

SIGNED this 28th day of December, 1979.

SIAKA STEVENS,
President.

LS

No. 8



1979

Sierra Leone

**The Constitution of West African Post Graduate
Medical College (Ratification) Act, 1979**

Short title.

**Being an Act to ratify and confirm an Agreement for the Consti-
tution of a West African Postgraduate Medical College**

[

1979] Date of
Commence-
ment.

WHEREAS at the second Commonwealth Medical Conference held in Kampala, Uganda in 1968, the importance of regional co-operation in the field of para-medical staff was high-lighted, and as

a follow up on these discussions the Ministers of Health of Gambia, Ghana, Nigeria and Sierra Leone, together with their advisers met in Geneva in May 1970 to examine the possibility of co-operation in the field of health among the aforementioned four States and decided that the matter should be pursued with the respective Governments concerned as there was much to be gained if the available resources were pooled especially in the area of education and training.

AND WHEREAS by May 1971 the Health Ministers of the aforementioned decided to appoint an *ad hoc* Committee to consider and report on the mechanism for regional co-operation and consultation and the possibility of establishing a Regional Postgraduate Medical Institution for the education and training of doctors from the said four States:

AND WHEREAS representatives from the aforementioned Governments met on subsequent occasions and later approved of a Provisional Council which appointed a Committee to prepare the draft Constitution of the West African Post Graduate Medical College:

AND WHEREAS in April, 1974, the Association of Physicians of West Africa met in Abidjan and resolved to become the West African College of Physicians and the meeting also approved the draft Constitution of the West African Postgraduate Medical College:

AND WHEREAS in May, 1974 the draft Constitution was also approved by the Ministers at their annual meeting in Geneva and it was agreed that after vetting by the legal division of the Commonwealth Secretariat in London, the Constitution should be sent to the member States for ratification:

AND WHEREAS the Constitution is set out in the Schedule hereto:

AND WHEREAS it is desirable that the said Constitution should be ratified and confirmed:—

BE IT THEREFORE ENACTED by the President and Members of Parliament in this present Parliament assembled, as follows:—

1. This Act shall come into operation on such date as the Minister may by Notice in the Gazette appoint.

2. In this Act, unless a contrary intention appears "Constitution" means the Constitution of the West African Postgraduate Medical College which forms the subject matter of the Schedule attached hereto.

3 The Constitution set out in the Schedule hereto is hereby ratified and confirmed and all rights and obligations purported to be conferred or imposed thereby are hereby declared valid any law to the contrary notwithstanding, and notwithstanding anything in any law contained, the Minister assigned with the responsibility for matters relating to Education or any other person shall have power to do on behalf of the Government of Sierra Leone any act which the aforesaid Constitution may require or allow in the name of the said Minister or of the Government of Sierra Leone.

SCHEDULE

WEST AFRICAN POST-GRADUATE MEDICAL COLLEGE

WHEREAS we the Assembly of West African Health Ministers, at this our Eighth Session, desire to implement the decision taken by Commonwealth West African Ministers and Commissioners for Health meeting in Accra on the 13th December, 1972 to set up a West African Postgraduate Medical College, we have agreed that such a College be hereby established with the annexed Constitution.

.....
Minister of Health, The Gambia.

.....
Commissioner for Health, Ghana.

.....
Minister of Health, Liberia.

.....
*Federal Commissioner, for Health
Nigeria.*

J. C. O. HADSON-TAYLOR,
Minister of Health, Sierra Leone.

DATED the 13th day of May, 1975.

CONSTITUTION OF THE WEST AFRICAN POSTGRADUATE MEDICAL COLLEGE

NAME

1. The name of the organisation is "The West African Post-Graduate medical College" (hereinafter referred to as "the College").

OBJECTIVES

2. The objectives of the College are the following:

- (a) To supervise the promotion of, and to control standards in professional postgraduate medical education in West Africa;
- (b) To accredit institutions for professional postgraduate medical education;
- (c) To assist in the formulation and to support the management and funding of training programmes in accredited institutions;
- (d) To assist in providing facilities for professional post-graduate medical education in disciplines or in participating countries where they do not already exist;
- (e) To arrange or sponsor periodic lectures by distinguished personalities;
- (f) To be a certifying body for professional postgraduate medical qualifications and to set up appropriate examining bodies for this purpose; and
- (g) To award diplomas of the Constituent Colleges.

COMPOSITION

3. The College shall be composed of a Council and two Constituent Colleges, namely the West African College of Physicians and the West African College of Surgeons. The Council and the Constituent Colleges shall be constituted as hereinafter provided.

