

MEDICAL BOARD ACT

CHAPTER 29:50

Act

35 of 1960

Amended by

24 of 1961

172/1961

136/1976

*15 of 1980

*22 of 1981

36 of 1997

*31 of 2007

*7 of 2009

*See Note on page 2.

Current Authorised Pages

<i>Pages</i> <i>(inclusive)</i>	<i>Authorised</i> <i>by L.R.O.</i>
1-30	..

L.R.O.

Index of Subsidiary Legislation

	<i>Page</i>
Medical Board (Fees) Regulations (GN 170/1966)	25
Medical Board Regulations (G. 14.4.1904)	27

Note on Act No. 15 of 1980

Part II has been repealed by Act No. 15 of 1980; and the Heading PART I has accordingly been deleted.

Note on Act No. 22 of 1981

Section 27 of this Act has been repealed by Act No. 22 of 1981 (the Limitation Act 1981) but Act No. 22 of 1981 had not up to the date of the last revision of this Act been brought into operation.

Note on Act No. 31 of 2007

Act No. 31 of 2007 amended the Medical Board Act, but up to the date of the Publication of the First Supplement (31st December 2007) similar amendments were not effected to the Medical Board Regulations so as to bring the Regulations in conformity with the Act.

Note on Act No. 7 of 2009

Amendments effected to sections 2, 9, 13, 14, 16, 18, 19, 24 and 29 by Act No. 7 of 2009 shall continue in force for six years from the date of commencement of that Act, ie., 31st July 2009.

Note on Adaptation

Under paragraph 6 the Second Schedule to the Law Revision Act (Ch. 3:03) the Commission amended certain references to public officers in this Chapter. The Minister's approval of the amendments was signified by LN 52/1980, but no marginal reference is made to this Notice where any such amendment is made in the text.

CHAPTER 29:50

MEDICAL BOARD ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Interpretation.

**MEDICAL PRACTITIONERS
MEDICAL BOARD, ITS CONSTITUTION, ETC.**

3. The Medical Board of Trinidad and Tobago.
4. Constitution of Board.
5. Persons registered as members to continue to be registered.
6. The Council.
7. Existing Council to continue in office.
8. Election of Council.
9. Terms of office and eligibility for election.
- 9A. Panel for the issue of Special Temporary Licences established.
- 9B. Functions and powers of Panel.
10. Register of Medical Practitioners.
- 10A. Medical Specialist Register.
11. Secretary to maintain the Register and Medical Specialist Register.
- 11A. Other duties of the Secretary and Treasurer.
12. Who may be registered.
13. Issue of temporary licence to practise.
- 13A. Book of Special Temporary Licences.
14. Fees.
15. Registration of higher or additional qualification.
16. Evidence and information required to be furnished.
17. Erasure of incorrect or fraudulent entry.
18. Certificate of Secretary to be *prima facie* evidence.
19. Publication of lists.

POWERS OF COUNCIL

20. Power of Council to make Rules and Regulations.
21. False representations with a view to obtaining registration or licence.

L.R.O.

ARRANGEMENT OF SECTIONS—*Continued*

SECTION

22. Use of title by unauthorised person.
23. Advertisement, holding out, or practise by unauthorised person.
24. Discipline.
25. Validity of medical certificate.
26. Recovery of fees and costs of medicines supplied.
27. *(Repealed by Act No. 36 of 1997).*
28. Employment of assessors and assistants.
29. Appeal against refusal to register, erasure from Register, suspension, etc.
- 29A. Exemption from liability.
30. Penalties.
31. Authorisation to prosecute.
32. Retention of services of Attorney-at-law.
33. Recovery of penalties.
34. Fines for use of Board.
35. Funds of Board to be used for purposes of Act.

SCHEDULE.

CHAPTER 29:50

MEDICAL BOARD ACT

**An Act relating to the Medical Board and to the practice of
Medicine and Surgery.** 35 of 1960.

[21ST SEPTEMBER 1961]

Commencement.
120/1961.

1. This Act may be cited as the Medical Board Act.

Short title.

2. In this Act—

Interpretation.
[31 of 2007
7 of 2009].

