

CHAPTER 151.

MEDICAL PRACTITIONERS, DENTISTS
AND DRUGGISTS.

15 of 1908.
19 of 1909.
15 of 1914.
9 of 1916.
32 of 1924.
Sec. 26 of No.
44 of 1924.
15 of 1928.
19 of 1933.
9 of 1934.
18 of 1935.
22 of 1936.
25 of 1937.
9 of 1940.
31 of 1945.
28 of 1952.
4 of 1958.

An Ordinance to provide for the Registration of Medical Practitioners and Dentists and for the Registration and Licensing of Druggists.

[IN COLONY, 10TH APRIL, 1908.]

[IN PROTECTORATE, 17TH FEBRUARY, 1923.]

Short title
and
application.
*

1. This Ordinance may be cited as the Medical Practitioners, Dentists and Druggists Ordinance, and the same or any portion thereof, may be extended by Order in Council to any part of the Protectorate.

Interpreta-
tion.

2. In this Ordinance, unless the context otherwise requires—

“medical practitioner” means any person professing to practise medicine or surgery, or holding himself out as ready and willing to treat patients for gain;

“drug” includes medicine, compound medicine or medicinal preparations, but shall not include herbal remedial preparations made and used in the Colony;

“poison” includes poisonous substances, poisonous drugs, poisonous compounds and the articles enumerated in Schedule B subject to any exemptions contained therein.

PART I.—MEDICAL PRACTITIONERS AND DENTISTS.

Register to
be kept.

3. Separate registers of medical practitioners and dentists shall be kept in the form of Schedule A hereto, and a fee of one pound shall be charged for each registration of a medical practitioner or dentist under section 6 hereof.

Registrar.

4. The Director of Medical Services shall be the Registrar of medical practitioners and dentists, and shall once in every

* This Ordinance applies throughout Sierra Leone (Order in Council No. 3 of 1923).

year, as soon as conveniently may be after the first day of January, make and publish in the *Gazette* a list containing the names and qualifications of all registered medical practitioners and dentists.

5. (1) The publication of such list shall be *prima facie* evidence that the persons named therein are registered under this Ordinance, and the absence of the name of any person from such list shall be *prima facie* evidence that such person is not registered.

Publication
prima facie
evidence of
registration.

(2) All register books and all copies thereof or extracts therefrom, certified under the hand of the Registrar, shall be receivable in evidence in all Courts of Justice in Sierra Leone.

(3) The Registrar shall produce, or cause to be produced, any register book in his office on *subpœna* or order of any Court without payment for so doing, unless the Court or tribunal shall otherwise direct.

6. (1) The following persons shall be entitled to registration under this Ordinance as medical practitioners—

Persons
entitled to
be registered
as medical
practitioners.

(a) the holder of any British, British-Indian or British-Colonial degree, diploma or licence, entitling him to registration in Great Britain;

(b) the holder of a degree or licence in medicine or surgery of any medical school in Europe, the United States of America, or the Empire of Japan, the degrees, diplomas and licences of which are recognised as entitling to registration by the General Council of Medical Education and Registration in the United Kingdom.

(2) The following persons shall be entitled to registration under this Ordinance as dentists: Any person who—

Persons
entitled to
be registered
as dentists.

(a) possesses a licence or degree in dental surgery or dentistry of any of the bodies and universities who elect members of the General Council of Medical Education and Registration in the United Kingdom; or who is registered, or entitled to be registered, in the Dentists' Register of the United Kingdom; or

(b) is, at the passing of this Ordinance, *bona fide* engaged in the practice of dentistry or dental surgery either separately, or in conjunction with the practice of medicine, surgery or pharmacy.

(3) No person shall be entitled to registration whose name has been struck off the register of the General Council of Medical Education and Registration in the United Kingdom.

Subsequent insertion of additional qualifications in the register.

7. Every person registered under this Ordinance who may have obtained any higher degree or qualification, other than the qualification in respect of which he may have been registered, shall be entitled to have such higher degree or additional qualification inserted in the register in substitution for, or in addition to, the qualifications previously registered, without payment of any further fee.

Right of registered person to sue for fees.

8. Every medical practitioner registered under this Ordinance shall be entitled to practise medicine, surgery and obstetrics, and every dentist registered under this Ordinance shall be entitled to practise dentistry, and every medical practitioner and dentist so registered shall be entitled to demand, sue for, and recover in any Court of law, with full cost of suit, reasonable charges for professional aid, advice, and visits, and the value of any medicine or any medical or surgical appliances rendered or supplied by him to his patients.

Fees not recoverable unless persons registered.

9. No person shall be entitled to recover any charge in any Court of law, for any medical or surgical advice or attendance, or for the performance of any operation as a medical practitioner or dentist, or for any medicine which he shall have prescribed and supplied, or for any services performed as an obstetrician, within Sierra Leone after the coming into force of this Ordinance, unless he was at the time registered under this Ordinance; but all registration effected within three months after the coming into force of this Ordinance shall be deemed to relate back to the time of such coming into force.

Medical certificates.

10. No certificate or other document required by law to be signed by a duly qualified medical practitioner, given after the commencement of this Ordinance, shall be valid unless signed by a person registered as a medical practitioner under this Ordinance.

Construction of terms.

11. From and after the coming into force of this Ordinance the words "legally qualified medical practitioner," or "duly qualified medical practitioner," or "duly qualified medical officer," or any words importing a person recognised by law as a medical practitioner or member of the medical profession, when used in any Ordinance or Order of the Governor in Council or

in any Proclamation, or in any Order or Rules made thereunder, with reference to such persons, shall be construed to mean a person registered as a medical practitioner under this Ordinance.

