
Fifth Session Eighth Parliament Republic of
Trinidad and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 31 of 2007

[L.S.]

AN ACT to amend the Medical Board Act, Chap. 29:50

[Assented to 28th September, 2007]

ENACTED by the Parliament of Trinidad and Tobago as Enactment
follows:—

1. This Act may be cited as the Medical Board Short title
(Amendment) Act, 2007.

2. In this Act, "the Act" means the Medical Board Act. Interpretation
Chap. 29:50

Section 2 amended

3. Section 2 of the Act is amended by inserting in the appropriate alphabetical sequence the following definitions:

“Medical Specialist Register” means the Specialist Register provided for under section 10A;

“specialist” means a person who has undertaken specialist training and has been awarded specialist qualifications from an institution recognized by the Accreditation Council of Trinidad and Tobago and in a specialty recognized by the Council, and that specialist training is, or those qualifications are, or when considered together, found to satisfy the Council’s requirements for the specialty in question.”.

Section 6 amended

4. Section 6 of the Act is amended—

(a) by deleting subsection (1) and substituting the following subsection:

“(1) There shall be a Council of the Board which shall be appointed by the Minister and shall consist of—

- (a) the Chief Medical Officer;
- (b) two medical practitioners;
- (c) four medical practitioners elected by the Board;
- (d) one person nominated by the Inter-Religious Organization;
- (e) an attorney-at-law with at least five years experience nominated by the Law Association of Trinidad and Tobago;

- (f) an accountant with at least five years experience nominated by the Association of Chartered Accountants; and
 - (g) a medical practitioner nominated by the University of the West Indies.”; and
- (b) in subsection (4), by deleting the words “by election of the Board” and substituting the words “in accordance with subsection (1)”.

5. Section 9 of the Act is amended—

Section 9 amended

- (a) by deleting subsection (2) and substituting the following subsection:

“(2) A President, Vice-President, Secretary and a Treasurer, who shall be medical practitioners, shall be elected from among members of the Council.”; and

- (b) in subsection (3), by deleting the words “re-election, except that the President is eligible for re-election for one term only” and substituting the word “re-appointment”.

6. The Act is amended by inserting after section 10 Section 10A inserted
the following section:

“Medical
Specialist
Register

10A. (1) The Council shall cause to be kept a book or register to be known as the Medical Specialist Register which shall contain the following particulars:

- (a) name and address of the specialist;
- (b) area of expertise;
- (c) training, experience and qualifications in the area of specialization;

(d) date of registration in the Register;
and

(e) date of registration in the Medical Specialist Register.

(2) Any person whose name is not entered in the Medical Specialist Register shall not be deemed a medical specialist.”.

Section 11 amended

7. Section 11 of the Act is repealed and the following new sections are substituted:

“Secretary to
maintain the
Register and
Medical
Specialist
Register

11.(1) The Secretary shall keep and maintain the Register and the Medical Specialist Register in accordance with this Act and the Rules and Regulations of the Council in that behalf and shall from time to time make the necessary alterations in the addresses or qualifications of persons registered.

(2) The Secretary shall on the advice of the Council, and as prescribed by Regulations, erase from the Register and the Medical Specialist Register—

(a) the name and particulars of every deceased medical practitioner and specialist; and

(b) the name of every person caused by the Council to be erased from the Register and Medical Specialist Register in accordance with section 24.

Other duties
of the
Secretary and
Treasurer

11A. In addition to the duties set out in this Act, the Secretary and Treasurer shall perform such other duties as may be prescribed.”.

8. Section 14 of the Act is repealed and the following Section 14 amended section substituted:

“Fees 14. (1) An applicant for registration under section 16 shall pay to the Treasurer such registration fee as the Minister may by Order prescribe.

(2) A person, upon being admitted to registration or to whom a temporary licence has been granted, shall pay to the Treasurer such annual fee as the Minister may by Order prescribe.”.

9. Section 16 of the Act is amended by— Section 16 amended

(a) inserting after the words “applicant for registration” the words “on the Register, Medical Specialist Register”; and

(b) deleting the words “Secretary-Treasurer” and substituting the word “Secretary”.

9A. Section 17 of the Act is amended by— Section 17 amended

(a) inserting after the word “The” the words “Secretary shall on the advice of the Council and as prescribed by Regulation”;

(b) deleting the words “Council shall cause to be erased” and substituting the word “erase”; and

(c) inserting after the word “Register” the words “and the Medical Specialist Register”.

9B. Section 18 of the Act is amended by deleting the Section 18 amended words “Secretary-Treasurer” and substituting the word “Secretary” wherever they occur.

9C. Section 19 of the Act is amended by deleting the Section 19 amended words “Secretary-Treasurer” and substituting the word “Secretary”.

Section 20 amended **10.** Section 20 of the Act is amended in subsection (1), by inserting after paragraph (i), the following paragraphs:

“(j) for establishing standards for continuous education and training of medical practitioners; and

(k) for determining whether a person is a specialist for the purposes of this Act.”.

Section 21 amended **11.** Section 21 of the Act is amended by deleting the words “three thousand dollars and to imprisonment for one year” and substituting the words “ten thousand dollars and to imprisonment for two years.”.

Section 22 amended **12.** Section 22 of the Act is amended—

(a) in subsection (1), by—

(i) inserting after paragraph (c) the following paragraph:

“(d) purports to practise medicine.”; and

(ii) deleting the words “one thousand five hundred dollars and to imprisonment for six months” and substituting the words “ten thousand dollars and to imprisonment for two years”;

(b) by inserting after subsection (2) the following subsections:

“(3) Any person whose name is not entered on the Medical Specialist Register and who—

(a) practises as a specialist;

(b) takes or uses any name, title, addition or description implying or calculated to lead persons to believe that he is so registered; or

- (c) advertises or holds himself out as a person authorized or qualified to practise as a specialist,

is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for two years.

(4) Notwithstanding any provision to the contrary, a medical practitioner who before the commencement of the Medical Board (Amendment) Act, 2007 practiced as a specialist may, for a period of one year after the commencement of the said Act—

- (a) practise as a specialist;
- (b) take or use any name, title, addition or description implying or calculated to lead persons to believe that he is a specialist; or
- (c) advertise or hold himself out as a person authorized or qualified to practise as a specialist,

but shall within that period apply for registration on the Medical Specialist Register.”.

13. Section 23 of the Act is amended in subsection Section 23 amended (4), by deleting the words “three thousand dollars and to imprisonment for one year” and substituting the words “ten thousand dollars and to imprisonment for two years.”.

- Section 24 amended **14.** Section 24 of the Act is amended in subsection (2)(c), by inserting after the word “Register”, the words “,the Medical Specialist Register”.
- Section 31 amended **15.** Section 31 of the Act is amended by deleting the words “Secretary-Treasurer” and substituting the word “Secretary” wherever they occur.
- Section 34 amended **16.** Section 34 of the Act is amended by deleting the words “Secretary-Treasurer” and substituting the word “Treasurer”.

Passed in the Senate this 21st day of August, 2007.

J. SANDY
Acting Clerk of the Senate

Passed in the House of Representatives this 21st day of September, 2007.

N. JAGGASSAR
Acting Clerk of the House

House of Representatives amendments agreed to by the Senate this 25th day of September, 2007.

J. SANDY
Acting Clerk of the Senate