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The following Act was passed by Parliament on 12th November 2007 and assented to by the President on 3rd December 2007:—

NATIONAL REGISTRY OF DISEASES ACT 2007

(No. 56 of 2007)

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REPUBLIC OF SINGAPORE

No. 56 of 2007.

I assent.



S R NATHAN,
President.
3rd December 2007.

An Act to establish the National Registry of Diseases and to provide for the compilation of information on the incidence of certain diseases for use as a basis for the direction of programmes for disease prevention and control, and for purposes connected therewith.

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

PART I

PRELIMINARY

Short title and commencement

1. This Act may be cited as the National Registry of Diseases Act 2007 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Interpretation

2. In this Act, unless the context otherwise requires —

“agent of the Registry” means any public officer or employee of any statutory body who is appointed by the Director under section 3(3) to be an agent of the Registry;

“anonymised”, when used to describe information pertaining to an individual, means that the identity of that individual has been concealed or protected, whether by presenting such information in a statistical form or otherwise, such that it cannot be readily discovered or ascertained from that information;

“authorised Registry officer” means any Registry officer who is duly authorised by the Registrar in writing to carry out any particular function or to exercise any particular power under this Act;

“Director” means the Director of Medical Services;

“disclose”, in relation to any information held by the Registry, includes to grant to any person access to such information;

“disease” means any physical or mental ailment, disorder, defect or morbid condition (whether of sudden onset or gradual development), or the recurrence of any such ailment, disorder, defect or morbid condition;

“healthcare institution” means —

- (a) any private hospital, medical clinic, clinical laboratory or healthcare establishment licensed under the Private Hospitals and Medical Clinics Act (Cap. 248); or

(b) any facility, premises or conveyance which is declared by the Minister, by order published in the *Gazette*, to be a healthcare institution for the purposes of this Act;

“individually-identifiable”, when used to describe information pertaining to an individual, means that the identity of that individual can be readily discovered or ascertained from that information;

“investigation officer” means any public officer who is appointed under section 13 to be an investigation officer for the purposes of this Act;

“manager”, in relation to a healthcare institution, means the person having the management or control of the healthcare institution;

“medical practitioner” means a medical practitioner registered under the Medical Registration Act (Cap. 174) and who holds a valid practising certificate;

“register” means a register kept and maintained by the Registrar under section 5;

“Registrar” means the person appointed by the Director under section 3 to be the Registrar of the Registry and includes a Deputy Registrar and an Assistant Registrar;

“Registry” means the National Registry of Diseases established under section 4;

“Registry officer” means any person who is appointed by the Director under section 3 to be an officer of the Registry;

“regulations” means regulations made under section 23;

“reportable disease” means a disease that is specified in the Schedule;

“requisite consent”, for the purposes of section 11 or 12, means —

(a) the consent, given in the prescribed form and manner, of the person whose individually-identifiable information is to be disclosed under that section; or

(b) where the person referred to in paragraph (a) is unable to give his own consent because of his age, infirmity of mind or body or any other cause, the consent, given in the prescribed form

and manner, of such other person who is authorised by the regulations to give such consent for and on his behalf.

PART II

NATIONAL REGISTRY OF DISEASES

Appointment of Registrar, etc.

3.—(1) The Director shall, with the approval of the Minister, appoint a Registrar who shall be responsible for the administration of the Registry.

(2) The Director may, with the approval of the Minister, appoint —

- (a) a Deputy Registrar;
- (b) one or more Assistant Registrars; and
- (c) such other Registry officers as he may consider necessary,

to assist the Registrar in the administration of the Registry.

(3) The Director may appoint any public officer or employee of any statutory body to be an agent of the Registry to assist in the collection and collation of any information under this Act, subject to such conditions and limitations as the Director may specify.

(4) The Registrar, Deputy Registrar, Assistant Registrars, Registry officers and agents of the Registry shall be deemed to be public servants within the meaning of the Penal Code (Cap. 224).

National Registry of Diseases

4. There shall be a National Registry of Diseases, the functions of which are —

- (a) to collect information on reportable diseases that have been diagnosed and treated in Singapore;
- (b) to establish, keep and maintain for each reportable disease a register containing individually-identifiable information obtained under this Act;
- (c) to compile and publish statistics on the epidemiology, management and outcomes of reportable diseases;

- (d) to provide information for the purpose of supporting —
 - (i) health services that are being provided by healthcare institutions to the patients thereof who are suffering from any reportable disease; and
 - (ii) national public health policies, initiatives, programmes and related studies concerning any reportable disease; and
- (e) generally to do all such acts, matters and things as are necessary to be carried out under this Act.

