

# Infectious Diseases (Amendment) Bill

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**Bill No. 7/2024.**

*Read the first time on 5 February 2024.*

A BILL

*intituled*

An Act to amend the Infectious Diseases Act 1976, and to make related 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 Infectious Diseases (Amendment) Act 2024 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

### 5 Amendment of section 2

2. In the Infectious Diseases Act 1976 (called in this Act the principal Act), in section 2 —

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

““at-risk individual”, in relation to an infectious  
10 disease, means an individual who —

(a) is or appears to the Director-General of Health or a Health Officer to be —

(i) a contact in respect of the infectious disease; or

(ii) a carrier of the infectious disease;

(b) has undergone a medical examination in connection with the infectious disease but has not received a conclusive result of that medical examination;

(c) enters Singapore (by land, sea or air) from a country or territory outside Singapore during a period when there is an outbreak or suspected outbreak of the infectious disease in that country or territory; or

(d) is deemed to be infected with a dangerous infectious disease under section 27(1) or (2);”;

(b) in the definition of “carrier”, delete “or is suspected to”;

- (c) in the definition of “contact tracing measure”, after “contacts”, insert “or other at-risk individuals”;
- (d) after the definition of “Director-General, Food Administration”, insert —
- ““guardian”, in relation to a minor or an individual who has any intellectual disability or otherwise lacks capacity within the meaning of section 4 of the Mental Capacity Act 2008, means the person responsible for the daily care of the minor or individual;”;
- (e) replace the definition of “HIV Infection” with —
- ““HIV” means Human Immunodeficiency Virus;”;
- (f) in the definition of “infectious disease”, in paragraph (b), replace “17A, 19” with “19, 21C, 21E, 21H”;
- (g) replace the definition of “medical examination” with —
- ““medical examination” includes —
- (a) the carrying out by a person (called the examiner) of any of the following measures, with a view to ascertaining another person’s state of health, whether or not the examiner is present with the person being examined:
- (i) physical examination of the person;
- (ii) obtaining the person’s bodily samples;
- (iii) obtaining images of, or measuring, the person’s physiology;
- (iv) measuring or monitoring the person’s physiological signs;

(v) obtaining the clinical history of the person;

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(vi) a test or a series of tests that is or are capable of ascertaining the presence of an infectious disease;

(vii) any measure to facilitate the carrying out of anything in sub-paragraphs (i) to (vi); and

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(b) the carrying out by a person on himself or herself of a test or a series of tests that is or are capable of ascertaining the presence of an infectious disease;”;

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(h) in the definition of “minor”, replace “21” with “16”;

(i) replace the definition of “owner” with —

““owner” means —

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(a) in relation to any premises or vessel — the person for the time being receiving the rent of the premises or vessel whether on the person’s own account or as agent, trustee or receiver or who would receive the same if the premises or the vessel were let or chartered;

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(b) in relation to any vehicle that is the subject of a hiring agreement or a hire-purchase agreement — the person in possession of the vehicle under that agreement; or

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(c) in relation to any other vehicle — the registered owner of the vehicle;”;

(j) after the definition of “owner”, insert —

““PHE Order” means an order made under section 21E(1) declaring a public health emergency;

“PHT Order” means an order made under section 21C(1) declaring a public health threat;”; and

(k) after the definition of “pratique”, insert —

““pre-departure test”, in relation to a person arriving in Singapore on an international voyage, means a test performed on or by the person to determine whether the person is a case or carrier of an infectious disease —

(a) in the case where the person is entering Singapore in a vehicle by land — before boarding the vehicle;

(b) in the case where the person is entering Singapore on foot — before arriving in Singapore; or

(c) in the case where the person is entering Singapore on a vessel by air or sea — before boarding the vessel;”.

## **New section 2A**

**3.** In the principal Act, after section 2, insert —

**“Parent or guardian to comply with requirements, etc.**

**2A.—(1)** This section applies if a person who is —

(a) a minor; or

(b) an individual who has any intellectual disability or otherwise lacks capacity within the meaning of section 4 of the Mental Capacity Act 2008,

is —

5 (c) required to comply with any requirement, direction, notice or order made or given in accordance with any provision of this Act; or

(d) prohibited or restricted from doing anything in accordance with any provision of this Act.

10 (2) Where written notice of any matter set out in subsection (1)(c) or (d) is to be given to the minor or individual, that notice may also be served on —

(a) in the case of the minor —

(i) one of the minor's parents; or

15 (ii) where the minor is in the care of a guardian who is not the minor's parent, the minor's guardian; or

(b) in the case of the individual — the individual's guardian.

20 (3) If a parent or guardian of the minor or individual is served with a written notice under subsection (2), the parent or guardian must ensure that the minor or individual complies with the requirement, direction, notice or order or does not contravene the prohibition or restriction, as the case may be.

25 (4) A person who, without reasonable excuse, contravenes subsection (3) shall be guilty of an offence and shall be liable on conviction to —

30 (a) in a case where the penalty upon conviction of an offence by a person for failing to comply with the requirement, direction, notice or order, or for contravening the prohibition or restriction, is expressly provided — the same penalty; or

(b) in any other case — the penalty provided in section 65.”.

#### **Amendment of section 4**

4. In the principal Act, in section 4 —

(a) in subsection (1)(b), delete “or” at the end; 5

(b) in subsection (1)(c), replace “institution,” with “entity or institution;”;

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

“(d) employee of a prescribed service provider engaged by any Government ministry or statutory body; or 10

(e) auxiliary police officer;”;

(d) in subsection (1), delete “particular”; and

(e) after subsection (1), insert —

“(1A) The Director-General of Public Health, the Director-General, Food Administration or the Director-General of Health may at any time revoke the appointment of a Health Officer appointed under subsection (1), or vary any condition or restriction of the appointment.”. 15 20

#### **Amendment of section 7**

5. In the principal Act, in section 7 —

(a) in subsection (2), after “any person”, insert “or class of persons”;

(b) in subsection (2)(a)(i), replace “(known to the person at those times)” with “known to the person (or any person in the class of persons) at those times”; 25

(c) in subsection (2)(a)(ii), after “that person”, insert “(or any person in the class of persons)”; and

(d) in subsection (3), after “a person”, insert “(including a person in a class of persons)”. 30

### **Amendment of section 8**

6. In the principal Act, in section 8 —

(a) replace subsection (1) with —

5 “(1) The Director-General of Health may require the following persons to submit to medical examination or medical treatment within or at such time and at such place, and comply with such measures relating to the medical examination or treatment, as the Director-General of Health may determine:

(a) any person who is a case or an at-risk individual of an infectious disease;

(b) any class of persons mentioned in paragraph (a);

15 (c) any person who is suspected to be a case or an at-risk individual of an infectious disease.”; and

(b) replace subsections (3) and (4) with —

20 “(3) Any person to whom a requirement or measure under subsection (1) applies who, without reasonable excuse, fails to comply with the requirement or measure shall be guilty of an offence.”.

### **Amendment of section 9**

7. In the principal Act, in section 9, replace “carrier or contact” with “an at-risk individual”.

### **Amendment of section 10**

8. In the principal Act, in section 10 —

(a) in subsection (1), replace “carrier or contact” with “an at-risk individual”;

30 (b) in subsection (1)(b), delete “with the approval of the appropriate Minister.”;



- (c) in subsection (1)(b), delete “, hospital, medical clinic, clinical laboratory or healthcare establishment”; and
- (d) in subsection (5), delete the definitions of “clinical laboratory”, “healthcare establishment” and “medical clinic”.

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### **Amendment of section 12**

#### **9. In the principal Act, in section 12 —**

- (a) in the section heading, replace “**or vessel**” with “, **vessel or vehicle**”;
- (b) in subsection (1), after “vessel”, insert “, or the owner of any vehicle,”; 10
- (c) in subsection (1), after “disinfect it”, insert “, and carry out any additional measures in relation to the premises, vessel or vehicle,”;
- (d) in subsection (2), replace “owner or occupier” with “person”; and 15
- (e) replace subsection (3) with —
  - “(3) Without affecting any proceedings under subsection (2), where a written notice issued by the Director-General of Health under subsection (1) has not been complied with, a person authorised by the Director-General of Health may, without warrant and with such force as may be necessary — 20
  - (a) if the notice relates to premises or a vessel — enter the premises or vessel and carry out or cause to be carried out the measures specified in the notice; or 25
  - (b) if the notice relates to a vehicle — take control of the vehicle and carry out or cause to be carried out the measures specified in the notice.”. 30

### **Amendment of section 13**

**10.** In the principal Act, in section 13 —

(a) replace subsection (1) with —

“**(1)** If the Director-General of Health considers any animal, food or water to be a source for the transmission of an infectious disease, the Director-General of Health may —

(a) if the source is an animal — order the person who owns or is in possession of the animal to destroy it; or

(b) if the source is food or water — order the person who owns or is in possession of it to dispose of it,

and impose any requirement that the Director-General of Health thinks fit in relation to the destruction of that animal or the disposal of that food or water, as the case may be.”; and

(b) in subsections (2) and (3), after “made”, insert “or requirement imposed”.