12. All Medical Officers in the public service of Sierra Leone and all Medical Officers of Her Majesty's army and navy respectively, residing in Sierra Leone, while on full pay, and all ships' surgeons, while in discharge of their duties, shall be entitled to the privileges of persons registered under this Ordinance and may be registered free of charge.

Persons entitled to free registration.

13. (1) If any medical practitioner or dentist registered under this Ordinance, shall—

Effect of conviction on registration.

(a) be convicted of any felony or misdemeanour, or

(b) after due enquiry by a Board of Enquiry be deemed by the Governor in Council to have been guilty of infamous conduct in any professional respect,

the Governor in Council may order the Registrar to strike out the name of such person from the register.

(2) Any person whose name has been struck out from the register may make application for the restoration of his name to the register, and the Governor in Council may, after due enquiry by a Board of Enquiry, take the report of the Board into consideration and order, if he thinks fit, the restoration of the name to the register.

Application to restore name to register.

(3) (a) The Board of Enquiry shall consist of the Director of Medical Services and two other medical practitioners, either registered or entitled to be registered locally, to be appointed from time to time by the Governor.

Board of Enquiry.

(b) The Attorney General shall from time to time nominate a duly qualified member of the Crown Law Office to act as legal adviser to the Board and to act as a Judicial Assessor at any enquiry held by the Board. Such Judicial Assessor shall act in an advisory capacity on matters of law only and shall have neither voice nor vote in the decision of the Board.

(c) Whenever an enquiry is held by the Board into the alleged offence or misconduct of any person the Governor may, at the request of the Board, appoint a barrister and solicitor practising in Sierra Leone, to present the case against such person.

(d) The person against whom any offence or misconduct is alleged, shall upon any enquiry as aforesaid, be entitled to appear and be heard by counsel.

Appeal.

(4) Any person whose name may have been ordered to be struck out from the register may appeal to the Supreme Court, which shall have power to annul or vary the order in respect of which such person appeals.

Time of appeal.

(5) Every appeal under this section shall be made within eight days from the date of such order, and the Registrar shall not strike out any name as aforesaid before such period has expired and he has ascertained that no such appeal has been lodged.

Temporary registration.
28 of 1952.

14. (1) Whenever the Director of Medical Services is satisfied that in the interest of the public the privileges of persons registered under this Part of this Ordinance should be conferred temporarily upon any person who possesses medical or dental qualifications which do not entitle him to registration under section 6 of this Ordinance and who either—

(a) is in the service of the Government as a medical or dental officer, or

(b) is a medical missionary attached to a missionary society recognised by the Director of Medical Services for the purposes of this section (hereinafter called a recognised missionary society)

the Director of Medical Services may authorise him to be registered temporarily as a medical practitioner or dentist, as the case may be, and for such time as any person remains temporarily registered as a medical practitioner or dentist under this section he shall for all the purposes of this Ordinance excepting sections 4 and 13 be deemed to be registered under this Ordinance as a medical practitioner or dentist, as the case may be.

(2) Temporary registration under this section shall be effected in a special register, which shall be kept in the form set out in Schedule A to this Ordinance, and a separate register shall be kept of persons temporarily registered as medical practitioners and of persons temporarily registered as dentists respectively.

(3) No fee shall be charged for temporary registration as a medical practitioner or dentist under this section.

(4) The Director of Medical Services may, without assigning any reason, strike out the name of any person from any register kept for the purposes of this section, and shall strike out the name of any person from such register as soon as he becomes aware that such person has ceased to be in the service of the Government or to be a medical missionary or to be attached to a recognised missionary society, as the case may be.

(5) At the same time as the Director of Medical Services publishes in the *Gazette* the list referred to in section 4 of this Ordinance, he shall also publish in the *Gazette* a list of the names and qualifications of all persons temporarily registered under this section.

(6) Such publication of such list shall be *prima facie* evidence that the persons named therein are temporarily registered under this section, and the absence of the name of any person from such list shall be *prima facie* evidence that such person is not so temporarily registered.

(7) Sub-sections (2) and (3) of section 5 of this Ordinance shall apply to any register kept for the purposes of this section and to all copies thereof or extracts therefrom.

15. The Governor in Council may order the removal from the register of the name of any medical practitioner or dentist who—

Power of Governor in Council to order removal of names from register.

(a) is deceased; or

(b) is no longer practising medicine, surgery, obstetrics or dentistry in Sierra Leone; or

(c) has not supplied to the Registrar an address through which letters or telegrams addressed to him at such address will be delivered to him;

(d) fails to acknowledge within twelve months of the date of despatch the receipt of a registered letter addressed to him at the last address supplied by him to the Registrar;

(e) has obtained registration by a fraudulent or incorrect statement;

(f) has been registered through error as to his qualifications for registration.

16. The Registrar shall from time to time insert in the register any alteration which may come to his knowledge in the name or address of any registered medical practitioner or dentist, and shall erase from the register the names of all such registered medical practitioners or dentists as are ordered by the Governor in Council to be struck out or removed:

Alterations in, and erasure of names from the register.

Provided that any names so struck out or removed may at any time be restored to the register without fee by direction of the Governor in Council.

Falsely pretending to be medical practitioner or dentist.

17. Any person who shall wilfully and falsely pretend to be a medical practitioner or dentist or take or use the name or title of a medical practitioner or dentist or any name, title, addition, or description implying that he is registered under this Ordinance, or that he is recognised by law as a medical practitioner or dentist, shall be liable, on conviction, to a penalty not exceeding fifty pounds for each offence, and to a further penalty of five pounds a day during the continuance of such offence, or, in default of payment, to imprisonment for a period not exceeding twelve months.

Native systems of therapeutics allowed.