Registers

5.—(1) The Registrar shall keep and maintain for each reportable disease a register containing individually-identifiable information of each person who is diagnosed with and treated for that disease in Singapore.

(2) The registers kept and maintained under subsection (1) shall not be open for inspection by the public.

PART III

NOTIFICATION OF REPORTABLE DISEASES

Duty to notify Registrar of reportable diseases

6.—(1) Where a person is diagnosed with or undergoes treatment for a reportable disease at a healthcare institution, the manager of the healthcare institution shall, in such form and within such time as may be prescribed, notify the Registrar of that fact.

- (2) Any manager of a healthcare institution who —
 - (a) without reasonable excuse, fails to comply with the requirements of subsection (1); or
 - (b) in compliance or purported compliance with subsection (1), furnishes as true information which he knows or has reason to believe to be false,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

(3) A certificate under the hand of the Registrar stating that a notification required under subsection (1) has not been furnished or is incorrect shall be prima facie evidence of the facts stated in the certificate.

Collection of information

7.—(1) Upon a notification being made to the Registrar under section 6, the Registrar or an authorised Registry officer may require the manager of the healthcare institution who made the notification to provide such additional information as may be prescribed concerning the person to whom the notification relates.

(2) For the purpose of subsection (1), the Registrar or authorised Registry officer may require the manager of the healthcare institution —

- (a) to furnish the prescribed additional information to any Registry officer or agent of the Registry; or
- (b) to produce to the Registrar or any Registry officer or agent of the Registry for inspection any medical record, book or document which contains or may contain the prescribed additional information.

(3) Any manager of a healthcare institution who —

- (a) without reasonable excuse, fails to comply with the requirement of the Registrar or an authorised Registry officer under this section; or
- (b) in compliance or purported compliance with this section, furnishes as true information which he knows or has reason to believe to be false,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

(4) A certificate under the hand of the Registrar stating that the additional information required under subsection (1) has not been furnished or is incorrect shall be prima facie evidence of the facts stated in the certificate.

PART IV

CONFIDENTIALITY AND DISCLOSURE

Confidentiality

8.—(1) Except in the case of a prosecution for an offence under this Act, the Registrar, a Registry officer, an agent of the Registry or any other person who acts under the direction of the Director or Registrar for any purpose related to the Registry shall not be compellable in any proceedings to give evidence in respect of, or to produce any document containing, any individually-identifiable information which has been obtained under this Act.

(2) Except as otherwise provided by this Act, the Registrar, a Registry officer, an agent of the Registry or any other person who acts under the direction of the Director or Registrar for any purpose related to the Registry shall not disclose the contents of any register or any individually-identifiable information which may have come to his knowledge in the course of performing any duty or function under this Act or carrying out any act in relation to the Registry.

(3) Any person who fails to comply with subsection (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Disclosure and publication of anonymised information

9.—(1) The Registrar —

(a) may, on a request by any person and —

(i) upon payment by such person of the prescribed fee; and

(ii) subject to such conditions as the Registrar may impose; and

(b) shall, on a request by the Director,

disclose or publish any information held by the Registry in an anonymised form.

(2) Any person who fails to comply with any condition imposed under subsection (1) shall be guilty of an offence and shall be liable on

conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

National public health programmes

10.—(1) The Registrar may, with the approval of the Director, disclose individually-identifiable information held by the Registry to any public officer or any other person for the purpose of conducting national public health programmes concerning any reportable disease.

(2) In determining whether to approve such disclosure under subsection (1), the Director shall, subject to subsection (3), have regard to —

- (a) the aims and objectives of the national public health programme, including any public health benefits to Singapore;
- (b) the identity of the public officers or persons involved in the programme to whom the individually-identifiable information held by the Registry will be disclosed;
- (c) the use to which the individually-identifiable information will or may be put; and
- (d) the measures that will be put in place under the national public health programme to protect the individually-identifiable information from unauthorised disclosure.