### **Amendment of section 14**

**11.** In the principal Act, in section 14(1), replace “carrier or contact” with “an at-risk individual”.

### **Amendment of section 15**

**12.** In the principal Act, in section 15 —

(a) replace subsections (1), (2) and (3) with —

“**(1)** The Director-General of Health may order the following persons to be detained and isolated in a hospital or other place for such period of time and subject to such conditions as the Director-General of Health may determine:

(a) any person who is a case or an at-risk individual of an infectious disease;

(b) any class of persons mentioned in paragraph (a);

(c) any person who is suspected to be a case or an at-risk individual of an infectious disease. 5

(2) The Director-General of Health may order the following persons to remain and to be isolated and (if necessary) be treated, in the person's own residence for such period of time as may be necessary for the protection of the public and subject to such conditions as the Director-General of Health may consider necessary for this purpose: 10

(a) any person who is a case or an at-risk individual of an infectious disease;

(b) any class of persons mentioned in paragraph (a); 15

(c) any person who is suspected to be a case or an at-risk individual of an infectious disease;

(d) any person who has recently recovered from or been treated for an infectious disease.”; 20

(b) in subsection (4), after “Any person”, insert “(including any person in a class of persons)”;

(c) in subsection (4), after paragraph (a), insert — 25

“(aa) without reasonable excuse, fails to proceed to the place in which the person is to be isolated as soon as possible, in a case where there is no time specified in the order;”; and

(d) replace subsection (5) with — 30

“(5) Subsection (4)(a) or (aa) does not apply where the person is already at the place he or she is ordered to be isolated in under subsection (1) or (2).”.

### **Amendment of section 16**

**13.** In the principal Act, in section 16 —

(a) replace subsection (1) with —

“(1) The Director-General of Health may order the following persons to undergo surveillance for such period of time and subject to such conditions as the Director-General of Health thinks fit:

(a) any person who is a case or an at-risk individual of an infectious disease;

(b) any class of persons mentioned in paragraph (a);

(c) any person who is suspected to be a case or an at-risk individual of an infectious disease.”;

(b) delete subsections (2) and (4);

(c) in subsection (3), after “Any person”, insert “(including any person in a class of persons)”; and

(d) in subsection (3), after “comply with”, insert “an order made under subsection (1) or”.

### **Amendment of section 17**

**14.** In the principal Act, in section 17 —

(a) replace subsections (1) and (2) with —

“(1) The Director-General of Health may, for the purpose of preventing the spread or possible outbreak of an infectious disease, declare any premises to be an isolation area for a period not exceeding 90 days.

(2) The Director-General of Health may, from time to time, extend the period mentioned in subsection (1) for a period not exceeding 90 days at any one time, and this period must be specified in a notice published in the same manner as the notice of the declaration made under subsection (1).

(2A) The Director-General of Health must cause to be published a notice of the declaration made under subsection (1) and any extension made under subsection (2) in a manner that he or she thinks necessary for bringing it to the notice of all persons who in his or her opinion ought to have notice of the declaration.

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(2B) A declaration made under subsection (1) or any extension made under subsection (2) has effect —

(a) as soon as notice is given in accordance with subsection (2A); and

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(b) until the expiry of the period specified in the declaration or extension, or until that declaration or extension is revoked by the Director-General of Health, whichever occurs first.”;

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(b) replace subsection (5) with —

“(5) Any person to whom an order under subsection (3) applies who, without reasonable excuse, contravenes the order shall be guilty of an offence.”;

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(c) in subsection (6), after “A person”, insert “(including a person in a class of persons)”; and

(d) in subsection (6), replace “authorised in writing in that behalf by the Director-General of Health” with “appointed under section 4(1)(a), (b) or (e) and authorised in writing by the appropriate Minister”.

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### **Deletion of section 17A**

15. In the principal Act, delete section 17A.

### **Amendment of section 18**

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16. In the principal Act, in section 18(1), after “part of the building”, insert “, and carry out any other measure relating to the abatement or closure, in the manner and”.

## Amendment of section 19A

17. In the principal Act, in section 19A —

(a) in subsection (1)(a), after “premises”, insert “, and carry out any other measure relating to the surveillance or contact tracing measure,”;

(b) after subsection (1), insert —

“(1A) Despite subsection (1), if a PHT Order or PHE Order is in force, the appropriate Minister may, by order in the *Gazette*, direct all persons or any class of persons in charge of any premises to carry out all or any of the measures in subsection (1).

(1B) Where an order is made under subsection (1A), a written notice under subsection (1) is not required.”;

(c) in subsection (2), after “subsection (1)”, insert “or an order under subsection (1A) to which the person is subject”;

(d) after subsection (2), insert —

“(2A) Any person on any premises in respect of which a direction is given by written notice under subsection (1) or by order under subsection (1A) must cooperate with the person in charge of the premises so as to enable the person in charge of the premises to comply with the direction.

(2B) Any person who, without reasonable excuse, contravenes subsection (2A) shall be guilty of an offence.”;

(e) in subsection (3), after “subsection (1)”, insert “or an order under subsection (1A)”;

(f) in subsection (3)(b), after “written notice”, insert “or order”.

## Amendment of section 20

18. In the principal Act, in section 20(3), after “an order”, insert “or any condition imposed”.

## Amendment of section 21

19. In the principal Act, in section 21 —

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(a) in the section heading, replace “**occupation, trade or business**” with “**business, undertaking or work**”;

(b) in subsection (1)(a), replace “carrier” with “an at-risk individual”;

(c) in subsections (1) and (2), replace “occupation, trade or business” wherever it appears with “business, undertaking or work”;

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(d) in subsection (1)(a), delete “or” at the end;

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

“(aa) any class of persons mentioned in paragraph (a);

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(ab) any person who is suspected to be a case or an at-risk individual of an infectious disease and is carrying on or may carry on any business, undertaking or work;”;

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(f) in subsection (1)(b), replace the comma at the end with “; or”;

(g) in subsection (1), after paragraph (b), insert —

“(ba) any class of persons mentioned in paragraph (b);”;

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(h) in subsection (2), after “person” wherever it appears, insert “or class of persons”;

(i) in subsections (3) and (4), after “to that person”, insert “or a class of persons to which that person belongs”;

(j) in subsection (3)(a), replace “an occupation, trade or business” with “a business, undertaking or work”;

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(*k*) in subsection (3)(*b*), after “person”, insert “to the Government”; and

(*l*) in subsection (5), after “A person”, insert “(including a person in a class of persons)”.

5 **Amendment of section 21A**

**20.** In the principal Act, in section 21A —

(*a*) in subsection (1), replace “A person” with “A person (*A*)”;

10 (*b*) in subsection (1), after “contact of”, insert “, or knows of the existence of facts by which he or she is deemed under section 27 to be infected with,”;

(*c*) replace subsection (2) with —

15 “(2) A person having the care of *A* must not cause or permit *A* to expose other persons to the risk of infection by *A*’s presence or conduct in any place mentioned in subsection (1).

20 (2A) *A* must not deliberately or recklessly put another person in *A*’s own place of residence at risk of infection by *A*’s conduct, or by *A* refusing to isolate himself or herself or take reasonable precautions against exposing that other person to the risk of infection.”;

(*d*) in subsection (4), after “(2)”, insert “, (2A)”; and

(*e*) after subsection (6), insert —

25 “(6A) In proceedings for an offence under subsection (4) for contravening subsection (2A), it is a defence for the accused to prove, on a balance of probabilities, that the accused’s conduct or refusal to isolate himself or herself or take reasonable precautions against exposing persons to the risk of infection in the place mentioned in subsection (2A) —

30 (*a*) was necessary or unavoidable in the circumstances; or



(b) was authorised by the Director-General of Health.”.

### **Amendment of section 21B**

**21.** In the principal Act, in section 21B —

- (a) in subsection (1), replace “appropriate Minister” with “Director-General of Health”; 5
- (b) in subsections (1) and (3), after “any relevant operator”, insert “or class of relevant operators”;
- (c) in subsection (1)(a) and (b), after “relevant person”, insert “or class of relevant persons”; 10
- (d) in subsection (1)(b), after “relevant operator”, insert “or those relevant operators”;
- (e) in subsection (1)(c), after “the relevant operator”, insert “or those relevant operators”;
- (f) in subsection (1)(c), after “another relevant operator”, insert “or class of relevant operators”; 15
- (g) in subsections (1)(c) and (2), after “who is”, insert “or are”;
- (h) in subsection (2), after “relevant operator” wherever it appears, insert “or class of relevant operators”; and
- (i) in subsection (4), after “relevant operator”, insert “(including a relevant operator in a class of relevant operators)”. 20

### **New Part 3A**

**22.** In the principal Act, after Part 3, insert —

## “PART 3A

CONTROL OF INFECTIOUS DISEASE  
DURING PUBLIC HEALTH THREAT AND  
PUBLIC HEALTH EMERGENCY

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*Division 1 — Public health threat***Declaration of public health threat**

21C.—(1) If the appropriate Minister is satisfied that the incidence and transmission, or a significant likelihood of the incidence or transmission, of an infectious disease in Singapore constitutes a serious threat to public health and it is necessary to take measures to prevent, protect against, delay or otherwise control the incidence or transmission of the infectious disease in Singapore, the appropriate Minister may, by order, declare a public health threat.

(2) Once a public health threat is declared, the appropriate Minister must without delay cause to be published a notice of the PHT Order in a manner that he or she thinks necessary for bringing it to the notice of all persons who in his or her opinion ought to have notice of the PHT Order.

(3) Every PHT Order —

(a) comes into force as soon as the notice is published in accordance with subsection (2); and

(b) subject to subsection (5) and section 21D, remains in force until it is revoked by the appropriate Minister or upon the expiry of 90 days after the date on which the order is made, whichever is earlier.

(4) Without affecting subsection (3)(a), a copy of every PHT Order must be —

(a) published in the *Gazette*; and

(b) presented to Parliament as soon as possible after the PHT Order is made.

(5) If Parliament passes a resolution to annul a PHT Order, the PHT Order ceases to be in force, but the annulment does not affect anything previously done pursuant to the PHT Order.

### **Extension of validity of PHT Order**

**21D.**—(1) The appropriate Minister may, from time to time, by order extend the validity of a PHT Order for a period not exceeding 90 days at any one time, and this period must be specified in the order for extension.

