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AN ORDINANCE to amend and consolidate the law relating to the Ceylon Medical College, the Ceylon Medical Council, Medical Practitioners, Dentists, Midwives, Pharmacists, and Nurses.

[Date of Commencement: *5th October, 1928*]

PART I

PRELIMINARY

1. Short title.

This Ordinance may be cited as the Medical Ordinance 1.

2. Jury Service.

All persons registered under this Ordinance and in actual practice shall be exempt from serving on any jury.

PART II

THE CEYLON MEDICAL COLLEGE

3. College Council to manage the Medical Council.

The Ceylon Medical College (in this Ordinance called “the College”), its property, and affairs shall be managed by the Council of the Ceylon Medical College (in this Ordinance called “the College Council”) in accordance with the regulations for the time being in force under this Ordinance. In this section, “property” shall not include any property transferred to the ownership or control of the University of Ceylon by or under the Ceylon University Ordinance; and “affairs” shall not include any affairs of the University of Ceylon.

4. Cost of maintenance.

The College shall be maintained out of funds provided for the purpose by Parliament.

5. Constitution of College Council.

(1) The College Council is a body corporate by the name and style of “The Council of the Ceylon Medical College”, having perpetual succession, a common seal, and power to acquire and hold land and other property, and consists of—

(a) the person for the time being discharging the duties of the **1** Director-General of Health Services;

(aa) the person for the time being discharging the duties of the Director-General, Teaching Hospitals;

[S 5(1)(aa) ins by s 2 of Act 30 of 1987.]

(b) the person for the time being discharging the duties of Deputy Director of Health (Medical Services);

(c) the person for the time being discharging the duties of Professor of Medicine of a university established or deem to be established by the Universities Act, No. 16 of 1978, or such other person as may be nominated by the Minister in place of such Professor under subsection (2);

[S 5(1)(c) am by s 2 of Act 30 of 1987.]

- (d) the person for the time being discharging the duties of Professor of Surgery of a university established or deemed to be established by the Universities Act, No. 16 of 1978, or such other person as may be nominated by the Minister in place of such Professor under subsection (2);
- (e) the person for the time being discharging the duties of Professor of Anatomy of a university established or deemed to be established by the Universities Act, No. 16 of 1978, or such other person as may be nominated by the Minister in place of such Professor under subsection (2);
- (f) the person for the time being discharging the duties of Professor of Physiology of a university established or deemed to be established by the Universities Act, No. 16 of 1978, or such other person as may be nominated by the Minister in place of such Professor under subsection (2);
- (g) the person for the time being discharging the duties of Professor of Obstetrics and Gynecology of a university established or deemed to be established by the Universities Act, No. 16 of 1978, or such other person as may be nominated by the Minister in place of such Professor under subsection (2);
- (h) a person nominated by the Minister out of those engaged in teaching at any Government Nurses Training School;
- (i) a person nominated by the Minister out of those possessing the degree of Bachelor of Pharmacy or the qualification of Member of the Pharmaceutical Society or other equivalent qualification;
- (j) a medical practitioner, nominated as aforesaid, who is neither a lecturer in a university established or deemed to be established by the Universities Act, No. 16 of 1978, or the Ceylon Medical College, nor an officer in the service of the Government, nor in receipt of a pension from the Government.

(2) The Minister may at any time nominate any person to be a member of the College Council in place of any Professor referred to in paragraphs (c), (d), (e), (f) and (g) respectively of subsection (1).

(3) A nominated member of the College Council holds office for three years unless he previously resigns or his appointment is revoked by the Minister, and shall be eligible for renomination.

(4) If any member of the College Council leaves Sri Lanka without the intention of returning thereto, or is absent from Sri Lanka for more than six consecutive months, he shall thereupon cease to be a member.

[S 5(4) am by s 2 of Act 30 of 1987.]

(5) The Minister may appoint and revoke the appointment of any person to be a temporary nominated member in the place of any nominated member being temporarily absent, or ill, or unable, or unwilling to act.

6. Procedure of College Council Meetings.

At every meeting of the College Council, the Director of Health Services, or in his absence the Director-General of Teaching Hospitals or in the absence of both, the Deputy Director of Health (Medical Services) (Sic.).

[S 6 subs by s 3 of Act 30 of 1987.]

7. Certificates.

(1) Subject to any regulations for the time being in force, the College Council may confer on persons who have passed the prescribed examinations and fulfilled the prescribed conditions—

(a) certificates of efficiency as midwives;

(b) certificates of efficiency as apothecaries;

(bb) certificates of efficiency as estate apothecaries;

[S 7(1)(bb) ins by s 2 of Act 16 of 1965.]

(bbb) diplomas of efficiency as apothecaries;

[S 7(1)(bbb) ins by s 2 of Act 10 of 1979.]

(c) certificates of efficiency or proficiency as pharmacists;

[S 7(1)(c) subs by s 2 of Act 23 of 1985; am by s 4(1) of Act 30 of 1987.]

(d) certificates of efficiency as nurses;

[S 7(1)(d) am by s 4(2) of Act 30 of 1987.]

(e) certificates of proficiency as radiographers;

[S 7(1)(e) ins by s 4(3) of Act 30 of 1987.]

(f) certificates of proficiency as medical laboratory technologists;

[S 7(1)(f) ins by s 4(3) of Act 30 of 1987.]

(g) certificates of proficiency as physiotherapists;

[S 7(1)(g) ins by s 4(3) of Act 30 of 1987.]

(h) certificates of proficiency as occupational therapists;

[S 7(1)(h) ins by s 4(3) of Act 30 of 1987.]

(i) certificates of proficiency as electrocardiograph recordists;

[S 7(1)(i) ins by s 4(3) of Act 30 of 1987.]

(j) certificates of proficiency as audiologists;

[S 7(1)(j) ins by s 4(3) of Act 30 of 1987.]

(k) certificates of proficiency as clinical physiologist;

[S 7(1)(k) ins by s 4(3) of Act 30 of 1987.]

(l) certificates of proficiency as speech therapists;

[S 7(1)(l) ins by s 4(3) of Act 30 of 1987]

(m) certificates of proficiency as chiropodists;

[S 7(1)(m) ins by s 4(3) of Act 30 of 1987]

(n) certificates of proficiency as dietitians;

[S 7(1)(n) ins by s 4(3) of Act 30 of 1987.]

(o) certificates of proficiency as ophthalmic auxiliaries;

[S 7(1)(o) ins by s 4(3) of Act 30 of 1987.]

(p) certificates of proficiency as electroencephalograph recordists;

[S 7(1)(p) ins by s 4(3) of Act 30 of 1987.]

(q) certificates of proficiency as nutritionist;

[S 7(1)(q) ins by s 4(3) of Act 30 of 1987.]

(r) certificates of proficiency as clinical psychologists.

[S 7(1)(r) ins by s 4(3) of Act 30 of 1987.]

(2) Any person on whom any diploma or certificate has been conferred under subsection (1) may be deprived of such diploma or certificate by the College Council in such circumstances and in accordance with such procedure as may be prescribed.

8. Fees.

The College Council may charge the prescribed fees (which shall be paid into the Consolidated Fund) for entrance into the College, for continuance therein, for admission to examinations, for attendance at lectures or classes, and for any diploma or certificate issued by the College Council.

9. Appointments.

(1) Where any lecturers or other teachers are necessary for the purposes of any course of study not provided by the University of Ceylon, such lecturers or teachers may be appointed by the College Council. Examiners may in like manner be appointed by the College Council whenever necessary.

(2) There may also be appointed such officers and servants of the College, as may be necessary.

10. Professors of College to be public officers.

Every professor, lecturer, examiner, officer, or servant of the College shall be deemed to be a public officer within the meaning of section 19 of the Penal Code.

11. Power to make regulations.

Regulations may be made as to—

- (a) the mode and time of convening the meetings of the College Council and of transacting business thereat;
- (b) the duties of professors, lecturers, examiners, officers, and servants;
- (c) the previous course of instruction to be followed by candidates for the examinations of the College;
- (d) the maintenance of good order and discipline among students of the College or persons attending the examinations or lectures of the College, and the exclusion from such lectures and examinations of students or persons contravening such regulations;
- (e) the examinations to be passed and the other conditions to be fulfilled by candidates for diplomas and certificates;
- (f) the fees to be charged under this Part;
- (g) the keeping of accounts of the income and expenditure of the College;
- (h) generally all matters relating to the College.

PART III

THE SRI LANKA MEDICAL COUNCIL

[Subs by s 2 of Act 40 of 1998.]

12. Constitution and duties of Medical Council.

(1) The Medical Council shall be a body corporate by the name and style of the "Sri Lanka Medical Council" (hereinafter referred to as the "Medical Council") having perpetual succession, and a common seal with power to sue and to be sued in such name and to acquire and hold property movable and immovable and shall consist of—

[S 12(1) subs by s 2 of Act 30 of 1987.]

(a) the president nominated by the Minister;

[S 12(1)(a) subs by s 5 of Act 30 of 1987.]

(b) one member elected by the teachers of the Faculty of Medicine of each of the Universities established or deemed to be established by the Universities Act, No. 16 of 1978;

[S 12(1)(b) subs by s 5 of Act 30 of 1987.]

(bb) one member elected by the teachers of the Faculty of Dental Sciences of each of the Universities established or deemed to be established by the Universities Act, No. 16 of 1978;

[S 12(1)(bb) ins by s 2 of Act 33 of 1997.]

(c) eight members elected by medical practitioners registered under section 29;

[S 12(1)(c) subs by s 5(1) of Act 30 of 1987.]

(cc) three members elected by the medical specialists referred to in subsections (1), (3) and (4) of section 39A;

[S 12(1)(cc) ins by s 2 of Act 28 of 2018.]

(ccc) one member elected by the dental specialists referred to in subsection (2) of section 39A;

[S 12(1)(ccc) ins by s 2 of Act 28 of 2018.]

(d) one member elected by persons entitled to practice medicine registered under section 41;

[S 12(1)(d) subs by s 5(1) of Act 30 of 1987.]

(e) one member elected by dentists registered under section 43;

[S 12(1)(e) subs by s 5(1) of Act 30 of 1987.]

(f) four members nominated by the Minister, of whom at least two members shall not be in the employment of the Government or in receipt of a pension from the Government;

[S 12(1)(f) subs by s 5(1) of Act 30 of 1987.]

(g) the Director-General of Health Services;

[S 12(1)(g) subs by s 5(1) of Act 30 of 1987.]

(h) the Director-General of Teaching Hospitals.

[S 12(1)(h) subs by s 5(1) of Act 30 of 1987.]

(2) A vice-president shall be elected from among the members of the Medical Council, by the Medical Council.

(3) The Medical Council shall perform the duties imposed on it by this Ordinance, and may make representations to the Government on any matter connected with the medical profession in Sri Lanka.

[S 12(3) am by s 5(2) of Act 30 of 1987.]

(4) No person registered under this Ordinance, shall be entitled to vote at an election referred to in paragraphs (c), (d) or (e) of subsection (1), if according to the registers kept under the provisions of the Ordinance he is not resident in Sri Lanka at the time of such election.

[S 12(4) ins by s 5(3) of Act 30 of 1987.]

13. Members of Medical Council to be medical practitioners.

No person shall be eligible to be a member of the Medical Council unless he is a medical practitioner or a person entitled to practice medicine and surgery or a dentist.

[S 13 subs by s 6 of Act 30 of 1987.]

14. Tenure of office of members.

The members of the Medical Council except the members referred to in paragraphs (g) and (h) of section 12(1) shall hold office for a term of five years, but shall be eligible for re-election or renomination.

[S 14 am by s 7 of Act 30 of 1987.]

15. Vacation of seat by member of Medical Council.

A member of the Medical Council shall be deemed to have vacated his seat—

(a) on sending his resignation in writing to the president or registrar;

(b) on his absence without excuse sufficient in the opinion of the Medical Council from three consecutive meetings of the Medical Council;

(c) on his absence from Sri Lanka for twelve consecutive months;

[S 15(c) am by s 8 of Act 30 of 1987.]

(d) on erasure of his name from a register;

(e) on his being declared an insolvent or bankrupt by any competent court;

(f) on expiry of his term of office.

16. Filling up of vacancies.

When the seat of any member becomes vacant, the vacancy shall be filled up by election or nomination, as the case may be, in accordance with the provisions of this

Part.

17. Registrar and other officers.

(1) The Medical Council shall appoint a registrar, who shall act as secretary of the Medical Council and also as treasurer, unless the Medical Council shall appoint another person as treasurer and may appoint an assistant registrar who shall assist the registrar in the performance of his duties under this Ordinance.

[S 17(1) subs by s 9 of Act 30 of 1987.]

(2) The Medical Council may also employ such other persons as it may deem necessary for the purposes of this Ordinance.

(3) All persons appointed or employed under this section shall be deemed to be public officers within the meaning of section 19 of the Penal Code.

