

An Ordinance enacted by the Governor of Hongkong, with the advice of the Legislative Council thereof, entitled The Medical Registration Ordinance, 1884.

Contributors

Hong Kong.
Royal College of Surgeons of England

Publication/Creation

[Victoria] : [publisher not identified], 1884.

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Medical Registration.

No. 6 OF 1884.

AN Ordinance enacted by the Governor of Hongkong, with the advice of the Legislative Council thereof, entitled *The Medical Registration Ordinance, 1884.*

[2nd April, 1884.]

BE it enacted by the Governor of Hongkong, with the advice of the Legislative Council thereof, as follows:—

1. This Ordinance shall commence and come into operation on the 5th day of April, 1884.

Commencement of Ordinance.

2. This Ordinance shall not operate to limit the right of Chinese practitioners to practise medicine or surgery or to receive demand or recover reasonable charges in respect of such practice.

Ordinance not applicable to Chinese Practitioners.

3. The Colonial Secretary shall keep a Register of Medical and Surgical Practitioners qualified to practise medicine and surgery in this Colony.

Colonial Secretary to keep Register.

The Register shall be, as nearly as may be, according to form A in the schedule to this Ordinance.

4. A copy of the Register shall be published by the Colonial Secretary in the Gazette of the 3rd day of May, 1884; and thereafter a copy of the Register, as it stands at any such time, shall be published by the Colonial Secretary in the first Gazette issued after every succeeding 3rd day of May.

Copy of Register to be published in the Gazette.

Any copy of the Gazette containing the most recent copy of the Register shall be *primâ facie* evidence in all legal proceedings that the persons therein specified are registered under this Ordinance; and the absence of the name of any person from such copy shall be *primâ facie* evidence that such person is not registered under this Ordinance.

5. The Colonial Secretary shall keep the Register correct in accordance with the provisions of this Ordinance, and make from time to time the necessary alterations in the addresses or qualifications of the persons registered under this Ordinance, and cancel in the Register the names of all persons registered under this Ordinance who have died or ceased to be qualified.

Alterations may be made in the Register.

The Colonial Secretary may write a letter 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 after the sending thereof, he may cancel in the Register the name of such person.

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Registered persons entitled to practise and to demand charges.

6. Every person registered under this Ordinance or entitled to the benefit of section 20 of this Ordinance, shall be entitled to practise medicine and surgery in this Colony, and to demand and recover reasonable charges for medical or surgical aid rendered by such person, and the costs of medicines or surgical appliances supplied by him.

Unregistered persons cannot recover charges.

7. No person shall be entitled to recover in any action any charge for any practice of medicine or surgery after the 3rd day of May, 1884, by any person not either registered under this Ordinance or entitled to the benefit of section 20 of this Ordinance.

Interpretation of terms.

8. The words "legally qualified Medical Practitioner," or "duly qualified Medical Practitioner," or any words importing a person recognised at law as a Practitioner in medicine or surgery, or as any kind of a member of the medical profession, where used in any Ordinance, shall be construed to mean a Practitioner registered under this Ordinance.

Certificate of unregistered person void.

9. No certificate signed after the 3rd day of May, 1884, which certificate is, by any Act or Ordinance, required to be signed by a physician, a surgeon, an apothecary, or any other Medical or Surgical Practitioner, shall be valid unless the person signing it be registered under this Ordinance.

The Medical Board.

10. A Board to be styled the Medical Board shall be established under this Ordinance and shall consist of the Senior Military and Naval Medical Officers for the time being in the Colony, and any two registered Medical Practitioners and any three other fit persons willing to accept the appointment who may be from time to time thereto appointed by the Governor. Members appointed by the Governor shall hold office for 3 years and no longer unless re-appointed by the Governor and may be removed by the Governor at pleasure. Three members of the Board shall form a *quorum*.

The Board shall consider and report upon all matters laid before it under sections 13 or 14 of this Ordinance as therein provided.

Production of certain papers necessary before registration.

11. Any person claiming to be entitled under the Acts of the United Kingdom 21 and 22 Victoria, Chapter 90, and 31 and 32 Victoria, Chapter 29, to be registered in Hong-kong under this Ordinance, shall be so registered upon producing to the Colonial Secretary, in proof of his title thereto, a declaration, according to the form *B* in the Schedule to this Ordinance, made by him before any Justice of the Peace, and impressed with a stamp for duty, by way of registration fee, of \$5: Provided that the name of such person appears in "The Medical Register" then most recently published under the Act of the United Kingdom, 21 and 22 Victoria, Chapter 90, or he produces to the

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Colonial Secretary a certified copy of the entry of his name in the General Register or in any branch Register of the United Kingdom, signed by the Registrar of the General Medical Council or of any Branch Council of the United Kingdom.

12. Any Medical or Surgical Practitioner who, pursuant to law, is registered as such and entitled accordingly to certain privileges in practising medicine or surgery, according to his qualifications in any one or more of the provinces of the dominion of Canada, or in any other British Colony other than Hongkong, shall, upon proof thereof, be entitled to be registered accordingly under this Ordinance. Documentary evidence of his being thus lawfully registered in such other Colony may be submitted to the Colonial Secretary by any such Practitioner who wishes to be registered in Hongkong. If the Colonial Secretary is satisfied that such evidence establishes sufficient proof of the registration in such other Colony and of the identity of the applicant, he shall give to the Practitioner a certificate to that effect, according to the form *C* in the Schedule to this Ordinance and, upon the applicant returning the same to him duly impressed with a stamp of \$5 for duty by way of registration fee, shall register him accordingly under this Ordinance. If the Colonial Secretary is not satisfied, he shall submit the case to the Governor in Council for decision as to whether he shall or shall not give such certificate, and such decision shall be final.

Persons registered in Colonies entitled to be registered here.

