

TRINIDAD AND TOBAGO.

Medical.

No. 28,—1898.

12th September.

AN ORDINANCE for amending and consolidating the Law with regard to the Constitution of the Medical Board, the practice of Medicine and Surgery, and the selling of Drugs.

[L.S.]

HUBERT E. H. JERNINGHAM,

GOVERNOR.

30th September, 1898.

WHEREAS it is expedient that the Law regulating the practice of Medicine and Surgery, Dentistry, and Midwifery, and the compounding and selling of Drugs and Medicines should be amended: Be it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may for all purposes be cited as Short title.
“The Medical Ordinance, 1898.”

2. This Ordinance shall commence and take effect Commence-
ment.
from the First day of October, 1898.

Interpretation. 3. In this Ordinance,

“The Board” shall mean The Medical Board of Trinidad established under this Ordinance.

“Officers of the Board” shall mean the President, the Vice-President, the Secretary and Treasurer of the Board and the other members of the Council elected under this Ordinance.

“The Council” shall mean the Medical Council elected by the Board under this Ordinance.

“Midwife” shall mean a woman who undertakes for gain to attend cases of natural labour.

Transfer of property.

4. From and after the passing of this Ordinance all moneys, effects, books, papers or other property whatsoever belonging to “The Medical Board of the Island of Trinidad” established by the Medical Ordinance, 1887, shall be transferred to and vested in and become the property of “The Board” established by this Ordinance, and shall be delivered over to the Secretary and Treasurer of the Board by any person in whose possession the same may be.

PART II.

Medical Board, its Constitution, &c.

New Board established.

5. The Medical Board of the Island of Trinidad, established by the Medical Ordinance, 1887, shall have continuance as, and, after the commencement of this Ordinance, shall bear the name of The Medical Board of Trinidad, and by such name shall be a Body Corporate and shall have perpetual succession and shall and may have and use a Common Seal, and the said Seal may from time to time break, change, and alter, or make anew, as to the Board may seem fit.

6. All persons, registered as Members of the ^{Constitution of Board.} Medical Board established by the Medical Ordinance, 1887, and all persons, after the commencement of this Ordinance, registered as members of the Board established by this Ordinance, shall constitute the Board.

7. For the well ordering of the Board and its affairs ^{Officers to be elected.} there shall be elected in manner hereinafter mentioned from and among the members thereof the following officers of the Board, that is to say:—

1. A President.
2. A Vice-President.
3. A Secretary and Treasurer.
4. Three other persons being members of the Board, who together shall constitute the Council of the Medical Board to which shall be delegated such of the powers and duties as are by this Ordinance vested in the Board as to the Board may seem fit.

8. The Board shall hold its first general meeting ^{First general meeting.} after the commencement of this Ordinance in such place and at such time as the Governor shall appoint by notice in the *Royal Gazette* at least twenty-one days before the day of meeting.

Election of Council.

9. At the first election of the Council the person ^{Returning officer.} holding the office of Surgeon-General of the Colony for the time being and at all other elections the President of the Council for the time being shall be the Returning Officer.

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No Returning Officer at any election shall vote except in the case of an equality of votes.

Nomination
of candidates.

At any meeting for the election of the Council or, of any officer to fill any vacancy in the Council, any member of the Board may be proposed as a candidate for any one office by motion duly seconded, and no one shall be deemed a candidate for election to the Council unless so proposed.

If at such election there is not more than one candidate proposed to fill any one office, the Returning Officer shall declare such candidate duly elected.

Mode of
election.

If there is more than one candidate proposed to fill any one office the Returning Officer shall call for a show of hands separately in favour of each candidate, and after such show of hands shall declare the person or persons upon whom the election has fallen, and such person or persons shall be deemed to be duly elected, unless a ballot be demanded by any of the other candidates or by not fewer than four members of the Board; the Returning Officer shall in any such case adjourn the election to such place and time not exceeding fourteen days as he may deem expedient for the purpose of taking a poll as hereinafter provided.

Withdrawal
from candida-
ture.

A candidate may, during the time appointed for the election, but not afterwards, withdraw from his candidature by giving a notice signed by himself to the Returning Officer.

Mode of
ballotting.

