her employment with the transferor concerned —

(a) was in the course of being heard or investigated by a committee of the transferor acting under due authority; or

- (b) had been heard or investigated, but no order, ruling or direction had been made, by that committee,

that committee must complete the hearing or investigation and make such order, ruling or direction as it could have made under the authority vested in it before that date, and that order, ruling or direction is to be regarded as an order, ruling or direction of the Authority.

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Transfer of records

36J. On the second transfer date, every record, or part of any record, of the transferor that relates to the following becomes the record of the Authority:

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- (a) any asset or liability transferred to the Authority under section 36G(1);
- (b) any transferring employee.”.

New section 40A

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- 11.** In the HSA Act, after section 40, insert —

“Amendment of First Schedule

40A.—(1) The Minister may, by order in the *Gazette*, amend the First Schedule.

(2) The Minister may, in an order under subsection (1), make provisions of a saving or transitional nature consequent on the enactment of the order that the Minister may consider necessary or expedient.”.

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Amendment of section 42

12.—(1) In the HSA Act, in section 42, after “specified in the”, insert “Second or Third”.

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(2) In the HSA Act, in section 42, replace “or Third” with “, Third or Fourth”.

New First Schedule

- 13.** In the HSA Act, after section 42, insert —

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“FIRST SCHEDULE

Sections 11(1)(ac) and 40A(1)

SPECIFIED ACTS

1. CareShield Life and Long-Term Care Act 2019
2. Geneva Conventions Act 1973
3. Healthcare Services Act 2020
4. Human Cloning and Other Prohibited Practices Act 2004
5. Human Organ Transplant Act 1987
6. Infectious Diseases Act 1976
7. Medical and Elderly Care Endowment Schemes Act 2000
8. MediShield Life Scheme Act 2015
9. National Registry of Diseases Act 2007
10. Termination of Pregnancy Act 1974
11. Voluntary Sterilisation Act 1974”.

Renaming of Schedule

- 14.** In the HSA Act, rename the Schedule as the Second Schedule.

New Third Schedule

- 15.** In the HSA Act, after the Second Schedule (as renamed by section 14), insert —

“THIRD SCHEDULE

Sections 36A, 36C(6) and (7) and 42

TRANSFERRING DEPARTMENTS OF MINISTRY OF HEALTH

1. Regulatory Compliance Division
2. Regulatory Transformation Division
3. Surveillance and Enforcement Division”.

New Fourth Schedule

- 16.** In the HSA Act, after the Third Schedule (as inserted by section 15), insert —

“FOURTH SCHEDULE

Sections 36F, 36H(6), (7) and (8)
and 42

TRANSFERRING DEPARTMENTS OF MINISTRY OF HEALTH

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1. Finance Shared Services
2. Human Resource Shared Services

TRANSFERRING DEPARTMENT OF SINGAPORE MEDICAL COUNCIL

1. Secretariat of healthcare Professional Boards”.

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Miscellaneous amendments

17. In the HSA Act, in the following provisions, replace “Schedule” with “Second Schedule”:

Section 30(1)

Section 31(1)

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Section 34

Section 35(4).

PART 2

AMENDMENT OF BIOLOGICAL AGENTS AND TOXINS ACT 2005

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Amendment of section 2

18. In the Biological Agents and Toxins Act 2005 (called in this Part the BAT Act), in section 2 —

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

““Authority” means the Health Sciences Authority established under section 3 of the Health Sciences Authority Act 2001;” and

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(b) after the definition of “certified facility”, insert —

““Chief Executive” means the Chief Executive of the Authority appointed under section 15 of the Health Sciences Authority Act 2001, and includes any individual acting in that capacity;”.

5 **Amendment of section 6**

19. In the BAT Act, in section 6, replace subsection (3) with —

“**(3)** Despite subsection (2)(a), the Chief Executive may, after consulting the Director-General, grant an approval to possess a First Schedule biological agent to the operator of an uncertified facility if the Chief Executive is satisfied that any activity involving the use of the First Schedule biological agent will be carried out at the facility in a safe and proper manner.”.

New section 59A

20. In the BAT Act, after section 59, insert —

15 **“Fees, charges, etc., collected by Chief Executive**

59A. Subject to section 59(3), all fees, charges and other moneys recovered or collected by the Chief Executive under this Act must be paid to the Authority.”.

New section 61A

20 **21.** In the BAT Act, after section 61, insert —

“Protection from personal liability

61A. No liability shall lie personally against the Chief Executive, any enforcement officer or any other person authorised by or acting under the direction of the Chief Executive who, acting in good faith and with reasonable care, does or omits to do anything in the execution or purported execution of this Act.”.

Miscellaneous amendments

22.—(1) In the BAT Act, in the following provisions, replace “Director-General” wherever it appears with “Chief Executive”:

Section 2 (definitions of “approval”, “enforcement officer” and “permit”)

Section 3(1) to (5)

Section 6(6) and (7)

Section 7(3)(b) and (4)

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Section 9(1)

Section 10(3)(b) and (4)

Section 12(1)(a) and (2)

Section 14(2)

Section 15(5) and (6)

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Section 16(2)(b) and (3)

Section 18(1)

Section 19(3)(b) and (4)

Section 21(1)(a) and (2)

Section 23(1)(a), (2) and (3)

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Section 25(1)

Section 27(3) and (4)

Section 28(1), (2) and (3)

Section 31(4)(b) and (5)

Section 33(1)

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Section 34(3)(b) and (4)

Section 36(1)(a) and (2)

Section 39(2)

Section 41(g)

Section 44(c)

25

Section 45(1)(b) and (2)

Section 47(3) and (4)

Section 50(1) to (5) and (7) to (10)

Section 51(4), (6) and (7)

Section 52(1) and (2)(a) and (b)

Section 53(1) to (5)

5 Section 54(1) and (2)

Section 55(1)

Section 59(1)

Section 60(1)(a), (b) and (c) and (3)

Section 63(2)(d) and (3)(a).

10 (2) In the BAT Act, in the following provisions, replace
“Director-General” with “Chief Executive, after consulting the
Director-General”:

Section 6(1)

Section 7(1)(a)

15 Section 8(1) and (2)

Section 14(1)

Section 15(1)

Section 17(1) and (2)

Section 31(1)

20 Section 32(1) and (2).

(3) In the BAT Act, in section 50(5), replace “Director-General’s”
with “Chief Executive’s”.

(4) In the BAT Act, in section 51(8), replace “Director-General”
with “Chief Executive, after consulting the Director-General,”.

PART 3
AMENDMENT OF
HUMAN BIOMEDICAL RESEARCH ACT 2015

Amendment of section 2

23. In the Human Biomedical Research Act 2015 (called in this Part the HBR Act), in section 2 — 5

(a) replace the definition of “authorised officer” with —

““authorised officer” means an individual who is appointed as such under section 4(2)(a);

“Authority” means the Health Sciences Authority established under section 3 of the Health Sciences Authority Act 2001; 10

“auxiliary authorised officer” means an individual who is appointed as such under section 4(2)(b);”;

(b) after the definition of “biomedical research”, insert — 15

““Chief Executive” means the Chief Executive of the Authority appointed under section 15 of the Health Sciences Authority Act 2001, and includes any individual acting in that capacity;”;

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(c) after the definition of “prohibited human biomedical research”, insert —

““public authority” means a body established or constituted by or under a public Act to perform or discharge a public function, but does not include a Town Council established under section 4 of the Town Councils Act 1988;”.