13. Any Medical or Surgical Practitioner holding a diploma, a licence, or a certificate of any kind concerning his professional qualifications granted to him by any University or by any College or Faculty of Physicians or Surgeons, after and in consequence of his having passed through a course of study and examination as thorough and sufficient as is the minimum course in any like case approved by Her Majesty's Most Honourable Privy Council, under Section 21 of the Act of the United Kingdom, 21 and 22 Victoria, Chapter 90, shall, upon proof that such diploma, licence, or certificate was so granted, be entitled to be registered accordingly under this Ordinance. Documentary or other evidence of his identity, and of the fact that such diploma, licence, or certificate was so granted may, together with his diploma, licence, or certificate, be submitted to the Medical Board by any Practitioner who wishes to be so registered and such evidence shall, without delay, be taken fully and fairly into consideration by the Board. If the Board are satisfied that the evidence establishes sufficient proof that the Practitioner has passed through a course of study and examinations as aforesaid, they shall give to such Practitioner a certificate to that effect, according to the form *D* in the Schedule to this Ordinance, and such certificate when impressed with a stamp for duty by way of registration fee of \$25 shall

Persons holding diplomas, &c. entitled to be registered.

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be to the Colonial Secretary authority for registering the Practitioner accordingly. If the Board are not satisfied, they shall submit the case, with a full report of their opinions about it, and of the grounds on which those opinions are based, to the Governor in Council, for decision as to whether they shall or shall not give the certificate as aforesaid; such decision shall be final, and, if in the applicant's favour, shall entitle him to have given to him such a certificate as aforesaid.

Striking off
the Register.

14. If any Practitioner registered under this Ordinance is convicted of any felony or misdemeanour, or, after due inquiry, is considered by the Medical Board to have been guilty of infamous conduct in any professional respect, the Medical Board may, if they think fit, inform the Colonial Secretary thereof stating the particulars of the case in full, and the Colonial Secretary may thereupon if he thinks fit, strike the name of such Practitioner off the Register.

Appeal to
Governor in
Council.

15. All questions respecting the right of any person to be registered, or the mode of registration, or the liability of any person to be struck off the Register, and all questions respecting any alteration of the Register, shall, in case of dispute, be decided, subject to an appeal to the Governor in Council. If there is no such appeal, the order, direction, or decision shall be final. If there is such an appeal, the decision of the Governor in Council shall be final, and he may give all such directions to the Colonial Secretary as may be necessary for enforcing such decision.

Making a false
declaration.

16. Any person who wilfully makes before any Justice of the Peace any false declaration, purporting to be a declaration under this Ordinance, shall be guilty of perjury.

Fraudulent
registration.

17. 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 and assisting him therein shall be guilty of a misdemeanour, and shall, on conviction thereof, be liable to be imprisoned, with or without hard labour, for any term not exceeding two years.

Penalty on
unregistered
persons.

18. Any person who after the 3rd day of May, 1884, wilfully or falsely takes or uses in this Colony any name or title or addition, implying a qualification to practise medicine or surgery, or who not being either registered under this Ordinance or entitled to the benefit of section 20 of this Ordinance practises for gain or professes to practise or publishes his name as practising medicine or surgery or receives any payment as practising medicine or surgery, shall be liable for each offence, on summary conviction before a Police Magistrate, to a penalty not exceeding one hundred dollars.

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19. All Civil Medical Officers and all Medical Officers of Her Majesty's Army and Navy, respectively serving in Hongkong on full pay, shall be deemed to be registered under this Ordinance.

Civil, Army and Navy Medical Officers, deemed registered.

20. Any person actually practising medicine or surgery in the Colony at the date of the commencement of this Ordinance and objecting to be registered under its provisions who before the 3rd day of May, 1884, satisfies the Colonial Secretary that he was so practising shall be deemed to be a person entitled to the benefit of this section.

Persons actually practising and objecting to be registered.

The Colonial Secretary shall publish a list of the names of all such persons in the Gazette of the 3rd day of May, 1884, and a copy of the said Gazette shall be *primâ facie* evidence in all legal proceedings that the persons therein specified are persons entitled to the benefit of this section and the absence of the name of any person from such copy shall be *primâ facie* evidence to the contrary.

Form A.

Persons qualified to practise Medicine and Surgery.

Name.	Address.	Nature of qualification.	Date of qualification.

Form B.

I, *A.B.*, residing at

do hereby

declare, that I am a member (or as the case may be) of (here state the college, faculty, or society) and was authorised by such (here state the college, faculty, or society which gave the authority) on the day of 18

to practise medicine and surgery, and that I am by the name of *A. B.*, duly registered in the United Kingdom under the provisions of the Act 21 and 22 Victoria, Chapter 90, as qualified to practise medicine and surgery.

Signed *A. B.*

Declared before me this day of
C.D., Justice of the Peace.

18 .

Form C.

I, *A.B.*, Colonial Secretary, do hereby certify that *C.D.* has satisfied me that he is a Medical Practitioner, registered as such, and entitled to practise medicine and surgery in (name of Colony), and I give this certificate accordingly under Section 12 of the Medical Ordinance, 1884.

Dated this day of 18 .

A. B.,
Colonial Secretary.

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Form D.

We, the Medical Board, do hereby certify that *A.B.* has satisfied us that he is a Medical Practitioner, holding a diploma (or as the case may be) (granted to him by as the case may be) in consequence of his having passed through a course of study and examinations as thorough and sufficient as is the minimum course in such a case approved by Her Majesty's Most Honourable Privy Council under Section 21 of the Act of Parliament 21 and 22 Victoria, chapter 90, and we give this certificate accordingly under Section 13 of the Medical Ordinance, 1884.

Dated this day of 18 .

(To be signed by a majority of the Board).



