

3. Registration of hospitals and maternity homes

(1) If any person carries on a hospital or a maternity home without being duly registered in respect thereof, he shall be guilty of an offence and shall be liable on summary conviction to a fine of \$1,000, or in the case of a second or subsequent offence, to a fine of \$1,000 and imprisonment for 3 months. (Amended 22 of 1950 Schedule; 17 of 1966 s. 3)

(2) Application for registration shall be made to the Director in writing in a form prescribed by him. Where the applicant desires registration of premises as a hospital and as a maternity home separate forms shall be used. (Amended 17 of 1966 ss. 3 & 6; L.N. 76 of 1989)

(3) Every application for registration shall be accompanied by the appropriate fee specified in the Schedule, whether a hospital or a maternity home or both a hospital and a maternity home will be carried on in the premises to which the application refers. (Added 17 of 1966 s. 6. Amended 62 of 1989 s. 2)

(3A) The Legislative Council may, by resolution, amend the fees in the Schedule. (Added 62 of 1989 s. 2)

(4) Subject as provided in this Ordinance, the Director shall on receipt of an application for registration, register the applicant in respect of the hospital or maternity home named in the application, subject to such conditions relating to the accommodation, staffing or equipment thereof as he thinks fit, and issue to the applicant a certificate of registration, in which such conditions shall be set forth: (Amended 17 of 1966 s. 6)

Provided that the Director may refuse to register the applicant if he is satisfied—

- (a) that the applicant or any person employed by him at the hospital or maternity home is not a fit person to carry on or to be

3. 醫院及留產院的註冊

(1) 任何人如未就某醫院或留產院妥為註冊而營辦該院，即屬犯罪，一經循簡易程序定罪，可處罰款\$1,000，第二次或其後定罪可處罰款\$1,000及監禁3個月。(由1950年第22號附表修訂；由1966年第17條第3條修訂)

(2) 註冊的申請須使用署長訂明的表格以書面向署長提出。申請人凡有意將處所註冊為醫院並註冊為留產院，須使用各別的表格。(由1966年第17條第3及6條修訂；由1989年第76號法律公告修訂)

(3) 每一份註冊申請書均須連同附表內指明的適當費用，而不論該申請書所提出的處所內將營辦的是醫院或留產院，或醫院及留產院二者。(由1966年第17條第6條增補，由1989年第62號第2條修訂)

(3A) 立法局可藉決議修訂附表所列的費用。(由1989年第62號第2條增補)

(4) 在符合本條例的規定下，署長接獲註冊申請書後須就申請書上所指名的醫院或留產院將申請人註冊，但該項註冊須符合他認為適當而有關於該醫院或留產院的房舍、人手或設備方面的條件；署長並須將列明該等條件的註冊證明書發給申請人；(由1966年第17條第6條修訂)

但如署長信納有以下情況，可拒絕將該申請人註冊——

- (a) 申請人或他在醫院或留產院所僱用的任何人，並不是營辦或受僱於申請書上所指名的醫院或留產院的該類醫院或留產院的適當人選；或 (由1966年第17條第6條代替)

- employed at a hospital or maternity home of such a description as the hospital or maternity home named in the application; or (*Replaced 17 of 1966 s. 6*)
- (b) that for reasons connected with situation, construction, accommodation, staffing or equipment the hospital or maternity home, or any premises used in connection therewith, is or are not fit to be used for or in connection with a hospital or maternity home of such a description as the hospital or maternity home named in the application, or that the hospital or maternity home, or any premises used in connection therewith, is or are used or to be used for purposes which are in any way improper or undesirable in the case of such a hospital or maternity home; or (*Replaced 17 of 1966 s. 6*)
- (c) in the case of a hospital, that the hospital is not under the charge of a person who is either a duly qualified medical practitioner or a registered nurse and who is resident in the hospital, or that there is not a proper proportion of registered nurses among the persons having the superintendence of or employed in the nursing of the patients in the hospital; or (*Replaced 17 of 1966 s. 6*)
- (d) in the case of a maternity home, that the person having the superintendence of the nursing of the patients in the home is not a registered midwife, or that any person employed in attending any woman in the home in childbirth or in nursing any patient in the home is not either a duly qualified medical practitioner, a registered midwife, or a pupil midwife or that there is not a proper proportion of registered midwives or pupil midwives among the persons having the superintendence of or employed in the attendance on or nursing of the patients in the home. (*Amended 17 of 1966 s. 6*)

