



MALTA

ATT Nru. XVII ta' l-1977

ATT maħruġ b'ligi mill-Parlament ta' Malta.

ATT biex ikompli jemenda l-Ordinanza dwar il-Professjoni Medika u l-Professjonijiet li għandhom x'jaqsmu magħha, Kap. 51.

ACT No. XVII of 1977

AN ACT enacted by the Parliament of Malta.

AN ACT further to amend the Medical and Kindred Professions Ordinance, Cap. 51.



Nagħti l-kunsens tiegħi.

Anton Buttigieg
President

27 ta' Mejju, 1977.

ATT Nru. XVII ta' l-1977

ATT biex ikompli jemenda l-Ordinanza dwar il-Professjoni Medika u l-Professjonijiet li għandhom x'jaqsmu magħha, Kap. 51.

IL-PRESIDENT, bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità ta' l-istess, f'areġ b'liġi dan li ġej: —

Titolu fil-qosor.

1. Dan l-Att jista' jissejjaħ l-Att ta' l-1977 li jemenda l-Ordinanza dwar il-Professjoni Medika u l-Professjonijiet li għandhom x'jaqsmu magħha, u għandu jinqara u jiftiehem haġa waħda ma' l-Ordinanza dwar il-Professjoni Medika u l-Professjonijiet li għandhom x'jaqsmu magħha, hawnhekk iżjed 'il quddiem imsejha "il-liġi prinċipali".

Sostituzzjoni ta' l-artikoli 4, 4A, 5 u 5A tal-liġi prinċipali.

2. Minflok l-artikoli 4, 4A, 5 u 5A tal-liġi prinċipali għandhom jidhlu l-artikoli li ġejjin:

"Liċenza għall-eżerċizzju tal-professjoni medika.

4. (1) Ebda persuna ma tista' teżerċita l-professjoni medika kemm-il darba ma jkollhiex liċenza biex hekk teżerċita mill-President tar-Repubblika.

(2) Bla f'isara għad-disposizzjonijiet tas-subartikolu (4) ta' dan l-artikolu, ebda persuna ma tikkwalifika biex tikseb liċenza biex teżerċita l-professjoni medika kemm-il darba —

(a) ma tkunx ċittadin ta' Malta;

(b) ma tkunx ta' kondotta tajba; u

(ċ) isimha ma jkunx imnizzel fir-Registru Mediku.

(3) Minkejja d-disposizzjonijiet tas-subartikoli (1) u (2) ta' dan l-artikolu, persuna li jkollha l-grad ta' Dottorat fil-Mediċina ta' l-Università ta' Malta, jew li tkun ikkwalifikat għal dak il-grad, tista' teżerċita l-professjoni medika bħala *house physician/surgeon* fi sptar jew klinika tal-Gvern,

u fil-qadi tad-dmirijiet mogħtija lilha f'dik il-kariga dik il-persuna għandha, għall-finijiet kollha tal-liġi, titqies bħala li għandha liċenza biex teżercita l-professjoni medika.

(4) Dwar kull persuna li tkun teżercita l-professjoni medika kif provdut fis-subartikolu (3) ta' dan l-artikolu, is-setgħat tal-Kunsill Mediku skond l-artikolu 87A ta' din l-Ordinanza jinkludu s-setgħa li jordna li dik il-persuna ma teżercitax il-professjoni medika lanqas bħala *house physician/surgeon* u li isimha ma jiġix imdahhal fir-Registru Mediku; u meta jkun ingħata ordni bħal dan, ikollu effett, għall-finijiet ta' din l-Ordinanza, bħallikieku l-isem ta' dik il-persuna kien ġie mħassar mill-imsemmi registru.

(5) Il-President tar-Repubblika jista', wara li l-Ministru responsabbli għas-saħħa pubblika jkun ikkonsulta l-Kunsill Mediku, jagħti liċenza temporanja, għal żmien ta' mhux iktar minn sentejn, lil xi *physician* jew kirurgu barrani u jista' jissuġġetta dik il-liċenza għal kull kondizzjoni li jidhirlu xierqa; u l-imsemmi Kunsill għandu jdahhal l-isem ta' kull *physician* jew kirurgu barrani bħal dak f'taqsimha speċjali tar-Registru Mediku, flimkien mal-limitazzjonijiet u kondizzjonijiet li għalihom il-liċenza tkun suġġetta.