18. Nothing contained in this Ordinance shall be construed to prohibit or prevent the practice of native systems of therapeutics by such persons as are recognised to be duly trained in such practice:

Provided that nothing in this section shall be construed to authorise the performance of any act on the part of any person practising any native system which is dangerous to life.

PART II.—DRUGGISTS.

List of poisons.

19. It shall be lawful for the Governor in Council to add to Schedule B, with or without modifications, the names of any substances and articles which are to be treated as poisons by virtue of any Poisons List Confirmation Order made under section 17 (4) of the Imperial Pharmacy and Poisons Act, 1933, (23 and 24 Geo. 5, cap. 25), and to Schedule F, any simple medical substances approved as such by the Director of Medical Services:

Provided that any additions to Schedule B shall, when made, be published in the *Gazette*, and shall not have effect until the expiration of one month after such publication.

Registration and licensing of druggists.

20. It shall be unlawful for any person to act as, or carry on the business of, a druggist, or to sell or keep open shop for the purpose of mixing, compounding, preparing, retailing or dispensing any drugs or poisons, unless such person shall be registered under this Ordinance and shall have obtained a licence to do so from the Director of Medical Services in the form set forth in Schedule D, and every person who shall act as, or carry on the business of, a druggist, or who shall mix, compound, prepare, sell, retail or dispense in open shop any drug or poison, without being duly registered and having obtained such licence as aforesaid, shall, on conviction, be liable to a penalty not exceeding twenty pounds:

Provided that this section shall not apply to any duly qualified medical practitioner registered in Sierra Leone.

21. It shall not be lawful for any person, not duly registered and licensed as a druggist according to the provisions of this Ordinance, to assume or use the title of chemist or druggist, or to assume, use or exhibit any name, title or sign implying that he is registered and licensed under this Ordinance; and if any person not duly registered and licensed under this Ordinance shall assume or use the title of chemist or druggist or shall use, assume or exhibit any name, title or sign implying that he is a person registered and licensed under this Ordinance, every such person shall be liable, on conviction, to a penalty not exceeding twenty pounds.

Use of title of chemist by unlicensed person.

22. (1) It shall be lawful for the Governor to provide for the examination of such candidates for licences as may desire to be examined, in accordance with rules to be made under section 40 of this Ordinance, and to establish a Board of Examiners which shall consist of the Director of Medical Services and other Medical Officers for the time being, together with such other person or persons, as the Governor may from time to time appoint. The Governor may revoke such appointments and fill vacancies in the Board.

Board of Examiners.

4 of 1958.

(2) The Director of Medical Services for the time being shall be President of the Board, and the President, together with any member of the Board, shall form a quorum. In the absence of the Director of Medical Services or for other necessary or reasonable cause, the senior Government Medical Officer shall preside at any meeting of the Board.

President of Board.

(3) Examinations shall be held by the Board at Freetown in the months of January and July in each year, and at such other places and times (if any) as the Director of Medical Services, with the consent of the Governor, in writing, shall direct.

Place and time of examination.

(4) The Board shall have power to examine all persons who shall present themselves for examination under this Ordinance, as to their knowledge of drugs and poisons, and as to their ability to prepare and make up prescriptions and medicines, and as to their fitness to be entrusted with the sale of drugs and poisons:

Scope of examination.

Provided always that such examinations shall not include the theory and practice of medicine, surgery, or midwifery, and the said Board may grant or refuse to such persons certificates in the form set forth in Schedule C:

When
examination
may be
dispensed
with.

Provided also that the said Board may grant to any person who is a duly qualified pharmaceutical chemist or a chemist and druggist in the United Kingdom of Great Britain or in Ireland and is of good character and a fit and proper person to receive such certificate, a certificate in the form set forth in Schedule C without requiring him to present himself for any examination and without payment of any fee.

Registrar.

23. The Director of Medical Services shall be the Registrar of Licences.

Duty of
Registrar.

24. The Registrar shall keep a register of every licence granted under this Ordinance in the form set forth in Schedule E, and shall cause to be published in the *Gazette* a notification of every licence so granted, and a general list of licences in the month of January in every year.

Grant of
licences to
chemists,
druggists
and
dispensers.

25. (1) It shall be lawful for the Director of Medical Services to grant a licence upon payment of the fee prescribed by section 28 to any person applying for the same who satisfies one of the following conditions, that is to say—

(a) is a duly qualified pharmaceutical chemist or a chemist and druggist in the United Kingdom of Great Britain or in Ireland, and produces a certificate granted under the provisions of section 22;

(b) produces a certificate granted under the provisions of section 22 of having passed a satisfactory examination as to his skill and competency to act as a druggist and is of good character and a fit and proper person to be licensed;

(c) produces a certificate of having passed an examination of the kind specified in paragraph (b) hereof in the Gambia, Ghana or the Federation of Nigeria and is of good character and a fit and proper person to be licensed, and in the opinion of the said Board competent to dispense and sell drugs and poisons:

Provided that, in the case of a dispenser who has been in the service of the Colonial Government for ten years, it shall be lawful for the Director of Medical Services, without requiring the payment of any fee, to grant a certificate entitling such dispenser to a druggist's licence, either without examination or after such special examination as to the Director of Medical Services shall seem expedient.

Expiry of
licence.

(2) Such licence shall be in the form set out in Schedule D and shall expire on the 31st day of December of the year in

which the licence is granted, but may be renewed from time to time on payment of the fee prescribed by section 28 hereof.

(3) Notwithstanding anything contained in sub-section (1) of this section whenever the Director of Medical Services is not satisfied that an applicant for a licence is a fit and proper person to be granted a licence he shall refer the application to a Board of Inquiry constituted as provided in sub-section (2) of section 27 and the Board shall inquire into the matter and, after giving the applicant an opportunity of being heard in support of his application, submit a report thereon to the Governor in Council. After consideration of the report of the Board the Governor in Council may prohibit the grant of a licence to the applicant or make such other order as he may think just.