On any demand for such poll being made, the Secretary and Treasurer shall forward to every member of the Board in a registered envelope a paper (in this

Ordinance called a ballot paper) shewing the time and place of the adjourned election and the names and descriptions of the candidates and the offices for which they are proposed.

Each ballot paper shall be sealed with the Seal of the Board and have a number printed on the back and shall have a counterfoil with the same number printed on the face of it, and the name of the member to whom it is forwarded shall be marked on the counterfoil.

Votes shall be given by the voter returning the ballot paper in person at the time and place of the election or transmitting under cover of a registered envelope bearing on the face of it in clear, legible letters, the word "ballot" and addressed to the Returning Officer. Made of voting.

The ballot paper shall be marked with a cross opposite to the name of each candidate for whom he votes and his own signature affixed at the foot thereof.

The Returning Officer shall at the time and place appointed, and not otherwise, open the envelopes containing and examine the ballot papers and openly declare the state of the ballot as the same shall have been ascertained and made up by him, and at the same time and place declare the name or names of the person or persons who shall have been duly elected. Opening of ballot papers.

In the event of the number of votes being found to be equal for any two or more candidates such Returning Officer shall by his casting vote or votes decide which of the said candidates shall be elected. Casting vote of Returning officer.

All voting papers and the counterfoils thereof shall be filed and kept by the Secretary and Treasurer and produced at the next general meeting for inspection or at any inquiry as to the validity of any election. Voting papers, etc., to be kept by Secretary.

Publication of
names of
persons
elected.

The name or names of the person or persons elected shall be returned to the Governor and shall be published in the *Royal Gazette*.

Any person whose name shall have been so returned and published shall, notwithstanding that his election and return shall subsequently be declared by competent authority to have been void, be deemed to have been duly elected up to the day on which his election shall have been so declared void.

Complaints of
invalid elec-
tion.

All complaints of the invalidity of any election shall be made and determined in manner provided by Section 61 of the Ordinance No. 10 of 1894.

Term of office.

10. The officers of the Board when elected shall hold office for the term of three years, and at the expiration of such term shall be eligible for re-election.

Bye-election.

11. In case of death, resignation, incapacity, or absence without leave, of any of the members of the Council, a general meeting of the Board shall be convened by the President, or Vice-President, for the purpose of electing another member in the place of the member so dying, resigning, or being incapable to act, or absent, and the member so elected shall continue to hold office for the same time as the member in whose place he may be so elected would have done if no such vacancy had occurred.

Absence from
Colony.

12. No member of the Council shall absent himself from the Colony for any period exceeding three months without leave of the Council.

(a.) Whenever the President shall be absent the Vice-President shall act as President.

- (b.) Whenever the Vice-President shall be absent or acting as President, an acting Vice-President shall be elected by the Council.
- (c.) Whenever any other member of the Council shall be absent on leave, or the Vice-President shall be acting as President, the Council shall appoint a member of the Board to act as a member of the Council.

13. It shall be lawful for the Board at its first Bye-laws. general meeting, or, at any subsequent general meeting, to make and pass such Bye-laws as it may deem expedient:—

1. For the good rule and government of the members and the affairs of the Board.
2. For regulating the times and places of the general and ordinary meetings of the Board and of the Council, the mode of summoning the same and the manner of voting at such meetings.
3. For regulating the manner of applying and using the funds of the Board.
4. For regulating the appointment of examiners for the licensing of Druggists, Assistant Druggists, and Midwives.
5. For the doing all such further matters and things not inconsistent with the provisions of this Ordinance, as may be deemed expedient and necessary for carrying the same into effect. And thereby to appoint such fines, not exceeding in any case Five Pounds, as they deem necessary for the prevention and suppression of offences against any such Bye-laws.

To be submitted to Governor.

14.—(I.) No such Bye-law shall be of any force until the expiration of thirty days after a copy thereof, sealed with the Seal of the Board, has been sent to the Governor, and if within those thirty days the Governor disallows the same or part thereof, the Bye-law or part thereof disallowed shall not come into force.

Offences.

(II.) Any offence against such Bye-law may be prosecuted summarily before any Stipendiary Justice of the Peace.

Fines to be paid to the Board.

(III.) All fines and penalties imposed under any Bye-law shall be paid by the Justice imposing the same when collected to the Secretary and Treasurer for the use of the Board.