(2) Section 21C(3), (4) and (5) applies to an order made under subsection (1) as those provisions apply to a PHT Order.

### *Division 2 — Public health emergency*

#### **Declaration of public health emergency**

**21E.**—(1) If the appropriate Minister is satisfied that the incidence and transmission, or a significant likelihood of the incidence or transmission, of an infectious disease in Singapore constitutes a serious threat to public health and poses a substantial risk of —

- (a) a significant number of human fatalities or incidents of serious disability of persons in Singapore; or
- (b) a severe shortage or impairment of healthcare services (including a severe shortage of the supply of medical equipment, medication, vaccines or other prophylaxis) in Singapore,

the appropriate Minister may, by order, declare a public health emergency.

(2) Once a public health emergency is declared, the appropriate Minister must without delay cause to be published a notice of the PHE Order in a manner that he or she thinks necessary for bringing it to the notice of all persons who in his or her opinion ought to have notice of the PHE Order.

(3) Every PHE Order —

(a) comes into force as soon as the notice is published in accordance with subsection (2); and

(b) subject to subsection (5) and section 21F, remains in force until it is revoked by the appropriate Minister or upon the expiry of 90 days after the date on which the order is made, whichever is earlier.

(4) Without affecting subsection (3)(a), a copy of every PHE Order must be —

(a) published in the *Gazette*; and

(b) presented to Parliament as soon as possible after the PHE Order is made.

(5) If Parliament passes a resolution to annul a PHE Order, the PHE Order ceases to be in force, but the annulment does not affect anything previously done pursuant to the PHE Order.

### **Extension of validity of PHE Order**

**21F.**—(1) The appropriate Minister may, from time to time, by order extend the validity of a PHE Order for a period not exceeding 90 days at any one time, and this period must be specified in the order for extension.

(2) Section 21E(3), (4) and (5) applies to an order made under subsection (1) as those provisions apply to a PHE Order.

### **Exercise of powers under Requisition of Resources Act 1985**

**21G.**—(1) This section applies only during the period that a PHE Order is in force.

(2) Whenever it appears to the appropriate Minister that it is necessary for the securing of the safety of human life and health in the event of a public health emergency, the appropriate Minister may by order direct that all or any of sections 8, 10, 11, 12, 13, 14, 16 and 17 of the Requisition of Resources Act 1985 shall come into operation and those provisions shall come into

operation and remain in operation for such period as may be specified in the order.

(3) An order under this section must not be in force for a period exceeding 7 days from the date of commencement of the order unless it has been made with the approval of the President. 5

(4) An order made by the appropriate Minister under subsection (2) is deemed to be an order made under section 2(2) of the Requisition of Resources Act 1985, and accordingly —

(a) any competent authority or authorised officer appointed under section 4 or 5 of that Act may exercise all the powers under sections 8, 10, 11, 12, 13, 14, 16 and 17 of that Act (whichever is applicable) pursuant to the order under subsection (2); and 10

(b) Parts 4, 5 and 6 of that Act apply in respect of anything done under section 8, 10, 11, 12, 13, 14, 16 or 17 of that Act pursuant to the order under subsection (2), as they would apply in respect of anything done under that section of that Act pursuant to an order made under section 2(2) of that Act. 15 20

(5) To avoid doubt, subsection (2) does not affect the power of the Minister charged with the responsibility for the Requisition of Resources Act 1985 to make an order under section 2(2) of that Act or exercise any other power under any provision of that Act during a public health emergency. 25

*Division 3 — Measures during public health threat or public health emergency*

**Regulations during public health threat or public health emergency**

**21H.**—(1) This section applies during the period that a PHT Order or PHE Order is in force, including any period in respect of which the validity of that order has been extended. 30

(2) The appropriate Minister may make regulations —

(a) where a PHT Order is in force — for the purpose of preventing, protecting against, delaying or otherwise controlling the incidence or transmission of the infectious disease in question in Singapore; or

(b) where a PHE Order is in force — for the purpose of —

(i) reducing the risk of a significant number of human fatalities or incidents of serious disability of persons in Singapore due to the incidence and transmission of the infectious disease in question in Singapore; or

(ii) reducing the risk of a severe shortage or impairment of healthcare services (including the supply of medical equipment, medication, vaccines or other prophylaxis) in Singapore due to the incidence and transmission of the infectious disease in question in Singapore.

(3) Without limiting subsection (2), the appropriate Minister may make regulations for or with respect to —

(a) where a PHE Order is in force — declaring the whole of or any area in Singapore to be a restricted zone;

(b) requiring any person or class of persons to enter, stay at or in, and not leave —

(i) where a PHT Order or PHE Order is in force — a specified place or type of place; or

(ii) where a PHE Order is in force — a restricted zone or any place within a restricted zone,

whether or not that place is a place of accommodation;

(c) restricting the movement of any person or class of persons or contact between persons, including prohibiting or limiting group activities or other activities of any person or class of persons within the place mentioned in paragraph (b), restricting the

use of any facilities at that place and limiting movement to and from that place, whether by time or location;

- (d) requiring the doing of one or both of the following at a specified time, in a specified manner or to a specified extent, in relation to any premises or facility used to carry out any business, undertaking or work:
  - (i) close the premises or facility;
  - (ii) limit access to the premises or facility;
- (e) restricting the time, manner or extent for the carrying on of any business, undertaking or work, including prescribing restrictions on the maximum number of people, opening hours or facilities provided, for the carrying on of the business, undertaking or work;
- (f) prohibiting or restricting the holding of, or the attendance of persons at, any meeting, reception, procession, event or other gathering in —
  - (i) where a PHT Order or PHE Order is in force — the whole of Singapore or a specified place or type of place; or
  - (ii) where a PHE Order is in force — a restricted zone or any place within a restricted zone;
- (g) disapplying any requirement, prohibition or restriction in paragraph (b), (c), (d), (e) or (f) under certain circumstances;
- (h) any saving and transitional provisions that may be necessary or expedient for the purposes of the PHT Order or PHE Order, as the case may be; and
- (i) any other matter necessary or expedient to be prescribed for giving effect to this Part.

(4) The regulations remain in force until their expiry or revocation or the date the PHT Order or PHE Order (as the case may be) ceases to be in force, whichever occurs first.

(5) The regulations and any amendment of the regulations must be presented to Parliament as soon as possible after publication in the *Gazette*.

5 (6) If a resolution is passed by Parliament annulling the regulations or any part of it, or any amendment of the regulations, as from a specified date, the regulations or that part or amendment ceases to have effect as from that date, but without affecting anything previously done under those regulations, that part, or those regulations as amended.

10 (7) The regulations may provide that —

(a) a contravention of any provision of the regulations shall be an offence punishable —

15 (i) in the case of a first offence, with a fine not exceeding \$10,000 or with imprisonment for a term not exceeding 6 months or with both; and

(ii) in the case of a second or subsequent offence, with a fine not exceeding \$20,000 or with imprisonment for a term not exceeding 12 months or with both; and

20 (b) any person who, without reasonable excuse, refuses or fails to comply with any regulation may (without affecting any proceedings which may be taken against the person) be arrested without warrant, and may be removed from the place in respect of which that regulation applies, by any police officer or any Health Officer appointed under section 4(1)(a), (b) or (e) who is authorised in writing by the appropriate  
25 Minister.

### **Appointment of adjunct Health Officers**

30 **211.**—(1) Without affecting section 4(1), where a PHT Order or PHE Order has been made, the Director-General of Public Health, the Director-General, Food Administration or the Director-General of Health may appoint any suitable person or class of persons to be an adjunct Health Officer or adjunct



Health Officers to exercise any powers or perform any functions of a Health Officer under this Act or any provision of this Act during the period the PHT Order or PHE Order is in force, and a reference in this Act or those provisions of this Act (as the case may be) to a Health Officer includes a reference to an adjunct Health Officer during that period. 5

(2) The appointment of any adjunct Health Officer is subject to any condition or restriction imposed by the Director-General of Public Health, the Director-General, Food Administration or the Director-General of Health. 10

(3) The Director-General of Public Health, the Director-General, Food Administration or the Director-General of Health may at any time revoke the appointment of an adjunct Health Officer, or vary any condition or restriction of the appointment. 15

### **Enforcement of regulations made under section 21H**

**21J.**—(1) Without affecting any proceedings which may be taken for an offence under section 21H(7), a police officer or Health Officer authorised by the Director-General of Health may, for the purposes of enforcing compliance with regulations made under section 21H — 20

(a) direct any individual or group of individuals to do one or more of the following:

(i) to enter or not to leave any premises as required by the regulations; 25

(ii) to not enter, or to leave, any premises that are closed or entry to which is restricted by the regulations;

(iii) to go to a specified place or type of place applicable to the individual or group of individuals, or for the time being to another place, or to take such other steps as may be required to comply with the regulations; 30

(iv) to disperse; and

(b) direct any person carrying on a business, undertaking or work, or any individual working, at any premises or facility (other than at a time, in a manner and to the extent permitted under the regulations) to do one or more of the following:

(i) to stop carrying on the business, undertaking or work, and stop working, at the premises or facility;

(ii) to take steps to comply with the restrictions in the regulations with respect to the carrying on of the business, undertaking or work;

(iii) to close or limit access to the premises or facility.

(2) A direction under subsection (1) may be given orally.

(3) If an oral direction is given —

(a) to a group of individuals, it is deemed to have been given to each member of the group if the oral direction is made in a manner which is likely to be audible to all the members of the group or as many of them as is reasonably practicable; and

(b) to an officer, an employee, a manager, a partner or an agent of a person carrying on the business, undertaking or work, or working, at the premises or facility in subsection (1)(b), it is deemed to have been given to the person carrying on that business, undertaking or work at the premises or facility.