OFFICERS OF THE COLLEGE

4. There shall be a Secretary and a Bursar to the College.

THE COUNCIL

5. The Council of the College shall be composed as follows:

- (a) A Chairman of the Council elected from among members of the Council;
- (b) The Professional Heads of the Medical Services in the participating countries, namely
 - (i) The Chief Medical Adviser, Federal Republic of Nigeria
 - (ii) The Director of Medical Services, Ghana;

-
- (iii) The Chief Medical Officer, The Gambia;
 - (iv) The Chief Medical Officer, Sierra Leone;
 - (v) The Chief Medical Officer, Liberia;
 - (vi) The Professional Person holding such office as in (i to v) above in any other participating country;
- (c) The Registrar of the national medical registering authority of each participating country;
- (d) One adviser on medical education nominated by the government of each participating country;
- (e) Persons nominated by each Constituent College, who shall be fellows of those Colleges other than honorary fellows. The total number of nominees of the Constituent Colleges shall be one-third (to the nearest whole number) of the total membership of Council, and the total number of nominees of the Constituent Colleges, so determined, shall be shared between the Constituent Colleges bearing in mind national and disciplinary interests;
- (f) One person nominated by the Regional Director of the African Region of the World Health Organisation; and
- (g) The Regional Secretary of the West African Health Secretariat.

SECRETARY TO THE COUNCIL

6. The Secretary of the College shall be Secretary to the Council.

MEETINGS OF THE COUNCIL

7. Meetings of the Council shall be held at least once in a year and whenever necessary. The Secretary shall convene an emergency meeting whenever requested to do so in writing by the Chief Medical Officer (or the professional person of equivalent rank) of any participating country, or by not less than one-sixth of the total membership of the Council.

8. Whenever practicable, meetings of the Council shall be held in rotation in the capitals of The Gambia, Ghana, Liberia, the Federation of Nigeria, Sierra Leone and of any other participating country.

9. A third of the members of the Council shall form a quorum at any meeting of the Council, provided that the members present shall include representatives of the Governments of not less than half the number of participating countries and at least one of the persons nominated by the Constituent Colleges.

POWERS AND DUTIES OF THE COUNCIL

10. Subject to the provisions of paragraph 13 of this Constitution, the management of the business of the College shall be the responsibility of the Council. The Council, in addition to the powers and authority expressly conferred upon it by this Constitution, shall have the sole entire management of the business of the College, and of the income and property thereof for the uses, purposes and benefit of the College and shall exercise all the powers of the College which are not by this Constitution required to be exercised by the Constituent Colleges. The Council shall have power to do such acts as appear to it, or to the majority of members present at any meeting duly convened, necessary or fitting to be done, in order to carry into full operation and effect, the objectives of the College.

11. Without prejudice to the generality of the provisions of paragraph 10 of this Constitution, the Council shall have the following powers and duties:

- (a) To acquire, assign, mortgage or in any other lawful manner dispose of such monies, assets and real property as may be necessary;
- (b) To make bye-laws, regulations and standing orders for the conduct of the business of the College, including the conduct of meetings of the Council and matters relating to the membership of the Council;
- (c) To appoint such committees as may from time to time be necessary;
- (d) On the recommendation of the Constituent Colleges, to appoint and fix the remuneration of examiners;
- (e) To appoint as advisers, not more than four consultants who shall be selected with regard to their expert knowledge and experience. One such adviser shall at all times be a public health consultant; and
- (f) To appoint the Secretary and the Bursar of the College.

CONSTITUENT COLLEGES

12. The composition of each Constituent College shall reflect fully the specialities or faculties within the professional groups as follows:

The West African College of Surgeons comprising the faculties and their sub-specialities in:

General Surgery

Ophthalmology and Oto-Rhino-Laryngology

Obstetrics and Gynaecology

Anaesthesiology

Radiology and Radiotherapy

Dentistry

Any other faculty that may be approved by the Council from time to time.

The West African College of Physicians comprising the faculties and their sub-specialities in:

Internal Medicine

Paediatrics

Community Health

Psychiatry

The Pathological Sciences

General Practice

Any other faculty that may be approved by the Council from time to time.

Each faculty of a Constituent College shall comprise all Fellows of the College who are Fellows by virtue of their qualifications in that particular specialty.

13. The powers and duties of the Constituent Colleges shall be

- (a) To recommend to the Council the criteria for membership of the Constituent Colleges and the structure that will enable the Constituent Colleges to discharge the following functions:
 - (i) To prescribe the standards and the training programme for postgraduate professional medical education in the participating West African countries;
 - (ii) To establish Boards of Examiners for the conduct of appropriate postgraduate examinations and to make recommendations to the Council, on the basis of results of such examinations, for the award of the diplomas of the respective Constituent Colleges;
 - (iii) To recommend to the Council the names of external examiners and alternates, and the dates of examinations and the fees payable to examiners and other persons connected with the conduct of examinations;
 - (iv) To carry out, on behalf of the Postgraduate Medical College, the inspection of institutions in West Africa and elsewhere which provides postgraduate professional medical education in order to assess the eligibility of candidates in such institutions for examinations conducted by the Constituent Colleges, or for award of the diploma of the respective Constituent Colleges;