Evidence of Bye-law.

(IV.) A copy of such Bye-law purporting not to have been disallowed by the Governor and authenticated by the Seal of the Board shall, until the contrary is proved, be evidence of the due making and existence of such Bye-law.

Publication of Bye-laws.

(V.) Such Bye-laws shall from time to time be published in the *Royal Gazette* on their coming into force.

General Meetings.

15. In the absence of any such Bye-law it shall be lawful for the President, or in his absence the Vice-President, to summon a general meeting of the Board and meetings of the Council at such times and places as may be deemed expedient.

President of general meeting.

16. At all meetings of the Board the President, or in his absence the Vice-President, or in his absence some other member to be chosen from among the members present, shall preside.

Resolutions.

17. All acts and resolutions of the Board at any meeting shall be decided by the votes of the majority of members present thereat. At all meetings of the Board

the presiding member shall, in addition to his vote as a member, have a casting vote in case of an equality of votes.

18. Any seven members of the Board shall form a quorum at any general meeting. Quorum at general meeting.

19. Any three members of the Council, of whom the President, or Vice-President shall be one, shall form a quorum at any meeting of the Council. Quorum at Council.

20. The Secretary and Treasurer for the time being shall take minutes of the proceedings of all meetings of the Board and of the Council, and shall enter the same in a book to be called "The Minute Book of the Medical Board." He shall also keep and have the custody of a Book of Registry for the purposes hereinafter mentioned, and such book shall be called "The Register of the Medical Board." He shall have the custody of all books, papers, and other documents belonging to the Board. Duties of Secretary.

21. The Register of the Medical Board shall contain separate lists, made out alphabetically according to the surnames, of all the names and addresses, with the descriptions and dates of the qualifications in respect of which they are registered, of all— Register of the Board.

- (a.) Members of the Board.
- (b.) Licensed Dentists.
- (c.) Licensed Druggists.
- (d.) Assistant Druggists.
- (e.) Midwives, and
- (f.) Licensed Rural Shopkeepers.

Publication of
annual list of
members, etc.

22. The Secretary shall in the month of January in each and every year make out from the Register of the Medical Board, to the best of his knowledge and information, and transmit to the Colonial Secretary a true and correct list of all persons who are members of the Board, also of all Dentists, Licensed Druggists, Assistant Druggists, and Midwives in the Colony: and such lists shall be signed by the President, or in his absence, by the Vice-President, and when so signed shall be forthwith published in the *Royal Gazette*, and every addition to such Register during the year shall in like manner be signed and published.

Evidence of
registration of
a member.

23. A copy of the *Royal Gazette* containing such lists as in the last preceding Section mentioned, shall in the absence of proof to the contrary be evidence in all Courts of Justice of the registration in respect of the qualification therein indicated of any person therein specified and of the non-registration, as the case may be, in respect of any alleged qualification of a person not therein specified as having such qualification.

PART III.

Qualification and Admission of Practitioners and Grant of Licenses and Certificates.

Conditions of
registration as
a member.

24. Where a person shews to the satisfaction of the Council that he is of good character and that he holds any medical diploma, or licence, in respect of which he would be entitled to be registered as a Medical Practitioner in Great Britain and Ireland, he shall on application to the said Council and on the payment of a fee of Five Pounds, be registered in respect of such diploma or licence, as a member of the Board.

25. Any person registered under this Ordinance who may have any higher degree or any qualification other than the qualification in respect of which he may have been registered, shall be entitled to have such higher degree or additional qualification inserted in the Register in substitution for, or in addition to the qualification previously registered, on payment of such fee as the Board may appoint. Additional qualifications.

26. The Council may, if it sees fit, require that such diplomas or licences should be verified by the oath, or solemn declaration of the person, producing the same before any Justice of the Peace, or before any person authorised to take declarations under provisions of "The Statutory Declarations Ordinance, 1879." Council may require verification of diploma.

27. Every person duly registered as a member of the Board shall be entitled to a licence from the Board to practise Medicine, Surgery and Midwifery in this Colony. Licence.

28. Such licence shall be evidence in all Courts and before all Magistrates and Justices of the Peace, and others, that the person thereby licensed is duly registered according to the provisions of this Ordinance. Evidence.