18. Appeals to Minister.

(1) Every order or decision of the Medical Council under this Ordinance shall be subject to appeal to the Minister whose decision shall be final.

(2) The Medical Council and the registrar shall give all information which may be required by the Minister for the purposes of any such appeals.

19. Power to make regulations.

Regulations may be made for all or any of the following purposes—

(a) the election of members to the Medical Council and of the vice-president;

(b) the procedure at meetings of the Medical Council, including the *quorum*;

(c) the appointment, suspension, removal, duties, and remuneration of officers and servants of the Medical Council;

(d) the keeping of the accounts of the receipts and expenses in carrying out the provisions of this Ordinance, and the auditing of such accounts;

[S 19(d) am by s 10(1) of Act 30 of 1987.]

(e) the maintenance of minimum standards of medical education including standards relating to courses of study, examinations, staff, equipment, accommodation, training and other facilities at the universities and other institutions which grant or confer any qualification which entitles a person to obtain registration under this Ordinance;

[S 19(e) ins by s 10(2) of Act 30 of 1987.]

(f) the maintenance of minimum standards of post-graduate medical education at universities and other institutions.

[S 19(f) ins by s 10(2) of Act 30 of 1987.]

PART IIIA

POWERS OF MEDICAL COUNCIL

[Ins by s 11 of Act 30 of 1987.]

19A. Power of persons authorised by the Medical Council to enter and make inquiries at recognised universities and institutions.

(1) Any person authorised in writing by the Medical Council may, after giving not less than two weeks' notice in writing, enter a recognised university or institution and make such examinations and investigations thereon and such inquiries of the members of the relevant faculty, as may be necessary for the purpose of ascertaining whether—

(a) courses of study provided by such university or institution leading to the grant or conferment of a medical qualification,

(b) the degree of proficiency required at examinations held by such university or institution for the purpose of granting or conferring any such qualification,

(c) the staff, equipment, accommodation and facilities provided by such university or institution for such course of study, conform to the prescribed standards.

(2) The Vice-Chancellor or Head of a recognised university or institution and the members of the relevant faculty shall afford all such facilities as may be required by the person referred to in subsection (1) for the purpose of making all such examinations, investigations and inquiries as are referred to in that subsection.

(3) Where any person authorised by the Medical Council under subsection (1) makes any such examination, investigation or inquiry as is referred to in that subsection he shall make a report of his findings to the Council.

(4) Every person authorised by the Medical Council under subsection (1) and exercising the powers conferred on such person by that subsection shall be deemed to be a public officer within the meaning of the Penal Code.

19B. Power of Medical Council to require recognised universities and institutions to furnish information.

The Medical Council may in writing direct the Vice-Chancellor or Head of a recognised university or institution to furnish it within the time specified in such direction, such information or explanation as the Council may require in respect of the matters referred to in subsection (1)(a) of section 19A and the Vice-Chancellor or Head of a recognised university or institution, as the case may be, shall comply with such requirements.

19C. Power of Medical Council to recommend withdrawal of recognition of qualifications granted by recognised universities or institutions.

(1) Where the Medical Council is satisfied, on a report made to it under subsection (3) of section 19A or any information furnished to it under section 19B that the courses of study provided by a recognised university or institution leading to the grant or conferment of a medical qualification or the degree of proficiency required by such university or institution at any examination held for the grant or conferment of any such qualification or that the staff, accommodation and equipment provided by such university or institution for the purpose of such course of study, do not conform to the prescribed standards it may recommend to the Minister that such qualification shall not be recognised for the purpose of registration under this Ordinance.

(2) Upon receipt of a recommendation under subsection (1) in respect of a recognised university or institution, the Minister shall send a copy of such recommendation to such university or institution and invite it to make its comments thereon within a specified period.

(3) Where the Minister is satisfied, after examining the comments, if any, made under subsection (2) by a university or institution and after making such further inquiry as he considers necessary that—

(a) the course of study provided by such university or institution leading to the grant or conferment of a medical qualification,
(b) the degree of proficiency required at examinations held by such university or institution for the grant or conferment of such qualification, or
(c) the staff, equipment, accommodation and facilities provided by such university or institution for such course of study, do not conform to the prescribed standards, he shall, declare by regulation, that any provision of this Ordinance which enables the holder of that qualification to be registered under this Ordinance shall cease to have effect in relation to such university or institution or in relation to any institution affiliated to such university, from such date as is specified in such regulation.

19D. Inquiries.

(1) The Minister may on receipt of a complaint in that behalf, direct any person to inquire into the affairs of the Medical Council and the performance by it, of its duties under this Ordinance.

(2) Where such inquiry as is referred to in subsection (1) is held, every member of the Medical Council, and every member of the staff of the Medical Council shall upon being requested to do so by the person holding the inquiry, furnish such information within his knowledge with regard to the work and affairs of the Medical Council and produce such registers or documents in his custody, as that person may require.

19E. Interpretation.

In this Part of this Ordinance—

“recognised university or institution means any university or institution which grants or confers a medical qualification;

“medical qualification” means any qualification which entitles the holder to be registered under this Ordinance.

PART IV

THE REGISTERS

20. Registers to be kept by Registrar.

(1) The registrar shall, in accordance with the provisions of this Ordinance, keep the following registers substantially in the form contained in the First Schedule, namely—

(a) a register of medical practitioners qualified to practice medicine and surgery in Sri Lanka;

[S 20(1)(a) am by s 12(1)(a) of Act 30 of 1987.]

(aa) a register of medical and dental specialists which contains the names of every medical specialist and dental specialist who possesses a qualification referred to in section 39A and has obtained registration under section 39B;

[S 20(1)(aa) ins by s 3 of Act 28 of 2018.]

(b) a register of dentists qualified to practice dentistry and dental surgery in Sri Lanka;

[S 20(1)(b) am by s 12(1)(a) of Act 30 of 1987.]

(bb) a register of persons entitled to practice medicine and surgery under subsections (2), (2A), (2B) and (2c) of section 41;

[S 20(1)(bb) ins by s 12(1)(b) of Act 30 of 1987.]

(bbb) a register of persons entitled to be temporarily registered under section 31;

[S 20(1)(bbb) ins by s 12(1)(b) of Act 30 of 1987.]

(c) a register of women qualified to practice as midwives in Sri Lanka;

[S 20(1)(c) am by s 12(1)(a) of Act 30 of 1987.]

(d) a register of persons qualified to act as pharmacists in Sri Lanka;

[S 20(1)(d) am by s 12(1)(c) of Act 30 of 1987.]

(e) a register of persons qualified to practice as nurses in Sri Lanka;

[S 20(1)(e) am by s 3 of Act 40 of 1998.]

(ee) a register of persons qualified to practice as a member of a profession supplementary to medicine;

[S 20(1)(ee) ins by s 3 of Act 40 of 1998.]

(f) a register of persons qualified to practice as paramedical assistants in Sri Lanka.

[S 20(1)(f) ins by s 12(1)(e) of Act 30 of 1987.]

(2) No person under the age of twenty-one years shall be registered.

(3) A person who is not a citizen of Sri Lanka shall not be registered except with the approval of the President on recommendation of the Minister.

[S 20(3) subs by s 12(2) of Act 30 of 1987.]

(4) The registrar shall enter in the appropriate register the name of every person who proves his claim to be registered, and shall report the name of every such person to the Medical Council at its next meeting.

(5) The registrar shall enter in a separate part of the register mentioned in paragraph (a) of subsection (1) the name of every person who proves his claim to be provisionally registered as a medical practitioner under subsection (2) of section 29, and, if that person is registered thereafter as a medical practitioner under subsection (1) of that section, the registrar shall strike off the name of that person from such part of the aforesaid register, as contains the names of persons provisionally registered as medical practitioners.

(5A) The registrar shall enter in a separate part of the appropriate register kept under subsection (1) the name of any person whose application for registration as a medical practitioner, dentist or nurse is allowed by the Medical Council under section 67 A and, if such person leaves Sri Lanka, shall strike off his name from the register.

[S 20(5A) ins by s 2 of Act 37 of 1961; am by s 12(3) of Act 30 of 1987.]

(5B) The registrar shall enter in a separate part of the register maintained under paragraph (a) of subsection (1) the name of every person who has been registered as a medical practitioner under sub-paragraph (iv) of paragraph (b) of subsection (1) of section 29.

[S 20(5B) ins by s 2 of Act 15 of 1996.]

(5C) The registrar shall enter in a separate part of the register mentioned in paragraph (b) of subsection (1) the name of every person who proves his claim to be provisionally registered as a dentist under section 43A, and, if that person is registered thereafter as a dentist under section 43, the registrar shall strike off the name of that person from such part of the aforesaid register, which contains the names of the persons provisionally registered as dentists.

[S 20(5C) ins by s 2 of Act 1 of 2017.]

(6) An applicant for registration shall deliver to the registrar the appropriate declarations required by the Schedules which shall be declared before a Justice of the Peace or a Commissioner for Oaths, and such other evidence of his right to be registered as the registrar may require.

(7) The registrar may refer any case of doubt or difficulty to the Medical Council.

(8) ...

[S 20(8) rep by s 12(4) of Act 30 of 1987.]

21. Punishment for fraudulently procuring persons to be registered.

If any person fraudulently procures or attempts to procure himself or any other person to be registered under this Ordinance by making or producing or causing to be made or produced any false or fraudulent representation or declaration, either orally or in writing, he and every person aiding or assisting him shall be guilty of an offence, and shall on conviction by the High Court be liable to imprisonment of either description for any term not exceeding two years, or to a fine not exceeding two thousand rupees, or to both such imprisonment and fine.

22. Continuance of existing registers.

The registers kept by the registrar of the Council of the Ceylon Medical College under the Medical Registration Ordinance 1905² and the Dentists Registration Ordinance, No. 3 of 1915² or by the registrar of the Ceylon Medical Council under either of those Ordinances and the Ceylon Medical Council Ordinance, No. 24 of 1924² are the property of and shall be kept by the Medical Council, and shall be deemed to be kept under this Ordinance, and every person whose name is entered in any such register shall be deemed to be registered under this Ordinance.

23. Change of residence.

(1) Whenever any person registered under this Ordinance changes his residence he shall forthwith notify his new address to the registrar, who shall enter it in the register.

(2) The registrar may send a letter by registered post to any registered person addressed to him according to his address in the register to inquire whether he has changed his residence, and if he does not receive an answer to such letter within six months of the sending thereof, he may erase from the register the name of such person:

Provided always that the same shall be restored at the request of the Medical Council.

24. Change of qualification.

(1) Any person registered under this Ordinance who may obtain any degree or qualification other than the degree or qualification in respect of which he is registered may cause such other degree or qualification to be inserted in the register, in addition to the degree or qualification already registered.

(2) The fee for insertion shall be ten rupees for each degree or qualification.

25. Power to erase name from register and to restore any name to register.

(1) The Medical Council may, if it thinks fit—

(a) on any ground authorised by this Ordinance, order that the name of any person be erased from a register or, in lieu of such erasure, may order that he be suspended from the rights, privileges, and immunities conferred upon him by registration during the period specified in the order;

(b) order that the name of any person be restored to a register.

(2) Before making an order under subsection (1)(a), the Medical Council shall give the person affected an opportunity of showing cause why the order should not be made, and for that purpose permit him to be represented or assisted by his legal adviser or advisers.

(3) At any proceedings against a person under this section, the Medical Council may employ the services of—

(a) an Attorney-at-law or counsel to lead the evidence and present the case against that person, and

(b) an Attorney-at-law or counsel to advise the Council and to act as judicial assessor.

26. Registrar to keep each register up to date.

(1) The Registrar shall keep each register correct and up to date in accordance with this Ordinance, and shall cancel in the register the name of any person who has died.

(2) The registrar shall, by and in accordance with the orders of the Medical Council, erase any entry from, or correct any entry in, a register when such entry is proved to the satisfaction of the Medical Council to have been

fraudulently or incorrectly made, and shall enter in the register and sign the reason for every erasure or correction.

26A. Renewal of registration.

(1) The Minister may require persons registered under this Ordinance to renew their registration at prescribed intervals and on payment of the prescribed fee.

(2) Different intervals and different fees may be prescribed in respect of different categories of persons registered under this Ordinance.

(3) The Medical Council may erase from the appropriate register, the name of any person who fails to renew his registration before the expiry of the period prescribed for the category to which such person belongs.

(4) Any person whose name has been erased from a register under subsection (3) shall be entitled to have his name restored to such register on payment of the prescribed fee if he continues to hold the qualification on the faith of which he was first registered in such register.

[S 26A ins by s 13 of Act 30 of 1987.]

27. Publication of registers in Gazette.

The registrar shall, as soon as may be after the first day of January in each year, cause a copy of each register as it exists on such first day of January to be published in the Gazette.

28. Proof of contents of registers.

(1) In all proceedings, whether civil or criminal—

(a) any extract from or copy of a register certified by the registrar to be true shall be admissible in evidence without proof, and shall be sufficient prima facie evidence of the contents of the register;

(b) a certificate by the registrar that the name of any person is or is not registered in a register or was or was not so registered at a date or during a period specified in the certificate shall be admissible in evidence, and shall be sufficient prima facie evidence of the facts stated therein.

