



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

MEDICAL (AMENDMENT)

A

BILL

to amend the Medical Ordinance (Chapter 105)

*Presented by the Minister of Health, Nutrition and indigenous Medicine
on 09th September, 2016*

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Ordered by Parliament to be printed

[Bill No. 136]

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STATEMENT OF LEGAL EFFECT

Clause 2 : This clause amends section 43 of the Medical Ordinance (Chapter 105) (hereinafter referred to as the “principal enactment”) and the legal effect of the section as amended is to incorporate consequential amendments to section 43 in compliance with the provisions of new section 43A.

Clause 3 : This clause inserts new section 43A and 43B in the principal enactment and the section makes provision for the provisional registration of dentists under the principal enactment and for the rights of persons provisionally registered as dentists.

Medical (Amendment)

L.D.—O. 64/2007.

AN ACT TO AMEND THE MEDICAL ORDINANCE
(CHAPTER 105)

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the Medical (Amendment) Act, No. of 2016. Short title.

5 2. Section 43 of the Medical Ordinance (Chapter 105) (hereinafter referred to as the “principal enactment”) is hereby amended as follows:— Amendment of section 43 of Chapter 105.

10 (1) in subsection (1) thereof, by the substitution for the words “by a Degree Awarding Institute;” of the words and figures “by a Degree Awarding Institute and holds a certificate granted by the Medical Council under subsection (3) of section 43A”;

15 (2) in subsection (1A) by the repeal of paragraph (c) thereof and the substitution therefor of the following paragraphs:—

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

20 *(d)* holds a certificate granted by the Medical Council under subsection (3) of section 43A,”;

(3) by the substitution for subsection (2) thereof of the following:—

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

- (4) by the insertion immediately after subsection (3) thereof of the following:—

5 “(4) Any dentist who obtains a qualification which is prescribed as a specialist qualification recognized by the Medical Council shall be issued with a specialist dentists licence for a prescribed period on payment of the prescribed fee, subject to such terms and conditions stipulated in such licence.”.

- 10 3. The following sections are hereby inserted immediately after section 43 of the principal enactment and shall have effect as sections 43A and 43B thereof:—

Insertion of new section 43A and 43B in the principal enactment.

- 15 “Provisional registration of dentists. 43A. (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;
- 20 (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
- 25 (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
- 30

- 5 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
- 10 (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
15 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
20 school; or
- (ii) has passed the examination
necessary for obtaining the Degree
of Bachelor of Dental Surgery or
an equivalent qualification from
25 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
30 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
35 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

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

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

15 (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—

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

25 (ii) has during his employment as mentioned in sub-paragraph (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,

30 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.

5 (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—

15 “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;

20 “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;

30 “approved field” 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

5 the approved hospital or institution in which he was employed in a resident capacity which specifies the period for which he was so employed;

10 “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.

20 Rights of persons provisionally registered as dentists. 43B. Every person provisionally registered as a dentist under section 43A shall have the right to—

25 (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

30 (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.”.

35 4. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail. Sinhala text to prevail in case of inconsistency.

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