29. Every person registered as a member of the Board shall be entitled to practise Medicine, Surgery and Midwifery in any part of this Colony, and to demand and recover in any Court of Law, with full costs of suit, his reasonable charges for professional aid, advice and visit and the cost of any medicine or other medical or surgical appliances rendered or supplied by him to his patients. Rights of members of Board.

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PART IV.

*Dentists.*Dentists
previously
registered.

30. All persons who at the passing of this Ordinance are licensed as Dentists, shall be deemed to be duly registered under this Ordinance.

Registration of
new Dentists
necessary.

31. From and after the passing of this Ordinance, no person shall be entitled to take or use the name or title of Dentist (either alone or in combination with any other word or words), of "Dental Practitioner," or any name, title, addition, or description, implying that he is registered under this Ordinance, or that he is a person specially qualified to practise Dentistry, unless he is registered under this Ordinance.

Offences by
unregistered
persons.

32. Any person, not being registered under this Ordinance, who after the passing of this Ordinance

1. Takes or uses any such name, title, addition, or description as aforesaid, or any addition to a name, designation or description, whether expressed in words, or by letters, or partly in words and partly in letters.
2. Practises Dentistry, or Dental Surgery, or performs any dental operation in respect of which he shall demand or receive any fee or gratuity,

shall be liable, on summary conviction, to a penalty not exceeding Twenty Pounds.

Conditions of
registration as
Dentist.

33. Any person who after the commencement of this Ordinance shews to the satisfaction of the Council that he is of good character, and

- (a.) Holds any diploma or licence from any University, College, or Incorporated Society in Great Britain or Ireland, having authority to grant the same, and that he is by law entitled to practise Dental Surgery or Dentistry in Great Britain or Ireland ;
- (b.) Holds a certificate from a British Possession or Foreign Country recognized for the time being by the Council, as furnishing a sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practice of Dental Surgery or Dentistry,

shall on application to the Council and on payment of a fee of Five Pounds sterling, be entitled to be registered as a Dentist.

PART V.

Druggists, Midwives, &c.

34. The Council shall have authority to grant licences as Druggists, Assistant Druggists, or Midwives to persons who shall satisfy them of their good character, and by proofs of study and training and by examination that they are fit and proper persons to act as Druggists, Assistant Druggists, or Midwives. The Board shall make Regulations respecting the fees payable, the course of study and training, and the conduct of the examinations of persons applying for licences as Druggists, Assistant Druggists, or Midwives, and may from time to time alter and amend the said Regulations: Provided that such Regulations, or amended Regulations, shall not come into operation until they have been approved by His Excellency the Governor 30 days after having been first published in the *Royal Gazette*.

Regulations as
to Licences.

Saving persons
previously
qualified.

35. All Druggists, Assistant Druggists, or Midwives, holding licences to practise or act as such at the time of the passing of this Ordinance shall be deemed to be duly licensed under this Ordinance.

Rights of
Druggists and
Assistant
Druggists.

36. All Druggists and Assistant Druggists registered under this Ordinance shall be entitled to sell and retail poisons and drugs, to dispense and compound prescriptions of duly qualified Medical Practitioners, and shall conform to such Regulations as to the keeping, selling, and dispensing of poisons and drugs as may from time to time be made by the Medical Board with the consent of the Governor. Provided always that registration as Druggist or Assistant Druggist under this Ordinance shall not entitle any person so registered to practise Medicine or Surgery or any branch of Medicine or Surgery.

Member of
Board may be
licensed as
druggist.

37. Any member of the Board shall be entitled, on the payment of a registration fee of Two Pounds sterling, to receive a licence as a Druggist under this Ordinance, and, shall so long as he shall hold such licence, be deemed a licensed Druggist, but shall not serve as a "Visitor" under Section 62 of this Ordinance.

Qualifications
for druggist-
licence.

38. Where a person shews to the satisfaction of the Council that he is of good character and is entitled to practise as a Pharmaceutical Chemist, or as a Chemist and Druggist, or as an Apothecary in Great Britain or Ireland, he shall receive a licence as a Druggist under this Ordinance on the payment of a fee of Five Pounds sterling.

In case of
foreign qualifi-
cation.