(2) For the purposes of this section, no proof need be given, unless the court otherwise requires, of the signature of the registrar to any such copy, extract, or certificate, or of his appointment as registrar.

PART V

MEDICAL PRACTITIONERS

29. Registration as medical practitioners.

(1) A person shall, upon application made in that behalf to the Medical Council, be registered as a medical practitioner—

(a) if he is of good character; and

(b) if he—

(i) holds a degree of Bachelor of Medicine of—

(a) the University of Ceylon or a corresponding university;
(b) a Degree Awarding Institute; or
(c) the General Sir John Kotelawala Defence University,
and a certificate granted by the Medical Council under section 32; or
[S 29(1)(b) subs by s 2 of Act 25 of 1988; sub by s 2(1) of Act 6 of 2014.]
(ii) not being qualified to be registered under
sub-paragraph (i)—
(aa) is a citizen of Sri Lanka;
(bb) holds a Degree of Bachelor of Medicine or equivalent qualifications of
any university or medical school of any country other than Sri Lanka, which is
recognised by the Medical Council for the purposes of this section having
regard to the standard of medical education of such university or medical
school;
(cc) has passed the special examination prescribed in that behalf by the
Medical Council; and
(dd) holds a certificate granted by the Medical Council under section 32;
(iii) not being qualified to be registered under the preceding sub-paragraphs—
(aa) is a citizen of Sri Lanka;
(bb) holds a degree of Bachelor of Medicine or an equivalent qualification of
any university or medical school of any country outside Sri Lanka, which, on
the date on which such person was admitted to such university or medical
school, was a degree or qualification which entitled its holder to be registered
as a medical practitioner under this Ordinance;
(cc) has had an aggregate period of at least five years of efficient and
satisfactory service, in the capacity of a medical officer; and
(dd) holds a certificate granted by die Medical Council under section 32;
[S 29(1)(iii) ins by s 2 of Act 25 of 1988.]
(iv) not being qualified to be registered under the preceding sub-paragraphs
—
(aa) is a citizen of Sri Lanka;
(bb) holds a degree of Bachelor of Medicine or an equivalent qualification of
any university or medical school of any country outside Sri Lanka—
(i) which is recognised by the Medical Council for the purposes of this section
having regard to the standards of medical education of such university or
medical school; or
(ii) which on the date on which such person was admitted to such university
or medical school was a degree or qualification which entitled its holder to be
registered as a medical practitioner under this Ordinance;
(cc) had joined the department of Health Services prior to May 17, 1991 and
has had an aggregate period of at least five years efficient and satisfactory
service as a Government medical officer to the satisfaction of the Director-
General of Health Services; and

(*dd*) holds a certificate granted by the Medical Council under section 32.
[S 29(1)(iv) ins by s 3 of Act 15 of 1996; 29(1) subs by s 14 of Act 30 of 1987.]

(2) For the purposes only of enabling the acquirement of such experiences as is required for obtaining from the Medical Council, a certificate under section 32, a person shall, upon application made in that behalf to the Medical Council, be registered provisionally as a medical practitioner—

(*a*) if he is of good character; and

(*b*) if he—

(*i*) holds a degree of Bachelor of Medicine of the University of Ceylon or a corresponding university or a Degree Awarding Institute or the General Sir John Kotelawala Defence University; or

[S 29(2)(b)(i) subs by s 2 of Act 25 of 1988; am by s 2(2)(a) of Act 6 of 2014.]

(*ii*) has passed the examination necessary for obtaining a degree of Bachelor of Medicine of the University of Ceylon or a corresponding university or of a Degree Awarding Institute, but has not obtained that degree owing to a delay on the part of that university or Degree Awarding Institute or the General Sir John Kotelawala Defence University in conferring that degree on him; or

[S 29(2)(b)(ii) subs by s 2 of Act 25 of 1988; am by s 2(2)(b) of Act 6 of 2014.]

(*iii*) not being qualified to be registered under any of the preceding sub-paragraphs—

(*aa*) is a citizen of Sri Lanka;

(*bb*)—

(*i*) holds a degree of Bachelor of Medicine or an equivalent qualification of any university or medical school of any country other than Sri Lanka, which is recognised by the Medical Council for the purposes of this section having regard to the standard of medical education of such university or medical school; or

(*ii*) has passed the examinations necessary for obtaining a degree of Bachelor of Medicine or an equivalent qualification of any university or medical school of any country other than Sri Lanka which is recognised by the Medical Council for the purposes of this section, having regard to the standard of medical education at such university or medical school but has not obtained that degree owing to the fact that he has not completed the period of internship required for obtaining that degree and the Director-General of Health Service has permitted him to complete that period of internship in Sri Lanka; and

(*cc*) has passed the special examination prescribed in that behalf by the Medical Council;

(*iv*) not being qualified to be registered provisionally under any of the preceding sub-paragraphs—

(*aa*) is a citizen of Sri Lanka;

(bb) holds a degree of Bachelor of Medicine or an equivalent qualification of any university or medical school of any country outside Sri Lanka, which, on the date on which such person was admitted to such university or medical school, was a degree or qualification which entitled its holder to be registered as a medical practitioner under this Ordinance;

(cc) has had an aggregate period of at least five years of efficient and satisfactory service in the capacity of a medical officer.

[S 29(2)(iv) ins by s 2 of Act 25 of 1988; 29(2) subs by s 14 of Act 30 of 1987.]

(2A) ...

[S 29(2A) rep by s 14 of Act 30 of 1987.]

(3) The fee for registration, or provisional registration, as a medical practitioner shall be fifty rupees and it shall be paid to the registrar on application for registration.

(4) A person who has paid the fee for his provisional registration as a medical practitioner shall not be required to pay any fee for his subsequent registration as a medical practitioner.

30. ...

[S 30 rep by s 15 of Act 30 of 1987.]

31. Temporary registration of certain doctors employed by the Government.

Any person who is not qualified to be registered under section 29(1) shall be entitled, on production of a certificate from the director-General of Health Services to the effect that such person is in the employment of the Government as a medical officer, and on payment of a fee of five hundred rupees, to be temporarily registered by a registrar as a medical practitioner for the period of his employment under the Government. The name of the persons registered under this section shall be entered in a separate register, and shall be erased from the register on the expiration of the period of his employment under the Government.

[S 31 subs by s 16 of Act 30 of 1987.]

32. Certificate of experience in approved hospitals or institutions.

(1) Where a person, who is provisionally registered Certificate of as a medical practitioner applies to the Medical Council for a certificate under this section and such Council is satisfied that he—

(a) has been engaged in employment in a resident medical capacity for the prescribed period in one or more approved hospitals or institutions;

(b) has during his employment as mentioned in paragraph (a) of this subsection, been engaged for an approved period in the practice of medicine, for an approved period in the practice of surgery and for approved periods in the practice of other approved fields; and

For the purposes of this section—

“an approved hospital or institution” means a hospital or institution approved by the Medical Council from among lists of hospitals and institutions submitted to them by the Director-General of Health Services and the Director-General of Teaching Hospitals;

“approved periods” in relation to the practice of medicine or surgery or other approved fields means a period approved by the Medical Council having regard to the medical needs of the country.

[S 32(1) subs by s 17 of Act 30 of 1987.]

(2) Where a person who is provisionally registered as a medical practitioner has, during his employment as mentioned in subsection (1), been engaged in the practice of midwifery for any period not exceeding the prescribed period, such period spent in the practice of midwifery shall, for the purposes of paragraph (b) of subsection (1), be deemed to be a period spent in the practice of medicine or a period spent in the practice of surgery as he may elect,

(3) Where an applicant to the Medical Council for a certificate under this section has, during his employment as mentioned in subsection (1), been engaged in the practice of either surgery or midwifery or both surgery and midwifery, the period of that employment shall, in order to compute the period of his practice of medicine and the period of his practice of surgery for the purposes of paragraph (b) of subsection (1), be apportioned in such manner as may be determined by the Medical Council.

(4) Where a person who is provisionally registered as a medical practitioner applies to the Medical Council for a direction under this subsection and satisfies such Council that, by reason of lasting physical disability, he will be or has been prevented from entering upon or completing the period of experience of the practice of surgery or midwifery required for the purposes of any of the preceding provisions of this section, such Council may direct that, in lieu of the period which as aforesaid he will be or has been prevented from entering upon or in lieu of the balance of the period which as aforesaid he will be or has been prevented from completing, he may count for those purposes an equal period of experience of the practice of medicine during his employment as mentioned in subsection (1) which is in addition to the period of experience of the practice of medicine required for the purposes of paragraph (b) of subsection (1).

(5) Where a person is provisionally registered as a medical practitioner is, in accordance with the terms of his employment in a prescribed hospital or institution, residing conveniently near that hospital or institution, his employment in that hospital or institution shall be deemed to be employment in a resident medical capacity notwithstanding that his residence is not in that hospital or institution.

(6) Any person who holds a degree specified in subsection (1) of section 29 and has been employed in a resident medical capacity in one or more hospitals or institutions within Sri Lanka or outside Sri Lanka for the prescribed period may be granted a certificate under this section by the Council, notwithstanding the fact that such person is not provisionally registered as a medical practitioner, if the Council is satisfied that such person has, during his employment, been engaged in such practice of medicine, surgery or midwifery as is required by this section.

[S 32(6) ins by s 17 of Act 30 of 1987.]

33. When may medical practitioner's name be erased from register.

The name of a medical practitioner may be erased from the register if, whether before or after the commencement of this Ordinance.⁴

(a) ...

[S 33(a) omitted by s 18 of Act 30 of 1987.]

(b) he is deprived of any diploma, degree or certificate on the faith of which he was registered as a medical practitioner;

[S 33(b) subs by s 18 of Act 30 of 1987.]

(c) he is convicted of an offence which shows him to be unfit to practice as a medical practitioner; or

(d) he is convicted under section 49(c), (d), or (e) of the Births and Deaths Registration Ordinance or under section 68(1)(c), (d) or (e) of the Births and Deaths Registration Act, or, while acting as a registrar under that Ordinance or as a registrar or deputy registrar under that Act, of dishonestly registering or aiding or abetting the registration of a false cause of death; or

(e) he is guilty of infamous conduct in any professional respect.

34. Meaning of "legally qualified medical practitioner".

In any written law, whether passed or made before or after the commencement of this Ordinance, the words "legally qualified medical practitioner" or "duly qualified medical practitioner" or "registered medical practitioner" or any words importing a person recognised by law as a practitioner in medicine or surgery shall be construed as meaning a medical practitioner registered under this Ordinance.

35. Registered medical practitioners entitled to practice medicine and surgery.

Every medical practitioner shall be entitled to practice medicine and surgery in Sri Lanka, and to demand and recover reasonable charges for medical or surgical aid rendered by such person, and the costs of medicines and surgical appliances supplied by him in the course of his practice.

[S 35 am by s 19 of Act 30 of 1987.]

36. Right to recover charges for medical or surgical advice.

No person, other than a medical practitioner, shall be entitled to recover any charge in any court of law for any medical or surgical advice, attendance, or for the performance of any operation as a medical practitioner, or for any medicine which he shall have prescribed and supplied.

37. Medical certificates.

No certificate signed after the 1st day of April, 1906, and required by any written law to be signed by a physician, surgeon, or any other medical or surgical practitioner, shall be valid unless the person signing it is a medical practitioner.

38. Restrictions practice by unregistered persons.

No person, not being a medical practitioner, shall—

- (a) take or use any name, title, or addition implying a qualification to practice medicine or surgery by modern scientific methods, or implying or tending to the belief that he is a medical practitioner registered under this Ordinance, or by any act or omission intentionally cause or permit any person to believe that he is a registered medical practitioner, and to act upon such belief; or
- (b) except as mentioned in section 41, practice for gain, or profess to practice, or publish his name as practicing medicine or surgery.

39. Rights of persons provisionally registered as medical practitioners.

Every person provisionally registered as a medical practitioner under subsection (2) of section 29 shall have the right—

- (a) to practice medicine, surgery and midwifery for the purposes only of such employment as is mentioned in subsection (1) of section 32,
- (b) to recover in a court of law such remuneration or charges as he may be entitled to under the terms of such employment,
- (c) to sign and issue any such certificate as is referred to in section 37 in respect of any patient treated by him in the course of such employment, and
- (d) to use any name or title implying a qualification to practice medicine, surgery and midwifery, but shall not be entitled to any of the other rights, privileges or immunities of a medical practitioner registered under subsection (1) of section 29.

39A. Qualifications required for registration as a medical or dental specialist.

(1) A medical practitioner registered under section 29, who possesses a qualification required for Specialist Medical Officer Grade, as specified in the Medical Service Minutes, shall be eligible to be registered as a medical specialist under section 39B.

