

LAWS OF PITCAIRN, HENDERSON, DUCIE
AND OENO ISLANDS

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CHAPTER XXIV

**DENTAL AND MEDICAL PRACTITIONERS
ORDINANCE**

Arrangement of sections

Section

1. Citation.
2. Restriction upon practice of dentistry, medicine, surgery.
3. Licence to practise in other approved country to confer authority to practise in Islands.
4. Other authority to practise in Islands.
5. Offences.

Ordinance No:
1 of 1984
4 of 2002

An ordinance to regulate the practice of dentistry, medicine and surgery in the Islands.

[26th January, 1984]

Citation.

1. This ordinance may be cited as the Dental and Medical Practitioners Ordinance.

Restriction upon practice of dentistry, medicine, surgery.

2. No person shall practise or perform dentistry (which expression shall include oral surgery), or medicine or surgery, unless authorised to do so by the provisions of this ordinance.

[Procedure for licensing

3.—(1) Every person who applies to the administration for appointment to a residential post in the Islands which includes the practice of dentistry, or medicine or surgery, shall provide to the Commissioner all available information relative to his or her medical or dental qualifications and experience as an essential part of that application.

(2) Upon consideration of a report by the Commissioner on such application the Governor may in his discretion grant to the applicant a licence to practise dentistry, or medicine or surgery, in the Islands, for such period and subject to such conditions as he may think fit.

(3) Any person currently holding any such office referred to in subsection (1) at the time of the commencement of this section shall be deemed to have been granted a licence by the Governor under subsection (2) to practise dentistry, or medicine or surgery, in the Islands for the period of his or her appointment.]

(Replaced by Ordinance No. 4 of 2002)

[Unlicensed person may provide treatment in emergency

4. Any person who is authorised by law in any other country or place to practise dentistry, or medicine or surgery, may in any circumstances of emergency provide or attempt to provide such dental, medical or surgical treatment as may be necessary to protect the vital interests of another person and shall be deemed on such occasion to be licensed under this ordinance to do so.]

(Replaced by Ordinance No. 4 of 2002)

[Mayor may grant temporary licences

4A. Any medical practitioner or dentist travelling on board a vessel which is visiting the Islands may be granted a temporary licence for the purposes of section 2 during the period of such visit, by the Mayor acting on the advice of the Medical Officer, to carry out such normal medical or dental advice or treatment as may be required by any person resident in the Islands.

Immunity from suit

4B.—(1) No person practising dentistry, medicine or

surgery, pursuant to the provisions of section 3, section 4 or section 4A of this ordinance may be sued in any court for damages, costs, compensation, or reparation of any kind resulting from any act or omission in the course of so practising unless the same has occurred by reason of gross negligence or wilful misconduct of such person.

(2) The immunity conferred by subsection (1) shall extend, notwithstanding any rule of law or enactment to the contrary, to the Crown, the Governor, the administration, the Island Council or any member thereof or to any other person, authority or employer by reason of vicarious liability for the acts or omissions of such person practising dentistry, medicine or surgery and subject only to the said exceptions.]

(Inserted by Ordinance No. 4 of 2002)

5. Every person who shall practise or perform dentistry, or medicine or surgery, within the Islands, without being authorised to do so under the provisions of this ordinance shall commit an offence punishable upon conviction by a fine not exceeding five hundred dollars or imprisonment for a term not exceeding six months or by both such fine and imprisonment.

Offences.