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Amendment of section 4

24. In the HBR Act, in section 4 —

(a) replace subsection (2) with —

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“(2) The Chief Executive may —

(a) appoint a public officer or an officer of a public authority to be an authorised officer to exercise the powers conferred on authorised officers under Part 8; and

(b) appoint a public officer, an officer of a public authority or any suitably qualified individual to be an auxiliary authorised officer to exercise the powers conferred on auxiliary authorised officers under Part 8.”;

(b) in subsections (3) and (4), after “Every authorised officer”, insert “or auxiliary authorised officer”;

(c) in subsections (3) and (4), after “the authorised officer”, insert “or auxiliary authorised officer”;

(d) in subsection (5), after “authorised officer”, insert “or any auxiliary authorised officer who is a public officer or an officer of a public authority”; and

(e) replace subsections (6) and (7) with —

“(6) The Chief Executive may appoint, subject to any restrictions specified in the appointment, a suitably qualified individual who is neither a public officer nor an officer of a public authority to assist the Chief Executive in the administration of this Act.

(7) Every authorised officer, auxiliary authorised officer or individual appointed under subsection (6), who is not otherwise a public servant under section 21 of the Penal Code 1871, is taken to be one for the purposes of that Code.”.

Amendment of section 31

25. In the HBR Act, in section 31(2)(b), replace “or a public officer authorised by the Minister” with “, a public officer authorised by the Minister or an officer of a public authority authorised by the Minister”.

Replacement of section 45 and new sections 45A and 45B

26. In the HBR Act, replace section 45 with —

“Powers of authorised officers

45.—(1) An authorised officer may, at any time and without warrant, enter, inspect and search any premises or conveyance, and the facilities in the premises or conveyance, that are being used, or that the authorised officer has reasonable cause to believe are being used, for the conduct of any human biomedical research or tissue banking activity, for the purpose of —

(a) investigating whether any provision of this Act has been or is being contravened;

(b) investigating any complaint or matter in respect of which the Chief Executive may take action under section 42;

(c) assessing whether the practices and procedures of a research institution, a researcher or an institutional review board in relation to any human biomedical research are in compliance with this Act, the regulations made under this Act and any applicable code issued under section 40; and

(d) assessing whether the practices and procedures of a tissue bank in relation to any tissue banking activity are in compliance with this Act, the regulations made under this Act and any applicable code issued under section 40.

(2) For the purposes of subsection (1), an authorised officer may —

(a) inspect and make copies of or take extracts from, or require the occupier or any person having the management or control of, the premises or conveyance to provide copies of or extracts from, any book, document, record or electronic material;

(b) inspect and make copies of or take extracts from, or require the occupier or any person having the

management or control of, the premises or conveyance to provide copies of or extracts from, any medical record of any person who has been or who is being treated or examined at the premises or conveyance, even though the prior consent of such person has not been obtained;

(c) inspect any apparatus, appliance, equipment or instrument used or found in the premises or conveyance;

(d) inspect any test or procedure relating to any human biomedical research that has been or is being conducted in the premises or conveyance;

(e) inspect, test, examine, remove and detain any biological material or organism or any product of human biomedical research found in the premises or conveyance;

(f) inspect, test, examine and remove any container, article and other thing that the authorised officer reasonably believes to contain or to have contained any biological material or organism or any product of human biomedical research that has been or is being conducted in the premises or conveyance;

(g) make a still or moving image or recording of the premises or conveyance and any individual, activity or thing in or on the premises or conveyance;

(h) take into or onto the premises or conveyance any equipment and material that the authorised officer requires for the purpose of exercising any power under this Act in relation to the premises or conveyance; and

(i) operate electronic equipment in or on the premises or conveyance.

(3) The power under subsection (2)(i) to operate electronic equipment in or on any premises or conveyance includes the power —

- (a) to use a disk, tape or other storage device that is in or on the premises or conveyance and can be used with the equipment or in association with the equipment;
- (b) to operate electronic equipment in or on the premises or conveyance to put the relevant data in documentary form and remove the documents so produced from the premises or conveyance; and 5
- (c) to operate electronic equipment in or on the premises or conveyance to transfer the relevant data to a disk, tape or other storage device that — 10
 - (i) is brought to the premises or conveyance for the exercise of the power; or
 - (ii) is in or on the premises or conveyance and the use of which for that purpose has been agreed in writing by the occupier or any person having the management or control of, the premises or conveyance, 15

and to remove the disk, tape or other storage device from those premises or that conveyance.

(4) In the exercise of the powers and duties under this section, an authorised officer may be accompanied and assisted by an individual appointed by the Chief Executive under section 4(6) for the purposes of facilitating the exercise of such powers and duties. 20

(5) An authorised officer may seize from any premises or conveyance — 25

- (a) any biological material or organism or any product of human biomedical research; or
- (b) any book, document, record, apparatus, appliance, equipment or instrument, 30

which the authorised officer reasonably believes to be the subject matter of an offence under this Act or a contravention of or non-compliance with a provision under this Act, or to be

connected with the commission of such an offence, contravention or non-compliance.

(6) Where any thing has been seized under subsection (5) —

5 (a) the authorised officer who seized the thing must give written notice of the seizure to the person from whom it was seized, if the name and address of that person are known;

10 (b) the thing may be kept or stored in the premises or conveyance where it was seized or may, at the authorised officer's direction, be removed to any other place to be kept or stored; and

 (c) the authorised officer may —

15 (i) mark, seal or label the thing in such manner as the officer thinks fit for the purpose of indicating that it is under detention; and

 (ii) lock or seal the whole or part of the premises, place or conveyance in which the thing is being detained.

20 (7) Any person who, without the authorised officer's permission —

 (a) interferes or tampers with, removes or otherwise disposes of the thing;

25 (b) alters, counterfeits, defaces, destroys, erases or removes any mark, seal or label placed by the authorised officer under subsection (6)(c)(i); or

 (c) opens, breaks or otherwise tampers with the lock or seal placed by the authorised officer on the whole or part of any premises, place or conveyance under subsection (6)(c)(ii),

30 shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 2 years or to both.

