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# Medical Ordinance (Chapter 105)

*(Incorporating Amendments upto 31st December, 1987)*

1988

A/R

Registrar,  
Ceylon Medical College Council

## FOREWORD

THIS reprint of the Medical Ordinance (Chapter 105) incorporates all amendments made upto 31st December, 1987. It is, however, not a statutory reprint. It is issued to keep the public informed of the changes and for their convenience.

I must express my gratitude to the Legal Draftsman Mr. N. J. Abeysekera, for having made available the services of Mrs. R. W. M. P. Seneviratne, Assistant Legal Draftsman and Mr. I. A.W. Perera, Publications Assistant, for incorporating the amendments and reading the proofs.

Prof. H. V. J. FERNANDO,  
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MEDICAL, PRACTITIONERS, PHARMACISTS,  
MIDWIVES, AND NURSES

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.

*Ordinances*

Nos. 26 of 1927.  
5 of 1930.  
2 of 1933.  
9 of 1933.  
35 of 1938.  
55 of 1938.  
35 of 1939.  
45 of 1941.  
20 of 1942.  
25 of 1946.

*Acts*

Nos. 10 of 1949.  
14 of 1949.  
27 of 1949.  
36 of 1949.  
46 of 1949.  
12 of 1952.  
23 of 1954.  
23 of 1955.  
31 of 1961.  
37 of 1961.  
16 of 1965.  
10 of 1979.  
23 of 1985.  
30 of 1987.

[5th October, 1928.]

PART I  
PRELIMINARY

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| 1. This Ordinance may be cited as the Medical Ordinance*  | Short title  |
| 2. All persons registered under this Ordinance and in actual practice shall be exempt from serving on any jury. | Jury Service |

PART II  
THE CEYLON MEDICAL COLLEGE

3. 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.

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| 4. The College shall be maintained out of funds provided for the purpose by Parliament. | Cost of maintenance. |
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\* The provisions of the Medical Ordinance shall not apply to or in relation to the practice of, or to persons practising, medicine, surgery, pharmacy or nursing according to ayurveda. See section 83 of the Ayurveda Act, 31 of 1961.



Constitution  
of College  
Council

5. (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 -

- [§. 44, 30 of 1987] (a) the person for the time being discharging the duties of the \*Director-General of Health Services ;
- [§. 2, 30 of 1987] (aa) the person for the time being discharging the duties of the Director-General, Teaching Hospitals ;
- (b) the person for the time being discharging the duties of Deputy Director of Health (Medical Services) ;
- [§. 2, 30 of 1987] (c) the person for the time being discharging the duties of Professor of Medicine 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) ;
- [§. 2, 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) ;
- [§. 2, 30 of 1987] (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) ;

\* Wherever, in any provision of any written law (other than the Medical Ordinance) or of any notice, certificate communication from or other document issued, made, required or otherwise, by or under such written law, the words "Director of Health under this Ordinance prior to June 4, 1987, there shall be substituted therefor the words "Director-General of Health Services". [See Section 45 of Act, No. 30 of 1987]

\* Every contract, agreement of other document or instrument whatsoever made, issued or executed prior to June 4, 1987, by or in favour of the Director of Health Services appointed under this Ordinance in the capacity as such shall be deemed, on and after that date, to be and to have been made, issued or executed by or in favour of the Director-General of Health Services. [See Section 45 of Act, No. 30 of 1987]



- (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); [§. 2, 30 of 1987]
- (g) the person for the time being discharging the duties of Professor of Obstetrics and Gynaecology 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); [§. 2, 30 of 1987]
- (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;
- (f) 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 office 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.

(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.

Procedure of  
College Council  
Meetings.  
[§. 3, 30 of 1987]

6. At every meeting of the College Council the \*Director-General of Health Services. or in his absence the Director-General, Teaching Hospitals or in the absence of both, the Deputy Director of Health (Medical Services) shall preside as Chairman.

Certificaties &c.

7. (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 ;

16 of 1965]

(bb) certificates of efficiency as estate apothecaries ;

[§. 2, 10 of 1979]

(bbb) diplomas of efficiency as apothecaries ;

[§. 2, 23 of 1985]  
[§. 1, 30 of 1987]

(c) certificates of efficiency or proficiency as pharmacists ;

(d) certificates of efficiency as nurses ;

[§. 1, 30 of 1987]

(e) certificates of proficiency as radiographers ;

[§. 4, 30 of 1987]

(f) certificates of proficiency as medical laboratory technologists ;

[§. 4, 30 of 1987]

(g) certificates of proficiency as physiotherapists ;

[§. 4, 30 of 1987]

(h) certificates of proficiency as occupational therapists ;

[§. 4, 30 of 1987]

(i) certificates of proficiency as electrocardiograph recordists ;

[§. 4, 30 of 1987]

(j) certificates of proficiency as audiologists ;

[§. 4, 30 of 1987]

(k) certificates of proficiency as clinical physiologist ;

[§. 4, 30 of 1987]

(l) certificates of proficiency as speech therapists ;

[§. 4, 30 of 1987]

(m) certificates of proficiency as chiropodists ;

\* See Section 44 of Act No. 30 of 1987

- (n) certificates of proficiency as dietitians ; [§. 4, 30 of 1987]
- (o) certificates of proficiency as ophthalmic auxiliaries; [§. 4, 30 of 1987]
- (p) certificates of proficiency as electroencephalograph recordists ; [§. 4, 30 of 1987]
- (q) certificates of proficiency as nutritionist ; [§. 4, 30 of 1987]
- (r) certificates of proficiency as clinical psychologists . [§. 4, 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. 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. (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.

Appointments.

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

Professors, &c., of College to be public servants.

11. Regulations may be made as to -

Power to make regulations

- (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 examination 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.
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