(2) A dentist registered under section 43, who possesses a qualification required for Specialist Medical Officer Grade, as specified in the Medical Service Minutes, shall be eligible to be registered as a dental specialist under section 39B.

(3) A medical practitioner registered under section 29 or a dentist registered under section 43, who has successfully completed specialist training in a country other than Sri Lanka and obtained a specialist medical or dental qualification which satisfies the eligibility criteria of the Post Graduate Institute of Medicine to practice the respective specialty, shall be eligible to be registered as a medical or dental specialist, as the case may be, under section 39B.

(4) Any person who has obtained a graduate and post graduate qualification in medicine or dentistry from any university or medical or dental school of any country other than Sri Lanka, recognised by the Medical Council and satisfies the eligibility criteria of the Post Graduate Institute of Medicine to practice the respective specialty shall be eligible to be registered as a medical or dental specialist, as the case may be, under section 39B.

[S 39A ins by s 4 of Act 28 of 2018.]

39B. Registration as a medical or dental specialist.

Any medical practitioner, dentist or a person who possesses any one of the specialist medical or dental qualifications referred to in section 39A shall, upon application made to the Medical Council in the prescribed form, along with the prescribed fee for registration, be registered as a medical or dental specialist in the respective field of medicine or dentistry, if—

(a) he is of good character; and

(b) —

(i) he produces a certificate of registration under section 29, in the case of a medical practitioner who possesses a qualification referred to in subsection (1) of section 39A; or

(ii) he produces a certificate of registration under section 43, in the case of a dentist who possesses a qualification referred to in subsection (2) of section 39A; or

(iii) he produces a certificate of registration under section 29 or section 43, in the case of a medical practitioner or a dentist who possesses a qualification referred to in subsection (3) of section 39A; or

(iv) he has obtained the provisional registration required for the Board certification, in the case of a person who possesses a qualification referred to in subsection (4) of section 39A; and

(c) he produces a Board Certification or a Certificate of Accreditation in respect of Board Certification, as the case may be, issued by the Post Graduate Institute of Medicine, upon satisfying the eligibility criteria of the Post Graduate Institute of Medicine.

[S 39B ins by s 4 of Act 28 of 2018.]

39C. No person to practice as a medical or dental specialist without registration.

No person, not being a medical or dental specialist registered under section 39B, shall take or use any name, title or addition implying or tending to the belief that he is a medical or dental specialist who possesses a qualification referred to in section 39A or, by any act or omission intentionally cause or permit any person to believe that he is a medical or dental specialist registered under section 39B, and to act upon such belief.

[S 39C ins by s 4 of Act 28 of 2018.]

39D. Registered medical or dental specialists entitled to practice in the respective field.

Every medical or dental specialist registered under section 39B shall be entitled to practice the respective specialty in Sri Lanka and to demand and recover reasonable professional charges including the cost of medicines and surgical appliances supplied, or other services rendered during the course of such practice.

[S 39D ins by s 4 of Act 28 of 2018.]

40. ...

[S 40 rep by s 84 of Act 31 of 1961.]

41. Saving for Government apothecaries, estate apothecaries and estate dispensers.

(1) Nothing in this Ordinance shall make it unlawful for any of the following persons to practice medicine and surgery for gain or prevent him from recovering his charges for services rendered or medicine or goods supplied by him in the course of his practice, namely—

- (a) any Government apothecary actually employed in the public service as an apothecary and for the time being in charge of a dispensary or hospital;
- (b) any Government apothecary who, having, before the 1st day of April, 1906, qualified to enter Government service as an apothecary, has whether before or after the commencement of this Ordinance, retired from the Government service;
- (c) any Government apothecary who is registered under subsection (2) of this section as being entitled to practice medicine and surgery, and whose name is for the time being in the register maintained under that subsection;

[S 41(1)(c) am by s 4 of Act 16 of 1965.]

- (cc) any estate apothecary or apothecary who is registered under subsection (2A) of this section as being entitled to practice medicine and surgery and whose name is for the time being in the register mentioned under that subsection;

[S 41(1)(cc) subs by s 3 of Act 10 of 1979.]

- (ccc) any Government apothecary who is registered under subsection (2B) of this section as being entitled to practice medicine and surgery and whose name is for the time being in the register mentioned under that subsection;

[S 41(1)(ccc) subs by s 3 of Act 10 of 1979.]

(ccc) any estate apothecary who is registered under subsection (2BB) of this section as being entitled to practice medicine and surgery and whose name is for the time being in the register mentioned under that subsection;

[S 41(1)(cccc) ins by s 4 of Act 40 of 1998.]

(d) any estate apothecary or estate dispenser appointed by a superintendent to an estate or group of estates with the approval of the Director-General of Health Services, but only during the time he is actually so employed, provided that the practice of such estate apothecary or estate dispenser shall be limited to the estate or group of estates to which he is so appointed.

[S 41(1)(d) am by s 4 of Act 16 of 1965.]

(e) any estate dispenser who is registered under subsection (2c) of this section as being entitled to practice medicine and surgery and whose name is for the time being in the register mentioned under that subsection;

[S 41(1)(e) ins by s 20 of Act 30 of 1987.]

(2) Any Government apothecary, whether he is in the service of the Government or has ceased to be in such service, may, on production of a certificate from the

Director- General of Health Service to the effect that he—

(a) has or had been employed as an apothecary in the public service for an aggregate period of at least eight years; and

[S 41(2)(a) am by s 2 of Act 13 of 1993.]

(b) has or had within such period, served in one or more hospitals under one or more medical practitioners for an aggregate period of at least two years; and

(c) has or had performed his duties as an apothecary efficiently and satisfactorily, be registered by the registrar, on payment of, the prescribed fee, as being entitled to practice medicine and surgery.

The registrar shall maintain a register of the persons registered under this subsection and erase therefrom the name of any person ordered to be erased by the Medical Council under subsection (3) of this section. A certificate under this subsection may be issued to a Government apothecary who has been guilty of misconduct if the Director-General of Health Services is satisfied that such apothecary has, since such misconduct, been of good conduct for such period of time as the Director-General considers reasonable. For the purposes of this subsection and subsection (2A) “public service” includes service under a corporation, the capital of which is wholly or partly provided by the Government.

[S 41(2) subs by s 3 of Act 10 of 1979.]

(2A) —

(a) Any estate apothecary or apothecary may, on furnishing proof to the satisfaction of the Director-General of Health Services that—

(i) —

(a) he, being an estate apothecary, has had an aggregate period of at least eight years of efficient and satisfactory service as an estate apothecary on an estate or on an estate and in the public service; or

[S 41(2A)(i)(a) am by s 3 of Act 25 of 1988.]

(b) he, being an apothecary, has had an aggregate period of at least eight years of efficient and satisfactory service as an estate apothecary on an estate or on an estate and in the public service; and

(ii) has, within that period, served in one or more hospitals under one or more medical practitioners for an aggregate period of at least two years, be registered by the registrar on payment of the prescribed fee, as being entitled to practice medicine and surgery.

[S 41(2A)(a) subs by s 3 of Act 13 of 1979; am by s 4 of Act 40 of 1998.]

(b) The registrar shall maintain a register of the persons registered under this subsection and erase therefrom the name of any person ordered to be erased by the Medical Council under subsection (3) of this section.

[S 41(2A) ins by s 4 of Act 16 1965.]

(2B) —

(a) Any Government apothecary whether he is in the service of the Government or has ceased to be in such service may, on production of a certificate from the Director-General of Health Services to the effect that he—

(i) has had an aggregate period of four years of efficient and satisfactory service as a Government apothecary;

[S 41(2B) am by s 2 of Act 13 of 1993]

(ii) has, within that period, served in one or more district or provincial hospitals under one or more medical practitioners for an aggregate period of at least three years; and

(iii) holds a diploma conferred by the College Council, be registered by the registrar on payment of the prescribed fee, as being entitled to practice medicine and surgery.

(b) The registrar shall maintain a register of persons registered under this subsection and erase therefrom the name of any person ordered to be erased by the Medical Council under subsection (3).

[S 41(2B) ins by s 3 of Act 10 of 1979.]

(2BB) —

(a) Any estates apothecary, whether he is employed in an estate or a group of estates or has ceased to be so employed may on furnishing proof to the satisfaction of the Director-General of Health Services that he—

(i) has had an aggregate period of four years of efficient and satisfactory service as an estate

apothecary;

(ii) has, within that period served in one or more hospitals under one or more medical practitioners for an aggregate period of at least three years;

and

(iii) holds a diploma conferred by the College Council, be registered by the registrar on payment of the prescribed fee as being entitled to practice medicine and surgery.

(b) The registrar shall maintain a register of persons registered under this subsection and shall erase therefrom the name of any person ordered to be erased by the Medical Council under subsection (3) of this section.

[S 41(2BB) ins by s 4 of Act 40 of 1998.]

(2C) Any estate dispenser whether he is employed on an estate or group of estates or ceased to be so employed may, on furnishing proof to the satisfaction of the Director-General of Health Services that—

(i)—

(a) he being an estate dispenser, has had an aggregate period of at least twenty years of efficient and satisfactory service as an estate dispenser; or

(b) he, being a dispenser, has had an aggregate period of at least twenty years of efficient and satisfactory service as a dispenser on an estate or group of estates and in the public service; and

(ii) he has within that period, served in one or more hospitals under one or more medical practitioners for an aggregate period of at least two years; and

(iii) he has undergone a period of training prescribed for that purpose, be registered by the registrar on payment of the prescribed fee, as being entitled to practice medicine and surgery. The registrar shall maintain a register of the persons registered under this subsection and erase therefrom the name of any person ordered to be erased by the Medical Council under subsection (3) of this section; and

[S 41(2C) ins by s 20 of Act 30 of 1987.]

(3) Provided that where it is shown to the satisfaction of the Medical Council that any person being an apothecary entitled to practice medicine and surgery under subsection (1)(b) or under subsection (1)(c) or under subsection (1)(cc) or under subsection (1)(ccc) or any estate apothecary entitled to practice medicine and surgery under subsection (1)(cc) or (1)(cccc) any estate dispenser entitled to practice medicine and surgery under subsection (1)(e) has been guilty of inefficiency or negligence in the treatment of a patient or has been guilty of conduct which shows him to be unfit to practice medicine and surgery, the Medical Council may make an order that such person be suspended from the privileges and immunities

conferred on him by this section either permanently or during the period specified in the order, and where the circumstances of the case 80 require an order that the name of any person be erased from the register of apothecaries maintained as the case may be, under subsection (2) or subsection (2A) or subsection (2B) or (2BB)an order that the name of any person be erased from the register of estate dispensers maintained under subsection (2C).

[S 41(3) subs by s 20 of Act 30 of 1987; am by s of Act 40 of 1998.]

(4) Every order under subsection (3) shall be published in the Gazette.

42. Women medical missionaries.

The Medical Council, on being satisfied that any lady belonging or attached to any missionary or other body or society possesses the requisite knowledge and skill for the medical treatment of women and children, may grant permission to such person to practice medicine and midwifery as a women medical missionary as regards the treatment of women and children, but not otherwise. Such permission shall not authorise the person to whom it is granted to practice medicine for gain or elsewhere than at the place or places named therein.

PART VI

DENTISTS

43. Qualifications for registration of dentist.

(1) No person shall be registered as a dentist unless he dentist is of goof character and holds a degree or diploma in dentistry conferred or granted by the University of Ceylon or a corresponding university or by a Degree Awarding Institute and holds a certificate granted by the Medical Council under subsection (3) of section 43A.

[S 43(1) subs by s 4 of Act 25 of 1988; am by s 3(1) of Act 1 of 2017.]

(1A) Notwithstanding the provisions of subsection (1) a person who is not qualified to be registered as a dentist under that subsection may, if he—

[S 43(1A) subs by s 21 of Act 30 of 1987.]

(a) is a citizen of Sri Lanka according to the law for the time being in force relating to citizenship; and

[S 43(1A)(a) subs by s 21 of Act 30 of 1987.]

(b) holds a degree in dentistry or stomatology or an equivalent qualification of any university or medical school of any country other than Sri Lanka, which is recognised by the Medical Council for the purpose of this subsection; and

[S 43(1A)(b) subs by s 21 of Act 30 of 1987.]

(c) has passed the special examination prescribed in that behalf by the Medical Council; and

[S 43(1A)(c) subs by s 3(2) of Act 1 of 2017.]

(d) holds a certificate granted by the Medical Council under subsection (3) of section 43A.

[S 43(1A)(d) ins by s 3(2) of Act 1 of 2017.]

(2) The fee for registration as a dentist shall be a prescribed amount payable on application to the registrar.

[S 43(2) subs by s 3(3) of Act 1 of 2017.]

(3) Notwithstanding anything in this Ordinance, the following provisions shall have effect, that is to say—

(a) Every person who, immediately prior to the 6th day of June, 1949, held a diploma as a licentiate in dental surgery or a diploma of efficiency in dentistry issued by the College Council and was registered as a dentist, shall be deemed for all the purposes of this Ordinance to be a dentist possessing the qualifications indicated in this section.