(8) Any individual who is present in any premises or conveyance mentioned in subsection (1) must render all necessary assistance and cooperation to the authorised officer as are necessary for an entry, inspection, investigation or otherwise for the exercise of his or her powers under this Act in relation to those premises or conveyance. 5

(9) An authorised officer may —

(a) require any person —

(i) to provide any information within his or her knowledge; or 10

(ii) to produce any thing within his or her possession for inspection by the authorised officer and make copies of, or to provide the authorised officer with copies of, the thing;

(b) examine orally any person supposed to be acquainted with the facts and circumstances of any serious adverse event, contravention or suspected contravention, or related safety issues with respect to any matter under this Act, and must — 15

(i) reduce to writing any statement made by the person so examined; 20

(ii) read the statement over to the person so examined; and

(iii) require the person so examined to sign the statement, after correction, if any; and 25

(c) require, by written order, the attendance before the authorised officer of any person, being within the limits of Singapore, who, from information given or otherwise, appears to be acquainted with the facts and circumstances of matters under this Act, and that person must attend as so required. 30

(10) The power under subsection (9)(a) to require a person to provide any information or thing includes the power —

- (a) to require that person, or any individual who is or was an officer or employee of the person, to provide an explanation of the information or thing;
- 5 (b) if the information or thing is not provided, to require that person to state, to the best of the knowledge and belief of that person, where it is;
- (c) if the information or thing is recorded otherwise than in legible form, to require the information or thing to be made available to the authorised officer in legible form; and
- 10 (d) if the information or thing is stored in a computer or other electronic device, and the person or individual is reasonably suspected to have knowledge of or access to any username, password or other authentication information required to gain access to the information or thing, to require the person or individual to provide assistance (including but not limited to providing any username, password or other authentication information) to gain access to the computer or
- 15 electronic device and the information or thing in the computer or electronic device.
- 20

(11) A person examined under this section must state truly the facts and circumstances with which the person is acquainted, except only that the person need not say anything that might expose the person to a criminal charge, penalty or forfeiture.

(12) An authorised officer is entitled without payment to keep any information or thing, or any copy of or extract from any information or thing, provided to the authorised officer under subsection (9)(a).

(13) In this section, “thing” includes any book, document, record, electronic material or article.

Powers of auxiliary authorised officers

45A.—(1) An auxiliary authorised officer may, during normal business hours, enter and inspect any premises or conveyance,

and the facilities in the premises or conveyance, that are being used, or that the auxiliary authorised officer has reasonable cause to believe are being used, for the conduct of any human biomedical research or tissue banking activity, for the purpose of —

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- (a) determining any person's compliance with this Act;
- (b) investigating any complaint or matter in respect of which the Chief Executive may take action under section 42;
- (c) assessing whether the practices and procedures of a research institution, a researcher or an institutional review board in relation to any human biomedical research are in compliance with this Act, the regulations made under this Act and any applicable code issued under section 40; and
- (d) assessing whether the practices and procedures of a tissue bank in relation to any tissue banking activity are in compliance with this Act, the regulations made under this Act and any applicable code issued under section 40.

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(2) For the purposes of subsection (1), an auxiliary authorised officer may —

- (a) inspect and make copies of or take extracts from, or require the occupier or any person having the management or control of, the premises or conveyance to provide copies of or extracts from, any book, document, record or electronic material, but not any book, document, record or electronic material that is a medical record;
- (b) inspect any apparatus, appliance, equipment or instrument used or found in the premises or conveyance;
- (c) inspect any test or procedure relating to any human biomedical research that has been or is being conducted in the premises or conveyance;

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- (d) inspect any biological material or organism or any product of human biomedical research found in the premises or conveyance;
- 5 (e) inspect any container, article and other thing that the auxiliary authorised officer reasonably believes to contain or to have contained any biological material or organism or any product of human biomedical research that has been or is being conducted in the premises or conveyance;
- 10 (f) make a still or moving image or recording of the premises or conveyance and any individual, activity or thing in or on the premises or conveyance;
- 15 (g) take into or onto the premises or conveyance any equipment and material that the auxiliary authorised officer requires for the purpose of exercising any power under this Act in relation to the premises or conveyance; and
- (h) operate electronic equipment in or on the premises or conveyance.

20 (3) The power under subsection (2)(h) to operate electronic equipment in or on any premises or conveyance includes the power —

- 25 (a) to use a disk, tape or other storage device that is in or on the premises or conveyance and can be used with the equipment or in association with the equipment;
- (b) to operate electronic equipment in or on the premises or conveyance to put the relevant data (but not any data that is a medical record) in documentary form and remove the documents so produced from the
- 30 (c) to operate electronic equipment in or on the premises or conveyance to transfer the relevant data (but not any data that is a medical record) to a disk, tape or other storage device that —

- (i) is brought to the premises or conveyance for the exercise of the power; or
- (ii) is in or on the premises or conveyance and the use of which for that purpose has been agreed in writing by the occupier or any person having the management or control of, the premises or conveyance,

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and to remove the disk, tape or other storage device from those premises or that conveyance.

(4) In the exercise of the powers and duties under this section, an auxiliary authorised officer may be accompanied and assisted by an individual appointed by the Chief Executive under section 4(6) for the purposes of facilitating the exercise of such powers and duties.

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(5) Any individual who is present at any premises or conveyance mentioned in subsection (1) must render all necessary assistance and cooperation to an auxiliary authorised officer as are necessary for an entry or inspection or otherwise for the exercise of his or her powers under this Act in relation to those premises or that conveyance.

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(6) An auxiliary authorised officer, may by written notice, require any person to provide, within a reasonable period or at the time or frequency, and in the form or manner, specified in the notice, any information or thing for a purpose mentioned in subsection (1)(a) to (d).

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(7) An auxiliary authorised officer is entitled without payment to keep any information or thing, or any copy of or extract from any information or thing, provided to the auxiliary authorised officer under subsection (6).

(8) In this section, “thing” includes any book, document, record, electronic material or article.

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Offence of obstructing, etc., authorised officer or auxiliary authorised officer in exercise of powers, etc.

45B.—(1) A person who —

(a) refuses to give access to, or obstructs, hinders, impedes or delays, an authorised officer or auxiliary authorised officer in the exercise of any power under this Part;

(b) without reasonable excuse, does not comply with any order or requirement under section 45(2)(a) or (b) or (9) or 45A(2)(a) or (6), or with section 45(8) or 45A(5); or

(c) refuses to be examined under section 45(9)(b) or does not attend before an authorised officer as required under section 45(9)(c),

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 2 years or to both.

(2) For the purposes of subsection (1)(b), it is a reasonable excuse for a person to refuse or fail to provide any information, provide a copy of or extract from any book, document, record, electronic material, or produce any thing or answer any question if doing so might tend to incriminate that person.”.

New section 53A

27. In the HBR Act, after section 53, insert —

“Fees, charges, etc., collected by Chief Executive or authorised officer

53A. Subject to section 53(3), all fees, charges and other moneys recovered or collected by the Chief Executive or an authorised officer under this Act must be paid to the Authority.”.

Amendment of section 54

28. In the HBR Act, in section 54 —

- (a) in subsections (1)(a) and (b), (2) and (7)(a) and (b), replace “Director-General” wherever it appears with “Chief Executive”; and
- (b) in subsection (7)(b), replace “Director-General’s” with “Chief Executive’s”.

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Amendment of section 59

29. In the HBR Act, in section 59 —

- (a) in subsections (1) to (4), after “this Act”, insert “or the regulations made under this Act”;
- (b) in subsection (2)(e), replace “Director-General or authorised officer” with “Chief Executive or an authorised officer or auxiliary authorised officer”;
- (c) in subsection (3)(a), replace “, secretary or other similar officer” with “or other similar officer, or an authorised representative,”;
- (d) after subsection (5), insert —
 - “(5A) However, service of any document under this Act on a person by email may be effected only with the person’s prior consent (express or implied) to service in that way.”;
- (e) in subsection (7), before the definition of “business address”, insert —
 - ““authorised representative”, in relation to a partnership (other than a limited liability partnership), means any person authorised to accept service of documents on behalf of the partnership;”; and
- (f) in subsection (7), replace the definitions of “last email address” and “residential address” with —

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““document” includes a notice or an order permitted or required by this Act or the regulations made under this Act to be served;

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“last email address” means the last email address given by the addressee concerned to the person giving or serving the document as the email address for the service of documents under this Act;

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“residential address” means an individual’s usual or last known place of residence in Singapore.”.

