

ACT NO. 28 OF 2018

I assent.

J. K. KONROTE
President

[13 July 2018]

AN ACT**TO AMEND THE MEDICAL AND DENTAL PRACTITIONER ACT 2010**

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the Medical and Dental Practitioner (Budget Amendment) Act 2018.

(2) This Act comes into force on a date or dates appointed by the Minister by notice in the Gazette.

(3) In this Act, the Medical and Dental Practitioner Act 2010 is referred to as the “Principal Act”.

Section 2 amended

2. Section 2 of the Principal Act is amended by inserting the following new definitions—

““public private partnership hospital” and “public private partnership dispensary” mean respectively a hospital or dispensary operated, maintained or managed by a private entity through a public private partnership, and includes a health centre and a nursing station, notwithstanding the ownership of the hospital or dispensary;”.

Section 34 amended

3. Section 34 of the Principal Act is amended by—

- (a) in subsection (4) after “must”, inserting “, within 7 days.”;
- (b) in subsection (5)—
 - (i) in paragraph (a) after “;”, deleting “and”;
 - (ii) in paragraph (b), deleting “.” and substituting “; and”; and
 - (iii) after paragraph (b), inserting the following new paragraph—
 - “(c) in the case of a person employed, including contractually engaged, at a public private partnership hospital or public private partnership dispensary, be employed, including contractually engaged, at a public private partnership hospital or public private partnership dispensary operated, maintained or managed by the person’s employer.”;
- (c) deleting subsection (6) and substituting the following—
 - “(6) Notwithstanding subsections (1) and (2), a person may apply in writing to the Minister for an exemption from the requirements for an application for registration.”;
- (d) in subsection (7) after “from”, inserting “the requirements for an application for”;
- (e) after subsection (8), inserting the following new subsection—
 - “(8A) The Minister must, within 14 days of receipt of an application made under subsection (6), determine the application.”;
- (f) in subsection (9) after “must”, inserting “, within 7 days.”; and
- (g) in subsection (11) after “must”, inserting “, within 7 days.”.

Section 36 amended

4. Section 36 of the Principal Act is amended by—

- (a) deleting subsection (4) and substituting the following—
 - “(4) Notwithstanding subsection (2), a person may apply in writing to the Minister for an exemption from the requirements for an application for temporary registration.”;
- (b) in subsection (5) after “from”, inserting “the requirements for an application for”;
- (c) after subsection (6), inserting the following new subsection—
 - “(6A) The Minister must, within 14 days of receipt of an application made under subsection (4), determine the application.”;

- (d) in subsection (7) after “must”, inserting “, within 7 days,”;
- (e) after subsection (7), inserting the following new subsection—

“(7A) For the purpose of subsections (2)(b) and (c) and (7), where a person is employed, including contractually engaged, at a public private partnership hospital or public private partnership dispensary during a period of temporary registration—

- (a) any medical or dental treatment administered by the person must take place at a public private partnership hospital or public private partnership dispensary operated, maintained or managed by the person’s employer; and
 - (b) the person’s medical or dental practice must be supervised by a licensed medical or dental practitioner employed, including contractually engaged, at a public private partnership hospital or public private partnership dispensary operated, maintained or managed by the person’s employer.”; and
- (f) in subsection (9) after “must”, inserting “, within 7 days,”.

Section 38 amended

5. Section 38 of the Principal Act is amended after subsection (3) by inserting the following new subsection—

“(4) For the purpose of subsection (3)(a) and (d), where a person is employed, including contractually engaged, at a public private partnership hospital or public private partnership dispensary during a period of conditional registration—

- (a) any medical or dental treatment administered by the person must take place at a public private partnership hospital or public private partnership dispensary operated, maintained or managed by the person’s employer; and
- (b) the person’s medical or dental practice must be supervised by a licensed medical or dental practitioner employed, including contractually engaged, at a public private partnership hospital or public private partnership dispensary operated, maintained or managed by the person’s employer.”.

Passed by the Parliament of the Republic of Fiji this 12th day of July 2018.