(b) Every person who, immediately prior to the date aforesaid, was qualified to be registered as a dentist by reason of his holding any diploma, certificate or degree referred to in paragraph (c)⁵ of subsection (1) of this section and was so registered, shall, for all the purposes of this Ordinance, but subject to the provisions of paragraph (e) of this subsection, be deemed to be a dentist.

(c) The regulations relating to the registration of dentists published in Gazette No. 8,089 of 9th November, 1934, shall continue in force for the purpose, but only for the purpose, of enabling certificates referred to in regulation 1 of those regulations to be issued in accordance therewith to persons who, prior to the 6th day of June, 1949, commenced work as assistants in all branches to a dental surgeon or surgeon dentist; and the aforesaid regulations shall so continue in force subject to the modification that, notwithstanding anything in the proviso to paragraph (c) of regulation 2 thereof, the certificate referred to in that paragraph may be entertained if the dental surgeon or surgeon dentist, to whom the person mentioned in the certificate is an assistant, sends to the registrar within one month of the 6th day of June, 1949, a notice specifying the date on which such person commenced work as such assistant. Every person to whom a certificate is issued under regulation 1 of those regulations (as so continued in force) may be registered as a dentist, and if so registered shall, for all the purposes of this Ordinance, but subject to the provisions of paragraph (e) of this subsection, be deemed to be a dentist.

(d) Any person who satisfies the registrar that he had, during the period of five years preceding the 6th day of June, 1949, continuously carried on the trade of a dental mechanic and makes application to the registrar before such date⁶ as may be prescribed by the Minister for registration as a dentist may, if he passes an examination conducted by a board of examiners consisting of a dental surgeon who is a teacher of the Ceylon University and who is selected by the Dean of the Faculty of Medicine of that University, a surgeon of the General Hospital, Colombo, nominated by the Minister, and the officer in charge of the Dental Institute, Colombo, be granted by the board a certificate that he holds the requisite knowledge

and skill for practice as a dentist; and where the certificate is so granted to any person, that person may be registered as a dentist and if so registered shall, for all the purposes of this Ordinance, but subject to the provisions of paragraph (e) of this subsection, be deemed to be a dentist.

- (e) No person who, as provided in paragraphs (b), (c), or (d) of this subsection, is deemed to be a dentist, shall assume or use the title of Dental Surgeon or Surgeon Dentist.
- (f) Every person who contravenes the provisions of paragraph (e) of this subsection, shall be guilty of an offence against this Ordinance.

43A. Provisional registration of dentists.

(1) A person shall make an application to the Medical Council for provisional registration as a dentist, solely for the purpose of acquiring experience required by the Medical Council for obtaining a certificate under subsection

(3), if he—

(a) is of good character;

(b) is a citizen of Sri Lanka; and

(c)—

(i) holds a Degree of Bachelor of Dental Surgery of the University of Ceylon or a corresponding University or a Degree Awarding Institute; or

(ii) has passed the examination necessary for obtaining the Degree of Bachelor of Dental Surgery of the University of Ceylon or a corresponding University or a Degree Awarding Institute, but has not obtained that degree owing to a delay on the part of that University or Degree Awarding Institute in conferring that degree on him or has not obtained that degree, owing to the fact that he has not completed the period of internship required for obtaining that degree; or

(d)—

(i) holds a Degree of Bachelor of Dental Surgery or an equivalent qualification from any university or dental school of any country other than Sri Lanka, which is recognized by the Medical Council for the purposes of this section having regard to the standard of education in dentistry of such university or dental school; or

(ii) has passed the examination necessary for obtaining the Degree of Bachelor of Dental Surgery or an equivalent qualification from any university or dental school of any country other than Sri Lanka, which is recognized by the Medical Council for the purposes of this section, having regard to the standard of education in dentistry of such university or dental school but has not obtained that degree, owing to the fact that he has not completed the period of internship required for obtaining that degree and the Director-General of Health Services has permitted him to complete the period of internship in Sri Lanka; and

(iii) has passed the special examination prescribed in that behalf by the Medical Council.

(2) The prescribed fee for provisional registration as a dentist shall be paid to the registrar on application for registration.

(3) —

(a) Where a person who is provisionally registered as a dentist applies to the Medical Council for a certificate under this subsection and the Medical Council is satisfied, on production of a certificate of internship and an evaluation certificate acceptable to the Medical Council, that he —

(i) has been engaged in employment for the prescribed period in one or more approved hospitals or institutions;

(ii) has during his employment as mentioned in subparagraph (i), been engaged for an approved period in the practice of dentistry in any approved field; and

(iii) has rendered satisfactory service while so employed,

the Medical Council shall grant, in the prescribed form a certificate to the effect that the Council is satisfied, that such person has obtained necessary experience for registration as a dentist under section 43;

(b) Any person who holds a degree specified in subsection (1) of section 43 and has been employed in the practice of dentistry in one or more approved hospitals or institutions, within Sri Lanka or outside for a prescribed period, may be granted a certificate under paragraph (a) by the Medical Council, if the Medical Council is satisfied that such person has, during his employment, been engaged in the practice of dentistry in any approved field, as is required by this Ordinance;

(c) For the purposes of this section —

“an approved hospital or institution” means a hospital or institution approved by the Medical Council from among a list of hospitals and institutions, submitted to it by the Director-General of Health Services;

“approved period” in relation to the practice of dentistry in approved fields, means a period approved by the Medical Council having regard to the medical needs of the country, in relation to those fields;

“approved fields” means Oral and Maxillofacial Surgery, Restorative Dentistry and Orthodontics;

“certificate of internship” in relation to a person provisionally registered as a dentist, means a certificate signed by the head of the approved hospital or institution in which he was employed in a resident capacity which specifies the period for which he was so employed;

“evaluation certificate” in relation to a person who is provisionally registered as a dentist, means a certificate signed by the head of the approved hospital or institution in which he was employed in a resident capacity which specifies the period for which he was engaged in the practice of

dentistry in any approved field and includes an evaluation of the performance of such person in each such field.

[S 43A ins by s 4 of Act 1 of 2017.]

43B. Rights of persons provisionally registered as dentists.

Every person provisionally registered as a dentist under section 43A shall have the right to—

- (a) practice dentistry in the approved fields, for the purpose only of such employment as is mentioned in subsection (3) of section 43A;
- (b) recover in a court of law such remuneration or charges as he may be entitled to under the terms of such employment; and
- (c) use any name or title implying a qualification to practice dentistry, but shall not be entitled to any of the other rights, privileges or immunities of a dentist registered under section 43.

[S 43B ins by s 4 of Act 1 of 2017.]

44. ...

[S 44 rep by s 22 of Act 30 of 1987.]

45. When may dentist's name be erased from register.

The name of a dentist may be erased from the register if, whether before or after the commencement of this Ordinance—

(a) ...

[S 45(a) omitted by s 23 of Act 30 of 1987.]

(b) he is deprived of any diploma, degree or certificate on the faith or which he was registered as a dentist;

[S 45(b) subs by s 23 of Act 30 of 1987.]

(c) he is convicted of an offence which shows him to be unfit to practice as a dentist; or

(d) he is guilty of infamous conduct in any professional respect.

46. Meaning of “legally qualified dentist”.

In any written law, whether passed or made before or after the commencement of this Ordinance, the words “legally qualified dentist” or “duly qualified dentist” or “registered dentist” or any words importing a person recognised by law as a dentist shall be construed as meaning a dentist registered under this Ordinance.

47. Registered dentists entitled to practice dentistry and dental surgery.

Every dentist shall be entitled to practice dentistry and dental surgery in Sri Lanka, and to demand and recover reasonable charges for services rendered by him as such dentist, and the costs of medicines and surgical appliances supplied by him.

[S 47 am by s 24 of Act 30 of 1987.]

48. Right to recover charges for dental operation.

No person, other than a dentist or a medical practitioner, shall be entitled to recover any charge in any court of law for any dental operation, service, work,

or attendance, or for any medicine for dental treatment which he shall have prescribed and supplied.

49. Restrictions on practice by unregistered persons.

(1) No person, not being a dentist, shall—

(a) take or use the name or title of dentist or dental surgeon or surgeon dentist or any other name, words, title, or description, either alone or in conjunction with any other word or words, implying or tending to the belief that he is entitled to practice dentistry or dental surgery; or

(b) practice, or hold himself out whether directly or by implication as practicing or as being prepared to practice dentistry.

(2) For the purposes of this Ordinance, the practice of dentistry shall be deemed to include the performance of any such operation and the giving of any such treatment, advice or attendance as is usually performed or given by dentists and any person who performs any operation or gives any treatment, advice or attendance on or to any person as preparatory to or for the purpose of or in connection with the fitting, insertion, or fixing of artificial teeth shall be deemed to have practiced dentistry within the meaning of this Ordinance.

(3) Nothing in this section shall operate to prevent—

(a) the practice of dentistry by a medical practitioner; or

(b) the extraction of a tooth by an apothecary where the case is urgent and no medical practitioner or dentist is available and the operation is performed without the application of any general or local anesthetic; or

[S 49(3)(b) am by s 6 of Act 16 of 1965.]

(c) the performance by a qualified dental nurse in the employment of the Government of Sri Lanka of minor dental work in any public dental service under the supervision of a dentist or a medical practitioner.

[S 49(3)(c) am by s 25 of Act 30 of 1987.]

(4) —

(a) Subject to paragraph (b) a dentist shall be entitled to assume or use the title “Doctor”: Provided that every dentist who uses such title shall use the words “Dental Surgeon” after his name.

(b) A dentist shall not assume or use the title of dental surgeon or surgeon dentist unless he possesses the qualifications indicated in section 43(1).

[S 49(4) subs by s 25 of Act 30 of 1987.]

50. Persons holding special licence issued under the Dentists Registration Ordinance.

(1) Any person who at the commencement of this Ordinance holds a special licence issued under section 20 of the Dentists Registration Ordinance, No. 3 of 19152 shall be entitled to practice dentistry and dental surgery in the same manner as a dentist, and shall (with the necessary modifications) have the

same rights and immunities and be subject to the same liabilities and penalties as a dentist:

Provided that no such person shall use any other title or designation than that of "Licensed Dentist".

(2) Any such licence may be revoked by the Medical Council on any ground for which the name of a dentist can be erased from the register of dentists.

(3) The registrar shall, as soon as may be after the first day of January in each year, cause a list of all persons holding such licences on such first day of January to be published in the Gazette.

PART VII

MID WIVES

51. Qualifications for registration as midwife.

(1) No person shall be registered as a midwife unless she is a woman of good character and either—

(a) holds a certificate of efficiency as a midwife issued by the College Council;
or

[S 51(1)(b) re-lettered as a 51(1)(a) by s 26 of Act 30 of 1987.]

(b) holds a certificate of efficiency in midwifery issued by the director-General of Health Services; or

[S 51(1)(c) re-lettered as a 51(1)(b) by s 26 of Act 30 of 1987.]

(c) otherwise satisfies the Medical Council that she possesses sufficient knowledge and skill for efficient practice as a midwife.

[S 51(1)(d) re-lettered as a 51(1)(c) by s 26 of Act 30 of 1987.]

(2) The fee for registration as a midwife shall be five rupees payable to the registrar on application

52. When may midwife's name be erased from register.

The name of a midwife may be erased from the register if —

(a) ...

[S 52(a) omitted by s 27 of Act 30 of 1987.]

(b) she is deprived of any diploma, degree, or certificate, on the faith of which she was registered as a midwife; or

(c) she is convicted of an offence which shows her to be unfit to practice as a midwife; or

(d) she shows such negligence or incapacity as a midwife that she cannot be safely allowed to continue to practice as such.

53. Use of title "registered midwife".

(1) Every midwife shall be entitled to designate herself as a registered midwife and to practice as a midwife.

(2) No person, not being a midwife, shall take or use the name or title of registered or licensed midwife, or any name, words, title, or description implying or tending to the belief that she is a midwife registered under this

Ordinance or by any act or omission internationally cause or permit any person to believe that she is a registered midwife and to act upon such belief.

54. Restriction on practice of midwifery by unauthorised persons.

(1) No woman, not being a midwife or a medical practitioner, shall—

(a) practice for gain or profess to practice, or publish her name as practicing midwifery;

(b) attend any woman in child-birth otherwise than under the direction of a medical practitioner or in case of emergency; or

(c) be entitled to recover any charge in any court of law for services rendered by her as a midwife.

(2) This section applies only to an area to which it is applied by regulation.

(3) A regulation under this section shall not come into operation until the date specified in the regulation, such date being not less than three months from the date of publication of the regulation in the Gazette.

55. Regulation of the practice of midwifery by midwives.

Regulations may be made regulating and restricting the practice of midwives, whether registered under this Ordinance or not, and providing for their proper supervision.

