

NO. 21 OF 1936.

A LAW TO REPEAL THE REGULATIONS RELATING TO THE ORGANIZATION OF THE PASSPORT SERVICE OF 16 REJEB, 1260.

W. D. BATTERSHILL,] [3rd August, 1936.
Officer Administering the Government.

BE it enacted :—

1. This Law may be cited as the Ottoman Passport Regulations (Repeal) Law, 1936. Short title.

2. The Regulations relating to the Organization of the Passport Service of 16 Rejeb, 1260, are hereby repealed. Repeal.

This Law came into operation on 7th August, 1936.

NO. 22 OF 1936.

A LAW TO CONSOLIDATE AND AMEND THE LAW RELATING TO MEDICAL REGISTRATION.

W. D. BATTERSHILL,] [7th August, 1936.
Officer Administering the Government.

BE it enacted :—

1. This Law may be cited as the Medical Registration Law, 1936. Short title.

2. In this Law—
 “ Director ” means the Director of Medical Services. Inter-pretation.

3.—(1) There shall be constituted a Medical Council to be called “ The Medical Council of Cyprus ” (hereinafter called “ the Medical Council ”) which shall consist of—
Constitution and composition of Medical Council.

(a) the Director, *ex officio* ;

(b) two medical officers in the public service of the Colony appointed by the Governor ;

(c) two registered medical practitioners in private practice appointed by the Governor.

(2) The Director shall be the Chairman of the Medical Council and shall in addition to his own vote have a casting vote when the votes of the members are equally divided.

(3) The Medical Council shall meet at such times and places as the Chairman shall appoint and the Chairman together with two other members shall form a quorum.

(4) During the absence of any member of the Medical Council from Cyprus the Governor may appoint any registered medical practitioner to be temporarily a member of the Council during such absence.

*Amended by
 Law 12/1939
 16/1943
 Amended
 12/1939
 16/1943*

Tenure of office.

4.—(1) Every member of the Medical Council appointed by the Governor shall hold office for a period of two years from the date of his appointment :

Provided that the Governor may at any time revoke the appointment of any such member.

(2) Any non-official member of the Medical Council may at any time resign his membership upon giving notice in writing to the Director.

Registrar to keep Medical Register.

5.—(1) The Director shall be the Registrar under this Law and shall keep a register to be called " the Medical Register " in the form in the First Schedule hereto wherein he shall, upon payment of a fee of five pounds, enter the name, address, date of registration and qualifications of every person who applies and is entitled to be registered under this Law :

Provided that no qualification shall be entered in the Register unless the Medical Council is satisfied by such evidence as it may consider sufficient that the person claiming such qualification is entitled thereto.

(2) A certificate of registration in the form set out in the Second Schedule shall, upon registration, be issued to every registered medical practitioner.

Application for registration.

6. Any person who desires to be registered under this Law shall make application to the Registrar and shall submit such documentary evidence as may be required in support of his application.

Qualifications and requisites for registration.

7. Any person shall be entitled to be registered as a medical practitioner who satisfies the Medical Council that he—

(a) has attained the age of 21 years ;

(b) is a person of good character ;

(c) has an adequate knowledge of the English language ;

(d) is not by reason of any professional misconduct incapacitated from practising medicine elsewhere ;

and that he—

(i) is the holder of a licence, degree or diploma which entitles him to be registered as a medical practitioner in the United Kingdom ; or

(ii) is the holder of a licence, degree or diploma granted by any University, College or Medical School as may be declared by Order of the Governor in Council to be recognized a qualification for the purposes of this section, and that he has resided in Cyprus for a period of five years within the last fifteen years immediately

preceding the date of his application to be registered and, following graduation, has had at least eighteen months' experience as a resident house surgeon in a general hospital.

8. The Governor may, on or before the thirty-first day of December in each year, by notice in the *Gazette*, prescribe the maximum number of persons who may be registered as medical practitioners under the provisions of paragraph (ii) of section 7 during any quarter of the year commencing on the first day of January next following the date of such notice and the Medical Council shall not, in the course of any quarter, register any persons in excess of the maximum prescribed by the Governor in respect of such quarter :

Power to fix quota for holders of certain foreign degrees.