Application for licence may be referred to Board.

26. The Board shall keep a record of its proceedings, and every certificate granted by the Board shall have a counterfoil which, together with the certificate, shall bear a consecutive number.

Record of proceedings.

27. (1) Whenever any druggist registered and licensed under this Ordinance—

Revocation or suspension of licence and removal of name from register.
Cap. 154.

(a) is convicted of any offence against this Ordinance or the Dangerous Drugs Ordinance; or

(b) is convicted of any felony or misdemeanour; or

(c) is shown to the satisfaction of a Board of Enquiry to be addicted to intemperance, incompetent or negligent in the performance of his duties, guilty of any professional misconduct or generally unfit to hold a druggist's licence, whether from the point of view of the safety of the public or otherwise, the Governor in Council may, if and when he considers it necessary so to do, revoke, suspend or prohibit the renewal of the licence of such druggist and direct that his name be removed permanently or temporarily from the register.

(2) The Board of Enquiry shall consist of the Director of Medical Services and two other medical practitioners registered locally to be appointed by the Governor. Upon any enquiry, the druggists, against whom any conduct is alleged of the nature specified in paragraph (c) of the last preceding sub-section, shall be entitled to appear before the Board.

Board of Enquiry.

(3) The Governor in Council may, at any time, amend, vary or revoke any such revocation, suspension or prohibition and direct that the name of any druggist be re-inserted in the register.

(4) The Registrar shall without delay comply with any direction of the Governor in Council under this section.

(5) Anyone whose name has been temporarily removed from the register shall be entitled, on the expiration of the period of removal, to have his name restored to the register.

Fees.

28. The fees payable under Schedule H of this Ordinance shall be paid to the Accountant General, and the Board shall do no act of any kind in respect of any application for examination until such fee or fees shall have been received.

Exceptions.

29. Nothing in this Ordinance shall be taken to extend or apply to the sale by any person of the following articles, that is to say—

(1) any patent, proprietary or homœopathic medicines—

(a) if sold in a box, bottle, vessel or parcel under the original wrapper or cover under which it was imported into Sierra Leone;

(b) if prepared by any person acting as a druggist in Sierra Leone and placed by him in some box, bottle, vessel or parcel:

Provided always that such box, bottle, vessel or parcel is properly secured and bears the seal, name or trade mark of the proprietor, inventor or manufacturer thereof, and that with each box, bottle, vessel or parcel, directions for the use of the contents thereof are supplied, and that if such medicine be a poison it be labelled as such, and a sale of poisons book is kept in the form hereinafter provided, and proper entries made therein;

(2) mineral or artificial waters or the salts or other material employed in their preparation;

(3) simple medical substances enumerated in Schedule F;

(4) any herb, vegetable, gum, oil or seed in its natural state not being a poison, though the same may be employed in medicine;

(5) any herbal or native preparation which is supplied by any person dealing only with herbal or native preparations used as medicine in Sierra Leone.

30. Save as hereinbefore provided, no poison shall be sold or dispensed by any person other than a druggist licensed under this Ordinance, and every druggist shall keep a book called the "sale of poisons book," which shall be in the form in Schedule G.

"Sale of poisons book" to be kept.

The Commissioner of Police, an Assistant Superintendent of Police, any inspector or sub-inspector, or any person who holds an authority in writing, signed by the said Commissioner or any Magistrate, may between the hours of eight in the forenoon and four in the afternoon of any day (except Sundays, Christmas Day and Good Friday), in the presence of the druggist or persons selling poisons under the provisions of the last preceding section, inspect the "sale of poisons book" kept by him, and any druggist or other person refusing or failing within a reasonable time to produce such book for inspection shall be liable, on conviction, to a fine not exceeding five pounds.

Inspection of same.

Any such authority in writing shall, if required, be produced by the person to whom it has been granted before such person shall be entitled to inspect the "sale of poisons book."

31. It shall be unlawful for any druggist to dispense, sell or deliver any poison—

Provisions to be observed in the sale of poisons.

(a) to any person unknown to the seller, unless such is introduced by some person known to the seller;

(b) unless, before the delivery of any poison, an entry is made in the "sale of poisons book" by the seller, and signed by him and by the person, if any, who introduces any person unknown to the seller, and by the person to whom the article is sold. Such entry shall state the date of sale, the name and address of the purchaser the name and the quantity of the poison sold, and the purpose for which it is stated by the purchaser to be required;

(c) unless the box, bottle, wrapper or cover in which such poison is contained is distinctly labelled with the name of the poison and the word "poison," and with the name and address of the druggist selling, dispensing or delivering such poison:

Provided always that nothing in sub-sections (a) and (b) of this section shall apply to any medicine supplied by a duly qualified medical practitioner to his patients, or to any medicine supplied by a druggist in pursuance of a written prescription of any duly qualified medical practitioner, if at the time of selling or dispensing the same the druggist enters in a book, to be kept by him for the purpose, the prescription, the name

Proviso as to medicines supplied by medical practitioners.

of the duly qualified medical practitioner who has signed the prescription, the person to whom, and the date at which, the poison shall have been so sold, dispensed or delivered.

Penalty for contravention of sections 29, 30 and 31.

32. If any person shall contravene any of the provisions of the three last preceding sections, he shall be liable on conviction, to pay a fine not exceeding five pounds for the first offence, and not exceeding ten pounds for the second, and not exceeding twenty pounds for any subsequent offence and, in default of payment of any of such fines, to be imprisoned, with or without hard labour, for a period not exceeding three months.

Refusal to dispense or negligently dispensing drugs.

