



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

**MEDICAL (AMENDMENT)
ACT, No. 1 OF 2017**

[Certified on 21st February, 2017]

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Medical (Amendment) Act, No. 1 of 2017

[Certified on 21st February, 2017]

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. 1 of 2017.

Short title.

2. Section 20 of the Medical Ordinance (Chapter 105) (hereinafter referred to as the “principal enactment”) is hereby amended, by the insertion immediately after subsection (5B) thereof of the following subsection:—

Amendment of section 20 of Chapter 105.

“(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.”.

3. Section 43 of the principal enactment is hereby amended as follows:—

Amendment of section 43 of the principal enactment.

(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.;

(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

(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:—

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

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

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

“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;

(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 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,

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” mean 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.

Rights of persons provisionally registered as dentists.

43B. 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.”.

Sinhala text to prevail in case of inconsistency.

5. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

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