Provided that if, at any time, the number of persons applying for registration under the provisions of paragraph (ii) of section 7 exceeds the prescribed maximum, the Medical Council may require the applicants to undergo such qualifying examination in medicine, surgery, gynaecology, obstetrics and preventive medicine as the Medical Council may prescribe, and shall select for registration those applicants who obtain the highest marks at such examination.

9. Notwithstanding anything in section 7 contained, any person who satisfies the Medical Council that he—

Registration in special cases.

- (a) fulfils the requisites in paragraphs (a), (b), (c) and (d) of section 7 mentioned ;
- (b) is in possession of the qualifications which but for this Law would entitle him to be registered as a medical practitioner under the Law hereby repealed ;
- (c) has resided in Cyprus for a period of five years within the last fifteen years immediately preceding the date of his application to be registered ; and
- (d) was a medical student at the date of the coming into operation of this Law or became qualified within two years before the date thereof, shall be entitled to be registered as a medical practitioner :

Provided that no registration under this section shall be made after the first day of September, 1942.

10. The Governor in Council may, in exceptional cases, upon the recommendation of the Medical Council, dispense with the residential qualification prescribed in paragraph (ii) of section 7 and paragraph (c) of section 9.

Power to dispense with residential qualification.

Special licence to practise in institution or hospital.

11.—(1) The Governor may, on the application of any medical or scientific institution or foundation recommended by the Medical Council grant a special licence to practise solely in or on behalf of such institution or foundation and may, upon the recommendation of the Director, grant a special licence to practise medicine solely in a Government or State-aided hospital to any person who—

- (a) has studied medicine for at least five years in a university or medical school approved by the Director and has obtained a diploma approved by him;
- (b) will be employed solely in the practice of medicine in or on behalf of such institution or foundation, or in such hospital as the case may be.

(2) The Governor may cancel a licence to practise medicine granted to any person under sub-section (1) if he is satisfied that such person has ceased to fulfil the condition prescribed by paragraph (b) thereof or for any other good cause shown.

(3) No fee shall be charged on the grant of a licence under this section.

Permission to call in specialist from abroad.

12.—(1) Notwithstanding anything in this Law contained, the Director may, in his discretion, upon the application of a registered medical practitioner attending a patient, grant a special permit for a period not exceeding one week to a specialist of acknowledged repute from abroad to attend such patient in consultation with the medical practitioner by whom the application was made and may, in his discretion and subject to such conditions as he may prescribe, authorize such specialist during the period specified in the permit to attend, in consultation with a registered medical practitioner, any other person who, in the opinion of the Director, would be likely to derive benefit from the advice of such specialist.

(2) No fee shall be charged on the grant of a special permit under this section.

Persons entitled to free registration or exemption from registration.

13.—(1) Every medical officer upon his appointment to the public service of the Colony shall, if not already registered prior to his appointment, be registered free of charge.

(2) Every medical officer of His Majesty's Army, Navy or Air Force stationed in the Colony while on full pay, and all ships surgeons, while in discharge of their duties, shall be entitled to practise medicine without registration.

14.—(1) If any registered medical practitioner is convicted of any offence which, in the opinion of the Medical Council, involves moral turpitude or is, after due enquiry by the Medical Council, found to have been guilty of infamous or disgraceful conduct in any professional respect or to have obtained registration by a false or fraudulent representation, the Medical Council may order that the name of such medical practitioner be erased from the Register or that he be suspended from practising during such period as it may think fit.

Powers of Medical Council to enquire into misconduct.

(2) Where by an order made under sub-section (1) it is ordered—

(a) that the name of a medical practitioner be erased from the Register, or

(b) that a medical practitioner be suspended from practising during such period as may be specified in the order,

the Registrar shall—

(i) in the first mentioned case and when the order has not been reversed on appeal, remove the name of the medical practitioner from the Register, and

(ii) in the second mentioned case, forthwith make an entry therefor in the Register, and

(iii) in either case, cause a notice containing the effect of the operative part of the order to be published in the *Gazette*.

