

ACT

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THE SIERRA LEONE COUNCIL FOR POSTGRADUATE COLLEGES OF HEALTH SPECIALTIES ACT, 2016

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Passed in Parliament this 4th day of February, in the year of our Lord two thousand and sixteen.

IBRAHIM S. SESAY,
Clerk of Parliament.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed Parliament and found by me to be a true and correct printed copy of the said Bill.

IBRAHIM S. SESAY,
Clerk of Parliament.

SIGNED this 7th day of March, 2016.

DR. ERNEST BAI KOROMA,
President.



Sierra Leone

No. 5

2016

**The Sierra Leone Council for Postgraduate Colleges of
Health Specialties Act, 2016**

Short title.

**Being an Act to establish the Sierra Leone Council for
Postgraduate Colleges of Health Specialties to supervise and
coordinate the training of postgraduate health specialists and to
provide for other related matters.**

[] Date of com-
mencement.

ENACTED by the President and Members of Parliament in this
present Parliament assembled.

PART I – PRELIMINARY

Interpretation. **1.** In this Act, unless the context otherwise requires –

“Chairman” means Chairman of the Council;

“College” means a Postgraduate College established by section 21;

“Council” means the Sierra Leone Council for Postgraduate Colleges of Health Specialties established by section 2;

“Executive Board” means an Executive Board of a Postgraduate College;

“Minister” means the Minister responsible for health.

PART II – ESTABLISHMENT OF THE SIERRA LEONE
COUNCIL FOR POSTGRADUATE COLLEGES OF HEALTH
SPECIALTIES

Establishment
of Sierra
Leone
Council for

2. (1) There is hereby established a body to be known as the Sierra Leone Council for Postgraduate Colleges of Health Specialties.

(2) The Council shall be a body corporate having perpetual succession and capable of acquiring, holding and disposing of any property, whether movable or immovable, and of suing and being sued in its corporate name and, subject to this Act, of performing all such acts as bodies corporate may by law perform.

(3) The Council shall have a common seal, the use of which shall be authenticated by the signatures of—

(a) Chairman or other member of the Council authorised either generally or specially by the Council in that behalf; and

(b) the Executive-Director or some other person authorised by the Council in that behalf.

(4) Every document purporting to be an instrument executed or issued by or on behalf of the Council shall be sealed with the common seal of the Council authenticated in the manner stated in subsection (3) and shall be deemed to be so executed or issued without further proof unless the contrary is proven.

(5) In appropriate cases the seal may be affixed to documents outside Sierra Leone.

3. (1) The Council shall consist of—

Composition
of Council.

(a) a Fellow of a of post graduate college of health specialists with proven professional experience of not less than ten years, who shall be Chairman;

(b) the President of each college referred to in section 21;

(c) the Registrar of each college referred to in section 21;

(d) the Director, Postgraduate Training, Ministry of Health;

(e) the Chairman, Tertiary Education, Commission;

(f) the Financial Secretary;

(g) the Provost, College of Medicine and Allied Health Sciences;

(h) two eminent non-health professionals, one of whom shall be a woman, nominated by the Minister; and

- (i) the Executive-Director who shall be Secretary to the council.

(2) The Chairman and members of the Council referred to in paragraph (h) of subsection (1) shall, on the advice of the Minister and subject to the approval of Parliament, be appointed by the President.

Tenure of members of Council.

4. (1) The Chairman and members of the Council referred to in paragraph (h) of subsection (1) of section 3, shall hold office for a term of three years and shall be eligible for re- appointment for another term of three years.

(2) A person shall cease to be a member of the Council on any of the following grounds—

- (a) for his inability to perform the functions of his office by reason of infirmity of mind or body;
- (b) for proven misconduct;
- (c) if he becomes bankrupt or insolvent;
- (d) if he is convicted and sentenced for an offence involving fraud or dishonesty;
- (e) if he fails to attend three consecutive meetings of the Council without reasonable cause; or
- (f) if he resigns his office by written notice to the Minister.