“Board” means the Medical Board of Trinidad and Tobago;

“Council” means the Medical Council elected by the Board under
this Act;

“Chief Medical Officer” means the Chief Medical Officer in the
Ministry with responsibility for health;

“diploma” means any diploma, degree, fellowship, membership,
licence, certificate or other status or form of recognition
granted by a University, college or duly licensed body
conferring authority to practise medicine in the country or
place where granted;

“the former Ordinance” means the Medical Board Ordinance
(repealed by this Act);

Ch. 12 No. 2.
(1950 Ed.).

“General Medical Council” means the General Council of
Medical Education and Registration of the United Kingdom
as constituted by the Medical Act 1858 and the Medical Act
1886 of the United Kingdom or by any statutory modification
or re-enactment thereof;

21 & 22 V. c. 90.
49 & 50 V.c. 48.

“medical practitioner” or any other words or expression suggesting
legal recognition of any person as a medical practitioner or
member of the medical profession means a person registered
under this Act;

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

“member” means a member of the Board except where
otherwise provided;

L.R.O.

“Minister” means the Minister to whom responsibility for health is assigned;

“Panel” means the panel established under section 9A;

“Permanent Secretary” means the Permanent Secretary in the Ministry with responsibility for health;

“public health sector” means the public service or a Regional Health Authority;

“Register” means the Register of Medical Practitioners provided for under section 10;

“registration” means registration under this Act;

“specialist” means a person who has undertaken specialist training and has been awarded specialist qualifications from an institution recognised by the Accreditation Council of Trinidad and Tobago and in a specialty recognised 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.

“special temporary licence” means a licence to practise medicine in the public health sector, issued in accordance with section 13(1B);

“temporary licence” means a licence issued in accordance with section 13 and, except where otherwise provided, includes a special temporary licence.

MEDICAL PRACTITIONERS MEDICAL BOARD, ITS CONSTITUTION, ETC.

The Medical Board of Trinidad and Tobago. [24 of 1961].

3. The Medical Board of Trinidad established by the Medical Ordinance 1887 and continued under the former Ordinance, shall from the commencement of this Act bear the name of “The Medical Board of Trinidad and Tobago” and by such name shall continue to be a body corporate.

Constitution of Board.

4. All persons registered as members of the Board shall constitute the Board.

Persons registered as members to continue to be registered.

5. All persons registered immediately prior to the commencement of this Act as members of the Board shall continue to be so registered under this Act.

6. (1) There shall be a Council of the Board which shall be appointed by the Minister and shall consist of— The Council. [31 of 2007].

- (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 Organisation;
- (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.

(2) The Council may appoint such committees of its members as it thinks fit for the proper carrying out of its functions, and may delegate any of its functions to any such committee.

(3) If it appears to the Council that any member is by reason of illness, absent from Trinidad and Tobago, or for any other cause unlikely to be able for some time to perform his duties as a member of the Council, the Council may declare the seat of that person to be temporarily vacant.

(4) Any vacancy on the Council or any temporary vacancy for the period of its duration shall be filled in accordance with subsection (1).

7. Members of the Council elected under the former Ordinance and holding office at the commencement of this Act shall continue to hold office until the election of a new Council as below provided. Existing Council to continue in office.

8. Within three months of the coming into force of this Act and triennially thereafter, there shall be convened in accordance with the Regulations a general meeting of the Board for the purpose of electing the Council. Election of Council.

L.R.O.

Terms of office and eligibility for election. [31 of 2007].

9. (1) Members of the Council shall hold office for a term of three years.

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

(3) The members of the Council are eligible for reappointment.

Panel for the issue of Special Temporary Licences established. [7 of 2009].

9A. (1) There is established a panel to be known as the “Panel for the issue of Special Temporary Licences”, consisting of members appointed in accordance with this section.

(2) The Minister shall appoint the following persons to be members of the Panel:

- (a) the Chief Medical Officer, who shall be both the Chairman and an *ex officio* member;
- (b) three medical practitioners, each having at least ten years experience as a medical practitioner; and
- (c) one lay person of good standing in the community, representing the interest of the public.

(3) A member of the Panel, other than the *ex officio* member, shall be appointed for a term not exceeding three years, subject to such terms and conditions as the Minister may fix in the instrument of appointment.

(4) At a sitting of the Panel, the Chief Medical Officer shall have the right to vote.

(5) The quorum of the Panel shall consist of the Chairman and two other members.

Functions and powers of Panel. [7 of 2009].