33. If any licensed druggist shall at any time wilfully refuse to compound, dispense or sell to any person whatever any drug or any appliance or thing whatever used in medical treatment and in his shop or premises contained, or shall falsely or negligently compound, dispense, or sell any drugs or appliance or thing whatever, directed by any prescription or order signed with the name or with the initials in his own handwriting of any duly qualified medical practitioner, such person so offending shall be liable, on conviction, for a first offence to pay a fine not exceeding five pounds, and for a second offence not exceeding ten pounds, and for a third offence not exceeding twenty pounds:

Provided that if any person shall vexatiously or without just cause call upon a licensed druggist for the purpose aforesaid between the hours of eight in the evening and six in the morning, such person shall, on conviction, be liable to a fine not exceeding five pounds.

Sale of poison by non-certificated assistant prohibited.

34. No poison shall be sold, dispensed or delivered by the assistant, apprentice or shopman of any druggist, unless such assistant, apprentice or shopman shall hold a certificate granted under this Ordinance.

Any assistant, apprentice or shopman contravening this section, and any druggist who permits or suffers such assistant, apprentice or shopman to contravene this section, shall be liable, on conviction, to a penalty not exceeding five pounds, or, in default, to be imprisoned, with or without hard labour, for a period not exceeding three months.

Government dispensers temporarily exempted.

35. Dispensers, nurses, dressers and apprentices in the service of the Government shall, in respect of their employment by the Government, be exempt from the operation of this part of this Ordinance during such time as the Governor may think fit.

PART III.—MISCELLANEOUS.

36. Any person who shall wilfully procure, or attempt to procure, himself to be registered under this Ordinance by making or producing, or causing to be made or produced, any false or fraudulent certificate, representation or declaration, either verbally or in writing, and any person aiding or assisting him therein, shall be deemed guilty of an offence, and shall on conviction thereof be liable to pay a fine not exceeding fifty pounds, or to be imprisoned, with or without hard labour, for any term not exceeding one year.

Obtaining registration by false representations.

37. Any person who shall wilfully destroy or injure, or cause to be destroyed or injured, any register or any part thereof shall be deemed guilty of an offence, and shall be liable to imprisonment, with hard labour, for any term not exceeding two years.

Injuring or destroying register.

38. No erasure shall be made in any register or certified copy or extract thereof, but if any error shall occur, then a line of red ink shall be drawn through any word improperly inserted so as to leave the original word legible, and any word which may have been omitted shall either be interlined or written in the margin with red ink, and the Registrar shall subscribe his name in the margin opposite to such correction.

Erasures in register.

39. (1) All prosecutions for offences under this Ordinance shall be commenced within twelve months after the offence shall have been committed.

Legal proceedings.

(2) Prosecutions shall be dealt with summarily where the punishment prescribed is a fine not exceeding twenty pounds, and may be dealt with summarily when, in the opinion of the Court, the offence is of such a nature that it would be adequately punished by a fine not exceeding twenty pounds, or, in cases where imprisonment is prescribed otherwise than in default of payment of a fine, by imprisonment, with or without hard labour, for a period not exceeding three months.

40. It shall be lawful for the Governor in Council from time to time to make rules for the more effectual carrying out of the provisions of this Ordinance, and to annex to a breach of any rule a penalty, on summary conviction, not exceeding fifty pounds.

Rules.

Delegation of powers of Director of Medical Services.

41. The Director of Medical Services may, with the approval of the Governor, delegate any of his powers and duties under this Ordinance, or any Ordinance amending the same, to any Medical Officer in the Public Service of Sierra Leone, upon such terms and conditions as he shall think fit; and the fact of any such delegation, and the terms and conditions thereof, shall be published in the *Gazette*.

Sec. 3.

SCHEDULE A.

FORM OF REGISTER.

No.	Full Name.	Address.	Qualification.	Date of Qualification.	Date of Local Registration.	Fee.	Remarks.

Secs. 2 and 19.

SCHEDULE B.

LIST OF POISONS AND EXEMPTIONS.

Poisons List.	Exempted in
<p style="text-align: center;">PART I.</p> <p>Acetanilide; alkyl acetanilides</p> <p>Alkali fluorides other than those specified in Part II of this List</p> <p>Alkaloids, the following; their salts, simple or complex— Acetyldihydrocodeinone; its esters Aconite, alkaloids of</p> <p>Apomorphine Atropine</p> <p>Belladonna, alkaloids of Benzoylmorphine Benzylmorphine Brucine Calabar bean, alkaloids of Coca, alkaloids of</p>	<p>Substances not being preparations for the treatment of human ailments.</p>

SCHEDULE B—continued.

Poisons List.	Exempted in
PART I.—continued.	
Cocaine Codeine Colchicine Coniine Cotarnine Curarine Diacetylmorphine Dihydrocodeinone; its esters Dihydrohydroxycodeinone; its esters Dihydromorphine; its esters Dihydromorphinone; its esters Ecgonine; its esters Emetine	Ipecacuanha; extracts and tinctures of ipecacuanha; substances containing less than 0.05 per cent. of emetine.
Ephedra, alkaloids of	Substances containing less than one per cent. of the alkaloids of ephedra.
Ergot, alkaloids of Ethylmorphine Gelsemium, alkaloids of Homatropine Hyoscine Hyoscyamine Jaborandi, alkaloids of	Substances containing less than 0.025 per cent. of the alkaloids of jaborandi.
Lobelia, alkaloids of	Preparations for the relief of asthma in the form of cigarettes, smoking mixtures or fumigants; substances containing less than 0.1 per cent. of the alkaloids of lobelia.
Morphine Papaverine Pomegranate, alkaloids of Quebracho, alkaloids of, other than the alkaloids of red quebracho Sabadilla, alkaloids of Solanaceous alkaloids not otherwise included in this List	Pomegranate bark. Stramonium contained in preparations for the relief of asthma in the form of cigarettes, smoking mixtures or fumigants.
Stavesacre, alkaloids of Strychnine Thebaine Veratrum, alkaloids of Yohimba, alkaloids of	Soaps; ointments; lotions for external use.
Allylisopropylacetylurea	
Amidopyrine; its salts	
Amino-alcohols, esterified with benzoic acid, phenylacetic acid, phenylpropionic acid, cinnamic acid or the derivatives of these acids	

SCHEDULE B—continued.

