

Massage Establishments Rules 2003

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THE SCHEDULE

**MESSAGE ESTABLISHMENTS ACT
(CHAPTER 173)**

MESSAGE ESTABLISHMENTS RULES 2003

In exercise of the powers conferred by section 13 of the Massage Establishments Act, the Minister for Home Affairs hereby makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Massage Establishments Rules 2003 and shall come into operation on 30th December 2003.

Definition

2. In these Rules, unless the context otherwise requires, “client” means any person seeking massage or special treatment in any establishment for massage.

Application for licence, etc.

3.—(1) Every application for the issue or renewal of a licence shall be made in Form A in the Schedule.

(2) Every applicant for the issue or renewal of a licence shall, if so required in writing by the Licensing Officer —

- (a) attend before the Licensing Officer; or
- (b) submit to the Licensing Officer such certificates setting out his technical qualifications or the technical qualifications of any person who may administer massage or special treatment at his establishment for massage as the Licensing Officer may require.

(3) Every licence issued shall be —

- (a) in Form B in the Schedule; and
- (b) valid for such period, not exceeding one year, as the Licensing Officer may, in his discretion, specify in the licence.

Fee payable

4.—(1) The fee payable for a licence shall be \$540 for a period of one year.

(2) There shall be no refund of any fee paid under this rule.

Licence not transferable

5. A licensee shall not transfer his licence to, or permit his licence to be used by, any other person.

Display of signboard

6. Every licensee shall keep displayed in a conspicuous place outside his establishment for massage a signboard showing plainly the name or style of the establishment.

Employment in massage establishment

7.—(1) No licensee shall employ in his establishment for massage any person —

- (a) whom he knows or has reason to believe is a prostitute or a person of bad character; or
- (b) who is below the age of 21 years.

(2) Subject to paragraph (1), a licensee may only employ in his establishment for massage a person with the prior written approval of the Licensing Officer.

(3) Every application for the approval of the Licensing Officer referred to in paragraph (2) shall be in Form C in the Schedule.

(4) Any licensee who is aggrieved by the refusal of the Licensing Officer to grant approval under paragraph (2) may, within 14 days of the furnishing to him of the grounds of the refusal, appeal in writing to the Minister whose decision shall be final.

(5) Where any person ceases to be employed by a licensee, the licensee shall notify the Licensing Officer within 14 days of the cessation of employment.

Prohibition

8.—(1) No licensee shall permit any person whom he knows or has reason to believe is a prostitute or a person of bad character to enter his establishment for massage.

(2) No licensee shall permit gaming, drunkenness or disorderly conduct of any kind in his establishment for massage.

Register of clients

9.—(1) Before providing any massage or special treatment to a client, a licensee shall require the client to furnish the following particulars:

- (a) his full name;

- (b) his identity card number or the particulars of his passport or other travel document;
- (c) his nationality; and
- (d) the hour and date of his arrival at the establishment for massage.

(2) The licensee shall immediately enter the particulars specified in paragraph (1) in a register.

(3) On the departure of a client, the licensee shall record against the relevant entry in the register the hour of the client's departure.

(4) The licensee shall keep the register for a period of 3 years from the date of the final entry in the register.

(5) No licensee or employee shall enter or cause to be entered in the register any particulars which he knows or could by the exercise of reasonable diligence have ascertained to be false.

Approval of change of name, etc.

10.—(1) Every licensee shall obtain the prior written approval of the Licensing Officer for any change in —

- (a) the name or address of his establishment for massage;
- (b) the treatment provided at his establishment for massage; or
- (c) the nature of the business carried on at his establishment for massage.

Notification of change of directors, partners, etc.

11. Every licensee shall notify the Licensing Officer of any change of the directors, partners or other officers of the company, business or organisation specified in the application for the licence within 7 days of the change.

Applications and notifications by electronic means

12.—(1) Subject to paragraph (3) —

- (a) every application for the issue or renewal of a licence under rule 3(1);
- (b) every application for the approval of the Licensing Officer under rule 7(3); and
- (c) every application for approval for any change in the name or address of an establishment for massage under rule 10(a),

shall be made using the electronic application service provided by the Licensing Officer.

(2) Subject to paragraph (3), any notification required under rule 7(5) or 11 shall be made using the electronic application service provided by the Licensing Officer.

(3) In the event of a malfunction or failure of the electronic application service, the application under paragraph (1) or the notification under paragraph (2), as the case may be, shall be made in such written form as the Licensing Officer may require.

(4) The Licensing Officer may reject any application not made in accordance with this rule.

Penalties

13.—(1) Any person who contravenes rule 5, 6, 7(1), (2) or (5), 8, 9, 10 or 11 shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

(2) In addition to any other penalty imposed, the Licensing Officer may revoke any licence issued under the Act for a contravention of any provision of these Rules.

Revocation

14. The Massage Establishments Rules (R 1) are revoked.

Savings

15. Any licence, application or other document issued, made or given under the revoked Massage Establishments Rules shall have the same force and effect as if it had been issued, made or given under these Rules and shall, in the case of a licence, expire on the date on which, but for the revocation of the Massage Establishments Rules, it would have expired.

THE SCHEDULE

FORM A

Rule 3(1)

MESSAGE ESTABLISHMENTS ACT (CHAPTER 173)