9B. (1) The functions of the Panel are to—

- (a) consider applications for the issue of special temporary licences, where requested to do so by the Minister, pursuant to section 13(1A);
- (b) issue special temporary licences; and
- (c) reject unsuitable applications.

(2) Where the Panel rejects an application, it shall give reasons for so doing.

(3) The Panel shall have such power as is necessary for the discharge of its functions under this Act, including the power to make Rules to regulate its own procedure.

(4) In the exercise of its functions and in the execution of its powers, the Panel may be guided by any Rules or Regulations made by the Council under section 20.

(5) No Rule shall come into force or have effect until it has been approved by the Minister.

10. (1) The Council shall cause to be kept a book or register to be known as the “Register of Medical Practitioners” in which shall be entered the name of every person registered as a medical practitioner under this Act showing the following particulars:

Register of
Medical
Practitioners.
[51/1980].

- (a) his full name and address;
- (b) a description of and dates of the diplomas in respect of which he is registered and such other medical degrees and certificates to which he is entitled;
- (c) the date of his registration.

(2) Subject to subsection (3), no person whose name is not entered on the Register shall be deemed to be registered.

(3) All persons who were registered as medical practitioners under the former Ordinance immediately prior to the commencement of this Act are entitled to be registered under this Act without application on the part of such persons, and pending the entry of their names on the Register, shall be deemed to be duly registered.

(4) The Register shall at all reasonable times be open and subject to inspection by any person on payment of a fee of one dollar.

L.R.O.

Medical Specialist Register. [31 of 2007].

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 specialisation;
- (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.

Secretary to maintain the Register and Medical Specialist Register. [31 of 2007].

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. [31 of 2007].

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

Who may be registered. [7 of 2009].

12. (1) Any person who establishes to the satisfaction of the Council that he holds a diploma —

- (a) in respect of which he is entered or entitled to be entered on the Medical Register of the General Medical Council; and
- (b) granted by an institution listed in the Schedule,

Schedule.

and that he is of good character and a fit and proper person to practise medicine, shall upon application and upon compliance with the requirements of this Act, be entitled to be registered as a member of the Board.

(2) The Minister may by Order, amend the Schedule.

13. (1) Notwithstanding section 12, the Council may issue or authorise to be issued, a temporary licence, other than a special temporary licence, to engage in the practise of medicine during the currency thereof and subject to the terms and conditions contained therein, to any other person who establishes to the satisfaction of the Council that he is the holder of a diploma approved by the Board and is of good character and a fit and proper person to practise medicine. Issue of temporary licence to practise. [7 of 2009].

(1A) Notwithstanding subsection (1), where the Minister is satisfied that there is a shortage of persons available to practise medicine in the public health sector, the Minister may request the Panel to consider applications for the issue of special temporary licences.

(1B) The Panel may, after consideration of the applications to which subsection (1A) relates, issue a special temporary licence to any person who establishes to its satisfaction that he holds a diploma—

- (a) in respect of which he is entered or entitled to be entered on the Medical Register of the General Medical Council;
- (b) granted by an institution listed in the Schedule; or Schedule.
- (c) granted by a recognised institution approved by the Panel,

and that he is of good character and a fit and proper person to practise medicine.

(2) The Council or the Panel, as the case may be, shall determine the nature and extent of a temporary licence issued by it, including—

- (a) the time during which the licence remains in force;
- (b) the area to which it extends;

L.R.O.

- (c) the nature and character of the work which may be performed under the authority thereof; and
- (d) such other terms and conditions as the Council or the Panel may deem expedient to impose.

(2A) A special temporary licence shall not—

- (a) remain in force for more than three years;
- (b) be renewed unless the holder of the special temporary licence performed satisfactorily during the period covered by the licence; and
- (c) be renewed more than once.

(2B) A special temporary licence shall be signed by the Chairman of the Panel.

(3) It shall be lawful for the Council, upon the expiration of the period fixed for any temporary licence issued under this Act and upon being satisfied by a majority of members of the Council representing not less than two-thirds of those present and voting that the other conditions therein have been duly met by the person named and that the person is in all respects a fit and proper person to practise medicine, to grant registration to that person as a member of the Board.

(4) For the avoidance of doubt, the Panel shall not be entitled to grant to a person registration as a member of the Board.

Book of Special
Temporary
Licences.
[7 of 2009].