(3) The Director shall not approve any disclosure under subsection (1) unless he is satisfied that the national public health programme cannot be carried out with anonymised information.

(4) The Director may, when granting approval under subsection (1), impose such conditions as he considers necessary with respect to —

- (a) the identities of the public officers or persons, or class of public officers or persons who are authorised to receive or handle the individually-identifiable information;
- (b) the use to which the individually-identifiable information is to or may be put; and
- (c) the measures that must be put in place under the national public health programme to protect the individually-identifiable information from unauthorised disclosure.

(5) The Director may, at any time, vary or revoke any of the existing conditions imposed under subsection (4) or impose new conditions.

(6) The Director may, at any time, revoke the approval given under subsection (1).

(7) Any person who fails to comply with any condition imposed under subsection (4) or any new condition imposed under subsection (5) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

Medical treatment

11. The Registrar may, if he thinks fit, disclose to a medical practitioner any individually-identifiable information of a medical nature held by the Registry concerning a person suffering from a reportable disease if the Registrar is satisfied that —

- (a) the medical practitioner is responsible for the treatment and care of that person;
- (b) the disclosure is necessary for the proper treatment of that person; and
- (c) the requisite consent has been given for such disclosure.

Disclosure of individually-identifiable information for public health research

12.—(1) A person (referred to in this section as the researcher) who requires any individually-identifiable information held by the Registry for the purpose of carrying out any medical, epidemiological or other form of public health research concerning any reportable disease may apply to the Registrar in the prescribed form for the disclosure of such information.

(2) The Registrar may, subject to such conditions as he thinks fit to impose and upon the payment by the researcher of such fees as may be prescribed, disclose to the researcher such individually-identifiable information if the Registrar is satisfied that —

- (a) the research cannot be carried out with anonymised information;
- (b) the requisite consent has been given for such individually-identifiable information to be disclosed to the researcher for the purpose of the research;

(c) the research may —

- (i) improve the quality of health services provided for patients suffering from any reportable disease in Singapore; or
- (ii) support any national public health policy, initiative or programme concerning any reportable disease; and

(d) the researcher and the research comply with such conditions as may have been prescribed.

(3) A researcher to whom the individually-identifiable information of any person has been disclosed under subsection (2) shall not —

- (a) use such individually-identifiable information for any purpose other than the purpose approved by the Registrar; or
- (b) disclose the name or any other individually-identifiable information of that person unless the requisite consent has been given for the disclosure.

(4) A researcher to whom the individually-identifiable information of any person has been disclosed under subsection (2) shall not disclose —

- (a) the name or any other information leading to the identification of the healthcare institution in which that person has been diagnosed with, or has been or is being examined or treated for, a reportable disease unless the manager of that healthcare institution has given his consent for the disclosure in the prescribed form and manner; or
- (b) the name or any other information leading to the identification of the person who provided the individually-identifiable information to the Registrar under this Act, unless that person has given his consent for the disclosure in the prescribed form and manner.

(5) Before making any decision on an application under subsection (2), the Registrar may refer the application to a national research advisory committee comprising not less than 3 and not more than 5 members appointed by the Director and, in making his decision, the Registrar shall have regard to any report made to him by the national research advisory committee.

(6) Where a researcher to whom any individually-identifiable information of any person has been disclosed under subsection (2)

contravenes subsection (3) or (4) or any condition imposed under subsection (2), he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.

PART V

ENFORCEMENT POWERS

Appointment of investigation officers

13.—(1) The Director may, in writing, appoint any public officer to be an investigation officer for the purpose of conducting an investigation into any offence under this Act.

(2) Every investigation officer, when exercising any of his powers under this Act, shall, if not in uniform, declare his office and shall, on demand, produce to any person affected by the exercise of that power such identification card as the Director may direct to be carried by the investigation officer when exercising such power.

Powers of entry, inspection, search, seizure, etc.