(3) In any enquiry held under sub-section (1) the person against whom such offence, misconduct or misrepresentation is alleged, shall be entitled to appear and be heard before the Medical Council.

15.—(1) Any medical practitioner whose name the Medical Council has ordered to be erased from the Register may, within ten days from the notification to him by the Registrar of the order of the Council, appeal to the Supreme Court by lodging a petition with the Registrar.

Appeal from order to erase name from Register.

(2) The Registrar shall, within ten days from the date of lodging the petition, transmit the same, together with all relevant documents or copies thereof, to the Chief Registrar of the Supreme Court.

(3) The Supreme Court shall hear and determine the appeal in such manner as it shall think fit and shall make such order as to the erasure of the name of the appellant from the Register as it shall think fit.

(4) Where a medical practitioner appeals under sub-section (1), the Registrar shall not erase the name of such medical practitioner pending the determination of the appeal.

Keeping the Register up to date and publication of same.

16.—(1) The Registrar shall keep the Register correct in accordance with the provisions of this Law, and shall make from time to time the necessary alterations in the addresses or qualifications of any person registered therein.

(2) A copy of the Register as corrected up to date shall be published under the hand of the Registrar in the *Gazette* in the month of January in every year.

(3) The publication of such copy shall be *prima facie* evidence that the persons named therein are registered medical practitioners and the absence of the name of any person from such copy shall be *prima facie* evidence that such person is not so registered :

Provided that the Registrar shall on payment of a fee of three shillings grant to any registered medical practitioner whose name does not appear in the copy of the Register last published as aforesaid a certificate that such person is registered as a medical practitioner and such certificate shall be evidence of the contents thereof without further proof.

Removal of name from the Register.

17.—(1) The Registrar shall remove from the Register the name of any medical practitioner—

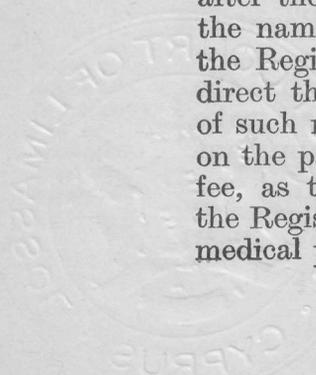
- (a) who is deceased ;
- (b) who has been convicted of an offence under chapter 7 or 8 of the Cyprus Criminal Code, 1928 to 1936 ;
- (c) who has been registered through error as to his qualifications for registration ;
- (d) against whom an order that his name be erased from the Register has been made by the Medical Council under section 14 and the order has not been reversed on appeal ;
- (e) who has been deprived of the qualifications under which he is registered by the body which granted them.

(2) The Medical Council may, if it think fit, at any time after the expiration of five years from the date on which the name of a medical practitioner has been erased from the Register under paragraph (b) or (d) of sub-section (1), direct the Registrar to restore to the Register the name of such medical practitioner, and upon such direction and on the payment of such fee, not exceeding the registration fee, as the Medical Council may from time to time fix, the Registrar shall restore to the Register the name of such medical practitioner.

S. 16(2) & (3) suspended
S.L. 872/40 No. 431

S. 16A inserted

R. & R. by Law 12/1939



18. Any registered medical practitioner who obtains any qualification in addition to the qualification in respect of which he has been registered shall, if he proves to the satisfaction of the Registrar that he has obtained such additional qualification, be entitled to have such qualification entered in the Register in substitution for, or in addition to, the qualification previously registered, without payment of any fee.

Registration of additional qualifications.

19. If any registered medical practitioner changes his registered address he shall notify his new address to the Registrar and if he fails to do so within one month from such change the Registrar may erase the name of such medical practitioner from the Register :

Change of address.

Provided that the Registrar shall restore the same upon payment of a fee of five shillings.

20. Every medical practitioner shall be entitled to practise medicine, surgery and midwifery and to demand, sue for, and recover reasonable charges for professional aid, advice and visits and for the value of any medicine or any medical or surgical appliance supplied by him to his patients.

Medical practitioners entitled to practise and demand fees.