39. Where a person shews to the satisfaction of the Council that he is entitled to practise as a Druggist in any British Possession or Foreign Country, or that he

has elsewhere undergone a sufficient course of study, similar to that for the time being prescribed by the Council for Druggists, or Assistant Druggists, as the case may be, in the Colony, and that he is of good character, he may be admitted to the examination for Druggists or Assistant Druggists.

40. No person shall keep open any shop for retailing any poison or drug or for compounding and dispensing medicines for sale unless he shall pay to the Secretary of the Board, on or before the first day of January in every year, a yearly licence not exceeding One Pound in respect of any such shop in the Town of Port-of-Spain or San Fernando, and Ten Shillings in respect of any in other parts of the Colony; and the Council shall with the approval of the Governor have authority to grant or refuse, suspend or revoke licences, and to make Rules and Regulations for the proper management and upkeep of all drug-shops.

Shops for
retail of drugs
and poisons to
be licensed.

Regulations.

41. No person shall keep open any shop for retailing any poison or drug, or for compounding or dispensing medicines for sale unless there is a person duly licensed as a Druggist in actual attendance therein.

Licensed
Druggist to be
in attendance
at all shops.

42. No person except as hereinafter provided shall sell by retail any poison, or drug, or compound, or dispense medicines for sale except in the registered shop of a person licensed under Section 40 hereof or unless he is licensed as a Druggist or Assistant Druggist.

Retail of
poisons.

43. The several articles named or described in Schedule B to this Ordinance shall be deemed to be poisons within the meaning of this Ordinance, and the Council of the Medical Board may from time to time by resolution declare that any article in such resolution

What shall be
deemed
poisons.

named ought to be deemed a poison within the meaning of this Ordinance: and thereupon the said Council shall submit the same for the approval of the Governor, and if such approval shall be given, then such resolution and approval shall be advertized in the *Royal Gazette*, and on the expiration of one month from such advertisement, the article named in such resolution shall be deemed to be a poison within the meaning of this Ordinance.

Sale of
poisons, regu-
lation of.

3 / 44. It shall be unlawful to sell any poison either by wholesale or by retail unless the box, bottle, vessel, wrapper, or cover in which such poison is contained be distinctly labelled with the name of the article and the word "poison," and with the name and address of the seller of the poison, and it shall be unlawful to sell any poison of those which are in the First Part of the Schedule B to this Ordinance, or may hereafter be added thereto under Section 45 of this Ordinance, to any person unknown to the seller, unless introduced by some person known to the seller, and on every sale of every such article, the seller shall before delivery make, or cause to be made, an entry in a book to be kept for that purpose, stating in the form set forth in Schedule E to this Ordinance the date of the sale, the name and address of the purchaser, the name and quality of the article sold, and the purpose for which it is stated by the purchaser to be required, to which entry the signature of the purchaser and of the person who introduced him shall be affixed, and any person selling poison otherwise than is herein provided, shall upon summary conviction before a Stipendiary Justice of the Peace be liable to a penalty not exceeding Five Pounds for the first offence, and to a penalty not exceeding Ten

Pounds for the second or any subsequent offence, and for the purpose of this Section the person on whose behalf any sale is made by any apprentice or servant shall be deemed to be the seller. Nothing contained in this Section shall apply to any medicine supplied by a legally qualified Medical Practitioner to his patient or dispensed by any person registered under this Ordinance on the prescription of a member of the Board, provided such medicine be distinctly labelled with the name and address of the seller and the ingredients thereof be entered, with the names of the persons to whom it is sold or delivered, in a book to be kept by the seller for that purpose.

45. The Council may, on the written recommendation of the Warden and of the Medical Officer of any rural district, grant a licence to any shopkeeper in such district in respect of a specified shop on an annual payment of Five Shillings to the Secretary and Treasurer to sell the drugs contained in Schedule D, provided that such drugs shall be put up in parcels by a licensed Druggist, and such parcels shall bear the date on which they are put up and the signature or stamp of the Druggist who made them up. Provided that such license shall not be granted in respect of any shop situate within two miles of the shop of any licensed Druggist.

Shopkeeper's
license to sell
drugs.

46. Nothing in this Ordinance shall be held to restrict the right of any person in this Island to sell the following articles :—

Right to sell
patent and
homœopathic
medicines and
mineral
waters.