PART VIII

PHARMACISTS

56. Qualification for registration as pharmacist.

(1) No person shall be registered as a pharmacist, unless he is of good character and—

(a) serves an apprenticeship for two years in accordance with the provisions contained in the Sixth Schedule and thereafter obtains a certificate of efficiency as a pharmacist issued by the College Council on or before a date to be determined by the Minister, by Order published in the Gazette;

(b) follows the training programme for pharmacists conducted by the Department of Health and obtains a certificate of proficiency as a pharmacist issued by the College Council; or

(c) holds a degree or diploma in pharmacy granted by any University established under the Universities Act, No 16 of 1978; or

(cc) holds a qualification in pharmacy granted by an institution outside Sri Lanka approved for the purposes of this paragraph by the College Council having regard to the standard of training and education in pharmacy at such institution and thereafter passes a special examination held for that purpose by the College Council; or

[S 56(1)(cc) ins by s 28 of Act 30 of 1987.]

(d) is an apothecary; or

(e) is an estate apothecary.

[S 56(1) subs by s 3 of Act 23 of 1985.]

(2) The fee for registration as a pharmacist shall be payable to the registrar on application for registration, and shall be twenty-five rupees for registration under subsection (1)(a) or (b) and ten rupees for registration under subsection (1)(c) or (d). But no fee shall be payable by an apothecary if he is still in the service of the Government.

[S 56(2) am by s 7 of Act 16 of 1965.]

(3) No medical practitioner shall be registered as a pharmacist.

(4) If any pharmacist is registered as a medical practitioner, his name shall forthwith be removed from the register of pharmacists.

57. When may pharmacist's name be erased from register.

The name of a pharmacist may be erased from the register if—

(a) ...

[S 57(a) rep by s 4 of Act 23 of 1985.]

(b) he is deprived of any diploma, degree or certificate, on the faith of which he was registered as a pharmacist; or

(c) he is convicted of an offence which shows him to be unfit to practice as a pharmacist; or

(d) he shows such negligence or incapacity as a pharmacist that he cannot be safely allowed to continue to practice as such.

58. Unlawful pretence to be a pharmacist.

(1) No person, not being a pharmacist, shall assume or use any name, title, addition, or sign implying that he is a pharmacist, or chemist and druggist, or druggist, or dispensing chemist, or is entitled to act as a pharmacist or to dispense drugs or poisons.

(2) ...

[S 58(2) rep by s 5 of Act 23 of 1985.]

(3) Provided that a person who employs a pharmacist personally to superintend and manage the sale and dispensing of poisons may, having previously informed the registrar in writing of the name of such pharmacist, assume and use, for the purposes of his business, any title, addition, or sign which might lawfully be used by such pharmacist.

59. Restriction on practice of pharmacy by unqualified persons.

No person, not being a pharmacist shall practice for gain or profess to practice or publish his name as practicing pharmacy.

60. Name and qualification of pharmacist to be exhibited in shop.

Every pharmacist or person entitled to use the title of pharmacist who keeps open shop for the sale or dispensing of poisons shall exhibit and keep exhibited in a conspicuous position therein a legible notice in Sinhala, Tamil and English, stating his name and qualification, and the name and qualification of every pharmacist employed therein.

PART VIIIA

PARA-MEDICAL ASSISTANTS

[Part VIIIA ins by s 29 of Act 30 of 1987.]

60A. Registration of Para-medical assistants to be in separate parts.

(1) The register of Para-medical assistants maintained under paragraph (f) of subsection (1) of section 20 shall be divided into separate parts as follows—

(a) ...

[S 60A(1)(a) rep by s 5 of Act 40 of 1998.]

(b) ...

[S 60A(1)(b) rep by s 5 of Act 40 of 1998.]

(c) ...

[S 60A(1)(c) rep by s 5 of Act 40 of 1998.]

(d) ...

[S 60A(1)(d) rep by s 5 of Act 40 of 1998.]

(e) Part E shall contain the names of all persons admitted to the register as electrocardiograph recordists;

(f) Part F shall contain the names of all persons admitted to the register as audiologists;

(g) Part G shall contain the names of all persons admitted to the register as clinical physiologists;

(h) Part H shall contain the names of all persons admitted to the register as speech therapists;

(i) Part I shall contain the names of all persons admitted to the register as chiroprodists;

(j) Part J shall contain the names of all persons admitted to the register as dietitians;

(k) Part K shall contain the names of all persons admitted to the register as ophthalmic auxiliaries;

(l) Part L shall contain the names of all persons admitted to the register as electroencephalograph recordists;

(m) Part M shall contain the names of all persons admitted to the register as nutritionists;

(n) Part N shall contain the names of all persons admitted to the register as clinical psychologists.

(2) The fee for registration as a paramedical assistant shall be payable to the registrar on application for registration and shall be two hundred and fifty rupees.

60B. Qualification for admission to register of paramedical assistants.

(a) ...

[S 60B(a) rep by s 6 of Act 40 of 1998.]

(b) ...

[S 60B(b) rep by s 6 of Act 40 of 1998.]

(c) ...

[S 60B(c) rep by s 6 of Act 40 of 1998.]

(d) ...

[S 60B(d) rep by s 6 of Act 40 of 1998.]

- (e) A person shall be qualified to be admitted to the register of paramedical assistants as an electrocardiograph recordist, if he is of good character and holds a certificate of proficiency as an electrocardiograph recordist issued by the College Council.
- (f) A person shall be qualified to be admitted to the register of paramedical assistants as an audiologist if he is of good character and holds a certificate of proficiency as an audiologist issued by the College Council.
- (g) A person shall be qualified to be admitted to the register of paramedical assistants as a clinical physiologist if he is of good character and holds a certificate of proficiency as a clinical physiologist issued by the College Council.
- (h) A person shall be qualified to be admitted to the register of paramedical assistants as a speech therapist if he is of good character and holds a certificate of proficiency as a speech therapist issued by the College Council.
- (i) A person shall be qualified to be admitted to the register of paramedical assistants as a chiropodist if he is of good character and holds a certificate of proficiency as a chiropodist issued by the College Council.
- (j) A person shall be qualified to be admitted to the register of paramedical assistants as a dietitian if he is of good character and holds a certificate of proficiency as a dietitian issued by the College Council.
- (k) A person shall be qualified to be admitted to the register of paramedical assistants as an ophthalmic auxiliary if he is of good character and holds a certificate of proficiency as an ophthalmic auxiliary issued by the College Council.
- (l) A person shall be qualified to be admitted to the register of paramedical assistants as an electroencephalograph recordist if he is of good character and holds a certificate as an electroencephalograph recordist issued by the College Council.
- (m) A person shall be qualified to be admitted to the register of paramedical assistants as a nutritionist if he is of good character and holds a certificate as a nutritionist issued by the College Council.
- (n) A person shall be qualified to be admitted to the register of paramedical assistants as a clinical psychologist if he is of good character and holds a certificate as a clinical psychologist issued by the College Council.

60C. When paramedical assistant's name may be erased from register.

The name of any person registered under this Ordinance as a paramedical assistant may be erased from the register of paramedical assistants, if—

- (a) he is deprived of any certificate on the faith of which he was registered as a paramedical assistant; or

- (b) he is convicted of an offence which shows him to be unfit to practice as a paramedical assistant; or
- (c) he shows such negligence or incapacity as a paramedical assistant that he cannot safely be allowed to practice as such; or
- (d) he is guilty of infamous conduct in any professional respect.

60D. Unlawful pretence to be assistant.

(1) No person, not being a registered paramedical assistant, shall use any name, title or description implying that A paramedical he is registered under this Ordinance as a registered paramedical assistant.

(2) No person whose name is included in any part of the register of paramedical assistants shall use any name, title or description or otherwise do any act of any kind, implying that the name of such person is included in some other part of that register in which it is not in fact so included.

60E. Registration on practice as assistant by unqualified person.

No person, not being a registered paramedical assistant, shall practice for gain, or profess to practice, or publish his name as practicing, as, a paramedical assistant.

PART VIII AA

PROFESSIONS SUPPLEMENTARY TO MEDICINE

[Part VIII AA ins by s 7 of Act 40 of 1998.]

60F. Register of members of medicine.

(1) The register of persons registered as members of a profession supplementary to medicine under paragraph (ee) of subsection (1) of section 20 shall consist of several parts as meant to follows—

- (a) Part A shall contain the names of all persons admitted to the register as radiographers;
- (b) Part B shall contain the names of all persons admitted to the register as medical laboratory technologists;
- (c) Part C shall contain the names of all persons admitted to the register as physiotherapists;
- (d) Part D shall contain the names of all persons admitted to the register as occupational therapists.

(2) The fee for registration, as a member of a profession supplementary to medicine shall be payable to the registrar on application for registration
Qualification for admission to register of members of professions

60G. Qualification for admission to register of members of professions supplementary to medicine.

(1)—

(a) A person shall be qualified to be admitted to the register of members of a profession supplementary to medicine as a radiographer, if he is of good character and holds a certificate of proficiency as a radiographer issued by the College Council.

(b) A person shall be qualified to be admitted to the register of members of a profession supplementary to medicine as a medical laboratory technologist, if he is of good character and holds a certificate of proficiency as a medical laboratory technologist issued by the College Council.

(c) A person shall be qualified to be admitted to the register of members of a profession supplementary to medicine as a physiotherapist, if he is of good character and holds a certificate of proficiency as a physiotherapist issued by the College Council.

(d) A person shall be qualified to be admitted to the register of members of a profession supplementary to medicine as an occupational therapist, if he is of good character and holds a certificate of proficiency as an occupational therapist issued by the College Council—

(2) Notwithstanding anything in subsection (1), a person admitted to the register of Para-medical Assistants, as a radiographer, medical laboratory technologist, physiotherapist or an occupational therapist, as the case may be, and whose registration is in force on the day preceding the date on which this section comes into operation, shall, with effect from the date on which this section has come into operation, be deemed to be admitted to the register of members of a profession supplementary to medicine as a radiographer, medical laboratory technologist, physiotherapist or occupational therapist, as the case may be.

60H. When a member's name be erased from register.

The name of any person registered under this Ordinance as a member of a profession supplementary to medicine, may be erased from the register of members of a profession supplementary to medicine, if—

(a) he is deprived of any certificate on the faith of which he was registered as a member of a profession supplementary to medicine; or

(b) he is convicted of an offence which shows him to be unfit to practice as a member of a profession supplementary to medicine; or

(c) he shows such negligence or incapacity as a member of a profession supplementary to medicine that he cannot safely be allowed to practice as such; or

(d) he is guilty of infamous conduct in any professional respect.

60J. Unlawful pretence to be a member of profession supplementary medicine.

(1) No person, not being a registered member of a Unlawful profession supplementary to medicine, shall use any name, title or description implying that he is registered under this Ordinance as a registered member of a profession supplementary to medicine.

(2) No person whose name is included in any part of the register of members of a profession supplementary to medicine shall use any name, title or description or otherwise do any act of any kind implying that the name of such

person is included in some other part of that register in which it is not in fact so included.

60K. Restriction on practice as a supplementary to medicine.

No person not being a registered member of profession supplementary to medicine, shall practice for gain, or profess to practice, or publish his name as practicing, as a member of a profession supplementary to medicine.

7PART IX

NURSES

61. Advisory board.

(1) There shall, for the purposes of this Part, be an advisory board consisting of—

(a) six persons elected in the prescribed manner by the Ceylon Nurses Association;

(b) two medical practitioners appointed by the Minister;

(c) two persons, not being medical practitioners or registered nurses, appointed by the Minister; and

(d) one member of the teaching profession appointed by the Minister in charge of the subject of Higher Education.

(2) The Minister shall nominate one of the persons appointed by him under subsection (1) to be the chairman of the advisory board.

(3) It shall be the function of the advisory board to make recommendation to the Medical Council or the College Council on such matters relating to the administration of this Part of this Ordinance as may from time to time be referred to the board for advice or as may, in the opinion of the board, require consideration by any such Council; and the Medical Council or the College Council shall give due consideration to the recommendations of the board.

(4) Regulations may be made providing for the procedure to be followed at meetings of the advisory board. Subject to the provisions of any such regulation, the board may regulate its own procedure.

(5) Every member of the advisory board shall, unless he earlier vacates his office by resignation or revocation of appointment, hold office for a period of two years from the date of the election or appointment of such member.

62. Register of nurses to be in separate parts.

(1) The register of nurses maintained under subsection (1) of section 20 shall be divided into separate parts as follows—

(a) Part A shall contain the names of all persons of the female sex who satisfy the conditions of admission to the register as general nurses.

(b) Part B shall contain the names of all persons of the male sex who satisfy the conditions of admission to the register as general nurses.

(c) Part C shall contain the names of all persons who satisfy the conditions of admission to the register as public health nurses.

(d) Part D shall contain the names of all persons who satisfy the prescribed conditions of admission to the register as assistant nurses.

(e) Part E shall contain the names of all persons who comply with the conditions specified in subsection (3) of section 63.