(5) The current certificate of registration issued in respect of a hospital or maternity home shall be kept affixed in a conspicuous place in the hospital or maternity home, and, if default is made in complying with the foregoing requirement, the person carrying on the hospital or maternity home shall be guilty of an offence. (*Amended 17 of 1966 ss. 3 & 6*)

(6) Subject to the provisions of section 4, registration shall be valid until the end of the year in which it is made. Every person registered in respect of a hospital or maternity home who desires to continue to be so registered for any subsequent year shall make application in the month of December for re-registration and shall pay the fee prescribed by subsection (3). (*Amended 17 of 1966 ss. 3 & 6*)

(7) (a) Any person registered in respect of a hospital or maternity home who is aggrieved by a condition imposed by the Director under

- (b) 因與地點、建造、房舍、人手或設備等有關的理由，該醫院或留產院或與之有關而使用的任何處所，並不適合作申請書上指名的醫院或留產院的該類醫院或留產院或作有關用途，或該醫院或留產院或因之有關而使用的任何處所，目前或將來的用途，就該類醫院或留產院而言，在任一方面是不當或不宜的；或 (*由1966年第17號第6條代替*)
- (c) 如屬醫院，該醫院既非由駐院的一名符合資格的醫生亦非由駐院的一名註冊護士掌管，或在監督或受僱擔任醫院內病人的護理工作的人當中，並無適當比例的註冊護士；或 (*由1966年第17號第6條代替*)
- (d) 如屬留產院，監督院內病人的護理工作的人並非註冊助產士，或受僱照顧院內分娩中的婦女或受僱護理院內病人的人既非符合資格的醫生，亦非註冊助產士或見習助產士，或在監督或受僱擔任院內病人的照料或護理工作的人當中，並無適當比例的註冊助產士或見習助產士。 (*由1966年第17號第6條修訂*)
- (5) 當局就有關醫院或留產院發給的現行註冊證明書，須保持張貼在該醫院或留產院的顯眼處，如以上規定不予遵守，者對該醫院或留產院的人即屬犯罪。 (*由1966年第17號第3及6條修訂*)
- (6) 除第4條條文另有規定外，註冊須有效至註冊當年終結為止。就某間醫院或留產院獲註冊的人如有意在其後的任何一年繼續如此註冊，須在12月份內申請重新註冊，並須繳付第(3)款所訂明的費用。 (*由1966年第17號第3及6條修訂*)
- (7) (a) 就某間醫院或留產院註冊的任何人如因署長根據第(4)款所施加的條件而感到受屈，可書呈請書向總督會同行政局提出上訴。

subsection (4) may appeal by way of petition to the Governor in Council.

- (b) On any such appeal, the Governor in Council may confirm, vary or reverse the decision of the Director. *(Added 17 of 1966 s. 6)*
[cf. 1927 c. 38 s. 1 U.K.]

4. Cancellation of registration

Subject to the provisions of this Ordinance, the Director may at any time cancel the registration of a person in respect of any hospital or maternity home—

- (a) on any ground which would entitle him to refuse an application for the registration of that person in respect of that hospital or maternity home;
- (b) in the event of a contravention of any condition imposed by the Director under section 3(4); or
- (c) if such person, or any other person, has been convicted of an offence against this Ordinance in respect of the hospital or maternity home.

(Replaced 17 of 1966 s. 7)
[cf. 1927 c. 38 s. 2 U.K.]

- (b) 對於任何此等上訴，總督會同行政局可確認、更改或推翻署長所作的決定。*(由 1966 年第 17 號第 6 條增補)*

(比照 1927 c. 38 s. 1 U.K.)

4. 註冊的取消

除本條例條文另有規定外，署長可隨時於以下情況取消任何人就任何醫院或留產院的註冊——

- (a) 基於任何可使署長有權拒絕該人就該醫院或留產院註冊的申請的理由；
- (b) 署長根據第 3(4) 條所施加的任何條件被違反；或
- (c) 如該人或任何其他人在該醫院或留產院犯了本條例所訂的罪行而被定罪。

(由 1966 年第 17 號第 7 條代替)
(比照 1927 c. 38 s. 2 U.K.)