### **No appeals during public health threat or public health emergency**

**21K.** During the period that a PHT Order or PHE Order is in force, there is no appeal to the appropriate Minister from —

(a) any order, requirement or direction of the Director-General of Health under section 18(1), 19(1), 20(1) or 21(1) made during the period the

PHT Order or PHE Order (as the case may be) is in force; or

- (b) any requirement, restriction or prohibition, or the disapplication of any requirement, restriction or prohibition, imposed by regulations made under section 21H.”.

5

### **Amendment of section 23**

**23.** In the principal Act, in section 23 —

- (a) in subsection (1), replace “A” with “Subject to subsection (1A), a”; and

10

- (b) after subsection (1), insert —

“(1A) Subsection (1) does not apply to a person who knows that he or she has HIV infection if he or she has maintained an undetectable HIV viral load for at least the prescribed period preceding the sexual activity in question.

15

(1B) A person is presumed, unless the contrary is proved, to have maintained an undetectable HIV viral load for at least the prescribed period preceding the sexual activity in question if he or she —

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- (a) has taken a test within a prescribed period before the sexual activity and obtained a test result issued by a recognised laboratory showing that the person has an undetectable HIV viral load;

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- (b) has taken an earlier test no later than a prescribed amount of time before the test mentioned in paragraph (a) and obtained a test result issued by a recognised laboratory showing that the person has an undetectable HIV viral load;

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- (c) at no time, during the period between the test mentioned in paragraph (b) and the sexual activity in question, has taken a test

and obtained a test result issued by a recognised laboratory showing that the person has a detectable HIV viral load; and

- (d) has adhered to his or her medical treatment for HIV infection as prescribed by his or her medical practitioner, during the period starting on the date he or she takes the test mentioned in paragraph (b) up to and including the date of the sexual activity in question.

(1C) For the purposes of subsection (1A) —

- (a) a person has a detectable HIV viral load if the amount of HIV detected in a test carried out for the purpose of ascertaining his or her HIV viral load is at or above the level prescribed by regulations; and

- (b) a person has an undetectable HIV viral load if the amount of HIV detected in a test carried out for the purpose of ascertaining his or her HIV viral load is below the level prescribed by regulations.”.

### **Amendment of section 25**

**24.** In the principal Act, in section 25 —

- (a) in subsection (3)(b), replace “below 16 years of age” with “a minor”; and

- (b) after subsection (3), insert —

“(4) In this section, “legal guardian” means a person lawfully appointed by deed or will or by the order of a competent court to be the guardian of another person.”.

### **Amendment of section 27**

**25.** In the principal Act, in section 27(2), replace “an infectious disease” with “a dangerous infectious disease”.

### Amendment of section 29

26. In the principal Act, in section 29 —

- (a) in subsection (1)(a), after “any person”, insert “or class of persons”;
- (b) in subsection (1), replace paragraph (b) with — 5
  - “(b) in respect of any person or class of persons on board a vessel or in a vehicle —
    - (i) subject that person or class of persons to medical examination upon arrival in Singapore; and 10
    - (ii) impose any requirement relating to the medical examination that the Director-General of Public Health, the Director-General, Food Administration or a Port Health Officer thinks fit;”;
- (c) in subsection (1)(d), after “any other person”, insert “or class of persons”;
- (d) in subsection (1)(d), replace “persons” with “any person or class of persons”; and 20
- (e) in subsection (2), after “Any person”, insert “(including any person in a class of persons)”.

### New section 30

27. In the principal Act, after section 29, insert —

**“Health requirements for persons arriving in Singapore”** 25

**30.—**(1) The appropriate Minister may, by order in the *Gazette*, specify all or any of the following in respect of any infectious disease:

- (a) any pre-departure health requirement (including a specified pre-departure test or a declaration as to the status of a person’s health) that a person must comply 30

with, whether that person is entering or in transit through Singapore;

5 (b) any time within which any pre-departure health requirement mentioned in paragraph (a) must be carried out;

(c) any health requirement that a person must comply with while on board a vehicle or vessel on an international voyage to Singapore (called in this section an onboard health requirement);

10 (d) the classes of persons to whom the pre-departure health requirement mentioned in paragraph (a) or the onboard health requirement mentioned in paragraph (c) apply.

15 (2) Any person on an international voyage arriving in Singapore by land, air or sea (whether entering or in transit through Singapore) must —

(a) comply with any pre-departure health requirement under subsection (1)(a) within the time mentioned in subsection (1)(b), or any onboard health requirement under subsection (1)(c) applicable to the person; and

(b) upon the request of a Health Officer (when arriving by land) or a Port Health Officer (when arriving by air or sea) —

25 (i) produce proof of a prescribed type showing that any pre-departure health requirement under subsection (1)(a) applicable to the person has been complied with; or

30 (ii) where the pre-departure health requirement is a specified pre-departure test and no such type of proof is prescribed, produce a medical report or laboratory report from the person's place of origin or embarkation stating the results of the relevant pre-departure test.

(3) Any person on an international voyage who arrives in Singapore by land, air or sea (whether entering or in transit through Singapore) and who, without reasonable excuse —

(a) has failed to comply with any pre-departure health requirement under subsection (1)(a) applicable to the person; 5

(b) has failed to comply with any onboard health requirement under subsection (1)(c) applicable to the person during the international voyage; or

(c) fails to comply with subsection (2), 10

shall be guilty of an offence.

(4) A Health Officer or Port Health Officer may return any person, not being a citizen of Singapore, who arrives in Singapore in contravention of subsection (3), to the person's place of origin or embarkation at the person's own expense or the expense of the owner or agent of the vessel by which the person arrived in Singapore." 15

### **Amendment of section 31**

**28.** In the principal Act, in section 31 —

(a) in subsection (1), replace “Every person on an international voyage whether leaving or arriving in Singapore” with “Any person on an international voyage leaving or arriving in Singapore by land, air or sea, or in transit through Singapore”; 20

(b) in subsection (1)(b), before “produce”, insert “upon the request of a Health Officer (when a person arrives by land) or a Port Health Officer (when a person arrives by air or sea),”; 25

(c) in subsection (1)(b), replace “a Port Health Officer” with “that Health Officer or Port Health Officer”; 30

(d) in subsection (2), replace “a Port Health Officer” with “a Health Officer or Port Health Officer”;

(e) in subsection (2), replace “for such period as the Port Health Officer” with “for any period of time and subject to any condition that the Health Officer or Port Health Officer”;

5 (f) in subsection (3), replace “The Port Health Officer” with “A Health Officer or Port Health Officer”;

(g) in subsection (3), after “at”, insert “the person’s own expense or”;

10 (h) in subsection (4), after “The”, insert “owner of a vehicle or the”; and

(i) in subsection (4), replace “the vessel” with “the vehicle or vessel”.

### **Replacement of section 32**

29. In the principal Act, replace section 32 with —

15 **“Disinfection and treatment of personal effects, vessel and vehicle**

32.—(1) The Director-General of Health or a Health Officer authorised by the Director-General of Health may order any infected person arriving in Singapore to disinfect and treat his or her clothes and personal effects.

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(2) The Director-General of Health or a Health Officer authorised by the Director-General of Health may, by written notice, require —

(a) the owner or occupier of any vessel; or

25 (b) the owner of any vehicle,

which has conveyed an infected person to cleanse, disinfect or treat the vessel or vehicle and carry out any additional measures that the Director-General of Health or Health Officer may require, in the manner and within the time specified in the notice.

30 (3) Any person who, without reasonable excuse, fails to comply with any order under subsection (1) or any written notice under subsection (2) shall be guilty of an offence.



(4) In this section, “infected person” means a person who is deemed to be infected under section 27(1) or (2).”.

### **Replacement of section 36**

**30.** In the principal Act, replace section 36 with —

#### **“Discharge of waste or matter**

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**36.**—(1) The Director-General of Public Health or a Port Health Officer may, by written notice, require the owner or occupier of any vessel from which any human waste, solid or liquid waste or any matter that the Director-General of Public Health or that Port Health Officer considers to be contaminated has been discharged, to —

10

(a) remove or clean up that waste or contaminated matter;  
or

(b) carry out any additional measures that the Director-General of Public Health or that Port Health Officer may consider necessary,

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in the manner and within the time specified in the notice.

(2) Any person who, without reasonable excuse, fails to comply with any written notice under subsection (1) shall be guilty of an offence.”.

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### **Amendment of section 45A**

**31.** In the principal Act, in section 45A —

(a) in subsection (1), after “persons”, insert “or class of persons”;

(b) in subsection (1), after “the order”, insert “within or at such time and at such place, and comply with such measures relating to the medical examination, as may be specified in the order”; and

25

(c) in subsection (2), after “Any person”, insert “(including any person in a class of persons)”.

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### **Amendment of section 45B**

**32.** In the principal Act, in section 45B —

(a) in the section heading, delete “**during public health emergency**”;

5 (b) replace subsection (1) with —

“(1) The appropriate Minister may, for the purpose of preventing the spread of an infectious disease out of Singapore, by written order —

10 (a) require all or any persons or class of persons leaving Singapore to undergo any medical examination specified in the order within or at such time and at such place, as may be specified in the order; and

15 (b) impose any condition that the appropriate Minister thinks fit on that person or those persons.”; and

(c) in subsection (2), after “Any person”, insert “(including any person in a class of persons)”.

### **Amendment of section 48**

20 **33.** In the principal Act, in section 48 —

(a) delete subsection (1);

(b) in subsection (2), replace “Every medical practitioner” with “Any person who carries out any vaccination”; and

25 (c) in subsection (2)(a), delete “or under his or her supervision”.