13A. (1) The Permanent Secretary shall cause to be kept a book to be known as the “Book of Special Temporary Licences” in which shall be entered—

- (a) the full name and address of every person issued with a special temporary licence;
- (b) the date of issue of the special temporary licence; and
- (c) a description of and dates of the diplomas the person holds and such other medical degrees and certificates to which he is entitled.

(2) The Permanent Secretary shall cause to be made in the Book of Special Temporary Licences, such alterations as may be necessary to ensure that the information therein is accurate and current.

(3) The Book of Special Temporary Licences shall at all times be open and subject to inspection by any person on payment of a fee of one dollar.

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

Fees.
[31 of 2007
7 of 2009].

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

15. Any member of the Board who has obtained a diploma higher than or additional to the diploma in respect of which he has been admitted to registration and which is approved by the Board shall, on payment of such fee as may be prescribed, be entitled to have the higher or additional diploma shown in the Register in substitution for or in addition to, as the case may be, the diploma previously shown.

Registration of
higher or
additional
qualification.

16. An applicant for registration on the Register, Medical Specialist Register or for a temporary licence shall furnish to the Secretary-Treasurer or the Chief Medical Officer as the case may be—

Evidence and
information
required to be
furnished.
[31 of 2007
7 of 2009].

- (a) satisfactory evidence of his qualifications;
- (b) satisfactory proof of his identity;
- (c) such further and other information as the Council or the Panel may require.

17. The Secretary shall on the advice of the Council and as prescribed by Regulation erase from the Register and the Medical Specialist Register any entry which has been incorrectly or fraudulently made.

Erasure of
incorrect or
fraudulent entry.
[31 of 2007].

L.R.O.

Certificate of Secretary to be *prima facie* evidence. [31 of 2007 7 of 2009].

18. In all cases where proof of registration or of the issue of a temporary licence is required to be made, the production of a certificate showing that the person therein named is duly registered or is the holder of a temporary licence, certified under the hand of the Secretary-Treasurer or the person signing as the Chief Medical Officer is the Chief Medical Officer shall be sufficient evidence in all Courts of the registration of such person, or of the issue to him of a temporary licence as the case may be, and the production of the original Register shall not be required and any such certificate shall be accepted without proof that the person signing as the Secretary is the Secretary.

Publication of lists. [31 of 2007 7 of 2009].

19. (1) The Secretary-Treasurer or in the case of special temporary licences, the Permanent Secretary shall not later than 31st March in each year cause to be printed in the *Gazette* a true and correct list of the names of all persons who are registered at such time and also a true and correct list of the names of all persons to whom a temporary licence has been granted.

(2) A copy of the *Gazette* containing a list referred to in subsection (1) shall, in the absence of proof to the contrary, be evidence in all Courts of the registration of, or of the issue of a temporary licence to, any person therein named, as the case may be, and of the qualifications of such person and of the non-registration of any person who is not therein named.

POWERS OF COUNCIL

Power of Council to make Rules and Regulations. [31 of 2007].

20. (1) The Council, subject to the approval of the Board, shall have power to make such Rules or Regulations as it deems necessary for carrying the purposes and provisions of this Act into effect, and, without restricting the generality thereof, for all or any of the following purposes:

- (a) for the good government of the Board and for the proper conduct of its affairs;
- (b) for regulating the time, manner and place of meetings of the Board and the Council and the proceedings thereof;

- (c) for the conduct of elections including the manner of voting thereat, and all other matters arising out of or incidental to the elections as provided for in this Act;
- (d) with respect to the fees for registration or for the issue of a temporary licence and the amount of any annual or special fees to be paid by members;
- (e) with respect to the determination of the professional qualification and experience including internship required of an applicant for registration or for a temporary licence, and to proof of professional conduct and general fitness to practise medicine;
- (f) for regulating the manner of applying and using the funds of the Board;
- (g) for providing for bye-elections and the circumstances whereby a vacancy shall be deemed to occur on the Council;
- (h) for prescribing anything required or authorised to be prescribed;
- (i) for prescribing in respect of any contravention thereof or failure to comply therewith a penalty not exceeding a fine of three hundred dollars or imprisonment for three months on summary conviction;
- (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.

(2) No Rule or Regulation shall come into force or have effect until it has been approved by the Minister.

(3) All Rules and Regulations shall be published in the *Gazette* and the production of a copy thereof shall be *prima facie* proof that a Rule or Regulation contained therein has been made and published as required by this Act.

