

LAWS OF MALAYSIA

ACT 435

ESTATE HOSPITAL ASSISTANTS (REGISTRATION) ACT 1965 (REVISED - 1990)

Incorporating latest amendment - Act 160/1975

First enacted :	1965 (Act No. 12 of 1965)
Date of coming into operation :	1st June 1965
Revised up to :	31st December 1989
Date of publication in the Gazette of revised edition :	29th March 1990
Date of coming into operation of revised edition :	31st March 1990

ARRANGEMENT OF SECTIONS

Section 1. Short title and application.

- (1) This Act may be cited as the **Estate Hospital Assistants (Registration) Act 1965**.
- (2) This Act shall apply to the States of West Malaysia only.

Section 1A. Interpretation.

In this Act, unless the context otherwise requires -

"estate hospital" means a hospital or dispensary maintained by an employer on or in the neighbourhood of an estate for the treatment of labourers thereon and includes a hospital or dispensary maintained by two or more employers for the treatment of labourers on their estates;

"estate hospital assistant" means a person who has passed any of the examinations prescribed by any regulations made under this Act or any examination referred to in section 9;

"probationer estate hospital assistant" means a person who has not passed any of the examinations prescribed by any regulations made under this Act or any examination referred to in section 9, but is undergoing training in an approved institution for the purpose of becoming an estate hospital assistant;

"Minister" means the Minister of Health.

Section 2. Establishment and constitution of Estate Hospital Assistants (Registration) Board.

- (1) There shall be established a board called the "Estate Hospital Assistants (Registration) Board" (hereinafter referred to as "the Board").
- (2) The Board shall be constituted in accordance with the regulations made under this Act.

Section 3. Register of estate hospital assistants.

(1) The Board shall maintain a register (hereinafter referred to as "the Register") containing the names and addresses in the States of West Malaysia of estate hospital assistants and probationer estate hospital assistants, their qualifications, if any, their respective grades, and such other particulars as the Board may require.

(2) Any person who wishes to be registered under this section may apply to the Board stating his name, address in the States of West Malaysia, his national registration card number and his qualifications, if any, and furnishing such further particulars as the Board may require; and such person shall with the application send to the Board the documents evidencing his qualifications aforesaid.

(3) Every person whose name is on the Register shall within two months of any change that may occur in the particulars relating to him notify the Board of such change.

(4) The Board shall upon entering the name of any person in the Register, issue such person with a certificate of registration; and the certificate shall state whether the person has been registered as an estate hospital assistant or a probationer estate hospital assistant and, in the case of estate hospital assistant, the grade in which he is so registered.

(5) Any certificate under the hand of the Chairman of the Board stating that a person is or is not registered under this Act and, if registered as an estate hospital assistant, the grade in which such person is so registered, shall be conclusive evidence that such person is or is not registered or is registered in the said grade; and for that purpose any certificate purported to be under the hand of the Chairman aforesaid shall, unless the contrary is proved, be deemed to have been signed by the said Chairman.

Section 4. Penalty for unlawful assumption of title of estate hospital assistants and for falsification of the Register.

(1) Every person who-

(a) not being a person duly registered under this Act claims to be so registered or practises as an estate hospital assistant or a probationer estate hospital assistant, or uses or claims to be entitled to use any name, titles, addition, description, uniform or badge implying that he is, or is recognized by law as being so registered, or uses or claims to be entitled to use any title, uniform or badge prescribed for the use of estate hospital assistants registered under this Act;

(b) being a person registered in a grade uses or claims to be entitled to use any name, title, addition, description, uniform or badge, implying that he is registered in some other grade; or

(c) with intent to deceive makes use of any certificate of registration which has been cancelled or has been issued under this Act to any other person,
shall be guilty of an offence and shall on first conviction be liable to a fine not exceeding two hundred and fifty ringgit or to imprisonment for a term not exceeding three months or to both, and on a second or subsequent conviction to a fine not exceeding five hundred ringgit or to imprisonment for a term not exceeding six months or to both.

(2) Any person who wilfully makes or causes to be made any false entry in the Register or who knowingly furnishes false information in respect of any particulars required by the Board shall be

guilty of an offence and shall on conviction be liable to a fine not exceeding one thousand ringgit or to imprisonment for any term not exceeding twelve months or to both.