### **Amendment of section 55**

**34.** In the principal Act, in section 55 —

(a) in subsection (1), replace paragraph (d) with —

30 “(d) require any person or class of persons to destroy any food in the possession of the person or those persons, in such manner

and within such time as he or she may specify, and impose any requirement that the Director-General of Health or Health Officer thinks fit in relation to the destruction of the food, if the Director-General of Health or Health Officer has reason to believe that the food is the cause of, is contributory to or is otherwise connected with, the occurrence of the outbreak or suspected outbreak;”;

- (b) in subsection (1)(e), after “any person”, insert “or class of persons”;
- (c) in subsection (1)(e)(i), replace “person’s knowledge” with “knowledge of the person or any person in that class of persons”;
- (d) in subsection (1)(e)(ii), replace “person’s custody or possession” with “custody or possession of the person or any person in that class of persons”;
- (e) in subsection (1)(f), replace “carrier or contact” with “an at-risk individual”;
- (f) in subsection (1)(f), after “place,”, insert “and comply with such other measure relating to the medical examination,”;
- (g) in subsection (1)(g), after “taken place”, insert “, and require the owner or occupier of the public place to carry out any additional measures that the Director-General of Health or Health Officer considers necessary, in the manner and within the time specified in the order”;
- (h) in subsection (1)(h)(i), after “any premises”, insert “(including any facility or equipment in those premises)”;
- (i) in subsection (1)(h)(i), replace “carriers or contacts” with “at-risk individuals”;
- (j) in subsection (1)(i), replace “persons” with “any person or class of persons”;

- (*k*) in subsection (1)(*i*), after “paragraph (*h*)(*i*)”, insert “, subject to any condition that the Director-General of Health thinks fit”;
- (*l*) in subsection (4), after “A person”, insert “(including a person in a class of persons)”;
- (*m*) in subsection (8), after “Any person”, insert “(including any person in a class of persons)”;
- (*n*) in subsection (9)(*b*), after “any person”, insert “or class of persons”.

### Amendment of section 55A

35. In the principal Act, in section 55A —

- (*a*) in subsection (1)(*a*), after “any person”, insert “or class of persons, within such time and in such manner as the Director-General of Public Health, the Director-General, Food Administration or the Director-General of Health may specify”;
- (*b*) in subsection (1)(*a*)(*i*), replace “person’s knowledge” with “knowledge of the person or any person in that class of persons”;
- (*c*) in subsection (1)(*a*)(*ii*), replace “person’s custody or possession” with “custody or possession of the person or any person in that class of persons”;
- (*d*) in subsection (1)(*a*), replace “such person” with “the person”; and
- (*e*) in subsection (3), after “Any person”, insert “(including any person in a class of persons)”.

### Amendment of section 56

36. In the principal Act, in section 56 —

- (*a*) in the section heading, after “**arrest**”, insert “**and detention**”;
- (*b*) in subsections (1) and (3), replace “authorised in writing in that behalf by the Director-General of Health” with

“appointed under section 4(1)(a), (b) or (e) and authorised in writing by the appropriate Minister”;

- (c) in subsection (2), replace “authorised in writing in that behalf by the Director-General of Public Health, the Director-General, Food Administration or the Director-General of Health” with “appointed under section 4(1)(a), (b) or (e) and authorised in writing by the appropriate Minister”; 5
- (d) in subsection (6), after “before a court”, insert “, and in any case, not longer than 48 hours (excluding the time of any necessary journey).”; 10
- (e) in subsection (8), replace “may, instead of arresting a person mentioned in subsection (3), take such measures as he or she thinks fit —” with “authorised in writing by the Director-General of Health for the purposes of this subsection may, in relation to a person in default under subsection (3)(a), (b) or (c), take any of the following measures, whereupon the person is not to be arrested under subsection (3) in respect of the default:”; 15
- (f) in subsection (8)(b), delete “or” at the end; 20
- (g) in subsection (8)(c), after “treated”, insert “, subject to such conditions as the Director-General of Health thinks fit”; and
- (h) after subsection (9), insert — 25
  - “(10) Any person arrested without warrant under this Act may be detained while awaiting trial or in remand at —
  - (a) a lock-up appointed as a place of confinement under section 4(1) of the Prisons Act 1933; or 30
  - (b) an immigration depot designated under the Immigration Act 1959.”.

### **Amendment of section 57A**

37. In the principal Act, in section 57A(1), replace “carrier or contact” with “an at-risk individual”.

### **Amendment of section 57B**

5 38. In the principal Act, in section 57B(1)(a), replace “carrier or contact” with “an at-risk individual”.

### **Deletion of section 58**

39. In the principal Act, delete section 58.

### **Amendment of section 59A**

10 40. In the principal Act, in section 59A —

(a) in subsection (3)(a), after “any person”, insert “or class of persons”;

(b) in subsection (3)(a)(i) and (ii), after “that person”, insert “or any person in that class of persons”;

15 (c) in subsection (3)(b), delete “and” at the end;

(d) in subsection (3), after paragraph (b), insert —

“*(ba)* impose any condition that the Director-General of Health thinks fit on any person mentioned in paragraph (a) or any medical practitioner mentioned in paragraph (b) relating to the provision or obtaining of the information or sample; and”;

20

(e) in subsection (7), after “any person”, insert “(including any person in a class of persons)”; and

25

(f) in subsection (7)(c), after “subsection”, insert “(3) or”.

### **Amendment of section 60**

41. In the principal Act, in section 60 —

(a) in subsection (1), replace paragraph (d) with —

“(d) in the case of a body corporate (including a limited liability partnership), by —

- (i) delivering it to the secretary of the body corporate or similar officer, or the manager of the limited liability partnership, at the body corporate’s registered office or principal office; or 5
- (ii) sending it by post to the secretary or similar officer or manager (as the case may be) at that registered office or principal office; 10

(da) in the case of a partnership (other than a limited liability partnership), by —

- (i) delivering it to any partner or other similar officer of the partnership; or 15
- (ii) sending it by post to the partnership’s business address;”;

(b) after subsection (1), insert —

“(1A) In addition, any notice, order or other document required or authorised by this Act to be served on any person may be served — 20

- (a) by sending it by email to the last email address of the person;
- (b) by sending a text message to the last mobile telephone number of the person using short message service, and such text message may include the address of a website on which the conditions or other information relating to the notice, order or other document is published; or 25 30
- (c) by giving an electronic notice to the person by the person’s chosen means of notification, and such electronic notice

may include the address of a website on which the conditions or other information relating to the notice, order or other document is published.

5 (1B) However, service of any notice, order or other document under this Act on a person under subsection (1A) may be effected only with that person's prior consent (express or implied) to service in that way.

10 (1C) A notice, order or other document served in accordance with subsection (1A) takes effect at the time the notice, order or document becomes capable of being retrieved by the person to whom it is served.”;

15 (c) after subsection (2), insert —

“(2A) Any notice, order or other document required by this Act to be served on the owner of any vehicle is deemed to be properly addressed if addressed by the description of the “owner” of the vehicle without specifying any further name or description.”; and

20 (d) after subsection (3), insert —

“(4) This section does not apply to any document to be served in proceedings in court.

(5) In this section —

25 “chosen means of notification” means an electronic means that the addressee nominates to the person giving or serving the notice, order or document as the means by which the addressee may be notified that such a notice, order or document has been served on the addressee;

30

“last email address” means —

(a) the last email address given by the addressee to the person giving or



serving the notice, order or other document as the email address for the service of notices, orders or documents under this Act; or

- (b) the last email address of the addressee known to the person giving or serving the notice, order or document;

“last mobile telephone number” means —

- (a) the last mobile telephone number given by the addressee to the person giving or serving the notice, order or other document as the mobile telephone number for the service of notices, orders or documents under this Act; or
- (b) the last mobile telephone number of the addressee known to the person giving or serving the notice, order or document.”.

**Replacement of section 61**

42. In the principal Act, replace section 61 with —

**“Default in compliance with notice, order or document**

61. Where any person is charged with an offence under this Act in respect of a default in complying with a requirement of a notice, order or other document, it is a defence for the person to prove that the person had a reasonable excuse for the default.”.

**Amendment of section 63**

43. In the principal Act, in section 63 —

- (a) in subsection (1), replace “or Health Officer” with “, Health Officer, adjunct Health Officer”; and
- (b) in subsection (2), replace “or a Health Officer” with “, a Health Officer or an adjunct Health Officer”.

### **Amendment of section 67**

44. In the principal Act, in section 67, replace “Port Health Officer, police officer or authorised person mentioned in section 17A(7)” with “adjunct Health Officer, Port Health Officer or police officer”.

### 5 **New section 69A**

45. In the principal Act, after section 69, insert —

#### **“Recovery of fees and charges**

10 **69A.** Except for any fee, charge or money mentioned in section 69(2), any fee or charge payable under this Act may be recovered as a debt due to the Government.”.

### **Amendment of section 73**

46. In the principal Act, in section 73 —

(a) in subsection (2)(b), after “vessels”, insert “, vehicles”; and

(b) in subsection (4), replace paragraph (b) with —

15 “(b) for the purposes of section 21B —

(i) the relevant operators or classes of relevant operators to whom a written order may be given;

20 (ii) the relevant persons or classes of relevant persons to whom a relevant operator or class of relevant operators may be required to disseminate any health advisory; and

25 (iii) the types of information that may be obtained from different relevant operators or classes of relevant operators.”.

