
Fourth Session Third Parliament Trinidad and Tobago
24 Elizabeth II



TRINIDAD AND TOBAGO

Act No. 31 of 1975

[L.S.]

AN ACT to amend the Private Hospitals Ordinance.

[Assented to 18th September, 1975]

BE IT ENACTED by the Queen's Most Excellent Majesty, Enactment
by and with the advice and consent of the Senate and
House of Representatives of Trinidad and Tobago, and
by the authority of the same, as follows:—

1. This Act may be cited as the **Private Hospitals** Short title
(Amendment) Act, 1975.

Ordinance
No. 2 of 1960
amended

2. The Private Hospitals Ordinance, 1960, is hereby amended—

(a) in section 2—

(i) by inserting in the appropriate alphabetical order, the following new definition:—

““approved home” means any house in respect of which a certificate has been issued under subsection (1) of section 26 of the Mental Health Act, 1975;”;

(ii) by substituting for the definition of “private hospital” the following:—

““private hospital” means a house where persons suffering from any sickness, injury or infirmity are given medical or surgical treatment or nursing care and includes an approved home, a maternity home, a convalescent home or a nursing home but does not include a hospital or other establishment or institution operated or maintained by the Government or by a local authority;”.

(b) in section 3—

(i) by repealing and replacing subsection (2) as follows:—

“(2) The Board shall consist of seven members appointed by the Minister as follows—

(a) the Chief Medical Officer, who shall be Chairman;

(b) one Principal Medical Officer;

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- (c) two other officers from the Ministry of Health, who are not medical practitioners, one of whom shall be skilled in nursing administration and the other in hospital administration;
- (d) three persons who are not in the public service or actively engaged in the management of a private hospital and who shall be appointed for two years but shall be eligible for re-appointment.

No member of the Board may have financial interest in a private hospital.”

- (ii) by deleting subsections (3) and (4) and renumbering subsections (5) to (9) as subsections (3) to (7);
- (iii) in subsection (4) as renumbered, by substituting for the reference to subsection (5) a reference to subsection (3);
- (c) by repealing and replacing section 7 as follows—

“Application for a licence

First Schedule

Second Schedule

7. (1) Written application for a licence to operate a private hospital shall be made to the Minister and shall contain the particulars specified in the First Schedule. Each application shall be verified by the applicant under oath.

(2) Every application shall be accompanied by the appropriate licence fee, as set out in the Second Schedule. The licence fee shall be returned if the application is rejected.

(3) The Minister may by Order amend the First or Second Schedule by adding to or deleting any of the particulars, including the classes of private hospitals or by varying the fees, specified therein;

- (d) in section 8(4) by substituting for the words "a renewal fee of twenty-five dollars" occurring at the end of the section, the words "the appropriate licence fee as set out in the Second Schedule";
- (e) by repealing and replacing section 17(1), (2) and (4) as follows:—

"Minister
to appoint
Inspectors

17. (1) The Minister may for the purposes of this Ordinance and the regulations appoint any medical practitioner not engaged in the management of, or having financial interest in, a private hospital to be an Inspector and shall furnish every Inspector with a certificate of appointment.

(2) Inspectors shall be paid such remuneration or allowances as the Minister may authorise.";

- (f) by inserting immediately after section 17, the following:—

"Hospital
to be open
to inspection

17A.(1) For the purposes of this Ordinance and the regulations a private hospital, its registers and other records other than confidential case history notes shall at all times be open to inspection or examination by an inspector, an inspection team or a Psychiatric Hospital Tribunal established under the Mental Health Act, 1975 as the case may be in accordance with the provisions of sections 17B to 17F.

(2) In this section and in sections 17B, 17D and 17E "inspection team" means a team

consisting of an Inspector and such other persons as the Minister may authorise to inspect private hospitals other than approved homes.

Inspection
by inspection
team

17B. (1) Every private hospital, other than an approved home, shall be inspected and any aspect of its administration, operation or management shall be examined at least once a year by an inspection team.

(2) In addition to the inspection and examination referred to in subsection (1) an inspection team shall inspect a private hospital when so directed by the Minister.

Inspection
by Inspector

17C. An Inspector may inspect a private hospital other than an approved home at any time at his own instance or when so directed by the Minister.

Inspector
to report to
Minister

17D. (1) An Inspector engaged in any inspection or examination under this Ordinance whether or not as a member of an inspection team, shall subject to subsection (2) forward a report to the Minister within fourteen days of the completion of the inspection or examination.

(2) The report of an inspection conducted at the instance of the Minister shall be forwarded to the Minister within twenty-four hours of the completion of the inspection.

Inspection
of approved
homes

17E. Approved homes shall be inspected by a Psychiatric Hospital Tribunal established under

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the Mental Health Act and that Tribunal shall exercise and have the same powers and duties to inspect, examine and report as inspecting teams and inspectors exercise and have under this Act and the regulations made thereunder.

Offence to
obstruct, etc.
inspection

17F. Any person who obstructs or prevents or attempts to obstruct or prevent any inspection of a private hospital shall be guilty of an offence.”;

(g) by repealing and replacing section 18(1) as follows:—

“Hospital
restricted
to terms of
licence

18. (1) A private hospital shall not be operated otherwise than in accordance with the terms of the licence issued in respect of it.”;

(h) in section 21—

- (i) by substituting in subsection (1) for the words “The Board” the words “The Minister”;
- (ii) by substituting in subsection (2) for the words “one hundred” occurring in line three, the words “five hundred”;

(i) in section 23—

- (i) by substituting in paragraph (a) for the word “hundred” the word “thousand”;
- (ii) by substituting in paragraph (b) for the word “twenty-five” occurring in line two the words “one hundred”;

(j) by renaming the Schedule, the First Schedule;

(k) by adding immediately after the First Schedule, the following—

“SECOND SCHEDULE

(Section 7)

LICENCE FEES FOR PRIVATE HOSPITALS

<i>Number of beds</i>	<i>Medical or Surgical Hospital</i>	<i>Medical, Surgical and Maternity Hospital</i>	<i>Maternity Hospital</i>	<i>Hospital for the Convalescent or Chronically ill</i>	<i>Hospital for any designated or specified disease, disorder or illness</i>
	\$	\$	\$	\$	\$
Less than 30 ...	150	150	100	75	75
30 but less than 60 ...	225	225	150	100	100
60 and over ...	300	300	225	150	150.”

Passed in the House of Representatives this 14th day of March, 1975.

J. E. CARTER
Clerk of the House

Passed in the Senate this 19th day of August, 1975.

R. GRIFFITH
Acting Clerk of the Senate