Registru
Mediku.

5. (1) Il-Kunsill Mediku għandu jzomm registru, f'din l-Ordinanza msejjaħ ir-Registru Mediku, li fih għandu jidhöl —

(a) l-isem ta' kull persuna li jkollha l-grad ta' Dottorat fil-Mediċina ta' l-Università ta' Malta mogħti lil dik il-persuna qabel l-1 ta' Jannar, 1977;

(b) l-isem ta' kull ċittadin ta' Malta li jkollu l-grad ta' Dottorat fil-Mediċina ta' l-Università ta' Malta mogħti lilu wara l-1 ta' Jannar, 1977 u li, minnufih wara li jkun ikkwalifika għal dak il-grad, ikun serva bħala *house physician/surgeon* fi sptar jew klinika tal-Gvern għal perijodu ta' sentejn jew għal dak iż-żmien aqsar li l-Ministru responsabbli għas-saħħa pubblika jista', wara konsultazzjoni mal-Kunsill Mediku, jistabbilixxi;

(ċ) l-isem ta' kull persuna, li ma tkunx ċittadin ta' Malta, li jkollha l-grad ta' Dottorat fil-Mediċina ta' l-Università ta' Malta mogħti lilha wara l-1 ta' Jannar, 1977;

(d) l-isem ta' kull persuna, barra minn ċittadin ta' Malta li jkollu l-grad ta' Dottorat fil-Mediċina ta' l-Università ta' Malta mogħti lilu wara l-1 ta' Jannar, 1977, li isimha jkun imniżżel f'dik il-lista jew f'dak ir-registru miżmum f'pajjiż barra minn Malta kif meħtieġ li jkunu magħrufa minn Malta skond u għall-finijiet ta' arrangamenti li bihom ikun hemm reciprocità sħiħa dwar ir-rikonoxximent ta' kwalifiki mediċi bejn Malta u l-pajjiż li fih daww il-kwalifiki jkunu nkisbu; u

(e) l-isem ta' kull ċittadin ta' Malta li jkollu kwalifika medika xierqa mogħtija minn Skola Medika magħrufa mill-Kunsill Mediku u li jgħaddi minn eżami orali fil-mediċina, kirurgija, ostitriċja u ġinekoloġija, mediċina legali u mediċina tal-komunità;

Iżda ebda persuna ma jkollha isimha mnizzel fir-Registru Mediku skond il-paragrafu (d) jew (e) ta' dan is-subartikolu, kemm-il darba dik il-persuna ma tkunx serviet bħala *house physician/surgeon* fi sptar jew klinika tal-Gvern għal perijodu ta' sentejn jew dak iż-żmien aqsar li l-Ministru responsabbli għas-saħħa pubblika jista', wara konsultazzjoni mal-Kunsill Mediku, jistabbilixxi, jew l-imsemmi Ministru ma jkunx b'avviż lill-Kunsill Mediku iddikjara li dak is-servizz ma jkunx meħtieġ.

(2) Kull persuna li isimha jkun imdahhal fir-Registru Mediku bis-saħħa tal-kwalifiki msemmija fil-paragrafu (d) tas-subartikolu (1) ta' dan l-artikolu għandha żżomm ir-registrazzjoni tagħha minkejja kull tibdil fi, jew irtirar ta', ir-rikonoxximent imsemmi f'dak il-paragrafu.

(3) Kull persuna li isimha jkun imnizzel fir-Registru Mediku jkollha jedd li kontra isimha fl-imsemmi Regjistru jitniżzlu kull waħda mill-kwalifiki li ġejjin li hi jkollha:

- (a) il-grad ta' Dottorat fil-Medicina ta' l-Universit  ta' Malta;
- (b) kull kwalifika magħrufa mill-*General Medical Council* tar-Renju Unit; u
- (c) kull kwalifika oħra magħrufa mill-Kunsill Mediku.”.

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 61 ta' l-24 ta' Mejju, 1977.



Skrivan tal-Kamra tad-Deputati



M. Laisiva
Speaker



I assent.