Amendment of section 61

30. In the HBR Act, in section 61, after “authorised officer”, insert “, any auxiliary authorised officer”.

Deletion of section 65

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31. In the HBR Act, delete section 65.

Miscellaneous amendments

32. In the HBR Act, in the following provisions, replace “Director-General” wherever it appears with “Chief Executive”:

Section 4(1), (3), (4) and (5)

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Section 5(2)

Section 15(4) and (5)

Section 23(1)(b) and (3)

Section 24(1) and (2)

Section 28(2)(e)

25

Section 29(1)(e)

Section 31(2)(a) and (b)

Section 34(1), (2) and (3)

Section 35(1)(b) and (3)

Section 36(1) and (2)

Section 39(1)(e)

Section 40(1) and (2)

Section 42(1), (2) and (3)

Section 43(1)

Section 44(1) to (4)

5

Section 46(3)

Section 53(1)

Section 61

Section 63(2)(e)(v)

Fifth Schedule, Part 3, paragraph 6(h)(ii).

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PART 4

AMENDMENT OF HEALTHCARE SERVICES ACT 2020

Amendment of section 2

33. In the Healthcare Services Act 2020 (called in this Part the HCS Act), in section 2(1), after the definition of “authorised officer”, insert —

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““auxiliary authorised officer”, for any provision of this Act, means an individual who is appointed under section 7(2A) as an auxiliary authorised officer for that provision;”.

Amendment of section 7

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34. In the HCS Act, in section 7 —

(a) after subsection (2), insert —

“(2A) The Director-General may, in relation to any provision in this Act, appoint a public officer, an officer of any public authority or any suitably qualified individual to be an auxiliary authorised officer for the purposes of that provision, either generally or in a particular case.

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(2B) Every authorised officer or auxiliary authorised officer, when exercising his or her powers and carrying out his or her duties under this Act, must comply with such general or special directions as may, from time to time, be given to the authorised officer or auxiliary authorised officer by the Director-General.”;

(b) in subsection (3), after “an authorised officer”, insert “or an auxiliary authorised officer who is a public officer or an officer of a public authority”;

(c) in subsection (3), after “the authorised officer”, insert “or auxiliary authorised officer who is a public officer or an officer of a public authority”; and

(d) in subsection (6), after “every authorised officer”, insert “, every auxiliary authorised officer”.

Amendment of section 36

35. In the HCS Act, in section 36 —

(a) in the section heading, after “**information**”, insert “— **Director-General and authorised officers**”; and

(b) in subsection (1), after “provide”, insert “to the Director-General”.

New section 36A

36. In the HCS Act, after section 36, insert —

“Power to obtain information — auxiliary authorised officers

36A.—(1) An auxiliary authorised officer may by notice require any licensee to provide to the Director-General, within a reasonable period or at the time or frequency, and in the form and manner, specified in the notice, all documents and information which —

(a) relate to any matter which the Director-General considers necessary to carry out the

Director-General's functions or duties under this Act;
and

(b) are —

(i) within the knowledge of that licensee; or

(ii) in the licensee's custody or under the
licensee's control. 5

(2) A person that, without reasonable excuse, fails to do anything required of the person by notice under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both. 10

(3) A person —

(a) that intentionally alters, suppresses or destroys any document or information which the person is, has been or may be required by a notice under subsection (1) to provide; or 15

(b) that, in providing any document or information required under subsection (1), makes any statement which the person knows to be false or misleading in a material particular or recklessly makes such a statement, 20

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

(4) For the purposes of subsection (2), it is a reasonable excuse 25
for a person to refuse or fail to provide any document or information which the person is required by a notice under subsection (1) to provide if doing so might tend to incriminate that person.

(5) The Director-General is entitled without payment to keep 30
any document or information provided to the Director-General under subsection (1).”.

Amendment of section 37

37. In the HCS Act, in section 37(1) —

- (a) replace “or an authorised officer” with “, an authorised officer or an auxiliary authorised officer”; and
- (b) replace “or authorised officer” with “, authorised officer or auxiliary authorised officer”.

Amendment of section 41

38. In the HCS Act, in section 41 —

- (a) in the section heading, replace “**entry, inspection and search, etc.**” with “**Director-General and authorised officers**”;
- (b) in subsection (2), replace “the Director-General or authorised officer may” with “the Director-General or an authorised officer may”;
- (c) in subsection (2)(e), delete “and” at the end;
- (d) in subsection (2)(f), replace the full-stop at the end with a semi-colon;
- (e) in subsection (2), after paragraph (f), insert —
 - “(g) make a still or moving image or recording of the premises or conveyance and any individual, activity or thing in or on the premises or conveyance;
 - (h) take into or onto the premises or conveyance any equipment and material that the Director-General or authorised officer requires for the purpose of exercising any power under this Act in relation to the premises or conveyance; and
 - (i) operate electronic equipment in or on the premises or conveyance.”; and
- (f) after subsection (2), insert —

“(2A) The power under subsection (2)(i) to operate electronic equipment in or on any premises or conveyance includes the power —

- (a) to use a disk, tape or other storage device that is in or on the premises or conveyance and can be used with the equipment or in association with the equipment; 5
- (b) to operate electronic equipment in or on the premises or conveyance to put the relevant data in documentary form and remove the documents so produced from the premises or conveyance; and 10
- (c) to operate electronic equipment in or on the premises or conveyance to transfer the relevant data to a disk, tape or other storage device that — 15
 - (i) is brought to the premises or conveyance for the exercise of the power; or
 - (ii) is in or on the premises or conveyance and the use of which for that purpose has been agreed in writing by the occupier or any person having the management or control of, the premises or conveyance, 20

and to remove the disk, tape or other storage device from those premises or that conveyance.”. 25

New section 41A

39. In the HCS Act, after section 41, insert — 30

“Powers of auxiliary authorised officers

41A.—(1) An auxiliary authorised officer may, during normal business hours, enter and inspect any premises or conveyance, and the facilities in the premises or conveyance, that are being

used, or that the auxiliary authorised officer has reasonable cause to believe are being used, to provide any healthcare service or to store any information relating to the provision of any healthcare service, for the purpose of —

- 5 (a) determining any person's compliance with this Act, or any direction, notice or order issued under this Act;
- (b) determining whether any condition or restriction imposed on a licence or an approval is being complied with; or
- 10 (c) assessing whether the practices and procedures of a licensee are in compliance with this Act or an applicable code of practice.

