

Bill No. 31 of 1959

PUBLISHED 12TH DECEMBER, 1959.

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MEDICAL PRACTITIONERS (REGISTRATION) BILL, 1959.

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A BILL

Intituled

AN ORDINANCE TO PROVIDE FOR THE REGISTRATION OF CERTAIN PERSONS AS MEDICAL PRACTITIONERS.

Enacted by the Legislature of British Guiana:—

1. This Ordinance may be cited as the Medical Practitioners (Registration) Ordinance, 1959, and shall come into operation on the 1st January, 1960.

Short title and commencement.

2. In this Ordinance—

“approved institution” means the government medical service or any institution or service for the time being approved by the Governor in Council for the purposes of this Ordinance;

Interpretation.

“the Board” means the Medical Board established under section 16 of the Principal Ordinance;

“the Principal Ordinance” means the Colonial Medical Service Ordinance;

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“the register” means the register of medical practitioners kept by the secretary under the Principal Ordinance; and

“the secretary” means the secretary of the Board.

3. Anything provided by the Principal Ordinance to the contrary notwithstanding, the Board shall, upon the application of any person to whom this section applies, direct that his name be entered, on payment of a fee of five dollars, in such separate part of the register as shall be reserved for the names of persons registered by virtue of the provisions of this section and the secretary shall register that person accordingly.

Registration of certain persons in separate part of register.

4. Section 3 of this Ordinance shall apply to any person who is not eligible for registration or provisional registration as a medical practitioner under or by virtue of any other Ordinance and who—

Persons to whom section 3 applies.

(a) satisfies the Board —

- (i) that he is of good character;
- (ii) that he holds a medical diploma or diplomas granted in any place outside British Guiana and recognised for the time being by the Board as furnishing a sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practice of medicine and surgery; and

(iii) that he is employed, or has been selected for employment, in an approved institution; or

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(b) was, immediately before the commencement of this Ordinance, registered by virtue of the Medical Practitioners (Temporary Registration) Ordinance and is, at such commencement, employed in the government medical service or in any institution or service approved by the Governor under that Ordinance.

Final registration of persons registered by virtue of section 3.

5.(1) Where on the application of any person registered by virtue of the provisions of section 3 of this Ordinance it is shown to the satisfaction of the Board that such person has, while so registered, practised efficiently as a medical practitioner in any approved institution or institutions for a period, or an aggregate period, of not less than five years, the Board shall direct that, on payment of a fee of twenty-four dollars, his name be placed on the register as if he were entitled to be registered under the provisions of Part III of the Principal Ordinance and the secretary shall register that person accordingly:

Provided that where it is shown to the satisfaction of the Board that there are special circumstances which justify his earlier registration by virtue of the provisions of this section, the Board may, for the purposes thereof, accept a period, or an aggregate period, of not less than three years practice as aforesaid in lieu of a period, or an aggregate period, of not less than five years as hereinbefore provided.

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(2) Where application is made under this section by any person who has, while registered by virtue of the Medical Practitioners (Temporary Registration) Ordinance, practised as a medical practitioner for any period in the government medical service or in any institution or service approved by the Governor under that Ordinance, such person shall be deemed, for the purposes of this section, to have been registered by virtue of the provisions of section 3 of this Ordinance during the whole of such period and, if he has practised for that period in any institution or service approved by the Governor as aforesaid, such institution or service shall be deemed, for the like purposes, to have been an approved institution during the whole of the period.

(3) Upon the registration of any person by virtue of the provisions of this section, the secretary shall delete his name from that part of the register in which it was entered pursuant to the provisions of section 3 of this Ordinance.

Payment of fees by persons registered under Chapter 135.

6. Anything hereinbefore provided to the contrary notwithstanding, no person who fulfils the conditions specified in paragraph (b) of section 4 of this Ordinance shall be required to pay any registration fee under the provisions of this Ordinance.

Appeal to the Governor in Council.

7. If the Board declines to direct the secretary to register any person who applies to be registered by virtue of any of the provisions of this Ordinance, the applicant may appeal to the Governor in Council, whose decision shall be final.

Effect of registration.

8.(1) The provisions of Part III of the Principal Ordinance, relating to persons registered under that Ordinance, save in so far as they are inconsistent with the provisions of this Ordinance, shall apply to every person registered as a medical practitioner by virtue of any of the provisions of this Ordinance:

Provided that nothing in this subsection shall be construed, for the purposes of section 32 of the Principal Ordinance, as entitling any person registered by virtue of the provisions of section 3 of this Ordinance to demand or recover any charge for rendering or giving medical or surgical aid, advice or attendance, or performing any operation, or supplying or prescribing any medicines or medical or surgical appliances, otherwise than in the course of his employment in an approved institution or, for the purposes of section 34 of the Principal Ordinance, as authorising any such person to practise medicine or surgery otherwise than in the course of such employment.

(2) No person registered by virtue of the provisions of section 3 of this Ordinance shall hold office as a member of the Board or be entitled to demand or recover any fees or charge for giving or rendering dental service, attendance or advice otherwise than in the course of his employment in an approved institution.

OBJECTS AND REASONS

The Medical Practitioners (Temporary Registration) Ordinance provides for the temporary registration of medical practitioners who, by reason only of their medical diplomas having been obtained in foreign countries, would not otherwise be entitled to be so registered in British Guiana. This Ordinance was enacted in 1947 to relieve the post-war shortage of doctors in British Guiana and was limited to expire at the end of 1951 unless extended from year to year by resolution of the Legislative Council. The Ordinance has, in fact, been so extended and will expire at the end of 1959 unless further extended.

2. It is considered desirable that permanent provision should be made for the registration of medical practitioners holding foreign diplomas which furnish a sufficient guarantee of their knowledge and skill, including those medical practitioners now registered temporarily. This Bill seeks to permit such medical practitioners to be registered, initially for the purpose of permitting their employment in the government medical service or other institutions or services approved by the Governor in Council, and finally for all purposes if they have rendered satisfactory service in such employment during a period of five years or, in special circumstances, three years.

JANET JAGAN,
Minister of Labour, Health and Housing.

(M.P. MED 71/60/1 III).
(Leg. Bill No. 31/1959).