

Seychelles

Hospitals and Dispensaries Act

Act 20 of 1899

Legislation as at 30 June 2012

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Hospitals and Dispensaries Act

Act 20 of 1899

Commenced on 31 August 1899

[This is the version of this document at 30 June 2012 and includes any amendments published up to 30 June 2014.]

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1. Short title

This Act may be cited as the Hospitals and Dispensaries Act.

Hospitals

2. Hospitals may be created in Victoria, and if necessary, in districts

There shall be in the town of Victoria, a hospital called the Victoria Hospital, and there shall be such other hospitals as may be found necessary, which shall be called district hospitals.

3. Primary object of hospitals

The primary object of such hospital shall be to provide hospital accommodation and treatment for such of the poorer classes and shall be unable to secure proper medical treatment at their own homes.

4. Accommodation to be provided for paying patients

Accommodation in such hospitals shall also, as far as possible, be provided at a fair and moderate charge, for persons able and willing to pay for same.

5. Charges to be fixed by tariff

Charges for treatment in hospital shall be according to a tariff to be approved by the Minister.

6. Hospitals to be under medical charge

The Victoria Hospital shall be under the direction and control of the Chief Medical Officer.

District hospitals shall be under the direction and control of the medical officer for the district in which they are situated.

7. Patients how admitted

Patients shall be admitted to the hospitals upon an order of the medical officer in charge thereof.

8. Exception in case of accident and other urgency

Persons suffering from the effects of severe accidents or of disease threatening speedy death and requiring prompt attention shall be temporarily admitted to the hospital without such order, pending the arrival of the medical officer in charge.

9. Gratuitous treatment

The Minister may, by notice published in the *Gazette*, appoint persons for the purpose of issuing orders for the admittance to gratuitous treatment in hospital of patients of the description mentioned in [section 3](#), and may in like manner vary or revoke such appointments.

10. Order to be in writing

Every order for gratuitous treatment shall be in writing, and shall be numbered, filed and kept in each hospital.

11. Servants admitted on order of master

Labourers and other servants shall be admitted on the order of their employers who shall be responsible for the payment of all the hospital charges and for the expenses of burial in case of death.

12. Persons bound to furnish hospital treatment to patients admitted to gratuitous treatment shall be bound to pay expenses

If, in the case of any patient admitted to gratuitous treatment under [section 9](#), it is found that by any law or contract such patient is entitled to medical treatment in hospital at the expense of any employer or other person, such employer or other person shall be bound to pay the tariff hospital charges and expenses of burial in case of death of such patient, upon proof made of his obligation.

13. Applicants for admission as paying patients to furnish security

Every applicant for admission to the public hospital not provided with an order for gratuitous treatment, or not admitted under [section 8](#), shall before his admission, produce a guarantee from some solvent person for the payment of the charges for his treatment and maintenance and burial expenses in the event of his death in hospital without leaving sufficient estate to defray the same, or of his failing to pay the hospital charges on discharge:

Provided that the medical officer in charge may admit any patient on his personal agreement in writing to pay all charges, if satisfied as to the personal solvency of the patient.

14. Patient admitted by order not to leave hospital until discharged

No person admitted to hospital otherwise than upon his own personal application as a paying patient shall leave the hospital until discharged therefrom by order of the officer in charge.

15. Patient subject to rules and bye-laws of hospital

All hospital patient shall be subject to the rules and bye-laws of the hospital.

16. Fees how recovered

All fees due by any person for the treatment afforded either to himself or to any person admitted at his request into any hospital, or for whose treatment therein he may be legally responsible, shall be recovered in a summary manner by warrant under the hand of the Government medical officer in charge without any further formality, and shall be enforced by the sale of the goods and chattels of the debtor.

And any usher may be the bearer of such warrant, and the same costs shall be paid to the said usher for the execution of any such warrant as are now paid to ushers of the Supreme Court for the execution of warrants or orders of the said court in summary matters:

Provided that if the person against whom claim is made is not the patient himself or a person on whose order he was admitted, and liability is not admitted in writing, the fees shall be recovered like any ordinary debt.

A certificate under the signature of the medical officer in charge of a hospital shall in all cases be sufficient proof of the fact that the patient therein is due by the personal legally responsible.