## Miscellaneous amendments

### 47. In the principal Act —

- (a) in the following provisions, in the section heading, replace “**Infection**” with “**infection**”:

Section 22

5

Section 23

Section 24

Section 25;

- (b) in the following provisions, replace “Infection” wherever it appears with “infection”:

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Section 22(1)

Section 23(1), (2) and (5)

Section 24(1) and (2)

Section 25(1) and (3)(c)

Section 25A(1), (3), (7) and (10)

15

First Schedule, item 16; and

- (c) in section 54, replace “medical practitioners” with “persons”.

## Related amendments to COVID-19 (Temporary Measures) Act 2020

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### 48. In the COVID-19 (Temporary Measures) Act 2020 —

- (a) in section 2, in the definition of “Minister”, in paragraph (a), replace “to (e)” with “to (d)”;

- (b) in section 2, in the definition of “Minister”, in paragraph (c), insert “and” at the end;

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- (c) in section 2, in the definition of “Minister”, in paragraph (d), delete “and” at the end;

- (d) in section 2, in the definition of “Minister”, delete paragraph (e);

- (e) delete Part 11; and

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(f) delete the Sixth and Seventh Schedules.

**Related amendment to Immigration Act 1959**

49. In the Immigration Act 1959, in section 2, in the definition of “immigration depot”, after “Act”, insert “or any other written law”.

5 **Related amendments to Requisition of Resources Act 1985**

50. In the Requisition of Resources Act 1985 —

(a) in section 2(1), after “section”, insert “or section 21G of the Infectious Diseases Act 1976”;

10 (b) in section 3, in the definition of “public health emergency”, replace “section 17A(1) of the Infectious Diseases Act 1976 by the Minister charged with the responsibility for health” with “section 21E(1) of the Infectious Diseases Act 1976 by the appropriate Minister under that Act”;

15 (c) in section 10(2), replace “this section” with “subsection (1)”;

(d) in section 10, after subsection (2), insert —

“(2A) Without affecting subsection (1) or (2), in the case of a public health emergency —

20 (a) in addition to a member of the armed forces or the civil defence force acting in the course of his or her duty, a person authorised in writing by a competent authority and acting in the course of his or her duty, may, for the purpose of securing the safety of human life and health, do any work on any land or place anything in or over any land; and

25 (b) a person (other than a police officer or a public officer acting in the course of his or her duty) must not, except with permission granted by or on behalf of the armed forces, the civil defence force or the competent authority mentioned in paragraph (a),

30

remove, alter or tamper with any work done, or thing placed in, on or over any land pursuant to this subsection.”;

- (e) renumber section 11 as subsection (1) of that section;
- (f) in section 11(1), replace “this section” with “this subsection”; and
- (g) in section 11, after subsection (1), insert —

“(2) Without affecting subsection (1), in the case of a public health emergency, any person authorised by the appropriate Minister under the Infectious Diseases Act 1976 to act under this subsection may, on producing (if so required) a duly authenticated document showing his or her authority, exercise the powers under subsection (1)(a), (b) and (c).”.

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## EXPLANATORY STATEMENT

This Bill seeks to amend the Infectious Diseases Act 1976 (the Act) —

- (a) to enhance powers currently contained in the Act for the purpose of dealing with future pandemics;
- (b) to introduce a new intermediate state of a public health threat that is distinguished from a public health emergency and the measures to be taken in each case;
- (c) to amend the requirement to disclose a Human Immunodeficiency Virus (HIV) infection and to update the provision in view of scientific developments; and
- (d) to make various other amendments to update the Act.

The Bill also makes related amendments to the COVID-19 (Temporary Measures) Act 2020 (the COVID-19 (Temporary Measures) Act), the Immigration Act 1959 (the Immigration Act) and the Requisition of Resources Act 1985 (the ROR Act).

Clause 1 relates to the short title and commencement.

Clause 2 amends the general definition provision to, among other things, insert new definitions of “PHE Order” and “PHT Order”. A “PHE Order” refers to an

order made under the new section 21E(1) declaring a public health emergency. A “PHT Order” refers to an order made under the new section 21C(1) declaring a public health threat.

Clause 2 amends the definition of “carrier” in relation to any infectious disease, to “any person who is harbouring or is likely to harbour the agents of that disease”. It also introduces a new definition of “at-risk individual” in relation to an infectious disease. This refers to an individual who meets any of 4 criteria. First, the individual is or appears to the Director-General of Health or a Health Officer to be a contact or carrier of the infectious disease. Second, the individual has undergone a medical examination in connection with the infectious disease but has not received a conclusive result of that medical examination. Third, the individual enters Singapore (by land, sea or air) from a country or territory outside Singapore during a period when there is an outbreak or suspected outbreak of the infectious disease in that country or territory. Fourth, the individual is deemed to be infected with a dangerous infectious disease under section 27(1) or (2).

In addition to the above, clause 2 amends the definition of “minor” such that a minor is now defined as a person who is below 16 years of age (as opposed to 21 years) and replaces the definition of “HIV Infection” with a definition of “HIV”.

Clause 3 inserts a new section 2A which places responsibility on a parent or guardian of a minor or an individual who has any intellectual disability or otherwise lacks capacity within the meaning of section 4 of the Mental Capacity Act 2008 to ensure that the minor or individual complies with a requirement, direction, notice or order or does not contravene a prohibition or restriction in the Act. Under the new section 2A(2), written notice may be given, in the case of a minor, to both the minor as well as one of the minor’s parents or the minor’s guardian. In the case of an individual, written notice may be given to the individual and the individual’s guardian.

Clause 4 amends section 4 to allow the Director-General of Public Health, the Director-General, Food Administration or the Director-General of Health to appoint any employee of a prescribed entity, employee of a prescribed service provider engaged by any Government ministry or statutory body or auxiliary police officer as a Health Officer, in addition to the persons already listed in section 4(1).

Clause 5 amends section 7 to enable the Director-General of Health to require classes of persons to provide the Director-General of Health with any information or any sample of any substance or matter for the purpose of any public health surveillance programmes instituted or any epidemiological investigations or surveys undertaken in order to determine the existence, prevalence or incidence, or the likelihood of a possible outbreak, of an infectious disease.

Clause 6 expands the scope of section 8 to allow the Director-General of Health to require any person who is a case or an at-risk individual of an infectious disease, any class of those persons or any person who is suspected to be a case or an at-risk individual of an infectious disease to (in addition to submitting to medical examination or medical treatment) comply with any measures relating to the medical examination or treatment.

Clause 7 amends section 9 so as to enable the Director-General of Health to order a post-mortem examination of a body of a person who has died while being, or suspected of being, a case or an at-risk individual of an infectious disease.

Clause 8 amends section 10 to enable the Director-General of Health to, among other things, require any healthcare professional to obtain information from his or her patient and transmit that information to the Director-General of Health, where this is for the purpose of investigating into any outbreak or suspected outbreak, preventing the spread or possible outbreak, or treating any person who is, or is suspected to be, a case or an at-risk individual of an infectious disease. Clause 8 also amends subsection (1)(b) of section 10, as a consequence of the repeal of the Private Hospitals and Medical Clinics Act 1980, to remove the terms which are no longer needed as all hospitals and other healthcare establishments would be holders of a licence under the Healthcare Services Act 2020.

Clause 9 amends section 12 to allow the Director-General of Health to, by written notice, require the owner or occupier of any premises or vessel or the owner of any vehicle to cleanse or disinfect the premises, vessel or vehicle, and carry out additional measures in the manner and within the time specified in the notice.

Clause 10 amends section 13 to clarify that if the Director-General of Health considers any animal to be a source for the transmission of an infectious disease, the Director-General of Health may order the person who owns or is in possession of the animal to destroy it. If the Director-General of Health considers any food or water to be a source for transmission, he or she may order the person who owns or is in possession of the food or water to dispose of it.

Clause 11 amends section 14 to enable the Director-General of Health to, among other things, prohibit the conduct of a wake over the body of a person who has died while being, or suspected of being, a case or an at-risk individual of an infectious disease.

Clause 12 replaces subsections (1), (2) and (3) of section 15 with new subsections (1) and (2). The new provisions allow the Director-General of Health to order any person who is a case or an at-risk individual of an infectious disease, any class of those persons or any person who is suspected to be a case or an at-risk individual of an infectious disease to be detained and isolated in a hospital or other place for such period of time and subject to conditions determined by the Director-General of Health. The new provisions also allow the Director-General

of Health to order any of the persons mentioned above or any person who has recently recovered from or been treated for an infectious disease to remain, be isolated and be treated, in the person's own residence for such period of time as may be necessary for the protection of the public.

Clause 13 amends section 16 to allow the Director-General of Health to order any person who is a case or an at-risk individual of an infectious disease, any class of those persons or any person who is suspected to be a case or an at-risk individual of an infectious disease to undergo surveillance for such period of time and subject to such conditions as the Director-General of Health thinks fit.

Clause 14 amends section 17 to allow the Director-General of Health to, for the purpose of preventing the spread or possible outbreak of an infectious disease, declare any premises to be an isolation area for a period not exceeding 90 days. This period may be extended for a period not exceeding 90 days at any one time.

Clause 15 deletes section 17A, which relates to the declaration of restricted zones during a public health emergency. Under the new section 21H(3), the Minister may now make regulations declaring the whole of or any area in Singapore to be a restricted zone when a PHE Order is in force.

Clause 16 amends section 18 to allow the Director-General of Health to direct the owner or occupier of an overcrowded building to carry out other measures relating to any abatement of the overcrowding or closure of the building that the owner or occupier is directed to carry out.

Clause 17 amends section 19A to enable the Director-General of Health to direct any person in charge of certain premises to carry out any other measure relating to any surveillance or contact tracing measure that the person is directed to carry out at the premises. Under the new subsection (1A), if a PHT Order or PHE Order is in force, the appropriate Minister may, by order in the *Gazette*, direct all persons or any class of persons in charge of any premises to carry out all or any of the measures listed in subsection (1). Where the appropriate Minister makes such an order, a written notice mentioned in subsection (1) is not required to be given to each person in charge of the premises.