Poisons List.	Exempted in
PART I.—continued.	
Amyl nitrite	
Antimony, chlorides of; oxides of antimony; sulphides of antimony; antimonates; antimonites; organic compounds of antimony	
Arsenical substances, the following, except those specified in Part II of this List: arsenic, halides of; oxides of arsenic; arsenates; arsenites; organic compounds of arsenic	Pyrites ores or sulphuric acid containing arsenical poisons as natural impurities.
Barbituric acid; its salts; derivatives of barbituric acid; their salts; compounds of barbituric acid, its salts, its derivatives, their salts, with any other substance	
Barium, salts of other than barium sulphate and the salts of barium specified in Part II of this List	
Butyl chloral hydrate	
Cannabis (the dried flowering or fruiting tops of <i>Cannabis sativa</i> Linn.); the resin of cannabis; extracts of cannabis; tinctures of cannabis; cannabin tannate	
Cantharidin; cantharidates	
Chloral formamide	
Chloral hydrate	
Chloroform	Substances containing less than ten per cent. of chloroform.
Creosote obtained from wood	Substances containing less than fifty per cent. of creosote obtained from wood.
Croton, oil of	
Digitalis, glycosides of; other active principles of	
Dinitrocresols; dinitronaphthols; dinitrophenols; dinitrothymols	Dinitrophenols in substances not being preparations for the treatment of human ailments.
Elaterin	
Ergot (the sclerotia of any species of <i>Claviceps</i>); extracts of ergot; tinctures of ergot	

SCHEDULE B—continued.

Poisons List.	Exempted in
PART I—continued.	
Erythryl tetranitrate	
Glyceryl trinitrate	
Guanidines, the following:— polymethylene diguanidines, diparaanisylphenetyl guani- dine	
Hydrocyanic acid; cyanides; double cyanides of mercury and zinc	
Insulin	
Lead acetates; compounds of lead with acids from fixed oils	Substances containing less than four per cent. of lead acetate. Machine-spread plasters.
Mannityl hexanitrate	
Mercury, oxides of; nitrates of mercury; mercuric ammonium chlorides; potassio-mercu- ric iodides; mercuric oxycyanides; mercuric thiocyanate	Ointments containing less than the equivalent of three per cent., weight in weight, of mercury (Hg).
Metanitrophenol; orthonitro- phenol; paranitrophenol	
Nux Vomica	
Opium	
Orthocaine; its salts	
Ouabin	
Oxalic acid; metallic oxalates other than potassium qua- droxalate	
Oxycinchonic acid, deriva- tives of; their salts; their esters	
Para-amino-benzoic acid; esters of; their salts	
Phenetidylphenacetin	
Phenols (any member of the series of phenols of which the first member is phenol and of which the molecular composition varies from member to member by one atom of carbon and two atoms of hydrogen) except in substances containing	Carvacrol; coal tar, crude or refined; creosote obtained from coal tar; essential oils in which phenols occur naturally; medicines containing less than one per cent. of phenols; nasal sprays, mouthwashes, pastilles, lozenges, capsules, pessaries, ointments, or suppositories containing less than 2.5 per cent. of phenols;

SCHEDULE B—*continued.*

Poisons List.	Exempted in
PART I— <i>continued.</i>	
less than sixty per cent., weight in weight, of phenols; compounds of phenol with a metal, except in substances containing less than the equivalent of sixty per cent., weight in weight, of phenols	smelling bottles; soaps for washing; solid substances containing less than sixty per cent. of phenols; tertiary butyl-cresol; thymol.
Phenyleinchroninic acid; salicyleinchroninic acid; their salts; their esters	
Phenylethylhydantoin; its salts; its acyl derivatives; their salts	
Phosphorus, yellow	
Picric acid	Substances containing less than five per cent. of picric acid.
Picrotoxin	
Pituitary gland, the active principles of	
Savin, oil of	
Strophanthus; glycosides of strophanthus	
Sulphonal; alkyl sulphonals	
Suprarenal gland, the active principles of; their salts	
Thallium, salts of	
Thyroid gland, the active principles of; their salts	
Tribromethyl alcohol	
PART II.	
Ammonia	Substances not being solutions of ammonia or preparations containing solutions of ammonia; substances containing less than five per cent., weight in weight, of ammonia (NH ₃); refrigerators; smelling bottles. Pyrites ores or sulphuric acid containing arsenical poisons as natural impurities.
Arsenical substances, the following— Arsenic sulphides Arsenious oxide Calcium arsenates Calcium arsenites Copper acetoarsenites	
Copper arsenates Copper arsenites Lead arsenates Potassium arsenites Sodium arsenates Sodium arsenites Sodium thioarsenates	

SCHEDULE B—continued.

