

Passed in Parliament this 7th day of June, in the year of our Lord two thousand and seven.

A. A. KEMOKAI,
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.

A. A. KEMOKAI,
Clerk of Parliament.

ACT

Supplement to the Sierra Leone Gazette Vol. CXXXIX, No. 22
dated 1st May, 2008

SIGNED this 17th day of April, 2008

DR. ERNEST BAI KOROMA,
President.



No. 1



Sierra Leone

2008

**The Medical Practitioners and Dental Surgeons
(Amendment) Act, 2008.**

Short title.

**Being an Act to amend the Medical Practitioners and Dental
Surgeons Act, 1994.**

[1st May, 2008] Date of commencement.

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

Amendment of section 4 of Act No. 12 of 1994.

1. Section 1 of the Medical Practitioners and Dental Surgeons Act, 1994 is amended by the insertion immediately after the definition of “dental surgeon” of the following definition:-

“health care facility” means premises in which health care, including customary system of therapeutics, is provided;”

Repeal and replacement of section 2 of Act No. 12 of 1994.

2. Section 2 of the principal Act is repealed and replaced by the following:-

“Establishment of Medical and Dental Council of Sierra Leone. **2.** There is hereby established a body to be known as the Medical and Dental Council of Sierra Leone (hereinafter called “the Council”).”

Amendment of section 4 of Act No. 12 of 1994.

3. Section 4 of the principal Act is amended by the insertion immediately after paragraph (d) thereof of the following:-

“(e) registering and licensing all health care facilities in accordance with such standards as the Council may, with the approval of the Minister, determine;

(f) monitoring and periodically inspecting all health care facilities to ensure that they adhere to established medical and dental standards and practices; and

(g) closing down private health care facilities which-

(i) are operated without being registered and licensed under section 23A; or

(ii) do not meet the established standards of medical and dental practices.”

4. Section 10 of the principal Act is amended —

(a) in subsection (1) thereof—

(i) by substituting for the full-stop appearing at the end of paragraph (d) thereof a semicolon and the word “or”; and

(ii) by deleting the word “or” at the end of paragraph (c) thereof; and

(iii) inserting the following:-

“(e) is to operate or is an employee of a private health care facility” and

(b) by the insertion of the following after subsection (4) thereof:-

“(5) Provision shall be made by the Council for the supervision by the Council of non-citizen medical practitioners and dental surgeons who operate or are employed by private health care facilities.”.

5. Section 20 of the principal Act is repealed and replaced by the following:-

“Council to issue licences.

20. The Council shall, after registering a medical practitioner or dental surgeon in the appropriate register, issue to him a licence to practise which shall be renewed annually.”

Amendment of section 10 of Act No. 12 of 1994.

Repeal and replacement of section 20 of Act No. 12 of 1994.

Insertion of section 23A in Act No. 12 of 1994.

6. The following is inserted in the principal Act as section 23A:—

“Registration and licensing of health-care facilities. 23A. Any medical practitioner or dental surgeon who wishes to operate a health care facility shall apply in writing to the Council for the registration and licensing of such facility”.

Amendment of section 27 of Act No.12 of 1994.

7. Section 27 of the principal Act is amended by the repeal and replacement of subsection (2) thereof by the following:—

“(2) Where a person is found guilty under subsection (2) of section 26, such finding shall not be affected by any appeal against it and shall accordingly have effect unless it is set aside on such appeal”.

Amendment of section 29 of Act No.12 of 1994.

8. Section 29 of the principal Act is repealed and replaced by the following:—

“Appeal not to stay execution. 29. A direction given by the Council under subparagraph (iii) of subsection (2) of section 26 shall take effect unless it is set aside on appeal but the appeal against it shall not operate as a stay of execution.”.

Amendment of section 30 of Act No.12 of 1994.

9. Subsection (2) of section 30 of the principal Act is amended-

(a) in subsection (2) thereof, by the substitution for the amount of “two hundred and fifty thousand leones” appearing therein, of the amount “two million leones”;

(b) by the insertion of the following immediately after subsection (2) thereof:—

“(3) It is an offence for a medical practitioner or dental surgeon —

(a) who has been suspended; or

(b) whose name has been removed from the register;

to practise before the expiry of the suspension or after such removal, as the case may be”.

(4) An offence under subsection (3), shall be punishable by a fine not exceeding ten million leones or a term of imprisonment not exceeding two years or to both such fine and imprisonment”.

10. Section 41 of the principal Act is amended -

Amendment of section 41 of Act No.12 of 1994.

(a) in subsection (1) thereof, by the substitution for the amount of “five hundred thousand leones” appearing therein, of the amount “ten million leones”;

(b) in subsection (2) thereof, by the substitution for the amount of “two hundred and fifty thousand leones” appearing therein, of the amount “two million leones”;

(c) in subsection (3) thereof, by the substitution for the amount of “two hundred and fifty thousand leones” appearing therein, of the amount “two million leones”;

(d) in subsection (4) thereof, by the substitution for the amount of “two hundred and fifty thousand leones” appearing therein, of the amount “two million leones”;

11. The following is inserted in the principal Act as section 41A:—

Insertion of section 41A in Act No. 12 of 1994.

“Representation of Council in legal proceedings.

41A. In any legal proceedings under this Act, the Council may appear by itself or may be represented by a legal practitioner of its own choice”.