L.R.O.

False representations with a view to obtaining registration or licence. [3 of 2007].

21. Any person who wilfully procures or attempts to procure himself or any other person to be registered or licensed under this Act, by making or producing, or causing to be made or produced, any false or fraudulent representation or statement or declaration, either verbally or in writing or otherwise, is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for two years.

Use of title by unauthorised person. [31 of 2007].

22. (1) Any person not being a member of the Board or the holder of a temporary licence who—

- (a) takes or uses any name, title, addition or description implying or calculated to lead persons to believe that he is registered or licensed under this Act or that he is recognised by law as a physician, surgeon, or licentiate in medicine or surgery;
- (b) assumes or uses the title “doctor”, “surgeon”, or “physician” or any affix or prefix indicative of any such title as an occupational designation relating to the practice of medicine;
- (c) advertises or holds himself out as a person authorised or qualified to practise medicine or surgery; or
- (d) purports to practise medicine,

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

(2) Subsection (1) shall not operate so as to prevent a person who is registered as a dentist from using such title as is authorised thereby and appropriate to his qualifications.

(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 authorised 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 28th September 2007 practised 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 authorised or qualified to practise as a specialist,

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

23. (1) No person who is not registered or the holder of a temporary licence under this Act shall, either directly or indirectly, carry on for hire, gain, or hope of reward the healing art in any of its branches or—

Advertisement, holding out, or practise by unauthorised person. [31 of 2007].

- (a) by advertisement, sign, or statement of any kind, written or oral, allege or imply or state that he is, or hold himself out as being qualified, able, or willing, to diagnose, prescribe for, prevent, or treat, any human disease, ailment, deformity, defect, or injury, or to perform any operation to remedy any human disease, ailment, deformity, defect, or injury, or to examine or advise upon the physical or mental condition of any person;
- (b) diagnose, or offer to diagnose, or attempt to diagnose, any human disease, ailment, deformity, defect, or injury, or to examine or advise upon, the physical or mental condition of any person;
- (c) prescribe or administer any drugs, serum, medicine, or any substance or remedy, whether for the cure, treatment, or prevention, of any human disease, ailment, deformity, defect, or injury;

L.R.O.

- (d) prescribe or administer any treatment, or perform any operation or manipulation, or apply any apparatus or appliance, for the cure, treatment, or prevention, of any human disease, ailment, deformity, defect, or injury; or
- (e) act as the assistant or associate of any person who practises or pretends to practise medicine as herein set out.
- (2) Subsection (1) does not apply to—
- (a) any person acting under the direction or supervision of a medical practitioner;
- (b) any person who is registered or licensed under any other Act and who, under the authority thereof, performs or provides any service which he is authorised or entitled to perform thereunder; or
- (c) any person performing any such service under the authority and supervision of any other person so registered or licensed if permitted or authorised by such Act.
- (3) Nothing in this Act shall prevent—
- (a) any person from giving necessary medical or surgical aid in cases of urgent need without hire, gain or hope of reward;
- (b) the domestic administration of family remedies.
- (4) Any person who contravenes this section is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for two years.
- (5) In any prosecution under this Act it shall be sufficient proof of an offence under this section if it is proved that the accused has done or committed a single act of unauthorised practice or has committed on one occasion any of the acts prohibited hereunder.

Discipline.
[31 of 2007
7 of 2009].

24. (1) Where any member of the Board or any holder of a temporary licence has either before or after he is registered or

licensed under this Act been convicted either in the Commonwealth or elsewhere of an offence which, if committed in Trinidad and Tobago, would be punishable on indictment, or is guilty of infamous or disgraceful conduct in a professional respect, such practitioner shall be liable to be dealt with in the manner hereinafter provided.

(2) The Council may, and upon the application of any four members of the Board shall, cause enquiry to be made into the case of a person liable to be dealt with as in this section provided, and on proof of such conviction or of such infamous or disgraceful conduct may, in the case of a holder of a special temporary licence, recommend to the Panel that the Panel take such action as the Council may advise, and in any other case, may —

- (a) censure or reprimand the medical practitioner concerned;
- (b) suspend the medical practitioner concerned for a period not exceeding two years; or
- (c) cause the name of such practitioner to be erased from the Register, the Medical Specialist Register or his temporary licence to be revoked, as the case may be,

except that this subsection shall not apply in respect of a medical practitioner adopting or refraining from adopting the practice of any particular theory of medicine or research, nor on account of a conviction for a political offence outside the Commonwealth, nor on account of a conviction for an offence which though within the provisions of this section ought not, in the opinion of the Council, either from the trivial nature of the offence, or from the circumstances under which it was committed, to disqualify a person from practising medicine or surgery.