Clause 18 amends section 20 to make clear that any person who holds, is present at or has taken part in any meeting, gathering or public entertainment in contravention of any condition imposed by the Director-General of Health under section 20(1) shall be guilty of an offence.

Clause 19 amends section 21 to replace all references to "occupation, trade or business" with "business, undertaking or work". This terminology is consistent with the language in the new sections 21H and 21J. Clause 19 also expands the categories of persons that the Director-General of Health may give a direction to about the taking of preventative action that he or she reasonably believes is necessary to prevent the possible outbreak or prevent or reduce the spread of an infectious disease.



Clause 20 amends subsection (1) of section 21A to expand the categories of persons who must not expose other persons to the risk of infection by his or her presence or conduct in any public place or any other place used in common by persons other than the members of his or her own family or household. This now includes persons who know of the existence of facts by which they are deemed under section 27 to be infected with a disease set out in the Second Schedule.

Clause 20 also introduces, in the new subsection (2A), a requirement in respect of persons who know, or have reason to suspect, that they are cases, carriers or contacts of, or who know of the existence of facts by which they are deemed under section 27 to be infected with, a disease set out in the Second Schedule. Such persons must not deliberately or recklessly put another person in their own place of residence at risk of infection by their conduct, or by refusing to isolate themselves or take reasonable precautions against exposing that other person to the risk of infection. The new subsection (6A) provides that in proceedings for an offence for contravening the new subsection (2A), an accused person can rely on a defence that his or her conduct or refusal to isolate or take reasonable precautions was necessary or unavoidable in the circumstances or was authorised by the Director-General of Health.

Clause 21 amends the references in section 21B to “any relevant operator” to “any relevant operator or class of relevant operators”, and “any relevant person” to “any relevant person or class of relevant persons”. Section 21B is further amended to allow the appropriate Minister to, for the purpose of preventing the spread or possible outbreak of any infectious disease in Singapore, or the spread of any infectious disease into Singapore or from Singapore to outside Singapore, by written order, direct any relevant operator or class of relevant operators to disseminate any health advisory to any relevant person or class of relevant persons. Also, the appropriate Minister may direct any relevant operator or class of relevant operators to provide any information in its or their possession or control to the Director-General of Health or to another relevant operator or class of relevant operators, to facilitate the dissemination of a health advisory.

Clause 22 inserts a new Part 3A.

New section 21C introduces a new intermediate state of “public health threat”. The trigger for the declaration of a public health threat is for the appropriate Minister to be satisfied that the incidence and transmission, or a significant likelihood of the incidence or transmission, of an infectious disease in Singapore constitutes a serious threat to public health, and it is necessary to take measures to prevent, protect against, delay or otherwise control the incidence or transmission of the infectious disease in Singapore.

New section 21C also makes clear that once a public health threat is declared, the appropriate Minister must without delay cause to be published a notice of the PHT Order in a manner that he or she thinks necessary for bringing it to the notice of all persons who in his or her opinion ought to have notice of the PHT Order. The

PHT Order will remain in force until it is revoked by the appropriate Minister or upon the expiry of 90 days after the date on which the PHT Order was made, whichever is the earlier.

New section 21D enables the appropriate Minister to by order extend the validity of a PHT Order for a period not exceeding 90 days at any one time.

New section 21E relates to the appropriate Minister's declaration of a public health emergency, which was a power originally contained in section 17A(1). Under the new section 21E(1), the appropriate Minister may declare a public health emergency if he or she is satisfied that the incidence and transmission, or a significant likelihood of the incidence or transmission, of an infectious disease in Singapore constitutes a serious threat to public health and poses a substantial risk of a significant number of human fatalities or incidents of serious disability of persons in Singapore or a severe shortage or impairment of healthcare services (including a severe shortage of the supply of medical equipment, medication, vaccines or other prophylaxis) in Singapore.

Similar to the PHT Order under the new section 21C, the new section 21E makes it clear that once a public health emergency is declared, the appropriate Minister must without delay cause to be published a notice of the PHE Order in a manner that he or she thinks necessary for bringing it to the notice of all persons who in his or her opinion ought to have notice of the PHE Order. The PHE Order will remain in force until it is revoked by the appropriate Minister or upon the expiry of 90 days after the date on which the PHE Order was made, whichever is earlier.

New section 21F enables the appropriate Minister to by order extend the validity of a PHE Order for a period not exceeding 90 days at any one time.

New section 21G relates to the exercise of powers under the ROR Act, and applies only during the period that a PHE Order is in force.

Under the new section 21G(2), whenever it appears to the appropriate Minister that it is necessary for the securing of the safety of human life and health in the event of a public health emergency, the appropriate Minister may by order direct that all or any of sections 8, 10, 11, 12, 13, 14, 16 and 17 of the ROR Act shall come into operation.

New section 21G(3) mirrors section 2(3) of the ROR Act and imposes the same 7-day limit on the period an order under the new section 21G is in force, unless such an order is made with the approval of the President.

New section 21G(4) deems an order made under the new section 21G(2) to be an order made under section 2(2) of the ROR Act. Accordingly, any competent authority or authorised officer appointed under section 4 or 5 of the ROR Act may exercise all the powers under sections 8, 10, 11, 12, 13, 14, 16 and 17 of that Act (whichever is applicable) pursuant to the order under the new section 21G(2).

Also, Parts 4, 5 and 6 of the ROR Act apply in respect of anything done under section 8, 10, 11, 12, 13, 14, 16 or 17 of that Act pursuant to the order under the new section 21G(2), as they would apply in respect of anything done under that section of that Act pursuant to an order made under section 2(2) of the ROR Act.

New section 21G(5) clarifies that the new section 21G(2) does not affect the power of the Minister charged with the responsibility for the ROR Act to make an order under section 2(2) of the ROR Act or exercise any other power under any provision of the ROR Act during a public health emergency.

New section 21H enables the appropriate Minister to make regulations during the period that a PHT Order or PHE Order is in force. Specifically, when a PHT Order is in force, regulations may be made for the purpose of preventing, protecting against, delaying or otherwise controlling the incidence or transmission of the infectious disease in question in Singapore. When a PHE Order is in force, regulations may be made for the purpose of reducing the risk of a significant number of human fatalities or incidents of serious disability of persons in Singapore due to the incidence and transmission of the infectious disease in question in Singapore, or reducing the risk of a severe shortage or impairment of healthcare services (including the supply of medical equipment, medication, vaccines or other prophylaxis) in Singapore due to the incidence and transmission of the infectious disease in question in Singapore. A non-exhaustive list of the regulations that the appropriate Minister may make under the new section 21H(2) is set out in the new section 21H(3).

New section 21I relates to the appointment of adjunct Health Officers. Where a PHT Order or PHE Order has been made, any suitable person or class of persons may be appointed to be an adjunct Health Officer or adjunct Health Officers to exercise any powers or perform any functions of a Health Officer under the Act or any provision of the Act during the period the PHT Order or PHE Order is in force.

New section 21J relates to the enforcement of regulations made under the new section 21H. Under the new section, a police officer or Health Officer authorised by the Director-General of Health may, for the purposes of enforcing compliance with regulations made under the new section 21H, direct any individual or group of individuals to enter or not leave any premises as required by the regulations, to not enter or to leave any premises that are closed or entry to which is restricted by the regulations, to go to a specified place or type of place applicable to the individual or group of individuals, or for the time being to another place, or to disperse. The police officer or Health Officer may also direct any person carrying on a business, undertaking or work at any premises or facility to stop doing so, take steps to comply with the restrictions in the regulations with respect to the carrying on of the business, undertaking or work, or close or limit access to the premises or facility.

New section 21K stipulates that during the period that a PHT Order or PHE Order is in force, there is no appeal to the appropriate Minister from any order,

requirement or direction of the Director-General of Health under section 18(1), 19(1), 20(1) or 21(1) made during the period the PHT Order or PHE Order is in force, or any requirement, restriction or prohibition, or the disapplication of any requirement, restriction or prohibition, imposed by regulations made under the new section 21H.

Clause 23 inserts a new subsection (1A) in section 23, to provide a carve-out to section 23(1). Currently, section 23(1) states that a person who knows that he or she has HIV infection must not engage in any sexual activity with another person unless, before the sexual activity takes place, he or she has informed that other person of the risk of contracting HIV infection and the other person has voluntarily agreed to accept that risk. The new section 23(1A) provides that section 23(1) does not apply to a person who knows that he or she has HIV infection if he or she has maintained an undetectable HIV viral load for at least the prescribed period preceding the sexual activity in question. The new section 23(1C) goes on to state that a person has an undetectable HIV viral load if the amount of HIV detected in a test carried out for the purpose of ascertaining his or her HIV viral load is below the level prescribed by regulations.

A presumption is introduced under the new section 23(1B). This provision states that a person is presumed to have maintained an undetectable HIV viral load for at least the prescribed period preceding the sexual activity in question if he or she has taken a test within a prescribed period before the sexual activity and obtained a test result showing that he or she has an undetectable HIV viral load. That person must also have taken an earlier test no later than a prescribed amount of time before the firstmentioned test, and obtained a test result showing that he or she has an undetectable HIV viral load. Further, at no time between the earlier test and the sexual activity should the person have a test result showing the person has a detectable HIV viral load. Lastly, the person must have adhered to his or her medical treatment for HIV infection during the period starting on the date the earlier test was taken up to and including the date of the sexual activity in question.

