

CHAPTER 343

第343章

MEDICAL CLINICS

診療所條例

provide for the registration, control and inspection of medical clinics and for purposes connected therewith.

本條例旨在就診療所的註冊、管制及視察，以及就相關事宜訂定條文。

[1 January 1964]

[1964年1月1日]

Short title

This Ordinance may be cited as the Medical Clinics Ordinance.

1. 簡稱

本條例可引稱為《診療所條例》。

Interpretation

In this Ordinance, unless the context otherwise requires—
"clinic" (診療所) means any premises used or intended to be used for the medical diagnosis or treatment of persons suffering from, or believed to be suffering from, any disease, injury or disability of mind or body, but does not include—

2. 釋義

在本條例中，除文意另有所指外——

- (a) premises used in the manner aforesaid which are maintained or controlled by any department of the Government of the United Kingdom or of the Government of Hong Kong, or by The Chinese University of Hong Kong, or by the University of Hong Kong; (*Amended 68 of 1986 s. 7*)
- (b) private consulting rooms used exclusively by registered medical practitioners in the course of their practice on their own account and not bearing any title or description which includes the word "clinic" or "polyclinic" in the English language; (*Amended 37 of 1966 s. 2*)
- (c) premises used exclusively by dentists duly registered in accordance with the provisions of the Dentists Registration Ordinance (Cap. 156) in the course of their practice on their own account and not bearing any title or description which includes the word "clinic" or "polyclinic" in the English language; (*Amended 37 of 1966 s. 2*)

"處所" (premises) 包括任何地方，不論該地方是否由建築物組成，以及任何車輛或船隻，不論該車輛或船隻能否移動； (*由1964年第22號第2條增補*)

"註冊主任" (Registrar) 指診療所註冊主任；

"註冊醫生" (registered medical practitioner) 指已按照《醫生註冊條例》(第161章)的條文為註冊的人，或憑藉該條例的條文被當作已如此註冊的人；

"診療所" (clinic) 指用作或擬用作對患上任何疾病、受傷、精神上無能力、身體傷殘或相信是患上任何疾病、受傷、精神上無能力或身體傷殘的人進行診斷或醫療的任何處所，但不包括——

- (a) 由聯合王國政府或香港政府的任何部門、香港中文大學或香港大學運轉或控制作前述用途的處所； (*由1986年第68號第7條修訂*)
- (b) 註冊醫生在自行執業過程中所專用而不具任何包括英文字"clinic"或"polyclinic"的名稱或說明的私人診症室； (*由1966年第37號第2條修訂*)
- (c) 按照《牙醫註冊條例》(第156章)的條文為註冊的牙醫在自行執業過程中所專用而不具任何包括英文字"clinic"或"polyclinic"的名稱或說明的處所； (*由1966年第37號第2條修訂*)

- (d) treatment given according to purely Chinese methods by persons entitled, by virtue of section 31 of the Medical Registration Ordinance (Cap. 161), to practise medicine or surgery according to purely Chinese methods;
- (e) treatment by way of physiotherapy given in premises by persons duly licensed under the Miscellaneous Licences Ordinance (Cap. 114) to carry on a physiotherapy clinic on such premises or by approved assistance employed by such persons;
- (f) treatment by way of massage given in premises by persons duly licensed under the Massage Establishments Ordinance (Cap. 266) to operate a massage establishment on such premises or by approved assistants employed by such persons; (Amended 53 of 1983 s. 18)
- (g) treatment by way of chiropody, or chiropractic, or osteopathy; or
- (h) treatment by way of first aid;

"premises" (處所) includes any place whatsoever, whether consisting of a building or not, and any vehicle or vessel, whether mobile or not; (Added 22 of 1964 s. 2)

"registered medical practitioner" (註冊醫生) means a person who is duly registered in accordance with the provisions of the Medical Registration Ordinance (Cap. 161), or who is deemed, by virtue of the provisions of that Ordinance, to be so registered;

"Registrar" (註冊主任) means the Registrar of Clinics.

Appointment of Registrar

For the purposes of this Ordinance, there shall be a Registrar of Clinics who shall be the Director of Health.

(Amended L.N. 76 of 1989)

Register of clinics

(1) The Registrar shall cause a register of clinics to be kept in such form as shall be prescribed containing names and addresses and such other particulars as may be prescribed of applicants who have been registered.

(2) The Registrar shall be responsible for the maintenance and custody of the register of clinics.

(3) The Registrar shall cause to be published in the Gazette—

(a) as soon as may be after 1 January of every year a list of clinics registered under section 5 and of clinics exempted under section 8; and

(b) notification of any exemption granted or cancellation thereof under section 8 or any cancellation of registration under section 10.

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- (d) 根據《醫生註冊條例》(第 161 章) 第 31 條有權按照純粹中國方式在內科或外科方面執業的人按照純粹中國方式所給予的治療;
- (e) 根據《雜項牌照條例》(第 114 章) 妥為持有牌照在某處所營辦物理治療所的人, 或由該等人僱用的認可助理員, 在該處所以物理治療方式給予的治療;
- (f) 根據《按摩院條例》(第 266 章) 妥為持有牌照在某處所營辦按摩院的人, 或由該等人僱用的認可助理員, 在該處所以按摩方式給予的治療; (由 1983 年第 53 號第 18 條修訂)
- (g) 是病療法、骨質療法或骨療法的治療; 或
- (h) 急救方式的治療。

3. 註冊主任的委任

為施行本條例, 現設診所註冊主任一職, 由衛生署署長擔任。

(由 1989 年第 76 號法例公佈修訂)

4. 診所註冊紀錄冊

(1) 註冊主任須安排按照訂明的表格備存一本診所註冊紀錄冊, 載錄已註冊的申請人的姓名、地址及其他訂明的詳情。

(2) 註冊主任須負責保存及保管診所註冊紀錄冊。

(3) 註冊主任須安排刊登報章——

(a) 於每年 1 月 1 日後盡快刊登一份載錄根據第 5 條註冊的診所及根據第 8 條獲豁免受規限的診所的名單; 及

(b) 刊登根據第 8 條批予的或取消的任何豁免的通告, 或刊登根據第 10 條作出的任何取消註冊的通告。