

STATUTORY INSTRUMENT

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STATUTORY INSTRUMENT No. 1 of 2001

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THE MEDICAL PRACTITIONERS AND DENTAL
SURGEONS ACT, 1994
(Act No. 12 of 1994)

THE MEDICAL PRACTITIONERS AND DENTAL SURGEONS Short title.
(DISCIPLINARY COMMITTEE PROCEDURE) REGULATIONS, 2001

In exercise of the powers conferred upon him by section 42 of the Medical Practitioners and Dental Surgeons Act, 1994, the Minister of Health and Sanitation hereby makes the following Regulations—

Act No. 12 of 1994

1. (1) The Disciplinary Committee established under section 24 of the Act, (hereinafter referred to as “the Committee”) may, in the course of any inquiry under section 26 of the Act, hear such witnesses, including such witness as maybe summoned on behalf of any person under section 27(4) of the Act, and receive such documentary evidence as in its opinion may assist it in coming to a conclusion as to the truth or otherwise of a complaint against any person registered under the Act relating to the person’s professional conduct. Disciplinary Committee to receive evidence at inquiry.

(2) The Chairman of the Committee may, for the purposes of sub-regulation (1), issue a summons under his hand directing the person named in it to attend at the time and place mentioned in it to give evidence or to produce documents or to do both.

(3) The summons shall be in the form set out in the Schedule.

(4) Any person who—

- (a) fails without reasonable excuse to attend at the time and place mentioned in the summons;
- (b) refuses or omits without reasonable excuse to produce any document mentioned in the summons which is in his possession or under his control;
- (c) refuses without reasonable excuse to answer fully and satisfactorily to the best of his knowledge and belief all questions put to him by or with the concurrence of the Committee,

commits an offence and shall be liable on conviction to a fine not exceeding two hundred thousand leones or to a term of imprisonment not exceeding six months or to both such fine and imprisonment.

Witness to give evidence on oath

2. The Committee shall require any witness appearing before it to give evidence on oath and the chairman shall administer the oath.

False evidence on oath

3. Any person who wilfully gives false evidence on oath before the Committee during the course of an inquiry shall be guilty of perjury.

Legal assistance

4. The Committee shall permit any person upon whose complaint an inquiry has been instituted to be assisted by a legal practitioner in establishing the truth of his allegations.

SCHEDULE

SUMMONS TO WITNESS (Regulation 1)

In the matter of AB.....(a medical practitioner/dental surgeon).

In the matter of the Medical Practitioners and Dental Surgeons Act, 1994.

..... are hereby summoned to attend before the Disciplinary Committee
 on the..... day
, 2001, and so from day to day until the above
 matter is heard to give evidence respecting such matter and also to bring with you and
 produce the following document(s) at the time and place mentioned++

GIVEN under my hand this..... day of....., 2001

Chairman of Disciplinary Committee.

- * Name and address of person summoned.
- + Place where Committee is to meet.
- ++ Here specify the documents required.

MADE this 2nd day of April, 2001.

ALHAJI DR. H. TEJAN-JALLOH,
 Minister of Health and Sanitation.