



THE STATUTES OF THE REPUBLIC OF SINGAPORE

MESSAGE ESTABLISHMENTS ACT

(CHAPTER 173)

(Original Enactment: Ordinance 61 of 1959)

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Massage Establishments Act

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An Act for the licensing and control of establishments for massage or special treatment.

[23rd September 1959]

Short title

1. This Act may be cited as the Massage Establishments Act.

Interpretation

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

“advertise” means advertising by means of boards, circulars and all forms of printed or written matter;

“establishment for massage” means any premises used or represented as being or intended to be used for the reception or treatment of persons requiring massage, manicure, chiropody, light, electric, vapour or other baths or other similar treatment;

“licence” means a licence issued under this Act;

“licensee” means any person to whom a licence is issued under this Act;

“Licensing Officer” means the officer appointed by the Minister under section 3 and includes an Assistant Licensing Officer;

“massage or special treatment” means massage, manicure, chiropody, light, electric, vapour or other baths or other similar treatment.

Appointment of officers

3. The Minister may by notification in the *Gazette* appoint an officer to be the Licensing Officer for the purpose of this Act and may similarly appoint such number of Assistant Licensing Officers as may be necessary.

Licensing of persons to carry on establishments for massage

4.—(1) No person shall carry on an establishment for massage without a licence from the Licensing Officer authorising him to do so.

(2) An application for a licence shall be made in writing to the Licensing Officer.

(3) On receipt of an application for a licence, the Licensing Officer may require the applicant to furnish him with such additional information as he may require.

(4) After the receipt of an application for a licence and of any additional information that he may require, the Licensing Officer may issue a licence to the applicant to carry on an establishment for massage of the description and in the name and at the address specified in the application and may attach such conditions thereto as he may consider necessary for securing the due notification to him of any change in the name or private address of the licensee or in the treatment afforded or the nature of the business carried on at the establishment and generally for securing the proper conduct of the establishment.

(5) A licence shall not be renewable as of right and an application to renew a licence shall be treated as an application for a licence.

Restriction**5.** No licence shall be issued —

- (a) to any person under the age of 21 years;
- (b) to any person who is in the opinion of the Licensing Officer unsuitable to hold a licence;
- (c) in respect of premises which are in the opinion of the Licensing Officer unsuitable for the purpose of an establishment for massage or in which the accommodation or provision for massage or special treatment is not reasonably adequate or suitable;
- (d) in respect of any establishment for massage in which any curative massage or other curative treatment is or may be administered by any person who does not possess such technical qualification as may be necessary; or
- (e) in respect of any establishment for massage which is being or is likely to be carried on in contravention of this Act or any rules made thereunder.

Security

6.—(1) The Licensing Officer may, before issuing a licence, require the applicant to give security, either in the form of a cash deposit or by entering into a bond, that the provisions of this Act and of the conditions of the licence shall be duly observed.

(2) Where an applicant is required to enter into a bond, the Licensing Officer may require not more than 2 sureties to enter into the bond with the applicant.

(3) Any sum deposited or bond entered into under this section shall be liable to forfeiture in whole or in part at the discretion of the Licensing Officer on revocation of the licence.

(4) Any person aggrieved by a forfeiture under this section may require the Licensing Officer to furnish to him within 7 days the reason for the forfeiture.

(5) Any person aggrieved by a forfeiture under this section may within 14 days of the furnishing to him of the reason for the forfeiture

appeal by petition in writing to the Minister whose decision shall be final and shall not be called in question in any court.

Refusal and revocation of licence

7.—(1) The Licensing Officer may refuse any application for a licence and may revoke the licence of any person but the Licensing Officer shall within 7 days of the refusal or revocation inform the applicant for the licence or the licensee, as the case may be, in writing, of the refusal or revocation and the grounds for the refusal or revocation and stating that the applicant may appeal to the Minister.

(2) Any person aggrieved by a decision of the Licensing Officer under this section may within 14 days of the notification of the grounds of the decision appeal by petition in writing to the Minister whose decision shall be final and shall not be called in question in any court.