Poisons List.	Exempted in
PART II—continued.	
Barium, salts of, the following— Barium carbonate Barium silicofluoride	
Formaldehyde	Substances containing less than five per cent., weight in weight, of formaldehyde (H.CHO); photographic glazing or hardening solutions.
Hydrochloric acid	Substances containing less than nine per cent., weight in weight, of hydrochloric acid (HCl).
Hydrofluoric acid; potassium fluoride; sodium fluoride; sodium silicofluoride	Substances containing less than three per cent. of sodium fluoride as a preservative. Substances containing less than three per cent. of sodium silicofluoride as a preservative.
Mercuric chloride; mercuric iodide; organic compounds of mercury	Batteries; dressings on seeds or bulbs. Dressings on seeds or bulbs. Dressings on seeds or bulbs.
Nicotine; its salts	Tobacco.
Nitric acid	Substances containing less than nine per cent., weight in weight, of nitric acid (HNO ₃).
Nitrobenzene	Substances containing less than 0.1 per cent. of nitrobenzene; soaps containing less than one per cent. of nitrobenzene.
Phenols as defined in Part I of this List in substances containing less than sixty per cent., weight in weight, of phenols; compounds of phenol with a metal in substances containing less than the equivalent of sixty per cent., weight in weight, of phenols	Carvacrol; coal tar, crude or refined; creosote obtained from coal tar; essential oils in which phenols occur naturally; medicines containing less than one per cent. of phenols; nasal sprays, mouthwashes, pastilles, lozenges, capsules, pessaries, ointments, or suppositories containing less than 2.5 per cent. of phenols; smelling bottles; soaps for washing; solid substances containing less than sixty per cent. of phenols; tertiary butyl-cresol; thymol.
Phenylene diamines; toluene diamines; their salts	Substances other than preparations for the dyeing of hair.
Potassium hydroxide	Substances containing less than twelve per cent. of potassium hydroxide; accumulators; batteries.
Potassium quadroxalate Sodium hydroxide	Substances containing less than twelve per cent., of sodium hydroxide.
Sulphuric acid	Substances containing less than nine per cent., weight in weight, of sulphuric acid (H ₂ SO ₄); accumulators; batteries; fire extinguishers.

In addition to the articles described in the second column above, the following articles are exempted—

Adhesives; anti-fouling compositions; builders' materials; ceramics; distempers; electrical valves; enamels; explosives; fillers; fireworks; glazes; glue; lacquer solvents; loading materials; marking inks; matches; motor fuels and lubricants; paints other than pharmaceutical paints; photographic paper; pigments; plastics; polishes; printers' inks; propellants; rubber; varnishes.

Sec. 22.

SCHEDULE C.

SIERRA LEONE.

THE MEDICAL PRACTITIONERS, DENTISTS AND DRUGGISTS ORDINANCE.

*Certificate of Examination.*No. of
Sierra Leone.

We, whose names are hereunto subscribed, members of the Board of Examiners for druggists in Sierra Leone, hereby certify that..... of..... has satisfied us as to his fitness, skill and competency in the exercise of the business or calling of a druggist and is qualified to act as a druggist under the Medical Practitioners, Dentists and Druggists Ordinance.

Given at Freetown this..... day of..... 19.....

A.B. (*President*)

C.D.

Members of the Board of Examination.

Fee for Certificate, 10s.

Sec. 25.

SCHEDULE D.

THE MEDICAL PRACTITIONERS, DENTISTS AND DRUGGISTS ORDINANCE.

*Druggists' Licence.*No. of
Sierra Leone.

On the Certificate of the Board of Examiners for druggists in Sierra Leone (or of the Director of Medical Services) this licence is hereby granted to..... of..... to dispense and sell drugs and poisons at his shop situate at..... Street in..... subject to the provisions of the Medical Practitioners, Dentists and Druggists Ordinance.

This licence expires on the 31st December, 19.....

Dated this..... day of..... 19.....

Fee for licence, £2 2s.

Director of Medical Services.

Endorsement of renewal:

Fee for renewal, 10s.

SCHEDULE E.

Sec. 24.

REGISTER OF LICENCES GRANTED.

Licence.		Board Certificate.		Name of Applicant.	Residence.	Fees received for		
No.	Date.	No.	Date.			Application.	Certificate	Licence.

SCHEDULE F.

Sections 19 and 29.

APPROVED SIMPLE MEDICAL SUBSTANCES.

- | | |
|-----------------------------------|-----------------------------------|
| Acid Citric | Glycerine |
| Acid Tartaric | Glycerine and Borax |
| Alum | Lanoline |
| Amylum | Linseed Meal |
| Asafoetida | Linseed Oil |
| Borax | Magnesia |
| Borax and Honey | Magnesium Carbonate |
| Boracic Ointment | Magnesium Sulphate (Epsom Salts) |
| Basilicon Ointment | Menthol |
| Camphor | Menthol Cones |
| Camphorated Oil | Naphthalene |
| Carbonate of Magnesia | Quinine |
| Castor Oil | Resin |
| Chalk, Camphorated | Rhubarb |
| Chalk, Precipitated | Senna |
| Chalk, Prepared | Seidlitz Powder |
| Cinchona Bark | Sodium Bicarbonate |
| Cochineal | Sodium Carbonate |
| Cod Liver Oil | Sodium Sulphate (Glauber's Salts) |
| Cold Cream | Soft Soap |
| Cream of Tartar | Stockholm Tar |
| Epsom Salts | Sulphur |
| Extract of Malt | Sulphur Ointment |
| Extract of Malt and Cod Liver Oil | Turpentine |
| Fuller's Earth | Vaseline |
| Glauber's Salts | Zinc Ointment. |

Sections
30 and 31.

SCHEDULE G.

SALE OF POISONS BOOK.

Date.	Name and Address of Purchaser.	Name and Quantity of Poison or of Patent, Proprietary or Homoeopathic Medicines sold.	Purpose for which it is required.	Signature of the Purchaser.	Signature of Person introducing Purchaser (if any).	Signature of Druggist or Seller.

Sec. 28.

SCHEDULE H.

FEEs.