- (a.) Patent, proprietary, or homœopathic medicines in parcels, boxes, trunks, or packages containing one dozen or more packets, boxes, bottles, pots, phials, or other inclo-

tures, and under wrapper or cover, as imported into the Island. Provided that such boxes or packages are properly secured and bear the seal, name, or trade-mark of the proprietor, inventor, or manufacturer thereof and directions for their use: Provided also that the sale of any patent or proprietary medicine may be at any time prohibited by the Governor by Proclamation, on the representation of the Medical Council that the sale of such article is fraught with danger to the public;

- (b.) Mineral waters—natural or artificial, or the salts or other materials employed in their preparation.
- (c.) Simple medicinal substances mentioned in Schedule C.

Offences.

47. Any person offending against the provisions of Sections 40 to 46 inclusive of this Ordinance, shall on summary conviction before any Stipendiary Justice of the Peace forfeit and pay a sum not exceeding Ten Pounds Sterling, or in default be imprisoned for any term not exceeding one month with or without hard labour.

Prohibition of sale of bad, etc., drugs.

48. No person shall sell, expose, or offer for sale, or compound, dispense, prepare, or make up any prescription with any drug or medicine in a stale or unwholesome state, or in a state unfit for use; or any drug diluted, or mixed, or adulterated with any other substance matter or thing except in accordance with a prescription of a qualified Medical Practitioner; or any

drug or medicine not of the nature, substance, or quality demanded by any purchaser or mentioned in any prescription.

Any person contravening any of the provisions of ^{Penalty.} this Section shall be guilty of an offence, and on summary conviction shall forfeit and pay for a first offence any sum not exceeding Twenty Pounds; for a second or subsequent offence any sum not less than Ten Pounds and not exceeding Fifty Pounds, and in default of payment shall be imprisoned with or without hard labour for any term not exceeding six months.

49. Every bottle, box, or package of medicine ^{Label.} compounded or dispensed shall have a label with

- (a.) The Druggist's name.
- (b.) The directions.
- (c.) The date of dispensing.

50. Whenever any Druggist or Assistant Druggist ^{Penalties for offences.} registered under this Ordinance

- (a.) Is convicted of any felony or misdemeanour, or of any offence under this Ordinance;
- (b.) Is shewn to the satisfaction of the Council to be incompetent or addicted to habitual intemperance;
- (c.) Shall neglect or refuse to dispense the prescription of any member of the Board;
- (d.) Shall fail to comply with the Rules and Regulations concerning Druggists and Assistant Druggists made under this Ordinance,

he shall be liable to have his licence suspended or revoked by the Council, and such suspension or revocation shall be published in the *Royal Gazette*.

Midwives to
be licensed
under penalty.

51. No person shall practise as a Midwife unless she be licensed under this Ordinance, any person so practising shall be deemed to have committed an offence under this Ordinance and on conviction thereof before a Court of Summary Jurisdiction shall be liable to a fine not exceeding the sum of Five Pounds.

Offences by
midwives.

52. Whenever any Midwife registered under this Ordinance

- (a.) Is convicted of any felony or misdemeanour, or of any offence under this Ordinance ;
- (b.) Is shewn to the satisfaction of the Council to be incompetent, addicted to habitual intemperance, or negligent in her Midwifery duties ;
- (c.) Shall fail to comply with the Rules and Regulations concerning Midwives made under this Ordinance,

she shall be liable to have her licence suspended or revoked and such suspension or revocation shall be published in the *Royal Gazette*.

Appeal from
act of Council.

53. Any Druggist, Assistant Druggist, or Midwife aggrieved by any determination or act of the Council in pursuance of Sections 50 and 52, may appeal summarily to any Stipendiary Justice of the Peace, and such Stipendiary Justice of the Peace may confirm, revoke or modify the decision of the Council.

PART VI.

Offences, Miscellaneous Clauses, Procedure, &c.

Offences by
persons not
members of
Board.