Anton Dulligies
President

27 May, 1977.

ACT No. XVII of 1977

AN ACT further to amend the Medical and Kindred Professions Ordinance, Cap. 51.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the Medical and Kindred Professions (Amendment) Act, 1977, and shall be read and construed as one with the Medical and Kindred Professions Ordinance, hereinafter referred to as "the principal law".

Substitution of sections 4, 4A, 5 and 5A of the principal law.

2. For sections 4, 4A, 5 and 5A of the principal law there shall be substituted the following sections:

"Licence to practise medical profession.

4. (1) No person may practise the medical profession unless he has a licence so to practise from the President of the Republic.

(2) Subject to the provisions of subsection (4) of this section, no person shall qualify to obtain a licence to practise the medical profession unless —

- (a) he is a citizen of Malta;
- (b) he is of good conduct; and
- (c) his name is entered in the Medical Register.

(3) Notwithstanding the provisions of subsections (1) and (2) of this section, a person who holds the degree of Doctor of Medicine of the University of Malta, or who has qualified for such degree, may practise the medical profession as a house physician/surgeon in a Government hospital or clinic, and in the performance of the

duties assigned to him in that capacity such person shall, for all purposes of law, be treated as if he were licensed to practise the medical profession.

(4) In regard to any person exercising the medical profession as provided in subsection (3) of this section, the powers of the Medical Council under section 87A of this Ordinance shall include the power to order that such person shall not practise the medical profession even as a house physician/surgeon and that his name shall not be entered in the Medical Register; and where any such order has been made, it shall, for the purposes of this Ordinance, have effect as if the name of such person had been erased from the said Register.

(5) The President of the Republic may, after the Minister responsible for public health has consulted the Medical Council, grant a temporary licence, for a period not exceeding two years, to any foreign physician or surgeon and may subject such licence to any condition he may deem appropriate; and the said Council shall enter the name of any such foreign physician or surgeon in a special part of the Medical Register, together with the limitations and conditions to which the licence is subject.

Medical Register.

5. (1) The Medical Council shall keep a register, in this Ordinance referred to as the Medical Register, in which shall be entered —

(a) the name of every person who holds the degree of Doctor of Medicine of the University of Malta conferred on such person before 1st January, 1977;

(b) the name of every citizen of Malta who holds the degree of Doctor of Medicine of the University of Malta conferred on him after 1st January, 1977 and who, immediately after having qualified for such degree, has served as a house physician/surgeon in a Government hospital or clinic for a period of two years or such lesser term as the Minister responsible for public health may, after consultation with the Medical Council, determine;

(c) the name of every person, not being a citizen of Malta, who holds the degree of Doctor of Medicine of the University of Malta conferred on him after 1st January, 1977;

(d) the name of every person, other than a citizen of Malta who holds the degree of Doctor of Medicine of the University of Malta conferred on him after 1st January, 1977, whose name is entered in such list or register kept in a country other than Malta as are required to be recognised by Malta under and for the purposes of arrangements whereby full reciprocity exists regarding the recognition of medical qualifications between Malta and the country in which such qualifications are obtained; and

(e) the name of every citizen of Malta who holds a suitable medical qualification granted by a Medical School recognised by the Medical Council and who passes a practical and oral test in medicine, surgery, midwifery and gynaecology, forensic medicine and community medicine:

Provided that no person shall have his name entered in the Medical Register under paragraph (d) or (e) of this subsection, unless either such person has served as a house physician/ surgeon in a Government hospital or clinic for a period of two years or such lesser period as the Minister responsible for public health may, after consultation with the Medical Council, determine, or the said Minister has by notice to the Medical Council declared that such service is not required.

(2) Every person whose name is entered in the Medical Register in virtue of the qualifications referred to in paragraph (d) of subsection (1) of this section shall retain his registration notwithstanding any change in, or withdrawal of, the recognition referred to in the said paragraph.

(3) Every person whose name is entered in the Medical Register shall be entitled to have entered against his name in the said Register any of the following qualifications of which he is in possession:

(a) the Degree of Doctor of Medicine of the University of Malta;

(b) any qualification recognised by the General Medical Council of the United Kingdom; and

(c) any other qualification recognised by the Medical Council.”.

Passed by the House of Representatives at Sitting No. 61 of the 24th May, 1977.



Clerk to the House of Representatives



Speaker