(2) For the purposes of subsection (1), an auxiliary authorised officer may —

- 15 (a) inspect and make copies of or take extracts from, or require the occupier or any person having the management or control of the premises or conveyance to provide copies of or extracts from, any book, document, record or electronic material,
- 20 but not any book, document, record or electronic material that is a medical record;
- (b) inspect any apparatus, appliance, equipment or instrument used or found in the premises or conveyance;
- 25 (c) inspect any test or procedure relating to any provision of a healthcare service that has been or is being conducted in the premises or conveyance, and inspect any article used for or in connection with the test or procedure;
- 30 (d) inspect any blood sample, blood product, human tissue or fluid, any product of the human body, dialysate, chemical, pharmaceutical or any other substance found in the premises or conveyance;

- (e) inspect any container, article or other thing that the auxiliary authorised officer reasonably believes to contain or to have contained blood, blood product, human tissue or fluid, any product of the human body, dialysate, chemical, pharmaceutical or any other substance; 5
- (f) make a still or moving image or recording of the premises or conveyance and any individual, activity or thing in or on the premises or conveyance;
- (g) take into or onto the premises or conveyance any equipment and material that the auxiliary authorised officer requires for the purpose of exercising any power under this Act in relation to the premises or conveyance; and 10
- (h) operate electronic equipment in or on the premises or conveyance. 15

(3) The power under subsection (2)(h) to operate electronic equipment in or on any premises or conveyance includes the power —

- (a) to use a disk, tape or other storage device that is in or on the premises or conveyance and can be used with the equipment or in association with the equipment; 20
- (b) to operate electronic equipment in or on the premises or conveyance to put the relevant data (but not any data that is a medical record) in documentary form and remove the documents so produced from the premises or conveyance; and 25
- (c) to operate electronic equipment in or on the premises or conveyance to transfer the relevant data (but not any data that is a medical record) to a disk, tape or other storage device that — 30
 - (i) is brought to the premises or conveyance for the exercise of the power; or

(ii) is in or on the premises or conveyance and the use of which for that purpose has been agreed in writing by the occupier or any person having the management or control of, the premises or conveyance,

and to remove the disk, tape or other storage device from those premises or that conveyance.

(4) Any individual who is present at any premises or conveyance mentioned in subsection (1) must render all necessary assistance and cooperation to the auxiliary authorised officer as are necessary for an entry, inspection or otherwise for the exercise of his or her powers under this Act in relation to those premises or that conveyance.”.

Amendment of section 42

40. In the HCS Act, in section 42 —

(a) in the section heading, replace “**or authorised officer**” with “**, authorised officer or auxiliary authorised officer**”; and

(b) in subsection (1)(a) and (b), replace “or an authorised officer” with “**, an authorised officer or an auxiliary authorised officer**”.

Amendment of section 51

41. In the HCS Act, in section 51 —

(a) in subsections (1) and (2), replace “and an authorised officer” with “**, an authorised officer and an auxiliary authorised officer**”; and

(b) in subsection (2), replace “or authorised officer” with “**, authorised officer or auxiliary authorised officer**”.

Amendment of section 55

42. In the HCS Act, in section 55(b), after “authorised officer”, insert “or auxiliary authorised officer”.

PART 5

RELATED AND MISCELLANEOUS AMENDMENTS

Amendment of Allied Health Professions Act 2011

43. In the Allied Health Professions Act 2011, in section 39 —

(a) in subsection (1), after “public officer”, insert “or officer of
a public authority”; and 5

(b) after subsection (4), insert —

“(5) In this section, “public authority” means a body
established or constituted by or under a public Act to
perform or discharge a public function, but does not 10
include a Town Council established under section 4 of
the Town Councils Act 1988.”.

Amendment of CareShield Life and Long-Term Care Act 2019

44. In the CareShield Life and Long-Term Care Act 2019 —

(a) in section 56(1), after “public officer”, insert “or an officer
of a public authority”; and 15

(b) in section 60(a), after “public officer”, insert
“or investigator appointed under section 46(1)”.

Amendment of Dental Registration Act 1999

45. In the Dental Registration Act 1999 — 20

(a) in section 2, after the definition of “president”, insert —

““public authority” means a body established or
constituted by or under a public Act to perform
or discharge a public function, but does not
include a Town Council established under 25
section 4 of the Town Councils Act 1988;”;

(b) in section 4(e), insert “and” at the end;

(c) in section 4, delete paragraph (f);

(d) in section 44(4), after “public officer”, insert “or officer of
a public authority”; and 30

- (e) in section 70(1), replace “the Board” with “a public authority”.

Amendment of Geneva Conventions Act 1973

46. In the Geneva Conventions Act 1973 —

- (a) in section 10A(1), after “public officers”, insert “or officers of a public authority”;

- (b) in section 10A, after subsection (4), insert —

“(5) In this section, “public authority” means a body established or constituted by or under a public Act to perform or discharge a public function, but does not include a Town Council established under section 4 of the Town Councils Act 1988.”; and

- (c) after section 10A, insert —

“Protection from personal liability

10B. No liability shall lie personally against any inspector acting under the direction of the Minister who, acting in good faith and with reasonable care, does or omits to do anything in the execution or purported execution of this Act.”.

Amendment of Health Information Act 2026

47. In the Health Information Act 2026 —

- (a) in section 91(1)(a)(iii), replace “or any” with “, an investigation officer or an”;

- (b) in section 92(1)(a)(iii), after “the Minister”, insert “, an investigation officer”; and

- (c) in section 92(2)(c), replace “authorised officer” with “investigation officer”.

Amendment of Health Products Act 2007

48. In the Health Products Act 2007, after section 66, insert —

“Protection from personal liability

66A. No liability shall lie personally against —

- (a) the Chief Executive;
- (b) any officer of the Authority; or
- (c) any enforcement officer appointed under section 7(1)(b) acting under the direction of the Chief Executive,

who, acting in good faith and with reasonable care, does or omits to do anything in the execution or purported execution of this Act.”.

Amendment of Medical and Elderly Care Endowment Schemes Act 2000

49. In the Medical and Elderly Care Endowment Schemes Act 2000 —

- (a) in section 2(1), in the definition of “authorised officer”, replace “any officer” with “any public officer or officer of a public authority”;
- (b) in section 2(1), after the definition of “personal care”, insert —

““public authority” means a body established or constituted by or under a public Act to perform or discharge a public function, but does not include a Town Council established under section 4 of the Town Councils Act 1988;” and

- (c) replace section 42 with —

“Protection from personal liability

42. No liability shall lie personally against —

- (a) any authorised officer;
 - (b) any member of any Medifund committee;
- or

(c) any person acting under the directions or authorisation of the Medifund committee, who, acting in good faith and with reasonable care, does or omits to do anything in the execution or purported execution of this Act.”.

Amendment of Medical Registration Act 1997

50. In the Medical Registration Act 1997 —

(a) in section 5(*fa*), insert “and” at the end;

(b) in section 5, delete paragraph (*fb*);

(c) in section 40(2)(*b*), after “public officer”, insert “, an officer of a public authority”; and

(d) in section 40, after subsection (9), insert —

“(10) In this section, “public authority” means a body established or constituted by or under a public Act to perform or discharge a public function, but does not include a Town Council established under section 4 of the Town Councils Act 1988.”.

Amendment of MediShield Life Scheme Act 2015

51. In the MediShield Life Scheme Act 2015 —

(a) in section 2(1), replace the definition of “investigator” with —

““investigator” means an individual appointed under section 20(1) or (2) to investigate any offence under this Act;”;

(b) in section 20(1), after “public officer”, insert “or officer of a public authority”;

(c) in section 20(3)(*a*), after “public officer”, insert “or an officer of a public authority”;

(d) in section 24(1), after “public officer”, insert “or an officer of a public authority”; and

- (e) in section 33, after “recovery body,”, insert “an investigator,”.