54.—(a.) Any person, not being a member of the Board, who shall after the passing of this Ordinance practise Medicine or Surgery, or perform any surgical

operation, or give any medical opinion or advice, or prescribe any medical or surgical treatment within this Island, in respect of which he shall demand or receive any fee or gratuity, or any remuneration, profit, or compensation under pretext of services rendered, loss of time, travelling, or other expenses under any other pretext whatsoever ;

(*b.*) Any person who shall wilfully procure, or attempt to procure himself 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 verbally or in writing, and every person aiding and abetting him therein ;

(*c.*) Any person who shall wilfully and falsely pretend to be, or take or use the name or title of Physician, Surgeon, Doctor of Medicine, Licentiate in Medicine and Surgery, Bachelor of Medicine, or Practitioner in Medicine, or takes or assumes any other step, title, addition, designation, or description implying that he is qualified to practise Medicine, Surgery, or Midwifery under this Ordinance, or that he is recognised by law as a Physician, or Surgeon, or Licentiate in Medicine or Surgery, or a Practitioner in Medicine ;

Shall, upon summary conviction before any Stipendiary Justice of the Peace, Penalties.

1. For the first offence forfeit and pay Twenty Pounds sterling, and in default of immediate payment be imprisoned with or without hard labour for any term not exceeding three calendar months ;

2. For a second or subsequent offence forfeit and pay Fifty Pounds sterling, or in default of immediate payment be imprisoned with or without hard labour for any term not less than three months and not exceeding six months.

Validity of certificates.

55. No certificate required by any Ordinance now in force, or that may hereafter be passed, from any Physician, Surgeon, Licentiate in Medicine or Surgery, or other Medical Practitioner shall be valid unless the person signing the same be registered under this Ordinance.

Fees recoverable in Court only by registered persons.

56. No person claiming to be, or describing himself as, or acting in the capacity of a Physician, Surgeon, Dentist, Druggist, Assistant Druggist, or Midwife shall be allowed to recover in any Court of Law any fees or charges for services, or for drugs or medicine supplied, unless he shall satisfy the Court that he is duly registered, according to his qualification, under this Ordinance.

Prosecutions must be authorized by Board or Attorney-General.

57. No conviction shall take place in respect of any prosecution for any offence under this Ordinance unless such prosecution shall have been authorized in writing by the Medical Board under the hand of their Secretary or by the Attorney-General; and any authority purporting to be signed by the Secretary of the Medical Board shall be received as *prima facie* evidence of such authorization.

Barrister or Solicitor may be employed.

58. In the prosecution of any person for any offence committed against this Ordinance, it shall be lawful for the Council, if it shall see fit, to employ or instruct any

Barrister or Solicitor, to appear and prosecute for any such offence and to apply any part of the funds of the Board towards the payment and remuneration of such Barrister or Solicitor.

59. If any person registered in the Register of the Medical Board shall be convicted, either in Her Majesty's dominions or elsewhere of any offence which, if committed in England or in this Colony would be a felony, or shall after due enquiry be judged by the Council to have been guilty of any infamous or disgraceful conduct in a professional respect, the Council may, if it sees fit, direct the name of such person to be erased from the Register.

Name of person convicted of felony, etc., to be erased from Register.

60. If the Council think fit it may in any case direct any name erased from the Register to be restored thereon on the payment of such fee, not exceeding the registration fee, as the Council may from time to time fix.

Name erased may be restored.

61. Every person other than a licensed shopkeeper registered under the provisions of this Ordinance shall be exempt from serving on all juries whatsoever.

Exemption from serving on jury.

62. It shall be lawful for the Council to appoint from time to time one or more members of the Board to be called "Visitors," and it shall be lawful for such Visitors to enter any shop or store licensed for the sale of drugs and poisons under this Ordinance for the purpose of inspecting the drugs and poisons and also such books as may be necessary in order to ascertain whether the provisions of this Ordinance are being complied with, and may order any stale, unwholesome or adulterated drug or medicine to be destroyed. Any person who

Appointment and powers of Visitors.

shall disobey or obstruct the execution of any such order shall be guilty of an offence, and shall on summary conviction before a Stipendiary Justice of the Peace forfeit and pay a sum not exceeding Five Pounds and in default be imprisoned for any term not exceeding one month with or without hard labour.

Procedure. 63. The form and manner of procedure given by the Ordinance No. 47 of 1895, entitled "The Summary Conviction Offences (Procedure) Ordinance, 1895," shall apply to proceedings under this Ordinance.