(3) If the Council finds, after due enquiry, that a medical practitioner is suffering from a physical or mental condition that might, if he continues to practise, constitute a danger to the public or to a patient, the Council may suspend the member from practising until such time as in the opinion of the Council such member is able to resume practise.

(4) Notwithstanding subsection (2), if the Council considers that there are reasons or circumstances which render such a course expedient, the Council may, at any time before making an order, suspend the proceedings of the enquiry for a period not exceeding six months, during which the medical practitioner is entitled to practise; and at the end of such period the Council may either direct that the proceedings shall be discontinued or make such order as it shall deem proper.

(5) Without restricting the generality of subsections (1) and (2), every medical practitioner or the holder of a temporary licence shall be deemed guilty of infamous or disgraceful conduct who—

- (a) wilfully betrays a professional confidence;
- (b) abandons a patient in danger without sufficient cause, and without giving him an opportunity to retain the services of another medical practitioner;
- (c) knowingly gives a false certificate respecting birth, death, notice of disease, state of health, vaccination or disinfection or respecting any matter relating to life, health, or accident insurance;
- (d) divides with another person, who is not a partner, any fees or profits resulting from consultations or surgical operations, without the patient's knowledge and consent;
- (e) is addicted to the excessive use of intoxicating liquors or the excessive or habitual use of opiates or narcotics;
- (f) impersonates another medical practitioner;
- (g) employs in connection with his professional practice an assistant who is not registered or licensed under this Act, or permits a person who is not registered or licensed under this Act to attend or treat patients or to perform operations upon patients in respect of matters requiring

professional discretion or skill, or by his presence or advice, assistance or co-operation, enables any such person, whether acting as an assistant or otherwise, to attend or treat any person for any ailment or to perform any operation upon a patient in respect of any matter requiring professional discretion or skill, or who holds out a person who is not registered or licensed under this Act as a person qualified to practise surgery, medicine or obstetrics in Trinidad and Tobago;

- (h) directly or indirectly holds himself out to the public as a specialist or as being specially qualified in any particular branch of medicine and who has not taken a special course in such branch and received a certificate of specialty therein which is recognised by the Council;
- (i) does or fails to do any act or thing, the doing of which or the failure to do which the Council or the Panel considers to be unprofessional or discreditable.

25. No certificate required to be given pursuant to any Act by any physician, surgeon, or licentiate in medicine or surgery, shall be valid unless the person giving the same is a member of the Board or is the holder of a temporary licence.

Validity of medical certificate.

26. (1) A member of the Board or the holder of a temporary licence is entitled to demand and recover in any Court, with full costs of suit, his reasonable charges for professional aid, advice and visits, and the price of any medicine or medical or surgical appliance rendered or supplied by him to his patients.

Recovery of fees and costs of medicines supplied.

(2) No person claiming to be, or describing himself as, or acting in the capacity of, a physician or surgeon shall be allowed to recover in any Court any fees or charges for services or for drugs or medicines supplied unless he is a member of the Board or is the holder of a temporary licence.

L.R.O.

27. (Repealed by Act No. 36 of 1997).

Employment
of assessors and
assistants.

28. A committee appointed by the Council under this Act may, for the purpose of the execution of its duties, employ at the expense of the Board, such legal or other assessors or assistants as the committee may think necessary or proper.

Appeal
against
refusal to
register, erasure
from Register,
suspension, etc.
[7 of 2009].

29. (1) Any person aggrieved by the refusal of the Council to grant registration or a temporary licence to him, or by the erasure of his name from the Register, or by an order for his suspension under section 24(2)(b) or by the revocation or suspension of his licence, may, within three months after the date on which notice is given to him by the Council of such refusal, revocation or suspension, appeal against the Council's decision to a Judge in Chambers who shall give such directions in the matter as he may think proper, including a direction as to the costs of the appeal.

(2) For the avoidance of doubt, this section shall not apply to a refusal by the Panel to grant a special temporary licence to a person or to suspend or revoke a special temporary licence.