(f) Part F shall contain the names of all persons, who having qualified as nurses outside Sri Lanka, satisfy the Medical Council that they possess sufficient knowledge and skill to enable them to carry on efficiently the practice of nursing.

[S 62(1)(f) subs by s 30 of Act 30 of 1987.]

(2) Regulations may be made providing for the maintenance of additional parts in the register of nurses, and prescribing the conditions of admission to any such additional part.

(3) The name of any person entitled to be registered in more than one part of the register may be registered accordingly.

63. Conditions of admission to register.

(1) The conditions of admission to the register as a general nurse shall be that the applicant holds a certificate of efficiency as a nurse issued by the College Council or by the 3Director-General of Health Services.

[S 63(1) subs by s 31 of Act 30 of 1987.]

(2) The conditions of admission to the register as a public health nurse shall be that the applicant is a female and holds the following certificates, that is to say—

(a) a certificate of efficiency as a nurse issued by the College Council or the 3Director-General of Health Services;

(b) a certificate of efficiency as a midwife issued by the College Council or the Director-General of Health Services; and

(c) a certificate issued by the 3Director-General of Health Services to the effect that she has had the prescribed training in public health and passed the Public Health Nursing Examination.

(3) The conditions of admission to Part E of the register shall be—

(a) that the application for registration in part E is made before the 30th day of September, 1949; and

(b) that the Medical Council is satisfied, upon production of two certificates in that behalf, that the applicant was actually engaged in the practice of nursing for at least one year during the period of three years ending on the date of application.

[S 63(3)(b) am by s 31 of Act 30 of 1987.]

(4) Notwithstanding anything in the preceding provisions of this section, no applicant shall be registered under this Ordinance as a nurse except upon payment to the registrar of a fee of ten rupees:

Provided, however, that in the case of a person who is to be registered (whether at the same time or at different times) in more than one part of the register, the fee for registration in any second or subsequent part shall be five rupees.

64. Erasure of names from register of nurses.

The name of any person registered under this Ordinance as a nurse may be erased from the register of nurses—

(a) ...

[S 64(a) omitted by s 32 of Act 30 of 1987.]

(b) if that person is deprived of any diploma, degree, or certificate on the faith of which that person was registered as a nurse; or

(c) if that person is convicted of an offence which is punishable with imprisonment and which shows that person to be unfit to practice as a nurse; or

(d) if that person is of a character or has been guilty of conduct unbecoming the profession of a nurse; or

(e) if, by reason of negligence or incapacity as a nurse, that person cannot be safely allowed to continue to practice as such.

65. Unlawful pretence to be a nurse.

(1) No person, not being a registered nurse, shall—

(a) use the title of “registered nurse” or its equivalent in any other language either alone or in combination with any other word or letter; or

(b) use any name, title, addition, description, uniform or badge implying that person is registered under this Ordinance as a nurse; or

(c) use any title, uniform or badge prescribed for the use of nurses so registered.

(2) No person whose name is included in any part of the register of nurses shall use any name, title, addition, description, uniform or badge, or otherwise do any act of any kind, implying that the name of such person is also included in some other part of that register in which it is not in fact so included.

(3) No person shall, with intent to deceive, make use of any certificate of registration as a nurse which has been issued to any other person.

66. Restriction on practice of nursing by unregistered persons.

No person, not being a registered nurse, shall—

(a) practice or profess to practice nursing for gain, or publish his or her name as practicing nursing; or

(b) be entitled to recover any charge in any court for services rendered as a nurse.

67. Regulation of the practice of nursing.

Regulations may be made restricting and regulating the practice of nursing by nurses and providing for their proper supervision.

PART X

SUPPLEMENTARY

67A. Registration as medical practitioners, dentists or nurses of certain persons no qualified under the preceding provisions of this Ordinance.

Notwithstanding anything in any other provision of this Ordinance, any person who is resident in Sri Lanka temporarily and who is not qualified to be registered under the preceding provisions of this Ordinance, as a medical practitioner, dentist or nurse may in writing apply to the Medical Council to be registered as a medical practitioner, dentist or nurse for a period not exceeding twelve months from the date of his registration, if—

[S 67A am by s 2 of Act 31 of 1997.]

(a) he is possessed of sufficient knowledge and skill for efficient practice as a medical practitioner, dentist or nurse; and

[S 67A(a) am by s 2 of Act 31 of 1997.]

(b) his application for registration is recommended by the Secretary to the Ministry of the Minister, the Director General of Health Services or by a dean of a faculty of Medicine of a University established, or deemed to have been established, under the Universities Act, No. 16 of 1978.

[S 67A subs by s 33 of Act 30 of 1987; (b) subs by s 2 of Act 31 of 1997; .]

68. General penalty.

Every person who contravenes this Ordinance or any regulation shall be guilty of an offence against this Ordinance and shall, unless otherwise expressly provided, be liable on summary conviction by a Magistrate for each offence to a fine not less than five thousand rupees and not exceeding fifty thousand rupees and to imprisonment of either description for a term not exceeding six months and in the case of a second or subsequent offence to a fine not less than ten thousand rupees and not exceeding one hundred thousand rupees and to imprisonment of either description for a term not exceeding twelve months.

[S 68 am by s 8 of Act 40 of 1998.]

69. Abetment and attempts.

Every person who attempts to commit or abets the commission of an offence against this Ordinance shall himself be guilty of the same offence.

69A. Every offence to be a cognizable.

(1) Notwithstanding anything to the contrary in the Code of Criminal Procedure Act, No. 15 of 1979, every offence under this Ordinance, shall be a cognizable offence within the meaning, and for the purpose, of that Act.

(2) The Minister may appoint in writing any Regional Director of Health Services or any Medical Officer of Health Services to be an authorised officer for the purposes of this section.

(3) Every authorised officer appointed under subsection (2) shall be deemed to be a peace officer within the meaning of the Code of Criminal Procedure

Act, No. 15 of 1979, for the purpose of exercising, in relation to any offence under this Ordinance, any power conferred upon a peace officer by that Act. [S 69A ins by s 5 of Act 25 of 1988.]

69B. Forfeiture⁸.

(1) On the conviction of any person for an offence under this Ordinance, the Court may order that any article or substance in connection with which the offence was committed, or used in, or in connection with the commission of such offence shall be forfeited to the State.

(2) Any property forfeited to the State by an order made under subsection (1), shall vest absolutely in the State. Such vesting shall take effect—

(a) where no appeal is preferred to a High Court established under Article 154P of the Constitution against the order of forfeiture, on the expiration of the period within which an appeal may be preferred to such High Court against such order of forfeiture;

(b) where an appeal has been preferred, to a High Court against such order of forfeiture, and no appeal is preferred to the Supreme Court against the order of the High Court affirming or upholding such order of forfeiture, on the expiration of the period within which an appeal may be preferred to the Supreme Court from such order of the High Court;

(c) where an appeal has been preferred to the Supreme Court against such order of forfeiture upon the determination of the Supreme Court affirming or upholding the order of forfeiture.

[S 69B ins by s 9 of Act 40 of 1998.]

70. Fees.

All fees imposed by this Ordinance may from time to time be increased or decreased by regulations.

71. Variation of Schedules.

Regulations may be made from time to time altering or adding to any of the Schedules.

72. Regulations.

(1) Subject to the provisions of the following subsections, the Minister may make regulations for the purposes specified in sections 11, 19 and 55 and generally for the purpose of giving effect to the principles and provisions of this Ordinance.

(2) Before making any regulation for any purpose specified in section 11 the Minister shall consult the College Council.

(3) Before making any regulation for any purpose specified in section 19 or section 55, the Minister shall consult the Medical Council. Draft regulations under section 19(e) and (f) shall be sent to every university or institution which grants or confers any qualification which entitles a person to obtain registration under this Ordinance, for its comments and the Minister shall take into consideration the comments made by such university or institution and

submitted to him within a period of three months calculated from the date on which such university or institution receives those draft regulations.

[S 72(3) subs by s 35 of Act 30 of 1987.]

(4) No regulation shall have effect until it has been approved by Parliament. Notification of such approval shall be published in the Gazette; and upon such publication, the regulation to which the notification relates shall be as valid and effectual as though it were herein enacted.

73. Expense of Ordinance.

For the purpose of defraying such expenses as may be incurred in the exercise of its powers and in the performance of its duties under this Ordinance, the Medical Council shall be entitled to receive—

(a) all fees payable under Parts IV, V, VI, VII, VIII, VIIIA and IX of this Ordinance;

[S 73(a) am by s 36 of Act 30 of 1987.]

(b) annually from the Consolidated Fund, such sums as may be voted by Parliament for the purposes of this Ordinance.

[S 73(b) am by s 36 of Act 30 of 1987.]

74. Interpretation⁹.

In this Ordinance, unless the context otherwise interpretation requires—

“Apothecary” means a person on whom a certificate of efficiency as an apothecary has been conferred by the College Council under section 7(1)(b);

[Ins by s 8 of Act 16 of 1965.]

“Corresponding university” in relation to the University of Ceylon means—

(a) a University established or deemed to have been established by the Higher Education Act, No. 20 of 1966;

(b) the University of Ceylon established by the University of Ceylon Act, No. 1 of 1972; or

(c) a university established or deemed to be established by the Universities Act, No. 16 of 1978;

[Ins by s 37 of Act 30 of 1987.]

Dentists Acts

[Omitted by s 37 of Act 30 of 1987.]

“Degree Awarding Institute” has the same meaning as in the Universities Act, No. 16 of 1978;

[Ins by s 6 of Act 25 of 1988.]

“dentist” means a person registered as a dentist under this Ordinance;

“dispensing” includes compounding;

“estate apothecary” means a person on whom a certificate of efficiency as an estate apothecary has been conferred by the College Council under section

7(1) (bb);

[Ins by s 8 of Act 16 of 1965.]

“eligibility criteria of the Post Graduate Institute of Medicine” means the eligibility criteria for Board Certification or Certificate of Accreditation in respect of Board Certification in the respective specialty, recommended by the respective Board of Study of the Post Graduate Institute of Medicine, prescribed by regulations under the Post Graduate Institute of Medicine Ordinance;

[Ins by s 5(1) of Act 28 of 2018.]

“General Sir John Kotelawala Defence University” means the General Sir John Kotelawala Defence University established under the Sir John Kotelawala Defence Academy Act, No. 68 of 1981;

[Ins by s 3 of Act 6 of 2014.]

Medical Acts

[Omitted by s 37 of Act 30 of 1987.]

“medical practitioner” means a person registered as a medical practitioner under this Ordinance;

“Medical Service Minutes” means the Medical Service Minutes published in Gazette No. 662/11, dated May 17, 1991, as may be amended from time to time and last amended by the Medical Service Minutes published in the Gazette No. 1883/17, dated October 11, 2014;

[Ins by s 5(2) of Act 28 of 2018.]

“midwife” means a woman registered as a midwife under this Ordinance;¹⁰

[“Midwives Acts” omitted by s 37 of Act 30 of 1987.]

“pharmacist” means a person registered as a pharmacist under this Ordinance; “prescribed” means prescribed by regulation;

[“Pharmacy Acts it” rep by s 6 of Act 23 of 1985.]

“Post Graduate Institute of Medicine” means the Post Graduate Institute of Medicine established by the Post Graduate Institute of Medicine Ordinance, made under section 18 of the Universities Act and published in Gazette Extraordinary No. 83/7 of April 10, 1980, as amended from time to time;

[Ins by s 5(3) of Act 28 of 2018.]

“registrar” means the registrar of the Medical Council and includes the acting registrar;

[Subs by s 37 of Act 30 of 1987.]

“register” means a register kept under the provisions of this Ordinance;

“registered nurse” means a person for the time being registered under this Ordinance;

“regulation” means a regulation made under this Ordinance;

“University of Ceylon” means the University of Ceylon established by the University of Ceylon Ordinance.

[Ins by s 37 of Act 30 of 1987.]

74A. Apothecary to be known as assistant practitioner.

Unless the context otherwise requires every reference to apothecary in this Ordinance and in any other written law shall be deemed to be a reference to assistant medical practitioner.

[S 74A ins by s 39 of Act 30 of 1987.]

SCHEDULES

FIRST SCHEDULE

[SECTION 20(1)]

FORM OF REGISTER

Name	Residence	Date of Registration	Qualification with dates

SECOND SCHEDULE

[SECTION 20(6)]

DECLARATIONS FOR REGISTRATION AS A MEDICAL PRACTITIONER

[Declaration under the heading “where Applicant is registered under the Medical Acts’ omitted by S 40 of Act 30 of 1987.]

[Declaration under the heading “where Applicant is qualified to be registered under the Medical Acts’ omitted by S 40 of Act 30 of 1987.]

Where Applicant holds the Diploma of the Ceylon Medical College in Medicine and Surgery.

I, (name and address of applicant), hereby declare as follows—

I am the person named (name) in the Diploma in Medicine and Surgery of the Ceylon Medical College BOW produced to me and marked A.