21. No person shall be entitled to recover any fee or charge for any medical or surgical aid, advice or visits or for the performance of any operation or for any medicine which he may have prescribed and supplied, unless such person was at the time registered under this Law.

Fees irrecoverable by unregistered persons.

22. Any registered medical practitioner who practises in a town or village in which no registered chemist or druggist carries on business may sell without licence any goods which may be sold by a chemist and druggist under any law in force in that behalf.

Sale of medicines.

23.—(1) A medical practitioner shall not advertise himself as practising the profession of medicine either in the Press or by any other means :

Prohibition of advertising.

Provided that—

- (a) he shall be entitled to put outside his consulting rooms a notice to be approved by the Director, stating his name and profession and medical qualifications ; and
- (b) if he changes his address he may put outside his former consulting rooms a notice indicating the address of his new consulting rooms, and may notify in writing persons who have consulted him professionally of his new address,

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(2) Save as provided in sub-section (1), a medical practitioner shall not advertise his practice, whether directly or indirectly, for the purpose of obtaining patients or promoting his own professional advantage; or procure or sanction or acquiesce in the publication of notices commending or directing attention to his professional skill, knowledge, services or qualifications or depreciating those of others; or be associated with or employed by those who procure such advertising or publication; nor shall he canvass or employ any agent or canvasser for the purpose of obtaining patients; or be associated with or employed by those who procure such employment.

(3) Any contravention of the provisions of this section shall be deemed to be disgraceful conduct in a professional respect and shall be dealt with under, and entail the penalties provided in section 14.

Penalties.

24. Any person who—

(a) procures or attempts to procure himself or any other person to be registered as a medical practitioner by any false or fraudulent representation;

(b) wilfully and falsely pretends to be, or takes or uses any name, title, description or addition implying that he is a medical practitioner;

(c) not being a registered medical practitioner, practises or professes to practise medicine or surgery or gives any medical opinion or advice or prescribes any medical or surgical treatment for any fee or reward under any pretext whatsoever;

(d) being a registered medical practitioner and having been suspended from practising, during the period of such suspension practises or professes to practise medicine or surgery or gives any medical opinion or advice or prescribes any medical or surgical treatment for any fee or reward under any pretext whatsoever,

shall be guilty of an offence and shall be liable to imprisonment for a term of three months or to a fine of fifty pounds or to both.

Saving.

25.—(1) Notwithstanding anything in this Law contained, it shall be lawful for a Moslem to whom the Director has granted a certificate of competency in that behalf to practise circumcision as a religious rite.

(2) Any certificate granted under sub-section (1) may be revoked or suspended by the Director if, in his opinion, the holder does not observe proper aseptic precautions in practising circumcision,

26. The words "legally qualified medical practitioner" or "licensed medical practitioner" or any words importing a person recognized by law as a medical practitioner shall, when used in any enactment in force in the Colony, be construed to mean a person registered under this Law. Construction of terms.

27. The Medical Registration Law, 1917, is hereby repealed: Repeal and saving. 6 of 1917.

Provided that every person who at any time prior to the date of the coming into operation of this Law was a registered medical practitioner under the provisions of the Law hereby repealed shall, unless his name has been erased from the Register on any ground mentioned in section 14 of that Law other than absence from the Colony, be deemed to be a medical practitioner registered under the provisions of this Law, and his name together with the particulars required by section 5 shall, without payment of any fee, be entered by the Registrar in the Medical Register.

FIRST SCHEDULE.
(Section 5 (1).)

No.	Name.	Address.	Date of registration.	Qualification.	Remarks.

SECOND SCHEDULE.
(Section 5 (2).)

CERTIFICATE OF REGISTRATION.

UNDER

THE MEDICAL REGISTRATION LAW, 1936.

It is hereby certified that.....
of..... has satisfied the Medical Council of Cyprus that he is entitled to be registered as a medical practitioner in Cyprus and that the name of the said..... is duly entered in the Medical Register kept under the provisions of section 5 of the Medical Registration Law, 1936, and that the said..... is entitled to practise medicine, surgery and midwifery within the Colony.

.....
Registrar.

This Law came into operation on 7th August, 1936.