Exemption
from liability.
[7 of 2009].

29A. (1) The Panel or a member thereof shall not be liable for anything done, permitted to be done or omitted to be done, in good faith, pursuant to the exercise of the functions and powers of the Panel under this Act.

(2) The Board, or a person holding a temporary licence other than a special temporary licence shall not be liable for the acts or omissions of—

(a) the Panel; or

(b) a holder of a special temporary licence.

Penalties.

30. Any person who commits an offence under this Act for which no specific penalty is provided is liable to a penalty of seven hundred and fifty dollars, and in case of a continuing offence to a further penalty of thirty dollars for each day during which such offence is continued after written notice thereof from the Council.

31. No conviction shall take place in respect of any prosecution for any offence against this Act unless the prosecution has been authorised in writing by the Council under the hand of the Secretary or by the Director of Public Prosecutions; and any authority purporting to be signed by the Secretary shall be received as *prima facie* evidence of the authorisation.

Authorisation to prosecute. [*172/1961 136/1976 31 of 2007].

32. In the prosecution of any person for any offence committed against this Act, the Council may, if it sees fit, employ or instruct any Attorney-at-law to appear and prosecute in respect of any such offence, and to apply any part of the funds of the Board towards the payment and remuneration of the Attorney-at-law.

Retention of services of Attorney-at-law.

33. All penalties incurred under this Act or under any Regulation, may be recovered on summary conviction before a Magistrate, who may also award costs.

Recovery of penalties.

34. Any sum or sums of money arising from conviction and recovery of penalties imposed by this Act or by any Regulation, shall be paid to the Magistrate who shall pay the amount recovered to the Treasurer for the use of the Board.

Fines for use of Board. [31 of 2007].

35. The funds or moneys belonging or payable to and collected by the Board under and by virtue of this Act may be applied towards the payment of all expenses incurred in carrying out the provisions of this Act and of all matters incidental thereto.

Funds of Board to be used for purposes of Act.

*Repealed by 8/1962 (post Independence).

LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF LEGAL AFFAIRS

www.legalaffairs.gov.tt

24

Chap. 29:50

Medical Board

Section 12(1)
[7 of 2009].

SCHEDULE

LIST OF MEDICAL SCHOOLS

Trinidad and Tobago

The University of the West Indies, Faculty of Medical Sciences

Jamaica

The University of the West Indies, Faculty of Medical Sciences

Barbados

The University of the West Indies, Faculty of Medical Sciences

SUBSIDIARY LEGISLATION

MEDICAL BOARD (FEES) REGULATIONS

170/1966.
[141/2006].

made under section 20(1)(d)

1. (1) These Regulations may be cited as the Medical Board (Fees) Regulations. Citation.

(2) These Regulations shall come into operation on 1st January 1967. Commencement.

2. (1) There shall be paid to the Secretary-Treasurer the fees specified in the second column of the following Table in respect of the matters set out in the first column thereof: Fees.

TABLE

<i>First column</i>	<i>Second column</i>
Full Registration Licence	\$400.00
Registration of Intern (Provisional Licence)	\$200.00
Temporary Registration Licence	\$300.00
Registration of a Specialist Diploma Licence	\$500.00
Registration of an additional Diploma Licence	\$300.00
Annual Retention Fee	\$300.00
Fine for non-payment of Annual Retention Fee	\$100.00
Issue of letter of good standing	\$150.00

(2) The annual retention fee may be paid at the Eric Williams Medical Complex, Uriah Butler Highway or any other place designated by the Board on or before 31st December in each year preceding the year for which it becomes payable.

(3) The Secretary-Treasurer shall notify by post each member whose annual retention fee has not been paid for the following year.

L.R.O.

LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF LEGAL AFFAIRS

www.legalaffairs.gov.tt

26

Chap. 29:50

Medical Board

[Subsidiary]

Medical Board (Fees) Regulations

(4) The annual retention fee may be paid in advance for any number of years but payments made in advance in respect of the annual retention fee are not recoverable.

(5) When an annual retention fee is paid, the member or holder of a licence shall receive a certificate of good standing.