(Signature of Applicant)

Dated this..... day of.....

Declared before me this.....day of.....

(Signature of person taking the declaration) Justice of the Peace or Commissioner for Oaths.

Where Applicant holds a Degree of Bachelor of Medicine or equivalent qualification recognised by the Medical Council.

[Section 29(1)(b)(iv) and (2)(b)(iv)].

I, (name and address of applicant), hereby declare as follows—

I am the person named (name) in the (certificate, diploma or other document conferring or evidencing the degree or other qualification) now produced to me and marked A.

(Signature of Applicant.)

Dated this..... day of.....

Declared before me this.....day of.....

(Signature of person taking the declaration) Justice of the Peace or Commissioner for Oaths.

[Ins by s 9 of Act 16 of 1965.]

THIRD SCHEDULE

[SECTION 20(6)]

DECLARATIONS FOR REGISTRATION AS A DENTIST

[Declaration under the heading “where Applicant is registered under the Dentists Acts’ omitted by S 41 of Act 30 of 1987]

[Declaration under the heading “where Applicant is qualified to be registered under the Dentists Acts’ omitted by S 41 of Act 30 of 1987.]

Where Applicant holds a Diploma in Dentistry of the Ceylon Medical College.

I, (name and address of applicant), hereby declare as follows—

I am the person named (name) in the Diploma in Dentistry of the Ceylon Medical College now produced to me and marked A.

(Signature of Applicant.)

Dated this.....day of.....

Declared before me this.....day of.....

(Signature of person taking the declaration.) Justice of the Peace or Commissioner for Oaths.

Where Applicant holds a Foreign or Colonial Qualification in Dentistry.

I, (name and address of applicant), hereby declare as follows—

1. On the (date) I became and still am entitled to practice in dentistry in (country) by virtue of (state qualification, e.g., diploma of.....).

2. I am the person named (name) in the (diploma of.....) now produced to me and marked A.

(Signature of Applicant.)

Dated this....., day of.....

Declared before me this.....day of.....

(Signature of person taking the declaration.) Justice of the Peace or Commissioner for Oaths—

Where Applicant holds a degree or other equivalent qualification recognised by the Medical Council.

[Section 43(1A)]

I, (name and address of applicant), hereby declare as follows—

I am the person named (name) in the (certificate or diploma or other document conferring or evidencing his qualification) now produced before me and marked A.

(Signature of Applicant)

Dated this.....day of.....

Declared before me this.....day of.....

(Signature of person taking the declaration) Justice of the Peace or Commissioner for Oaths.

[Ins by s 10 of Act 16 of 1965.]

FOURTH SCHEDULE

[SECTION 20(6)]

DECLARATIONS FOR REGISTRATION AS A MIDWIFE

[Declaration under the heading “Where the Applicant is certified under the Midwives Acts” omitted by s 42 of Act 30 of 1987]

[Declaration under the heading “Where Applicant is qualified to be certified under the Midwives Acts” by s 42 of Act 30 of 1987]

Where Applicant holds Certificate as a Midwife issued by the College Council.

I, (name and address of applicant), hereby declare as follows—

I am the person named (name) in the Certificate of Efficiency as a Midwife issued by the College Council now produced to me and marked A.

(Signature of Applicant.)

Dated this.....day of.....

Declared before me this.....day of.....

(Signature of person taking the declaration.) Justice of the Peace or Commissioner for Oaths.

Where Applicant holds Certificate in Midwifery issued by the Director of Health Services.

I, (name and address of applicant), hereby declare as follows—

I am the person named (name) in the certificate in Midwifery of the Director of Health Services now produced to me and marked A.

(Signature of Applicant.)

Dated this.....day of.....

Declared before me this.....day of.....

(Signature of person taking the declaration.) Justice of the Peace or Commissioner for Oaths.

Where Applicant possesses no Qualification.

I, (name and address of applicant), hereby declare as follows—

1. I have practiced as a midwife at (name of place) for the period of.....years now last past.

2. I am well known to (names and addresses of referees) who are prepared to testify to my knowledge and skill as a midwife.

(Signature of Applicant.)

Dated this.....day of.....

Declared before me this.....day of.....

(Signature of person taking the declaration.) Justice of the Peace or Commissioner for Oaths.

And

I, (name and address), hereby declare as follows—

1. I am (stale occupation).

2. I know and have been well acquainted with (name of applicant) for the past.....years.

3. During that period, the said (name of applicant) has to my own personal knowledge regularly practiced as a midwife at (name of place). I have never heard any complaint of want of skill or negligence by the said (name of applicant). She is to the best of my knowledge and belief a skillful midwife.

(Signature of Declarant)

Dated this.....day of..... Declared before me

this.....day of.....

(Signature of person taking the declaration.) Justice of the Peace or
Commissioner for Oaths.

FIFTH SCHEDULE

[SECTION 20(6)]

DECLARATIONS FOR REGISTRATION AS A PHARMACIST

[Declaration under the heading “Where the applicant holds a certificate of proficiency as a Radiographer issued by the College Council” omitted by s 10 of Act 40 of 1998]

[Declaration under the heading “where the applicant holds a certificate of proficiency as a Medical Laboratory Technologist issued by the College Council” omitted by s 10 of Act 40 of 1998.]

[Declaration under heading “where She applicant holds a certificate of proficiency as a Physiotherapist issued by the College Council” omitted by s 10 of Act 40 of 1998]

[Declaration under the heading “where the applicant holds a certificate of proficiency as an Occupational Therapist issued by the College Council” omitted by s 10 of Act 40 of 1998]

Where Applicant holds a Certificate of Efficiency as a Pharmacist issued by the College Council.

[Subs by s 7 of Act 23 of 1985.]

I, (name and address of applicant), hereby declare as follows—

1. I am the person named (name) in the Certificate of Efficiency as a Pharmacist issued by the College Council now produced to me and marked A.

2. I have during the two years ending on (date) served as an apprentice in pharmacy to (name and address of master).

(Signature re of Applicant.)

Dated this.....day of.....

Declared before me this.....day of.....

(Signature of person taking the declaration.) Justice of the Peace or
Commissioner for Oaths.

And

I, (name and address of master), hereby declare as follows—

1. I am a registered pharmacist carrying on business at (name of place).

2. (Name of applicant) has during the two years ending (date) served me as an apprentice in pharmacy under the Articles of Apprenticeship dated.....

3. During the said two years, the said (applicant) has diligently and faithfully served me as such apprentice.

(Signature of Declarant.)

Dated this.....day of.....

Declared before me this.....day of.....

(Signature of person taking the declaration.) Justice of the Peace or Commissioner for Oaths.

[Ins by s 7 of Act 23 of 1985.]

Where Applicant holds a Certificate of Proficiency as a Pharmacist issued by the College Council.

I, (name and address of applicant) hereby declare as follows:

I am the person named (name) in the Certificate of Proficiency as a Pharmacist issued by the College Council now produced and shown to me and marked A.

(Signature of Applicant)

Dated this..... day of

Declared before me this day of

(Signature of person taking the declaration). Justice of the Peace or Commissioner for Oaths.

[Ins by s 7 of Act 23 of 1985.]

Where Applicant holds a degree or diploma in pharmacy granted by any University established under the Universities Act, No. 16 of 1978.

I, (name and address of applicant), hereby declare as follows.

I am the person named (name) in the Certificate issued by the University of (name of University) now produced and shown to me and marked A.

(Signature of Applicant)

Dated this “...” day of

Declared before me this day of

(Signature of person taking the declaration). Justice of the Peace or Commissioner of Oaths.

Where Applicant holds a Certificate as an Apothecary issued by the College Council.

I, (name and address of applicant), hereby declare as follows—

1. I am and have been since (date) an apothecary, and have since (date) until (date) practiced as an apothecary at (name of place).

2. I am the person named (name) in the certificate of the Ceylon Medical College now produced and shown to me and marked A.

(Signature of Applicant.)

Dated this.....day of.....

Declared before me this.....day of.....

(Signature of person taking the declaration) Justice of the Peace or
Commissioner for Oaths.

[Subs by s 11 of Act 16 of 1965.]

Where Applicant holds a Certificate as an Estate Apothecary issued by the
College Council,

I, (name and address of applicant), hereby declare as follows—

1. I am and have been since (date) an estate apothecary, and have since
(date) until (date) practiced as an estate apothecary at (name of place).

2. I am the person named (name) in the certificate of the Ceylon Medical
College now produced and shown to me and marked A.

(Signature of Applicant)

Dated this.....day of.....

Declared before me this.....day of.....

(Signature of person taking the declaration.) Justice of the Peace or
Commissioner for Oaths.

[Subs by s 11 of Act 16 of 1965]

SIXTH SCHEDULE

[SECTION 56(1)(B)]

APPRENTICESHIP REGULATIONS

1. An apprentice shall produce duly executed articles of apprenticeship to the
registrar, who shall endorse thereon the date on which they were so
produced. No service under any articles shall count until the articles have
been so produced as aforesaid.

2.—

(1) An apprentice may complete his period of service under one or more
practicing pharmacists provided that, on leaving any master to whom he was
bound in articles and becoming bound to another master, he shall in every
case execute fresh articles of apprenticeship and shall exhibit the same to the
registrar.

(2) The registrar shall satisfy himself as to the date on which the apprentice's
service under the former articles ended and shall endorse such date on the
new articles and also the date of production of the new articles.

3. The two years' service must be continuous except for not more than 40
days' holiday in any period of 12 months:

Provided that service shall not be considered discontinuous by reason of an
interval of not more than one month on a change of masters but such interval
shall not be counted in reckoning the years' service.

SEVENTH SCHEDULE

Declaration for registration as a member of a profession supplementary to
medicine,

Where applicant holds a certificate of proficiency as a Radiographer issued
by the College Council,

1. (name and address of applicant) hereby declare as follows—
I am the person named (name) in the certificate of proficiency as a Radiographer issued by the College Council now produced and shown to me and marked A.

.....
(Signature of applicant)
Dated this.....day of.....
Declared day of before me this.....
(Signature of person taking the declaration)
Justice of the Peace or
Commissioner for Oaths.

Where applicant holds a certificate of proficiency as a Medical Laboratory technologist issued by the College Council.

1 (name and address of applicant) hereby declare as follows:
I am the person named (name) in the certificate of proficiency as a Medical Laboratory technologist issued by the College Council now produced and shown to me and marked A.

.....
(Signature of applicant)
Dated this.....day of.....
Declared before me this day of.....
(Signature of person taking the declaration)
Justice of the Peace or
Commissioner for Oaths.

Where applicant holds a certificate of proficiency as a Physiotherapist issued by the College Council.

I (name and address of applicant) hereby declare as follows—
1 am the person named (name) in the certificate of proficiency as a Physiotherapist issued by the College Council now produced and shown to me and marked A.

.....
(Signature of applicant)
Dated this.....day of.....
Declared before me this day of.....
(Signature of person taking the declaration)
Justice of the Peace or
Commissioner for Oaths.

Where applicant holds a certificate of proficiency as an occupational therapist issued by the College Council.

1. (name and address of applicant) hereby declare as follows —

I am the person named (name) in the certificate of proficiency as an occupational therapist issued by the College Council now produced and shown to me and marked A.

.....

(Signature of applicant)

Dated this.....day of.....

Declared before me this day of.....

(Signature of person taking the declaration)

Justice of the Peace or
Commissioner for Oaths.

1 See sections 45 and 46 of Act No. 30 of 1987.

2 Repealed by Ordinance No. 26 of 1927.

3 Section 30 is repealed by section 15 of Act No. 30. of 1987, Reference to Director-General of Health Services shall be deemed to include a reference to Director-General of Teaching Hospitals. See section 38 of Act No. 30 of 1987.

4 Paragraph (a) is omitted by section 18 of Act No. 30 of 1987. Repealed by Act No. 17 of 1951.

5 Repealed by section 3 of Act No. 27 of 1949.

6 31st December, 1953-*Gazette* No. 10,418 of 27th June, 1952.

7 Part IX of the Medical Ordinance is repealed, notwithstanding the repeal of the part all the regulations made by Minister under that part and in force on the appointed date shall be deemed to be regulation made under this Act and may accordingly be amended, added to or rescinded.

8 Two sections had inadvertently been numbered as 69A. So the correction of the latter section as 69B has done.

99 See also section 74A. The definitions of “Dentists Acts” and “Medical Acts” omitted by section 37 of Act No. 30 of 1987.

1010 The definition of “Midwives Acts” omitted by section 37 of Act No. 30 of 1987. The definition of “Pharmacy Acts” repealed by section 6 of Act No. 23 of 1985. The definition of “vederala” deleted due to repeal of section 40 by Act No. 31 of 1961.



Recent Updates

Twentieth Amendment to the Constitution

Nation Building Tax (Amendment) Act No. 3 of 2020

Economic Service Charge (Amendment) Act, No. 4 of 2020

Ports and Airports Development Levy (Amendment) Act, No. 5 of 2020

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