Clause 24 amends section 25(3)(b) to replace the reference to a person who “is below 16 years of age” with a person who is a “minor”. This amendment is made in view of the amendment to the definition of “minor” in section 2. Clause 24 also inserts, for the purposes of section 25, a new definition of “legal guardian”.

Clause 25 amends section 27(2) to clarify that a vessel and any person and article on board are deemed to be infected if a dangerous infectious disease is found on board or is present on board the vessel.

Clause 26 amends section 29 to, among other things, allow the Director-General of Public Health, the Director-General, Food Administration or a Port Health Officer to subject any person or class of persons on board a vessel or in a vehicle to medical examination upon arriving in Singapore.

Clause 27 inserts a new section 30. The new section states that the appropriate Minister may, by order in the *Gazette*, specify any pre-departure health requirement that a person must comply with, whether that person is entering or in transit through Singapore, as well as the time within which that pre-departure health requirement must be carried out. The appropriate Minister may also specify any health requirement that a person must comply with while on board a vehicle or vessel on an international voyage to Singapore.

Clause 28 amends section 31(1) to make clear that any person on an international voyage leaving or arriving in Singapore by land, air or sea, or in transit through Singapore must have undergone vaccination or other prophylaxis against all or any of the diseases in accordance with the requirements set out in the Third Schedule. That person must also, upon the request of a Health Officer or Port Health Officer, produce valid international certificates of vaccination or other prophylaxis to the officer. The clause also amends section 31(2) to allow a Health Officer or Port Health Officer to subject a person to isolation or surveillance for any period of time and subject to any condition as that officer thinks fit.

Clause 29 replaces section 32 with a new provision that enables the Director-General of Health or a Health Officer authorised by the Director-General of Health to order any infected person arriving in Singapore to disinfect and treat his or her clothes and personal effects, or to require the owner or occupier of a vessel, or the owner of a vehicle, that conveyed an infected person to cleanse, disinfect or treat the vessel or vehicle.

Clause 30 replaces section 36 with a new provision that enables the Director-General of Public Health or a Port Health Officer to, by written notice, require the owner or occupier of any vessel from which any human waste, solid or liquid waste or any matter that the Director-General of Public Health or Port Health Officer considers to be contaminated has been discharged, to remove or clean up that waste or matter or carry out any additional measures that the Director-General of Public Health or that Port Health Officer may consider necessary.

Clause 31 amends section 45A to make clear that the Director-General of Health may, for the purpose of preventing the spread or possible outbreak of any infectious disease in Singapore, require all or any persons or class of persons arriving in Singapore (in addition to undergoing a specified medical examination) to comply with any other measure relating to that medical examination.

Clause 32 replaces section 45B(1) with a new subsection which enables the appropriate Minister to require, for the purpose of preventing the spread of an infectious disease out of Singapore, all or any persons or class of persons leaving Singapore to undergo any medical examination specified in a written order. The appropriate Minister can now exercise his or her power under the section at any time instead of only during a public health emergency.

Clause 33 deletes subsection (1) of section 48 which requires vaccination to be carried out by a medical practitioner, or by a nurse or any other suitably trained person employed by the Health Promotion Board (the Board) or working under the supervision of a medical practitioner. The clause also amends section 48(2) to make clear that any person who carries out any vaccination (and not just every medical practitioner) must keep a record of all vaccination carried out by him or her.

Clause 34 amends section 55 which provides for the powers of the Director-General of Health and Health Officers in dealing with any outbreak or suspected outbreak of an infectious disease. Among other things, it replaces section 55(1)(d) to enable the Director-General of Health or any Health Officer authorised by the Director-General of Health to require any person or class of persons to destroy any food in the possession of the person or those persons and impose any requirement on the destruction of that food, if that food is believed to be the cause of, or is contributory to or connected with the occurrence of the outbreak or suspected outbreak. It also amends section 55(1)(f) to impose a requirement on any person who is, or is suspected to be, a case or an at-risk individual of an infectious disease to submit to medical examination and comply with any other measure relating to the medical examination.

Clause 35 (among other things) enhances the powers of investigation in section 55A, to allow any police officer or any authorised Health Officer to, for the purposes of investigating an offence under the Act, require any class of persons (in addition to any person) to furnish any information within the knowledge of any person in that class of persons or to produce any book, document or other record which may be in the custody or possession of any person in that class of persons for inspection.

Clause 36 amends section 56 to provide that only certain Health Officers may exercise the power of arrest in that section. It also amends section 56(6) such that an arrested person must not be detained longer than 48 hours (excluding the time of any necessary journey) unless the order of a court for his or her detention is obtained. Clause 36 also amends section 56(8) to clarify that a police officer or Health Officer authorised in writing by the Director-General of Health may, in relation to a person in default under section 56(3), take the measures set out in section 56(8) (relating to isolation, surveillance and medical examination or treatment), whereupon the person is not to be arrested under section 56(3) in respect of the default. Clause 36 further introduces a new section 56(10) which states that a person arrested without warrant may be detained while awaiting trial or in remand at a lock-up appointed as a place of confinement under section 4(1) of the Prisons Act 1933 or an immigration depot designated under the Immigration Act.

Clause 37 amends section 57A(1) to allow the Director-General of Health to disclose any information obtained under the Act which identifies any person who

is, or is suspected to be, a case or an at-risk individual of an infectious disease. This information can be disclosed to any person, or to the World Health Organization or a State Party to the World Health Organization under specified circumstances.

Clause 38 amends section 57B(1)(a) to enable the Director-General of Health to authorise a healthcare provider to disclose to a specified recipient information, which identifies any person as a case or an at-risk individual of an infectious disease, or as being suspected to be so, to enable the specified recipient to take the necessary measures to prevent the spread or possible outbreak of the infectious disease.

Clause 39 deletes section 58, as powers in relation to emergency measures are no longer required in view of the new Part 3A.

Clause 40 amends section 59A(3) to enable the Director-General of Health to, for the purposes of any national public health research, require any class of persons (in addition to persons) to provide him or her with information in the possession or control of that class of persons. The amended section 59A(3) also allows the Director-General of Health to impose conditions on any person mentioned in section 59A(3)(a) or any medical practitioner mentioned in section 59A(3)(b).

Clause 41 amends section 60 to clarify how a notice, order or document required or authorised by the Act to be served on a person may be served on a body corporate or a partnership. Clause 41 also inserts a new section 60(1A) that makes clear that any such notice, order or other document may be served on any person by sending it by email to the last email address of the person, by text message to the last mobile telephone number of the person using short message service or by giving an electronic notice to the person by the person's chosen means of notification. However, service of any notice, order or other document under the new section 60(1A) on a person may be effected only with that person's prior consent (express or implied) to service in that way.

Finally, clause 41 inserts a new subsection (2A) to allow any notice, order or other document required by the Act to be served on the owner of any vehicle to be deemed to be properly addressed if addressed by the description of the "owner" of the vehicle without specifying any further name or description. This mirrors subsection (2) which relates to service of any notice, order or other document on the owner or occupier of any premises or vessel or on the master of any vessel.

Clause 42 replaces section 61 and introduces a reasonable excuse defence. The new section 61 provides for a defence of reasonable excuse for any offence under the Act for not complying with a requirement of a notice, order or other document.

Clause 43 amends section 63 to, among other things, make clear that all records, registers and other documents kept by adjunct Health Officers (in addition to those kept by the Director-General of Public Health, the Director-General, Food

Administration, the Director-General of Health, any Port Health Officer or Health Officer or officer of the Board) for the purposes of the Act are deemed to be public documents, a copy of or extract from which that is duly certified as a true copy or extract is admissible in evidence.

Clause 44 amends section 67 to include an adjunct Health Officer in the list of persons who are protected from personal liability in respect of acts done or omitted to be done in the execution or purported execution of their functions under the Act, where such persons act in good faith and with reasonable care.

Clause 45 inserts a new section 69A which makes clear that except for any fee, charge or money collected by the Director-General of Public Health in connection with the administration of the Act as mentioned in section 69(2), any fee or charge payable under the Act may be recovered as a debt due to the Government.

Clause 46 amends section 73(4)(b) to clarify that the Minister may, in making regulations, specify for the purposes of section 21B the relevant operators or classes of relevant operators to whom a written order may be given, the relevant persons or classes of relevant persons to whom a relevant operator or class of relevant operators may be required to disseminate any health advisory and the types of information that may be obtained from different relevant operators or classes of relevant operators.

Some examples of relevant operators include mobile operators, land, air and sea transport operators providing local and cross-border services, port and transport facility operators, persons who control or manage premises, and event organisers. Examples of information that may be obtained include passenger manifests, lists of event attendees and persons' contact information. This information is strictly for the purposes of disseminating the health advisory.

Clause 47 introduces miscellaneous amendments necessitated by the replacement of the definition of "HIV Infection" in section 2 with the new definition of "HIV", and the amendments in clause 33.

Clause 48 makes related amendments to the COVID-19 (Temporary Measures) Act, to repeal Part 11 of that Act and to make other technical amendments.

Clause 49 makes a related amendment to the Immigration Act, in the definition of "immigration depot" in section 2 of that Act to allow for the examination, inspection and detention of persons under any written law (other than the Immigration Act).

Clause 50 makes related amendments to the ROR Act, among other things, to provide that in the event of a public health emergency, in addition to the persons under section 10(1) of that Act who are empowered to do work on land or place anything in or over land, a person authorised by a competent authority will also be empowered to do that work or place that thing. That work or thing placed is similarly protected from being removed, altered or tampered with except with



permission. The competent authority who is appointed for the purposes of a public health emergency is only empowered to act under the new section 10(2A) of that Act, and section 10(1) and (2) of that Act is not affected.

## EXPENDITURE OF PUBLIC MONEY

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

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