MEDICAL BOARD REGULATIONS

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
2. Common Seal.
3. Issuing of licences and certificates.
4. Applying for registration.
5. Lost or destroyed licence.
6. Annual General Meeting.
7. Communications.
8. Registration of licences.
9. Minute Book, Register.
10. Moneys payable to Board.
11. Payments.
12. Bookkeeping.
13. Balance sheet and expenditure.
14. Convening meetings of Council.
15. Summoning meetings of Board.
16. British Pharmacopeia.
17. Fee for services.
18. Investment of funds.
19. Penalty.
20. Copy of Regulations.

[Subsidiary]

G. 14. 4. 1904.
[6.2.1919
78/1956
51/1980].

MEDICAL BOARD REGULATIONS

**deemed to be made under section 20*

Citation.

†1. These Regulations may be cited as the Medical Board Regulations.

Common Seal.

2. The common Seal of the Board shall have engraved thereon *Medical Board of Trinidad and Tobago* and shall represent the arms of Trinidad and Tobago with the figure of the AEsculapius in the foreground.

Issuing of licences and certificates.

3. All licences and certificates issued by the authority of the Board shall be stamped with the Seal of the Board.

Applying for registration.

4. Any person applying for registration as a member of the Board shall appear in person at a meeting of the Council and present for inspection all necessary documents.

The Council may exempt any person from attendance if he produces satisfactory reasons for the exemption.

Lost or destroyed licence. [51/1980].

5. When a licence has been proved to have been lost or destroyed, a certificate of registration may be issued on the authority of the Council on the payment of a fee of five dollars.

Annual General Meeting.

6. An Annual General Meeting of the Board shall take place not later than the 15th March in each year. At the meeting the statement of accounts and the report of the work of the Council for the year shall be submitted to the Board. Any other business of which at least three days' notice have been given shall also be considered at the meeting.

Communications.

7. All communications shall be directed through the Secretary-Treasurer.

*These Regulations are the Bye-Laws made under section 34 of the Medical Board Ordinance Ch. 12 No. 2 (1950 Ed.) (now repealed) and which by virtue of section 29(3) of the Interpretation Act (Ch. 3:01) continue in force.

†See Note on Act No. 31 of 2007 on page 2.

8. The registration of all licences shall be dated and signed by the Secretary-Treasurer.

Registration of licences.

9. The Secretary-Treasurer shall keep the Minute Book and Register.

Minute Book, Register.

10. The Secretary-Treasurer shall receive all the moneys payable to the Board and shall lodge all such moneys in a Bank to the credit of an account to be entitled the Medical Board of Trinidad and Tobago.

Moneys payable to Board.

11. The Secretary-Treasurer shall when practicable make all payments above the sum of ten dollars by cheque, such cheques to be signed by him and countersigned by the President.

Payments.

12. The Secretary-Treasurer shall keep a book in which shall be entered the receipts and payments of the Board.

Bookkeeping.

13. The Secretary-Treasurer shall annually, in January, submit to the Council for presentation to the Board a balance sheet of the Revenue and Expenditure of the Board, and a statement of the work of the Council during the year.

Balance sheet and expenditure.

14. The Secretary-Treasurer shall at the request of the President convene all meetings of the Council for such time and at such place and with such object as may be specified by the President.

Convening meetings of Council.

15. The Secretary-Treasurer shall at the request of the President, or on a requisition in writing signed by at least four members of the Board, summon all such meetings of the Board as he may be required to summon as aforesaid. At least three days' notice shall be given of all such meetings.

Summoning meetings of Board.

16. The British Pharmacopeia shall be the official Pharmacopeia of the Medical Board. The Board may by resolution adopt any new edition of the above-named Pharmacopeia, or any addendum thereto, put forward by the authority of the General Council of Medical Education and Registration of the United Kingdom.

British Pharmacopeia.

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LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF LEGAL AFFAIRS

www.legalaffairs.gov.tt

30

Chap. 29:50

Medical Board

[Subsidiary]

Medical Board Regulations

Fee for
services.
[51/1980].

17. The following fee shall be paid by the Board to the Officer hereunder mentioned for services:

The Secretary-Treasurer: Annual Honorarium \$500.

Investment of
funds.
[78/1956].

18. The Council may from time to time place at interest or invest in the purchase of such securities as may be approved by the Minister any portion of the funds of the Board not immediately required for the purposes of the Board.

Penalty.

19. A person who is guilty of a breach of any of these Regulations is liable on summary conviction to a penalty of \$200.

Copy of
Regulations.

20. Every person now on the Register, and every other person at the time of registration shall be supplied with a copy of the Regulations of the Board.
