

# ACT

*Supplement to the Sierra Leone Gazette Vol. CXLVII, No. 18*  

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*dated 31st March, 2016*

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## THE TEACHING HOSPITALS COMPLEX ADMINISTRATION ACT, 2016

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SIGNED this 21st day of March, 2016.

DR. ERNEST BAI KOROMA,  
*President.*

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No. 8



2016

Sierra Leone

**The Teaching Hospitals Complex Administration Act, 2016** Short title.

**Being an Act to provide for the establishment of the Teaching Hospitals Complex Administration responsible for the uniform administration of the Teaching Hospitals Complex specified in the schedule, to provide for the establishment of a Teaching Hospitals Complex Administration Board which shall be the governing body of the Administration, to provide for the discipline of trainees and staff by the Teaching Hospitals Complex and to provide for other related matters.**

[ ] Date of commencement.

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 –

“ Administration” means the Teaching Hospitals Complex Administration established under section 2;

“ Board” means the Teaching Hospitals Complex Administration Board established under section 3;

“ Chairman” means the Chairman of the Board;

“ Chief Medical Director” means the Chief Medical Director appointed by the Board under subsection (1) of section 3;

“ Consultant” means a consultant clinician;

“ Director of Clinical Services,” means the Director of Clinical Services referred to in section 16;

“ Director of Research and Training” means the Director of Research and Training referred to in section 16;

“ Government” means the Government of Sierra Leone;

“ Health Service Commission” means the Health Service Commission established by section 2 of the Sierra Leone Health Service Commission Act, 2011 (Act No. 5 of 2011);

“ junior staff” means staff of such grade as may be determined from time to time by the Board;

“medically qualified” means a person with a professional qualification (such as in medicine, nursing, pharmacy, dentistry or other allied health professions);

“ Medical Advisory Committee” means the Medical Advisory Committee appointed by the Board under paragraph (a) of subsection (3) of section 9;

“ Minister” means the Minister responsible for health and “Ministry” shall be construed accordingly;

“ Teaching Hospitals Complex” “ means all hospitals controlled by the Board and as specified in the Schedule;

“ trainee” means a student whose course of instruction is-

(a) designed (either alone or in conjunction with other courses) to enable him to qualify as a health professional; or

(b) designed for the further training of health professionals;

“ University” means the University of Sierra Leone established by section 2 of the University of Sierra Leone Act, 1972 (Act No. 22 of 1972).

**PART II – ESTABLISHMENT OF THE TEACHING HOSPITALS COMPLEX ADMINISTRATION**

**2.** (1) There is hereby established a body to be known as the Teaching Hospitals Complex Administration which shall be responsible for the management and administration of the Teaching Hospitals Complex.

Establishment of Teaching Hospitals Complex Administration.

(2) The Teaching Hospitals Complex Administration shall be a body corporate having perpetual succession and capable of acquiring, holding and disposing of 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 Administration shall have a common seal, the use of which shall be authenticated by the signatures of –

- (a) the Chairman or other member of the Board authorised either generally or specially by the Board in that behalf; and
- (b) the Executive–Director or some other person authorised by the Board in that behalf.

Board of Administration.

**3.** (1) The governing body of the Administration shall be a Board.

(2) The Board shall consist of a Chairman and the following other members-

- (a) the Chairman, Medical Advisory Committee;
- (b) the Permanent Secretary, Ministry of Health;
- (c) the Vice Chancellor, the University of Sierra Leone;
- (d) the Chief Medical Officer;
- (e) the Permanent Secretary, Ministry of Education;

- (f) the Solicitor-General, Law Officers Department, Ministry of Justice;
- (g) the Financial Secretary, Ministry of Finance;
- (h) one representatives of the West African Postgraduate Medical College, nominated by that body who shall serve on a rotational basis;
- (i) the Chairman of Council, Postgraduate Medical College of Health Specialists;
- (j) the President, Medical and Dental Council;
- (k) the President, Nurses and Midwifery Board;
- (l) the Chairman, Pharmacy Board;
- (m) the Chairman, Tertiary Education Commission;
- (n) two persons nominated by the Minister, outside the medical profession, at least one of whom shall be a religious leader; and
- (o) the Chief Medical Director who shall be Secretary to the Board.

(3) The Chairman shall be appointed by the President, on the recommendation of the Minister subject to the approval of Parliament and shall have proven experience and outstanding ability in administration or any professional or technical education.

Tenure of members of Board.

**4.** (1) The Chairman 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 Board on any of the following grounds-

- (a) for 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 Board without reasonable cause; or
- (f) if he resigns his office by written notice to the Minister.

Filling of vacancies.

**5.** (1) Where the Chairman or a member of the Board 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-

- (a) the members of the Board 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 Board.

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

**6.** (1) The Board shall meet for the dispatch of its business at least once every two months at the offices of the Administration and at such time as the Chairman may determine. Meetings of Board.

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

(3) A minimum of six members of the Board may, by notice in writing signed by them, request the Chairman to summon a special meeting of the Board 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 Board 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 Board and shall be incorporated in the minutes of the next meeting of the Board;

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

(8) The Board 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 Board.