Section 5. Board may order the removal of names from the register.

(1) The Board may direct the removal from the Register of the name of any person who-

(a) is deceased;

(b) is in the opinion of the Board guilty of improper conduct;

(c) has not supplied to the Board an address in the States of West Malaysia at which he can be found;

(d) has obtained registration by a fraudulent or incorrect statement; or

(e) has been registered through error as to his qualification for registration;

(f) being a probationer estate hospital assistant fails within such period as the Board may prescribe to qualify for registration as an estate hospital assistant.

(2) The Board shall after removing the name of any person from the Register publish a notification to that effect in the *Gazette* and shall cancel the certificate of registration issued to the person under section 3.

(3) For the purpose of paragraph (1) (c) the Board may send a registered letter addressed to any person on the Register at the last address supplied by him to the Board, to enquire from him as to his present address and if he fails to reply to the letter within three months of the date of despatch thereof he shall be deemed not to have supplied the Board with an address.

Section 6. Appeal against the removal of names from the register.

(1) Any person aggrieved by the removal of his name from the Register may, within three months of the date on which notice has been served on him by the Board that his name has been removed, appeal to the Minister against such removal, and on such appeal the Minister may give such direction as he thinks proper.

(2) In relation to an appeal under this section, the decision of the Minister shall be final.

Section 7. Restoration of names to the Register.

The Board may if it thinks fit in any case cause the name of any person removed from the Register to be restored to the Register and shall in such case issue a new certificate of registration to such person.

Section 8. Regulations.

The Minister may make regulations:

(a) to regulate the summoning and the procedure of meetings and other proceedings of the Board;

(b) to regulate the formation, maintenance and publication of the Register;

- (c) to regulate the qualifications for admission to the Register;
- (d) to regulate the procedure relating to the removal of names from the Register;
- (e) to regulate the training of estate hospital assistants and probationer estate hospital assistants and for that purpose to approve hospitals, dispensaries and other institutions to be training institutions;
- (f) to regulate the conduct of examinations and any matters ancillary thereto or connected therewith;
- (g) to enable the Board to constitute committees and authorize the delegation to committees of any of the powers of the Board and to regulate the proceedings of committees;
- (h) to prescribe the fees payable for registration and examinations;
- (i) to prescribe the minimum educational qualifications for registration as a probationer estate hospital assistant;
- (j) to prescribe anything which may be prescribed under this Act.

Section 9. Persons with equivalent qualifications.

Any person who satisfies the Board that he has at the commencement of this Act passed any examination sufficient in the opinion of the Board to qualify him to be registered as an estate hospital assistant under this Act shall on his making an application under section 3, be entitled to be registered under this Act.

Section 10. (Omitted).

(Omitted).

LIST OF AMENDMENTS

Amending law	Short title	In force from
Act 50	Medical Art 1971	1-10-1971

LIST OF LAWS OR PARTS THEREOF SUPERSEDED

No.	Title
12 of 1965	Estate Hospital Assisitants (Registration) Act 1965

**LIST OF AMENDMENTS MADE BY THE COMMISSIONER OF LAW REVISION UNDER
SECTION 6 OF THE REVISION OF LAWS ACT 1968 (ACT 1)**

<i>Provision</i>	<i>Particulars of Amendment</i>	<i>Authority for Amendment</i>
s. 1	The provisions for date of commencement omitted; sub-section (2) amended; marginal note amended	s. 6 (1) (i) (d); (xviii);(vii)
s. 1A definition "Minister"	The words "minister for health" substitute for the words "Minister changed with the responsibility for health"	s. 6 (1) (iii)
s. 2 (2)	The words "provisions contained in" omitted	s. 6 (1) (iii)
s.3	Words "States of West Malaysia" substitute to the words "States of Malaya"	s. 6 (1) (xviii)
s. 4	The word "ringgit" substitute for the word "dollars"	s. 6 (1) (iii)
s.5	The words "States of West Malaysia" substitute for the words "States of Malaya"	s. 6 (1) (iii)
s. 10	Omitted	s. 6 (1) (x)
s. 11	Renumbered as section 1A	s. 6 (1) (xii)