Amendment of National Registry of Diseases Act 2007

52. In the National Registry of Diseases Act 2007 —

- (a) in section 2, in the definition of “investigation officer”, 5
replace “public officer” with “individual”;
- (b) in section 13(1), after “public officer”, insert “or officer of
a public authority”; and
- (c) in section 13, after subsection (2), insert —
“ (3) In this section, “public authority” means a body 10
established or constituted by or under a public Act to
perform or discharge a public function, but does not
include a Town Council established under section 4 of
the Town Councils Act 1988.”.

Amendment of Nurses and Midwives Act 1999

53. In the Nurses and Midwives Act 1999 —

- (a) in section 36(1), after “public officers”, insert “or officers
of a public authority”;
- (b) in section 36, after subsection (5), insert —
“ (6) In this section, “public authority” means a body 20
established or constituted by or under a public Act to
perform or discharge a public function, but does not
include a Town Council established under section 4 of
the Town Councils Act 1988.”; and
- (c) in section 43, replace “or any member or employee of the 25
Board, committee or Complaints Committee” with
“any member or employee of the Board, committee or
Complaints Committee, or any inspector appointed under
section 36(1)”.

Amendment of Optometrists and Opticians Act 2007

54. In the Optometrists and Opticians Act 2007, in section 31 —

(a) in subsection (1), after “public officers”, insert “, officers of a public authority”; and

(b) after subsection (4), insert —

“(5) In this section, “public authority” means a body established or constituted by or under a public Act to perform or discharge a public function, but does not include a Town Council established under section 4 of the Town Councils Act 1988.”.

Amendment of Pharmacists Registration Act 2007

55. In the Pharmacists Registration Act 2007 —

(a) in section 2, after the definition of “president”, insert —

““public authority” means a body established or constituted by or under a public Act to perform or discharge a public function, but does not include a Town Council established under section 4 of the Town Councils Act 1988;”;

(b) in section 39(1), after “public officer”, insert “, an officer of a public authority”; and

(c) in section 65(1), after “public officers”, insert “, officers of a public authority”.

Amendment of Poisons Act 1938

56. In the Poisons Act 1938, after section 19C, insert —

“Protection from personal liability

19D. No liability shall lie personally against —

(a) the Chief Executive of the Authority;

(b) any licensing officer;

(c) any public officer authorised by a licensing officer under section 14(1); or

(d) an authorised employee under section 19A(1), who, acting in good faith and with reasonable care, does or omits to do anything in the execution or purported execution of this Act.”.

Amendment of Termination of Pregnancy Act 1974

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57. In the Termination of Pregnancy Act 1974 —

(a) in section 2, in the definition of “medical practitioner”, replace the full-stop at the end with a semi-colon;

(b) in section 2, after the definition of “medical practitioner”, insert —

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““public authority” means a body established or constituted by or under a public Act to perform or discharge a public function, but does not include a Town Council established under section 4 of the Town Councils Act 1988.”;

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(c) in section 8, after “public officer”, insert “or officer of a public authority”; and

(d) after section 8, insert —

“Protection from personal liability

9. No liability shall lie personally against any public officer or officer of a public authority appointed by the Minister under section 8 who, acting in good faith and with reasonable care, does or omits to do anything in the execution or purported execution of this Act.”.

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Amendment of Traditional Chinese Medicine Practitioners Act 2000

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58. In the Traditional Chinese Medicine Practitioners Act 2000 —

(a) in section 26B(2)(b), replace “a public officer or a member or an employee of the Board in his or her capacity as a public officer or such a member or an employee” with “a public officer, an officer of a public authority or a

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member or an employee of the Board when acting in that capacity”;

(b) in section 26B, after subsection (2), insert —

“(3) In this section, “public authority” means a body established or constituted by or under a public Act to perform or discharge a public function, but does not include a Town Council established under section 4 of the Town Councils Act 1988.”; and

(c) in section 33, replace “or any member or employee of the Board or committee,” with “any member or employee of the Board or committee, or any investigator acting under the direction of the Board”.

Amendment of Voluntary Sterilisation Act 1974

59. In the Voluntary Sterilisation Act 1974 —

(a) in section 2, after the definition of “health institution”, insert —

““public authority” means a body established or constituted by or under a public Act to perform or discharge a public function, but does not include a Town Council established under section 4 of the Town Councils Act 1988;”;

(b) in section 6, after “Minister”, insert “, or an officer of a public authority authorised by the Minister,”; and

(c) after section 10, insert —

“Protection from personal liability

11. No liability shall lie personally against any public officer or officer of a public authority authorised by the Minister under section 6 who, acting in good faith and with reasonable care, does or omits to do anything in the execution or purported execution of this Act.”.

PART 6

SAVING AND TRANSITIONAL PROVISIONS

Saving and transitional provisions

60.—(1) Despite sections 19 and 22 —

- (a) every approval or permit granted, order made or condition imposed by the Director-General under section 6, 7, 8, 10, 14, 15, 16, 17, 19, 23, 25, 27, 28, 31, 32, 34, 45, 51 or 53 of the Biological Agents and Toxins Act 2005 (called in this Part the BAT Act) as in force immediately before the appointed day, that is still in force, continues in effect and is deemed to have been granted, made or imposed by the Chief Executive under that provision of the BAT Act as in force on the appointed day; and 5
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- (b) every requirement imposed or training specified by the Director-General under section 39(2), 41(g) or 47(3) or (4) of the BAT Act as in force immediately before the appointed day, that is still in force, continues in effect and is deemed to be imposed or specified by the Chief Executive under that provision of the BAT Act as in force on the appointed day. 15
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(2) For a period of 2 years after the date of commencement of any provision of this Act, the Minister may, by regulations, prescribe additional provisions of a saving or transitional nature consequent on the enactment of that provision that the Minister may consider necessary or expedient. 25

(3) In subsection (1), “appointed day” means the date of commencement of sections 19 and 22 of the Health Sciences Authority (Amendment) and Other Matters Act 2026.

EXPLANATORY STATEMENT

This Bill seeks to amend the Health Sciences Authority Act 2001 (HSA Act), the Biological Agents and Toxins Act 2005 (BAT Act), the Human Biomedical

Research Act 2015 (HBR Act), the Healthcare Services Act 2020 (HCS Act) and certain other Acts for the following main purposes:

- (a) to confer new functions on the Health Sciences Authority (HSA) to assist the Minister for Health (Minister) and the Director-General of Health (DGH) in the administration and enforcement of certain Acts and to provide, in place of the Singapore Medical Council (SMC), administrative services to healthcare profession regulatory bodies;
- (b) to provide for the transfer of property, assets, liabilities and employees from the Ministry of Health (MOH) and the SMC to the HSA, in relation to the new functions that will be performed by the HSA;
- (c) to provide for the administration of the BAT Act and the HBR Act by the Chief Executive of HSA instead of the DGH;
- (d) to provide for the appointment of private individuals as auxiliary authorised officers under the HBR Act and the HCS Act;
- (e) to make miscellaneous amendments to certain other Acts for consistency.

Clause 1 relates to the short title and commencement.

The rest of the Bill is divided into 6 Parts.