Appropriation of penalties. 64. Any sum or sums of money arising from conviction and recovery of penalties imposed by this Ordinance or by any bye-law made under it shall be paid to the Stipendiary Justice convicting, who shall pay the same to the Secretary and Treasurer for the use of the Board.

Repeal. 65. The Ordinances mentioned in Schedule A to this Ordinance are hereby repealed.

Saving. 66. This repeal shall not affect any right accrued, or any offence committed, or any liability, penalty or forfeiture incurred before the passing of this Ordinance, or any remedy or proceeding in respect of such right, offence, liability, penalty or forfeiture.

Passed in Council this Twelfth day of September, in the year of Our Lord one thousand eight hundred and ninety-eight.

C. J. ROOKS,
Acting Clerk of the Council.

SCHEDULES OF THE ORDINANCE.

SCHEDULE A.

Ordinance No. 6 of 1887.

Ordinance No. 10 of 1887.

Ordinance No. 2 of 1889.

SCHEDULE B.

FIRST PART.

Arsenic and its Preparations and Compounds.

Prussic Acid and its Preparations.

Cyanide of Potassium and all Metallic Cyanides and their Preparations.

Strychnine and its Preparations.

Atropine and its Preparations.

Morphine and its Salts.

Aconite and its Preparations.

All Poisonous Vegetable Alkaloids and their Salts.

Emetic Tartar above the dose of two grains.

Corrosive Sublimate and its Preparations.

Oxalic Acid.

Cantharides and its Preparations, except the Emplastum.

Savin and its Oils.

Ergot of Rye and its Preparations.

Carbolic Acid.

Vermin Killers, Preparations of any of the above.

Patent or Proprietary Articles containing any of the above.

SECOND PART.

Chloroform.

Chloral Hydrate and its Preparations.

Belladonna and its Preparations.

Essential Oil of Almonds (unless deprived of its Prussic Acid).

Opium and all Preparations of Opium or of Poppies.

Preparations of Morphine.

Red Oxide of Ammoniated Mercury.

Nux Vomica and its Preparations.

Croton Oil.

Sugar of Lead.

Cannabis Indica.

Vermin Killers not in Part First.

SCHEDULE C.

Carbonate of Soda.	Pimento.	Wax.
Chloride of Sodium.	Aniseed.	Gum Acacia.
Alum.	Carraway Seed.	Starch.
Chalk.	Cardanom.	Barley.
White Marble.	Cloves.	Wheaten Flour.
Soap.	Figs.	Linseed Oil.
Olive Oil.	Horseradish.	Linseed Meal.
Vinegar.	Almonds.	Yeast.
Sugar.	Tamarind.	Hops.
Honey.	Nutmeg.	Tobacco.
Mustard.	Ginger.	Asafœtida.
Pepper.	Resin.	

And all such other articles as are used as Food or Drink, or for flavouring Food or Drink; all articles of Perfumery; Smelling Salts; all articles used for Painting, Tanning, Dyeing, Soap-making and for other Industrial Arts or Manufactures—saving and excepting the Poisons mentioned in Schedule B.

SCHEDULE D.

Calomel in single doses—packets not exceeding 10 grains.
 Castor Oil
 Epsom Salts.
 Quinine Sulphate.
 Senna.
 ʒ iſſ of Tartar.
 Laudanum with doses affixed, and labelled "Poison."
 Camphor.
 Opacuanha and its Syrup.
 Syrup of Squills.
 Purgative with doses affixed, and labelled "Poison."
 Sal Volatile.
 Compound Tincture of Lavender.
 Friars Balsam.
 Seidlitz Powder.
 Manna.
 Rhubarb and Compound Rhubarb Powder.

*No. 28.**Medical.*

1898.

Jalap and Compound Jalap Powder.
Peruvian Bark.
Magnesia (lump).
Santonine.
Chamomile Flowers.
Quassia.
Steel Drops.
Sweet Spirits of Nitre.
Carbolic Oil (1 in 40).
Ointments of Zinc, Sulphur and Iodoform.

SCHEDULE E.

1. Date.
 2. Name and Address of Purchaser.
 3. Name and Quantity of Poison sold.
 4. Purpose for which it is required.
 5. Signature of Purchaser.
 6. Signature of Person introducing Purchaser.
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