

Healthcare Services (Exemption) Order 2021

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HEALTHCARE SERVICES ACT 2020
(ACT 3 OF 2020)

HEALTHCARE SERVICES
(EXEMPTION) ORDER 2021

In exercise of the powers conferred by section 53 of the Healthcare Services Act 2020, the Minister for Health makes the following Order:

Citation and commencement

1. This Order is the Healthcare Services (Exemption) Order 2021 and comes into operation on 3 January 2022.

Definitions

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

“acute hospital” means a private hospital licensed as a medical hospital or a surgical hospital under section 7(1) of the Private Hospitals and Medical Clinics Act 1980;

“ad hoc blood donation site” means any premises —

- (a) that are used by a blood banking service licensee to enable the collection of blood; and
- (b) in respect of which the licensee is, due to circumstances beyond the licensee’s control, unable to apply under section 15(1)(a) of the Act to amend the licence to specify the premises in the licence earlier than one month before the date that the premises are to be used by the licensee;

“business name” has the meaning given by regulation 48(2) of the Healthcare Services (General) Regulations 2021 (G.N. No. S 1035/2021);

“medical clinic” means any premises licensed to be used as a medical clinic under the Private Hospitals and Medical Clinics Act 1980.

Exemption relating to Clinical Governance Officers

3.—(1) Section 24(2) of the Act and regulation 5 of the Healthcare Services (Clinical Laboratory Service and Radiological Service) Regulations 2021 (G.N. No. S 1036/2021) do not apply to a person (A) who holds a licence to provide a clinical laboratory service

in respect of *A*'s appointment of an individual as a Clinical Governance Officer where the individual —

- (a) was, immediately before 3 January 2022, employed by *A* to manage any premises in which a clinical laboratory service is provided by *A* and continues to be so employed after that date; and
- (b) had, immediately before that date, held a valid licence under the Private Hospitals and Medical Clinics Act 1980 in relation to the use of the premises as a clinical laboratory.

(2) Paragraph (1) only applies so long as every laboratory discipline and specified test provided or that is to be provided as part of the clinical laboratory service was, immediately before 3 January 2022, also provided in the premises.

(3) Section 24(2) of the Act and regulation 6 of the Healthcare Services (Clinical Laboratory Service and Radiological Service) Regulations 2021 do not apply to a person (*B*) who holds a licence to provide a radiological service in respect of *B*'s appointment of an individual as a Clinical Governance Officer where the individual —

- (a) was, immediately before 3 January 2022, employed by *B* to manage any premises in which a radiological service is provided by *B* and continues to be so employed after that date; and
- (b) had, immediately before that date, held a valid licence under the Private Hospitals and Medical Clinics Act 1980 in relation to the use of the premises as a clinical laboratory.

(4) Paragraph (3) only applies so long as every imaging modality provided or that is to be provided as part of the radiological service was, immediately before 3 January 2022, also provided in the premises.

(5) Section 24(2) of the Act and regulation 4 of the Healthcare Services (Cord Blood Banking Service) Regulations 2021 (G.N. No. S 1037/2021) do not apply to a licensee (*C*) in respect of *C*'s appointment of an individual as a Clinical Governance Officer where the individual —

- (a) was, immediately before 3 January 2022, employed by *C* to manage any premises in which a cord blood banking service is provided by *C* and continues to be so employed after that date; and
- (b) had, immediately before that date, held a valid licence under the Private Hospitals and Medical Clinics Act 1980 in relation to the use of the premises as a clinical laboratory.

(6) In this paragraph, “imaging modality”, “laboratory discipline” and “specified test” have the meanings given by regulation 4(4) of the Healthcare Services (Clinical