

CHAPTER 224

MEDICAL

MEDICAL REGULATIONS*S.I. 26/1975**S.I. 17/1988**S.I. 85/1993*

(SECTION 27)

[Commencement 18th April, 1975]

1. These Regulations may be cited as the Medical Regulations. Citation.
2. In these Regulations, unless the context otherwise requires, “the Act” means the Medical Act. Interpretation.
3. The fees payable to the Council in accordance with the provisions of the Act shall be the fees prescribed in the First Schedule to these Regulations. Fees.
4. A licence issued by the Council under section 11 of the Act and a renewed licence so issued under section 12 of the Act shall be in accordance with the Form in the Second Schedule to these Regulations. Form of licence.
Second Schedule.
5. It is the duty of the Council to ensure that proper standards of professional conduct in the practice of medicine and proper standards of general fitness to practice medicine by persons registered under this Act are maintained. Discipline.
S.I. 17/1988.
6. (1) Where a complaint is made to the Council under section 16 of the Act the Council may appoint a committee to be known as the complaints committee. Complaints committee.
S.I. 17/1988.
 - (2) The complaints committee shall consist of three members of the Council one of whom shall be elected as Chairman.
 - (3) If a vacancy occurs in the complaints committee, or if any member is unable to attend, the Chairman of the Council may designate another member of the council to fill the vacancy or replace the absent member, as the case may be.

(4) When a complaint has been referred to the Council under section 16 of the Act the complaints committee shall make such preliminary investigations into the matter as the Chairman of the complaints committee deems advisable and shall as soon as practicable advise the disciplinary committee of its findings.

(5) The Registrar of the Council shall notify the person against whom the complaint is made of the nature of the complaint and call upon him to state in writing not less than fourteen days before a specified day (which day shall allow a reasonable interval for the purpose) any explanation or representation he may wish to make in respect of the complaint.

7. (1) The complaints committee having regard to any explanation or representation made by the person against whom the complaint is made may —

- (a) determine that the complaint is not established and that no inquiry need be held; or
- (b) refer the matter in whole or in part to the disciplinary committee.

(2) If the complaints committee determines that no inquiry shall be held, the Secretary to the Council shall inform the complainant, if any, and the person against whom the complaint is made of the fact in such manner as the complaints committee may direct.

8. (1) The disciplinary committee shall hear all complaints referred to it by the complaints committee and in the conduct of the hearing of any complaint shall ensure —

- (a) that adequate notice of the proceedings is given to the person complained against;
- (b) that the complaint against him is specified in the form of a charge in such notice;
- (c) that any party to the proceedings may, if he so requires, be heard by the committee either in person or by a counsel and attorney.

(2) Except with the consent of the person complained against the date for hearing shall not be fixed for a date earlier than twenty-eight days after the notice has been served on him.

Functions of
complaints
committee.
S.I. 17/1988.

Procedure where
complaint
referred to
disciplinary
committee.
S.I. 17/1988

(3) The notice of hearing shall be served personally or by prepaid registered post at the address shown on the Medical Register or at his last known address if that address differs from that on the Medical Register.

(4) In any case where there is a complainant, a copy of the notice of hearing shall be sent to the complainant.

(5) The person complained against shall be entitled to receive free copies of or be allowed access to any documentary evidence relied on for the purpose of the hearing and he shall also be given upon request a copy of the evidence (including copies of documents tendered in evidence) after the hearing is completed.

(6) The person complained against shall have the right to be represented by counsel and attorney in any disciplinary proceedings instituted against him.

(7) If the person complained against does not appear at the date fixed for the hearing of the case the disciplinary committee may, if it is satisfied that a notice of hearing has been served on the person, proceed with the hearing.

(8) If witnesses are called by the disciplinary committee the person complained against shall be given an opportunity of putting questions to the witnesses on his behalf.

(9) No documentary evidence shall be used against the person complained against unless he has previously been supplied with copies thereof or given access thereto and he shall be permitted to give evidence, call witnesses and make submissions orally or in writing on his behalf.

(10) The disciplinary committee may call additional witnesses and may adjourn the proceedings to another convenient time or place.

(11) If having heard the evidence in support of the charges the disciplinary committee is of the opinion that the evidence is insufficient, it may dismiss the charges without calling upon the person complained against for his defence.

(12) If, at the conclusion of the hearing the disciplinary committee is of the opinion that the person complained against is not guilty of improper conduct under section 15 of the Act it shall dismiss the complaint but if the person complained against is found guilty of any such conduct, the disciplinary committee shall proceed to deal with the matter in accordance with the Act.

S.I. 17/1988;
S.I. 85/1993.

FIRST SCHEDULE (Regulation 3)

FEEES

For registration under section 9 of the Act.....	\$100.00
For temporary registration under section 13(a) of the Act.....	\$ 75.00
For a licence issued under section 11 of the Act.....	\$200.00
For renewal of a licence under section 12(2) of the Act	\$200.00
For a copy of a licence lost, destroyed or mutilated	\$ 35.00
Penalty for failure to pay for renewal of licence under section 12(2) of the Act within the time specified.....	\$200.00

SECOND SCHEDULE (Regulation 4)

FORM OF LICENCE

THE COMMONWEALTH OF THE BAHAMAS
 THE MEDICAL ACT
 THE MEDICAL REGULATIONS
 LICENCE TO PRACTISE



This is to certify that
 who was registered in the MEDICAL REGISTER
 on 19 Registration No.
 is hereby authorized to engage in the practice of

 at
 for the period ending 19

SEAL

Given under the Seal of
 the Council
 this day of 19

.....
CHAIRMAN

.....
REGISTER