14.—(1) An investigation officer shall, for the purposes of investigating any offence under this Act, have power to do any or all of the following:

- (a) to enter, inspect and search, without warrant at any reasonable time, any place which he has reason to believe contains evidence relating to or connected with an offence under this Act;
- (b) for the purposes of paragraph (a) —
 - (i) to inspect and make copies of and take extracts from, or require the occupier or any person having the management or control of any place mentioned in that paragraph to provide copies of or extracts from, any book, document, record or electronic material;
 - (ii) to inspect and make copies of and take extracts from, or require the occupier or any person having the management or control of any place mentioned in that paragraph to provide copies of or extracts from, any medical record of any person who has been or who is being treated or

examined at that place, notwithstanding that the prior consent of such person has not been obtained;

(iii) to seize and remove from any place mentioned in that paragraph any book, record, document, material, article or thing which the investigation officer reasonably believes to be the subject-matter of, or to be connected with the commission of, an offence under this Act; and

(iv) to make such examination or inquiry as may be necessary to ascertain whether the provisions of this Act have been complied with;

(c) to require any person, by way of an order in writing, to produce any book, document, record, electronic material, article or thing that the investigation officer considers is necessary or desirable for the purposes of an investigation under this Act.

(2) The occupier or any person having the management and control of, or who is found in, any place mentioned in subsection (1)(a) shall render all necessary assistance and co-operation to the investigation officer as are necessary for an entry, inspection, examination, inquiry or otherwise for the exercise of his powers under this Act in relation to that place.

(3) Any person who —

(a) obstructs, hinders or impedes an investigation officer in the exercise of his power under this section; or

(b) fails to comply with any order or requirement of an investigation officer under this section or to produce any book, document, record, electronic material, article or thing which he is required by or under this Act to produce to an investigation officer,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Powers to examine and secure attendance

15.—(1) An investigation officer may —

(a) examine orally any person supposed to be acquainted with the facts and circumstances of any offence or matter under this Act, and to reduce to writing any statement made by the person so examined; and

(b) require by order in writing the attendance before himself of any person, being within the limits of Singapore, who, from information given or otherwise, appears to be acquainted with the facts and circumstances of any offence or matter under this Act and that person shall attend as so required.

(2) The person referred to in subsection (1)(a) shall be bound to state truly the facts and circumstances with which he is acquainted concerning any offence or matter under this Act, except only that he may decline to make, with regard to any fact or circumstance, a statement which would have a tendency to expose him to a criminal charge, penalty or forfeiture.

(3) A statement made under this section by any person shall be read over to him and shall, after correction, if necessary, be signed by him.

(4) If any person fails to attend as required by an order under subsection (1)(b), the investigation officer may report such failure to a Magistrate who may thereupon issue a warrant to secure the attendance of that person as required by the order.

PART VI

MISCELLANEOUS

Offences by bodies corporate, etc.

16.—(1) Where an offence under this Act committed by a body corporate is proved —

(a) to have been committed with the consent or connivance of an officer; or

(b) to be attributable to any neglect on his part,

the officer as well as the body corporate shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

(3) Where an offence under this Act committed by a partnership is proved —

(a) to have been committed with the consent or connivance of a partner; or

(b) to be attributable to any neglect on his part,

the partner as well as the partnership shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(4) Where an offence under this Act committed by an unincorporated association (other than a partnership) is proved —

(a) to have been committed with the consent or connivance of an officer of the unincorporated association or a member of its governing body; or

(b) to be attributable to any neglect on the part of such officer or member,

the officer or member as well as the unincorporated association shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(5) In this section —

“body corporate” includes a limited liability partnership which has the same meaning as in section 2(1) of the Limited Liability Partnerships Act (Cap. 163A);

“officer” —

(a) in relation to a body corporate, means any director, partner, member of the committee of management, chief executive, manager, secretary or other similar officer of the body corporate and includes any person purporting to act in any such capacity; or

(b) in relation to an unincorporated association (other than a partnership), means the president, the secretary, or any member of the committee of the unincorporated association, or any person holding a position analogous to that of president, secretary or member of a committee and includes any person purporting to act in any such capacity;

“partner” includes a person purporting to act as a partner.

(6) The Minister may, by regulations, provide for the application of any provision of this section, with such modifications as the Minister

considers appropriate, to any body corporate or unincorporated association formed or recognised under the law of a territory outside Singapore.

Protection from liability

17.—(1) No action, suit or other legal proceedings shall lie against the Government or personally against the Director, the Registrar, a Registry officer, an agent of the Registry, an investigation officer or any other person for anything which is done or omitted to be done in good faith in the course of or in connection with —

- (a) the exercise or purported exercise of any power under this Act;
- (b) the performance or purported performance of any function or the discharge or purported discharge of any duty under this Act; or
- (c) the compliance or purported compliance with this Act.