PART 1

AMENDMENT OF HEALTH SCIENCES AUTHORITY ACT 2001

Part 1 consists of clauses 2 to 17 and amends the HSA Act for the following main purposes:

- (a) to confer new functions on the HSA;
- (b) to remove the limit on the number of members constituting the HSA and provide for the appointment of a Deputy Chairperson or Deputy Chairpersons;
- (c) to transfer property, assets, liabilities and employees from MOH and the SMC to the HSA.

Clause 2 amends section 2 to insert a definition for “healthcare profession regulatory Act”.

Clause 3 amends section 5 to remove the limit on the number of members that constitute the HSA.

Clause 4 inserts a new section 5A to provide for the appointment of the Chairperson and a new position of Deputy Chairperson. With the increased

breadth and complexity of the HSA's functions, it may be necessary to appoint one or more Deputy Chairpersons for good governance and to ensure continuity.

Clause 5 amends section 9 to update the provision relating to the quorum for meetings of the HSA.

Clause 6 amends section 11 to insert new functions of the HSA. In particular, the HSA will administer the BAT Act and the HBR Act and assist the Minister and the DGH in the administration or enforcement of the Acts specified in the new First Schedule. The HSA will also provide administrative services to healthcare profession regulatory bodies. The Minister may also, by notification in the *Gazette*, assign new functions to the HSA.

Clause 7 amends section 12 to update the provision relating to the power to charge fees, to clarify its scope.

Clause 8 makes a consequential amendment to the Part 6 heading due to the insertion of the new Parts 6A and 6B.

Clause 9 inserts a new Part 6A, which provides for the transfer of property, assets, liabilities and employees from MOH to the HSA in relation to the functions transferred from MOH to the HSA. These functions relate to the administration and enforcement of the BAT Act, the HBR Act and the Acts specified in the new First Schedule.

The new section 36A contains definitions used for the purposes of the new Part 6A.

The new section 36B provides for the transfer, on the first transfer date (which is the date of commencement of clause 9), to the HSA of all assets and liabilities of the Government relating solely to the functions discharged by the specified MOH departments.

The new section 36B also contains saving and transitional provisions, the general purpose of which is to put the HSA in the same legal position as the Government, from which assets or liabilities are transferred.

The new section 36B further declares that the transfer does not —

- (a) constitute a breach of, or default under, any Act or other law;
- (b) constitute a breach of, or default under, any contract or other instrument;
- (c) constitute a breach of any duty of confidence;
- (d) constitute a civil or criminal wrong;
- (e) terminate an agreement or obligation;
- (f) fulfil any condition that allows a person to terminate an agreement or obligation;

- (g) give rise to any other right or remedy; or
- (h) release a surety or other obligor or obligee wholly or in part from an obligation.

The new section 36C provides for the transfer of Government employees from certain departments (a list of which is set out in the new Third Schedule) to the employment of the HSA on the first transfer date. The new section 36C declares that the transfer does not interrupt continuity of service or constitute a retrenchment or redundancy and does not entitle any employee so transferred to any payment or other benefit. The new section 36C also provides for civil servants and public body employees who are seconded to the Government to continue on secondment to the HSA.

The new section 36D declares that the transfer of employees does not affect remuneration, leave rights or continuity of service.

The new section 36E provides for the transfer of records from the Government to the HSA.

Clause 10 inserts a new Part 6B, which provides for the transfer of property, assets, liabilities and employees from MOH and the SMC to the HSA in relation to certain functions transferred from MOH and the SMC to the HSA. These functions relate to the provision of administrative services to healthcare profession regulatory bodies.

The new section 36F contains definitions used for the purposes of the new Part 6B.

The new section 36G provides for the transfer, on the second transfer date (which is the date of commencement of clause 10), to the HSA of all assets and liabilities of the Government relating solely to the functions discharged by the specified MOH departments, and all assets and liabilities of the SMC relating solely to the functions discharged by the specified SMC department.

The new section 36G also contains saving and transitional provisions, the general purpose of which is to put the HSA in the same legal position as the Government and the SMC, from which assets or liabilities are transferred.

The new section 36G further declares that the transfer does not —

- (a) constitute a breach of, or default under, any Act or other law;
- (b) constitute a breach of, or default under, any contract or other instrument;
- (c) constitute a breach of any duty of confidence;
- (d) constitute a civil or criminal wrong;
- (e) terminate an agreement or obligation;

- (f) fulfil any condition that allows a person to terminate an agreement or obligation;
- (g) give rise to any other right or remedy; or
- (h) release a surety or other obligor or obligee wholly or in part from an obligation.

The new section 36H provides for the transfer of Government and SMC employees from certain departments (a list of which is set out in the new Fourth Schedule) to the employment of the HSA on the second transfer date. The new section 36H declares that the transfer does not interrupt continuity of service or constitute a retrenchment or redundancy and does not entitle any employee so transferred to any payment or other benefit. The new section 36H also provides for civil servants and public body employees who are seconded to the Government to continue on secondment to the HSA.

The new section 36I declares that the transfer of employees does not affect remuneration, leave rights or continuity of service.

The new section 36J provides for the transfer of records from the Government and the SMC to the HSA.

Clause 11 inserts a new section 40A to provide for the amendment of the new First Schedule by order in the *Gazette*.

Clause 12 makes a consequential amendment to section 42 due to the renaming of the Schedule, and to include the new Third and Fourth Schedules within the scope of the provision, such that a reference in any document issued by or relating to any of the transferred departments of MOH or the SMC will be construed as a reference to the HSA.

Clause 13 inserts a new First Schedule, which sets out the Acts that the HSA will assist the Minister or DGH in administering or enforcing. This Schedule may be amended by the Minister by order in the *Gazette*.

Clause 14 provides for the renaming of the Schedule as the Second Schedule.

Clause 15 inserts a new Third Schedule which sets out the transferring MOH departments for the purposes of the new Part 6A.

Clause 16 inserts a new Fourth Schedule which sets out the transferring MOH and SMC departments for the purposes of the new Part 6B.

Clause 17 makes consequential amendments to certain provisions in the HSA Act due to the renaming of the Schedule.

PART 2
AMENDMENT OF
BIOLOGICAL AGENTS AND TOXINS ACT 2005

Part 2 consists of clauses 18 to 22 and amends the BAT Act primarily to replace references to the DGH with the Chief Executive of the HSA.

Clause 18 amends section 2 to insert definitions for “Authority” and “Chief Executive”.

Clauses 19 and 22 amend various provisions to replace references to the DGH with the Chief Executive. Some provisions will be amended to provide that the Chief Executive may grant a permit or approval only after consulting the DGH.

Clause 20 inserts a new section 59A to provide that all moneys recovered or collected by the Chief Executive under the BAT Act must be paid to the HSA.

Clause 21 inserts a new section 61A which provides for the protection from personal liability in certain circumstances for the Chief Executive, any enforcement officer or any other person authorised by or acting under the direction of the Chief Executive.

PART 3
AMENDMENT OF
HUMAN BIOMEDICAL RESEARCH ACT 2015

Part 3 consists of clauses 23 to 32 and amends the HBR Act for the following main purposes:

- (a) to replace references to the DGH with the Chief Executive of the HSA;
- (b) to provide for the appointment of private individuals as auxiliary authorised officers.