Meetings of Council.

5. (1) The Council shall meet for the dispatch of its business at least once every three months at the offices of the Council and at such time as the Chairman may determine.

(2) The Chairman shall preside at every meeting of the Council and in his absence, the members present shall appoint a member from among themselves to preside at that meeting.

(3) A minimum of three members of the Council may, by notice in writing signed by them, request the Chairman to summon a special meeting of the Council for such purposes as may be stated in the notice.

(4) The Chairman or, in his absence, the member appointed to act in his behalf shall summon a special meeting within five working days of his receipt of the notice referred to in subsection (3).

(5) The quorum at any meeting of the Council shall be seven.

(6) The Chairman or other person presiding shall have a casting vote where there is an equality of votes.

(7) Any proposal circulated among all members and agreed to in writing by a two-thirds majority of all members shall be of the same force or effect as a decision made at a duly constituted meeting of the Council and shall be incorporated in the minutes of the next succeeding meeting of the Council:

Provided that, if a member requires that such proposal be placed before a meeting of the Council, this subsection shall not apply to such proposal.

(8) The Council may co-opt any person to attend and participate in its deliberations on any matter but such person shall not vote on any issue of the Council.

(9) The Council shall cause minutes of all its meetings to be taken and signed by the Chairman and kept in proper form.

(10) Subject to this Act, the Council shall regulate its own procedure.

Disclosure of interest.

6. (1) A member of the Council who has any interest, whether direct or indirect in any matter being considered or to be considered by the Council, shall disclose the nature of his interest to the Council and the disclosure shall be recorded in the minutes of the Council and such member shall not take part in any deliberation or decision of the Council relating to that matter.

(2) A member of the Council who contravenes subsection (1) shall be guilty of misconduct and shall be removed from the Council.

Immunity of members of Council, etc.

7. (1) No action or other proceedings shall lie or be instituted against any member of the Council or member of a committee of the Council for or in respect of any act or thing done or omitted to be done in good faith in the exercise of his functions under this Act.

(2) No member of the Council shall be personally liable for any debt or obligation of the Council.

Committees of Council.

8. (1) The Council may, for the discharge of its functions appoint one or more committees to perform such functions as the Council may determine.

(2) A committee shall consist of members of the Council or non-members or both as the Council may decide.

(3) Without prejudice to the generality of subsection (1), the Council shall appoint an audit committee consisting of such members of the Council, excluding the Executive-Director, and performing such functions as the Council may determine.

(4) A committee shall submit a report of its proceedings to the Council at such time as the Council may determine.

9. (1) The Chairman, and other members of the Council shall be paid such remuneration, fees and allowances approved by the Minister and shall be reimbursed by the Council for expenses incurred in connection with the discharge of their functions as the Council may, with the approval of the Minister, determine. Remuneration of members.

(2) Co-opted persons of the Council under subsection (8) of section 5 shall be paid such remuneration, fees and allowances approved by the Minister and shall be reimbursed by the Council for expenses incurred in connection with the discharge of their functions.

10. (1) Where the Chairman or a member of the Council dies, resigns, is removed from office or is absent for a continuous period exceeding three months or is by reason of illness unable to perform the functions of his office for a continuous period of three months - Filling of vacancies.

(a) the members of the Council shall, as the case may be, elect one of their number to act as Chairman until such time as the Chairman resumes his office or another is appointed in his stead; and

(b) in the case of a member, the Chairman shall, subject to this Act have another person appointed to the Council.

(2) Where a person is appointed as Chairman or appointed as a member to fill a vacancy, he shall hold office for the remainder of the term of the previous Chairman or member, as the case may be, and shall, subject to this Act, be eligible for re-appointment.

PART III—OBJECTS AND FUNCTIONS OF THE COUNCIL

11. (1) The object for which the Council is established is to promote specialist education and training in medicine and dentistry, nursing and midwifery, pharmacy and other post graduate health specialities. Objects and functions of Council.