Dispensaries

17. Public dispensaries to be created

There shall be in Seychelles such public dispensaries as may be approved by the Minister, one of which shall be at the Victoria Hospital.

18. Control of dispensaries

Each dispensary shall be under the control and direction of the Government medical officer for the district in which it is situated and medicines shall be dispensed therefrom by such medical officer or by a qualified dispenser appointed by the President.

19. Medicines to be kept in stock

In every dispensary there shall be kept a stock of medicines and medical appliances of the quantities, qualities and kinds to be fixed by the Chief Medical Officer with the approval of the Minister.

20. Medicines to be dispensed free of charge

Medicines and medical appliances shall be dispensed from all dispensaries free of charge to all persons upon a certificate of any of the persons mentioned in [section 9](#). Every certificate for such gratuitous issue of medicines and appliances shall state that the person for whom the medicines and medical appliances are required is in poor circumstances and unable to pay for them.

21. Medicines may be dispensed to persons paying in certain cases

It shall also be lawful for any of the person mentioned in [section 9](#) to authorise the dispensing of medicines to person able to pay for them; but no such authorisation shall be given except in urgent cases, and full retail prices of the medicines dispensed upon such authorisation shall be paid by the person who has obtained the same, according to a scale to be fixed by the Chief Medical Officer with the approval of the Minister.

22. Certificates and authorisations to be filed

Every certificate or authorisation mentioned in [section 20](#) and [21](#) shall be filed, numbered and kept in the dispensary from which medicines have been delivered in virtue thereof.

23. Minister may authorised sale of medicines to public if no pharmacy

It shall be lawful for the Minister, when there is no pharmacy in the island in which a dispensary is situated or other circumstances in his opinion render such a course advisable, to authorise the sale of medicines and medical appliances to all persons.

24. Orders for gratuitous supply to be in force for one month

Orders for the supply of medicine gratuitously shall remain in force for one month only from the date of issue.

25. Gratuitous medical attendance at dispensary

At every dispensary to be established under the provisions of this Act, gratuitous medical attendance and advice shall be given by the medical officer in charge of the same to every poor person who shall apply for the same on days and at hours to be fixed by such medical officer with the approval of the Minister.

All persons certified to be poor by any of the persons mentioned in [section 9](#), or known to be poor by the medical officer in charge of the dispensary, shall be deemed to be poor persons within the meaning of this section.

26. Penalties for obtaining certificates by false pretences

A fine not exceeding one hundred rupees or imprisonment for a period not exceeding one month shall be incurred by all persons who shall—

- (a) obtain a certificate from any of the persons mentioned in [section 9](#), by means of false pretences; or
- (b) fraudulently alter or modify any such certificate; or
- (c) who shall for valuable consideration sell or dispose of any medicines received from any dispensary in virtue of any such certificate.

The penalties of this section shall be without prejudice to any higher penalties which a party may incur if the circumstances constitute as offence punishable under the Penal Code.

General provisions

27. Bye-laws and regulations may be framed

It shall be lawful for the Chief Medical Officer to make bye-laws and regulations and to issue directions for enforcing the provisions of this Act, and to secure discipline and order in hospitals and at dispensaries.

Such bye-laws, regulations and directions shall be subject to the approval of the Minister.

28. Hospital visitors

Every hospital and dispensary which shall be instituted in terms of this Act shall be subject at all times to be visited by the Chief Medical Officer, and by any judge or magistrate, and the medical officer in charge and all persons employed in such hospital or dispensary shall be bound to furnish to such visitors all information in their power relative to such hospitals.

A visitors' book shall be kept in which each such visitor shall record his visit and may enter any remarks or observations he may think proper.

Within 48 hours in town, and within one week in a country district, of any entry made in such book a copy of such entry shall be forwarded to the Minister for perusal by the person for the time being in charge of the said hospital and dispensary.

29. Penalties for obstruction

Any person who shall wilfully obstruct any person acting under the authority or employed in the execution of this act, or who shall wilfully violate any direction, regulation or bye-law issued under this Act and sanctioned as in [section 27](#) provided shall be liable on conviction for any such offence to a fine not exceeding one hundred rupees and to imprisonment not exceeding one month.