Clause 23 amends section 2 to insert new definitions.

Clause 24 amends section 4 to empower the Chief Executive to appoint any public officer, officer of a public authority or any suitably qualified individual to be an auxiliary authorised officer, who may exercise certain enforcement powers. The clause also amends section 4(6) to provide that suitably qualified individuals who are not public officers or officers of a public authority may be appointed to assist the Chief Executive in the administration of the HBR Act.

Clause 25 amends section 31(2)(b) to include a reference to an officer of a public authority. The amendment will enable the Minister to authorise HSA officers to issue approvals for restricted human biomedical research.

Clause 26 replaces section 45 and inserts new sections 45A and 45B.

The new section 45 provides for powers of authorised officers, who can only be public officers or officers of a public authority. The new section 45 (among other things) makes it clear that authorised officers may operate electronic equipment in the premises or conveyance being searched and may make and take a copy of the data in such electronic equipment.

The new section 45A provides for powers of auxiliary authorised officers, who may include individuals who are not public officers or officers of a public authority. Auxiliary authorised officers may enter and inspect premises and conveyances with consent during normal business hours but may not search the premises or conveyance, and refusal to give consent is not an offence. However, auxiliary authorised officers do not have the power to inspect, make copies of or take extracts from medical records, or to test, examine or remove any biological material or organism or any product of human biomedical research found on the premises or conveyance.

The new section 45B makes it an offence to obstruct an authorised officer or auxiliary authorised officer in the exercise of their powers.

Clause 27 inserts a new section 53A to provide that fees collected under the HBR Act by the Chief Executive or an authorised officer must be paid to the HSA.

Clauses 28 and 32 amend various provisions to replace references to the DGH with the Chief Executive.

Clause 29 amends section 59 to update the provision on the service of documents.

Clause 30 amends section 61 to include auxiliary authorised officers within the scope of the provision, which protects individuals executing the HBR Act from personal liability in certain circumstances.

Clause 31 deletes section 65 as it is spent.

PART 4

AMENDMENT OF HEALTHCARE SERVICES ACT 2020

Part 4 consists of clauses 33 to 42 and amends the HCS Act mainly to provide for the appointment of private individuals as auxiliary authorised officers.

Clause 33 amends section 2 to insert a definition for “auxiliary authorised officer”.

Clause 34 amends section 7 to empower the DGH to appoint any public officer, any officer of a public authority or any suitably qualified individual to be an auxiliary authorised officer, who may exercise certain enforcement powers.

Clause 35 amends the section heading of section 36 (Power to obtain information) to insert references to the DGH and authorised officers so that it is clear that the provision does not apply in relation to auxiliary authorised officers.

Clause 36 inserts a new section 36A which sets out the powers of auxiliary authorised officers to obtain information.

Clause 37 amends section 37 (Publication of information) to include references to auxiliary authorised officers. This will enable the DGH to publish information acquired by auxiliary authorised officers under the HCS Act.

Clause 38 amends section 41, which sets out the powers of entry, inspection and search, etc., of the DGH and authorised officers (who can only be public officers or officers of a public authority), to make it clear that the DGH and authorised officers may operate electronic equipment in the premises or conveyance being searched and may make and take a copy of the data in such electronic equipment. The section heading is also amended to insert reference to the DGH and authorised officers so that it is clear that the provision does not apply in relation to auxiliary authorised officers.

Clause 39 inserts a new section 41A which provides for powers of auxiliary authorised officers, who may include individuals who are not public officers or officers of a public authority. Auxiliary authorised officers may enter and inspect premises and conveyances with consent during normal business hours but may not search the premises or conveyance, and refusal to give consent is not an offence. However, auxiliary authorised officers do not have the power to inspect, make copies of or take extracts from medical records, or to test, examine or remove items such as equipment, blood sample or products of the human body that are found on the premises or conveyance.

Clause 40 amends section 42 to include auxiliary authorised officers within the scope of the provision, so as to make it an offence to (among other things) obstruct an auxiliary authorised officer in the exercise of his or her powers.

Clause 41 amends section 51 to include auxiliary authorised officers within the scope of the provision. The provision provides for the confidentiality of information obtained under the HCS Act by the individuals specified in the provision.

Clause 42 amends section 55 to include auxiliary authorised officers within the scope of the provision, which protects individuals executing the HCS Act from personal liability in certain circumstances.

PART 5

RELATED AND MISCELLANEOUS AMENDMENTS

Part 5 consists of clauses 43 to 59 and make related amendments to various Acts to enable the appointment of HSA officers to exercise powers under those Acts, and other miscellaneous amendments.

The following Acts are amended to permit officers of a public authority to be appointed to exercise certain powers under those Acts, so as to enable HSA officers to be so appointed:

- (a) CareShield Life and Long-Term Care Act 2019;
- (b) Dental Registration Act 1999;
- (c) Geneva Conventions Act 1973;
- (d) Medical and Elderly Care Endowment Schemes Act 2000;
- (e) MediShield Life Scheme Act 2015;
- (f) National Registry of Diseases Act 2007;
- (g) Nurses and Midwives Act 1999;
- (h) Optometrists and Opticians Act 2007;
- (i) Pharmacists Registration Act 2007;
- (j) Termination of Pregnancy Act 1974;
- (k) Voluntary Sterilisation Act 1974.

The following Acts are amended to insert a provision to protect certain individuals executing those Acts from personal liability in certain circumstances or to ensure that officers of a public authority who execute those Acts are also included within the scope of the current protection from personal liability provision in those Acts:

- (a) CareShield Life and Long-Term Care Act 2019;
- (b) Geneva Conventions Act 1973;
- (c) Health Products Act 2007;
- (d) Medical and Elderly Care Endowment Schemes Act 2000;
- (e) MediShield Life Scheme Act 2015;
- (f) Nurses and Midwives Act 1999;
- (g) Poisons Act 1938;
- (h) Termination of Pregnancy Act 1974;
- (i) Traditional Chinese Medicine Practitioners Act 2000;

(j) Voluntary Sterilisation Act 1974.

The following Acts are amended to insert a reference to officers of a public authority as persons who may make a complaint regarding a healthcare professional without the need for a supporting statutory declaration, to enable HSA officers to do so:

- (a) Allied Health Professions Act 2011;
- (b) Dental Registration Act 1999;
- (c) Medical Registration Act 1997;
- (d) Pharmacists Registration Act 2007;
- (e) Traditional Chinese Medicine Practitioners Act 2000.

In the following clauses, miscellaneous amendments are made to various Acts for the purposes set out below:

- (a) clause 45 amends section 4 of the Dental Registration Act 1999 to delete the function on providing administrative services to healthcare profession regulatory bodies, as this function will be performed by the HSA;
- (b) clause 47 amends sections 91 and 92 of the Health Information Act 2026 to clarify the scope of the provisions and to correct a typographical error;
- (c) clause 50 amends section 5 of the Medical Registration Act 1997 to delete the function on providing administrative services to healthcare profession regulatory bodies, as this function will be performed by the HSA.

PART 6

SAVING AND TRANSITIONAL PROVISIONS

Part 6 consists of clause 60, which sets out the saving and transitional provisions.

EXPENDITURE OF PUBLIC MONEY

This Bill will not involve the Government in any extra financial expenditure.