(3) Where a licence has been revoked and either the licensee has not appealed or he has appealed and his appeal has been dismissed, the licensee shall at the request of the Licensing Officer deliver the licence to the Licensing Officer. If the licensee fails to deliver the licence to the Licensing Officer, he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

Power to enter and inspect premises

8. The Licensing Officer or any officer duly authorised by him in writing in that behalf may enter and inspect any premises which are used or which the officer has reasonable cause to believe are to be used for the purposes of an establishment for massage and examine all books or other documents found in the premises and remove them for further examination.

Offences

9. Any person who —

- (a) carries on an establishment for massage in respect of which he does not hold a valid licence;
- (b) for the purpose of obtaining, whether for himself or any other person, the issue of any licence under the provisions of this

Act makes any declaration or statement which is false in any material particular or knowingly alters, produces or makes use of any such declaration or statement or any document containing the same;

- (c) refuses to permit the Licensing Officer or any officer authorised by him to enter or inspect any premises which the officer is authorised under this Act to enter and inspect or obstructs any such officer in the execution of his duty under the provisions of this Act or any rules made thereunder;
- (d) carries on an establishment for massage in contravention of the provisions of this Act or any rules made thereunder or any condition of a licence; or
- (e) issues, publishes or displays or causes to be issued, published or displayed any advertisement relating to an establishment for massage which is not licensed in accordance with the provisions of this Act,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 and to a further fine not exceeding \$50 for every day during which the offence continues after conviction.

Saving for certain premises

10. Notwithstanding anything in this Act, the provisions thereof shall not apply in the case of —

- (a) any hospital, infirmary, institution, nursing home or other establishment maintained or controlled by any Government department or local authority;
- (b) any hospital, infirmary, institution, nursing home or other establishment notified by the Minister to be a hospital for the purposes of this paragraph; or
- (c) any hairdresser whose premises are an establishment for massage as defined by this Act merely by reason of face or scalp massage or manicure treatment being administered to female customers only or being administered in his shop or saloon in full view of all customers resorting thereto.

Exemption

11. The Minister may by order exempt any premises from all or any of the provisions of this Act.

Establishment for massage deemed to be public place

12. For the purposes of section 18 of the Miscellaneous Offences (Public Order and Nuisance) Act (Cap. 184), every establishment for massage shall be deemed to be a public place.

Rules

13.—(1) The Minister may make such rules as he may consider expedient for the purposes of this Act.

(2) Without prejudice to the generality of subsection (1), rules may be made for any of the purposes or with respect to any of the following matters:

- (a) the control and management of establishments for massage;
- (b) the standards of hygiene to be observed in establishments for massage;
- (c) the fees to be charged in respect of licences;
- (d) the conditions under which licences may be issued;
- (e) prescribing that any act or omission in contravention of any rule made under this Act shall be an offence and imposing penalties for such offences which penalties shall not exceed a fine of \$1,000.

(3) All rules made under this section shall be published in the *Gazette* and shall be presented to Parliament as soon as possible after publication and if a resolution is passed pursuant to a motion notice whereof has been given for a sitting day not later than the first available sitting day of Parliament next after the expiry of one month from the date when the rules are so presented annulling the rules or any part thereof as from a specified date, the rules or such part thereof, as the case may be, shall thereupon become void as from that date but without prejudice to the validity of anything previously done thereunder or to the making of new rules.

LEGISLATIVE HISTORY
MESSAGE ESTABLISHMENTS ACT
(CHAPTER 173)

This Legislative History is provided for the convenience of users of the Massage Establishments Act. It is not part of the Act.

1. Ordinance 61 of 1959 — Massage Establishments Ordinance 1959

Date of First Reading : 13 August 1959
(Bill No. 21/59 published on
17 August 1959)

Date of Second and Third Readings : 2 September 1959

Date of commencement : 23 September 1959

2. 1970 Revised Edition — Massage Establishments Act (Chapter 253)

Date of operation : 31 July 1971

3. 1985 Revised Edition — Massage Establishments Act (Chapter 173)

Date of operation : 30 March 1987