(2) A person who makes a notification to the Registrar under section 6 or who otherwise makes available to the Registrar, a Registry officer, an agent of the Registry or an investigation officer any document or other information for the purpose of complying with the requirements of this Act, shall not, by virtue of doing so —

- (a) be liable to any suit or other legal proceedings for breach of confidence; or
- (b) be held in any proceedings before any court or tribunal or in any other respect to have breached any code of professional etiquette or ethics, or to have departed from any accepted form of professional conduct.

(3) Where pursuant to this Act the Registrar discloses to any person any information that is held by the Registry, neither the Registrar nor any Registry officer involved in the disclosure of such information shall be liable for any loss or damage suffered by that person or by any other person by reason of any error or omission of whatever nature appearing in the information disclosed or however caused if the error or omission was made in good faith and in the ordinary course of the discharge of the duties of the Registrar or Registry officer.

Obstructing Registrar, Registry officer, etc., in execution of duty

18. Any person who obstructs, hinders or impedes the Registrar, a Registry officer or an agent of the Registry in the performance or execution of his duty or anything which he is authorised, empowered or required to do under this Act shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Jurisdiction of court

19. Notwithstanding any provision to the contrary in the Criminal Procedure Code (Cap. 68), a District Court shall have jurisdiction to try any offence under this Act and shall have power to impose the full penalty or punishment in respect of the offence.

Composition of offences

20.—(1) The Director may, in his discretion, compound any offence under this Act which is prescribed as a compoundable offence by collecting from the person reasonably suspected of having committed that offence a sum not exceeding —

- (a) one half of the amount of the maximum fine prescribed for that offence; or
- (b) \$5,000,

whichever is the lower.

(2) On payment of such sum of money, no further proceedings shall be taken against that person in respect of the offence.

(3) All sums collected under this section shall be paid into the Consolidated Fund.

General exemption

21.—(1) The Minister may, by order published in the *Gazette*, either permanently or for such period as he may think fit, exempt any person or class of persons from any or all of the provisions of this Act.

(2) The Minister may, when granting an exemption under subsection (1), impose such conditions as he thinks fit.

Amendment of Schedule

22. The Minister may, from time to time, by order published in the *Gazette*, amend the Schedule.

Regulations

23.—(1) The Minister may make regulations for carrying out the purposes and provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Minister may make regulations with respect to any or all of the following matters:

- (a) the circumstances under which, and the manner in which, individually-identifiable information held by the Registry may be anonymised for the purposes of disclosure and publication under section 9;
- (b) the circumstances under and the manner in which persons whose individually-identifiable information is held by the Registry or the next-of kin of such persons may be contacted for the purposes of any national public health programme referred to in section 10;
- (c) the circumstances under and the manner in which individually-identifiable information held by the Registry may be disclosed for the purposes of any medical, epidemiological or other form of public health research referred to in section 12;
- (d) the circumstances under and the manner in which a person may obtain certified extracts of individually-identifiable information relating to himself;
- (e) the forms to be used for the purposes of this Act;
- (f) the fees and charges payable under or for the purposes of this Act;
- (g) the offences which may be compounded under section 20;
- (h) any other matter as may be necessary or expedient to be prescribed for carrying out the provisions of this Act.

(3) The Minister may, in making any regulations, provide that any contravention of or failure to comply with any regulation shall be an offence punishable with a fine not exceeding \$10,000 or with imprisonment for a term not exceeding 6 months or with both.

Saving provision for personal information previously collected

24.—(1) As from the date on which any disease becomes a reportable disease for the purposes of this Act —

- (a) any personal information that had already been collected by a specified entity before that date pertaining to a person who had been diagnosed with or who had undergone treatment for that disease for the purposes of a national disease registry shall be deemed to be personal information that has been collected under and for the purposes of this Act in relation to that reportable disease; and
- (b) any person who had made a notification of any such personal information to the specified entity before that date shall be entitled to the same protection from liability under section 17(2) as if he had made the notification under section 6 on or after that date.

(2) In subsection (1), “specified entity” means any entity that is declared by the Minister by notification in the *Gazette* to be a specified entity for the purposes of this section.

THE SCHEDULE

Sections 2 and 22

REPORTABLE DISEASES

1. Cancer
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