- (v) To determine the eligibility of posts considered suitable for training in the various specialties;
 - (vi) To investigate and recommend for accreditation by the respective Constituent College the existing programmes of Professional Postgraduate Medical Education in the various participating countries;
 - (vii) To recommend to Council the criteria for recognition of postgraduate medical specialist qualifications obtained outside West Africa; and
 - (viii) To harmonise, where necessary, the standards, training programmes, and syllabuses for professional postgraduate medical education of the two Constituent Colleges (and to report to the Council).
- (b) Subject to the approval of the Council, to acquire, assign, mortgage or in other ways dispose of such monies, assets and real property as may be necessary for the purposes of conducting the business of the Constituent Colleges;
- (c) To make bye-laws, regulations and standing orders for the conduct of the business of the Constituent Colleges including elections to the Council;
- (d) To admit Fellows;
- (e) To establish jointly a Standing Committee to be known as the Joint Committee on Higher Professional Medical Education. The composition of the Joint Committee shall reflect the national and faculty interests within both Constituent Colleges; and
- (f) To do all such things as are considered necessary in furtherance of the objectives of the Constituent Colleges and to publish or assist in publishing books, pamphlets, journals and other information as may assist these objectives.

MEMBERSHIP OF THE CONSTITUENT COLLEGES

14. All members of the Constituent Colleges shall be designated "Fellows".

15. There shall be the following classes of membership of the Constituent Colleges:

- (i) Foundation (Charter) Fellows, who shall be persons who, on the date of coming into force of this Constitution, are fellows of the West African College of Surgeons or the West African College of Physicians;

- (ii) Ordinary Fellows, who shall be candidates who have passed the examinations prescribed by the West African Post graduate Medical College. No qualified person shall be refused membership on any grounds save those of misconduct such as would disqualify the applicant from medical practice in the country in which he resides;
- (iii) Elected Fellows, who shall be elected by virtue of their position in their professions whether or not they have passed the examinations prescribed by the West African Post-graduate Medical College;
- (iv) Honorary Fellows who shall be medically or non-medically qualified individuals of high distinction such as the Constituent Colleges may decide to honour;
- (v) Associate Fellows, who shall be medically qualified persons holding specialist qualifications obtained in institutions recognised by the College but eligible to be Ordinary, Elected, Foundation or Honorary Fellows.

ELECTION OF FELLOWS

16. The election of Foundation, Ordinary, Elected and Associated Fellows shall be made by the Constituent Colleges.

17. Election of Honorary Fellows shall be by the Council on the joint recommendation of both Constituent Colleges.

REGISTERS OF FELLOWS

18. The Secretary of the College shall maintain Registers of all Fellows of the Constituent Colleges in such manner as may be prescribed by the Council. The Registers shall be published once in every three years, or at such intervals as the Council may prescribe.

19. Whenever the Secretary of the Council is made aware that a Fellow has been suspended or disqualified from medical practice in any country in which he is registered to practice he shall notify the Council of the fact. The Council shall, on receipt of such notice, institute enquires into the matter. Where as a result of such enquiries the Council is satisfied that the Fellow has been suspended or disqualified from medical practice in any country by reason of professional misconduct or the commission of an offence involving moral turpitude the Council may order the disqualification of the Fellow from membership of the appropriate Constituent College. No order shall be made unless the Fellow has been given adequate notice of the Council's intention to proceed against him and an opportunity of being heard in writing, in person or by counsel.

THE JOINT COMMITTEE ON HIGHER PROFESSIONAL
MEDICAL EDUCATION

20. The Committee established by the Constituent Colleges under paragraph 13 (e) of this Constitution shall have the following powers and duties:—

- (a) To integrate and co-ordinate the activities of the Constituent Colleges as deemed necessary;
- (b) To receive from the Constituent Colleges names of external examiners and dates of examinations for collation and co-ordination; and
- (c) To deal with any other matter referred to it by the Constituent Colleges.

PATRONS

21. The Heads of State of the Gambia, Ghana, Liberia, the Federation of Nigeria, Sierra Leone, and any other participating country shall be invited by the Council to become Patrons of the College.

AMENDMENTS TO CONSTITUTION

22. Texts of proposed amendments to this Constitution with comments from the Constituent Colleges shall be communicated by the Secretary of the Council to the members of Council at least six months in advance of their consideration by Council. The Constitution shall not be amended except by a two-thirds vote of the members of Council present and voting (including votes by proxy) in favour of the amendment proposed. The amendment shall not become valid unless it is ratified by the Assembly of Minister of Health of the participating countries.

TRANSITIONAL

23. In accordance with this Constitution Fellowships or Diplomas granted under the postgraduate medical training programme of the Nigerian National Medical College shall be recognised as conferring eligibility for fellowship of the appropriate Constituent College.

Passed in Parliament this *19th* day of *September*, in the year of our Lord one thousand nine hundred and seventy-nine.

J. W. E. DAVIES,
Clerk of Parliament.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed Parliament and found by me to be a true and correctly printed copy of the said Bill.

J. W. E. DAVIES,
Clerk of Parliament.