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GOVERNMENT GAZETTE

ACTS SUPPLEMENT

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The following Act was passed by Parliament on 11 February 2019 and assented to by the President on 7 March 2019:—

REPUBLIC OF SINGAPORE

No. 8 of 2019.

I assent.

HALIMAH YACOB,

President.

7 March 2019.



An Act to amend the Traditional Chinese Medicine Practitioners Act (Chapter 333A of the 2001 Revised Edition).

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 Traditional Chinese Medicine Practitioners (Amendment) Act 2019 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 2

2. Section 2 of the Traditional Chinese Medicine Practitioners Act (called in this Act the principal Act) is amended —

(a) by inserting, immediately after the definition of “herbal medicine”, the following definition:

““Inquiry Committee” means a committee appointed under section 26I(1);”;

(b) by inserting, immediately after the definition of “institution of higher learning”, the following definitions:

““interim order” means an order made under section 26H(1);

“investigator” means a person appointed under section 28;”;

and

(c) by inserting, immediately after the definition of “member”, the following definition:

““modify”, in relation to any condition of registration, means —

(a) delete or replace such a condition; or

(b) add a condition of registration;”.

Amendment of section 3

3. Section 3(2) of the principal Act is amended by deleting the words “9 members” and substituting the words “11 members”.

Amendment of section 8

4. Section 8 of the principal Act is amended by inserting, immediately after subsection (3), the following subsection:

“(3A) However, a member who is or was a member of an Inquiry Committee inquiring into a matter relating to a registered person under this Act —

- (a) must not vote or take part in any discussion or decision of the Board relating to the matter, or otherwise participate in any activity of the Board that relates to the matter;
- (b) must withdraw from any meeting or part of any meeting of the Board considering or discussing the matter if the Chairman or other member presiding at the meeting so requests; and
- (c) must be disregarded for the purpose of forming a quorum for any meeting or part of any meeting of the Board during which a discussion or decision relating to the matter occurs or is made.”.

Amendment of section 17

5. Section 17 of the principal Act is amended —

- (a) by inserting, immediately after subsection (5), the following subsection:

“(5A) The Board may refuse to grant or renew a practising certificate to a registered person if the registered person fails to comply with any prescribed requirements relating to —

- (a) continuing professional education for the practice of traditional Chinese medicine; or
- (b) any other aspect of the practice of traditional Chinese medicine.”;

- (b) by deleting subsection (6) and substituting the following subsections:

“(6) A practising certificate issued to a registered person is deemed to be cancelled when —

(a) the registration of the registered person is cancelled or suspended under section 19 or 26A; or

(b) an interim order against the registered person is confirmed by the Board under section 26H(8)(a).

(6A) A person whose practising certificate is deemed to be cancelled under subsection (6) must surrender the practising certificate to the Board no later than the 14th day after the cancellation of the practising certificate.”; and

(c) by deleting the words “subsection (6)” in subsection (7) and substituting the words “subsection (6A)”.

Repeal and re-enactment of section 18

6. Section 18 of the principal Act is repealed and the following section substituted therefor:

“List of registered traditional Chinese medicine practitioners with practising certificates

18. The Registrar must publish, in such manner as the Board considers will secure adequate publicity to members of the public, a list of the names, practice addresses, qualifications, classes of registration and dates of qualifications and registration of all registered persons who have in force a practising certificate.”.

Amendment of section 19

7. Section 19 of the principal Act is amended —

(a) by inserting, immediately after paragraph (i) of subsection (1), the following paragraph:

“(ia) has failed to comply with any order of the Board under subsection (2)(ab), (b) or (ca);”;

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- (b) by deleting the word “disability” in subsection (1)(k) and substituting the word “condition”;
 - (c) by deleting the words “to (k)” in subsection (2) and substituting the words “to (j)”;
 - (d) by deleting paragraphs (b) and (c) of subsection (2) and substituting the following paragraphs:

- “(aa) issue a letter of advice to the registered person;

- (ab) order the registered person to give an undertaking, on such terms as the Board thinks fit, to abstain from the conduct that is the subject of a complaint against, or information about, the registered person under section 26B;

- (b) order the registered person to pay —

- (i) a penalty not exceeding \$10,000; or

- (ii) a penalty not exceeding \$50,000, if the act or omission that is the subject of the complaint or information occurred on or after the date of commencement of section 7(d) of the Traditional Chinese Medicine Practitioners (Amendment) Act 2019;

- (ba) alter the registered person’s class of registration;

- (c) modify the conditions of the registration of the registered person for a period not exceeding 3 years;

- (ca) order that the complaint against, or information about, the registered person under section 26B be referred for mediation between the registered person and the person who made the complaint or