	£	s.	d.
On application	0	5	0
On certificate	0	10	0
On licence	2	2	0
On renewal of licence	0	10	0

CHAPTER 152.

NURSES.

ARRANGEMENT OF SECTIONS.

SECTION.

1. Short title and commencement.
 2. Interpretation.
 3. Establishment of Board.
 4. Appointment of Registrar, etc.
 5. The Register.
 6. Persons who are entitled to registration.
 7. The Auxiliary Roll.
 8. Persons entitled to enrolment.
 9. Registration and enrolment.
 10. Certificates.
 11. Rights not conferred by registration or enrolment.
 12. Publication of lists in *Gazette*.
 13. Duties and powers of Board.
 14. Surrender of certificates and badges.
 15. Supervisory Authorities.
 16. Duties of Supervisory Authorities.
 17. Notice of intention to practise and of change of address.
 18. Enrolled persons may only practise under supervision.
 19. Power of Board to clear Register and Auxiliary Roll.
 20. Fees, and expenses of administration.
 21. Appeals.
 22. (1) Penalty for false claim to be a registered nurse.
(2) Penalty for false claim to be an enrolled person.
(3) Penalty for false claim to be specially qualified.
 23. Penalties for unlawful practising.
 24. Employment of substitutes by registered nurse.
 25. Offences connected with registration and enrolment.
 26. Saving.
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CHAPTER 152.

NURSES.

18 of 1955.
11 of 1957.

An Ordinance to Provide for the Registration and Training of Nurses and for the Training and Enrolment of other Persons Engaged in Nursing and to Regulate the Practice of Nurses and Enrolled Persons.

[Sections 1, 2, 3, 4, 5, 6, 7, 8, 13, 15, 16, 20, 25, 26—1st November, 1956.
Remainder—14th May, 1959.]

Short title.

1. This Ordinance may be cited as the Nurses Ordinance and shall come into operation on such day as the Governor may by Order appoint:

Provided that the Governor may, if he considers it necessary or expedient, either by one Order or different Orders, appoint different days for the coming into operation of different provisions hereof.

Interpretation.

2. (1) In this Ordinance, unless the context otherwise requires—

“Auxiliary Roll” means the Auxiliary Roll of Nursing Assistants and Attendants kept by the Registrar in terms of section 4;

“Board” means the Nurses’ Board established under section 3;

“Director” means the Director of Medical Services;

“enrolled” with its grammatical variations and cognate expressions means enrolled in the Auxiliary Roll under the provisions of this Ordinance;

“nurse” means a person, either male or female, who holds any of the qualifications specified in section 6;

“nursing” includes both surgical and medical nursing and the nursing of persons suffering from mental or infectious diseases and of sick children, but does not include attendance on a woman for the purpose of delivering her of a child, or nursing on an ocean-going ship or aircraft in transit through Sierra Leone;

“Register” means the Nurses’ Register kept by the Registrar in terms of section 4;

“registered” with its grammatical variations and cognate expressions, except in the expression “registered medical

practitioner", means registered in the Register under the provisions of this Ordinance;

"Registrar" means the Registrar of Nurses appointed under section 4;

"Supervisory Authority" means a Supervisory Authority appointed by the Board under the provisions of section 15.

(2) Every person shall be deemed to practise nursing within the meaning of this Ordinance who for the sake of gain holds himself or herself out, whether directly or by implication, as practising, or being prepared to practise, nursing.

3. (1) For the purposes of this Ordinance there shall be established a Nurses' Board consisting of the following persons—

Establish-
ment of
Board.

(a) the Director of Medical Services;

(b) one registered medical practitioner to be appointed by the Minister of Health;

(c) one registered medical practitioner to be appointed by the professional association which in the opinion of the Minister of Health represents the majority of medical practitioners registered as such in Sierra Leone;

11 of 1957.

(d) one Senior Nursing Sister or Sister Tutor to be appointed by the Minister of Health;

(e) one person to be appointed by the Minister of Education;

(f) one registered nurse to be appointed by the Medical Workers' Association;

(g) two other persons registered in the United Kingdom as State Registered Nurses or holding qualifications recognised by the General Nursing Council for England and Wales as entitling them to registration in the United Kingdom as such nurses, to be appointed by the Minister of Health.

(2) The period of appointment of the persons referred to in paragraphs (c), (d), (e), (f) and (g) of sub-section (1) shall be three years, but such persons shall be eligible for re-appointment:

Provided that on the inability to act or absence from Sierra Leone of any such person, the Minister who appointed such person, or in the case of a person appointed in accordance with paragraph (f) of sub-section (1) the Medical Workers Association, may appoint temporarily or otherwise, to fill the vacancy caused thereby, any person qualified in the manner respectively indicated by such paragraphs.

(3) The Director shall be the President of the Board and shall be the Chairman of all meetings which he attends. In his absence from any meeting the members present at that meeting shall elect a Chairman out of their number for that meeting.

(4) The Board shall meet at such places and times as the President thereof may appoint and at any meeting four members shall form a quorum.

(5) The Board, subject to the provisions of this Ordinance and any rules made under section 13, shall have power to regulate its own procedure.

(6) Every question which comes before the Board at any meeting shall be decided by a majority of the votes of the members present.

(7) In the case of an equality of votes on any question at any such meeting the Chairman shall have a casting vote as well as an original vote in respect of such question.

Appointment
of Registrar,
etc.

4. (1) For the purposes of this Ordinance there shall be—

(a) a Registrar of Nurses;

(b) a Nurses' Register; and

(c) an Auxiliary Roll of Nursing Assistants and Attendants.

(2) The Registrar, who shall be the Deputy Director of Medical Services, shall keep the Register and the Auxiliary Roll, making from time to time all necessary alterations and corrections therein, and shall perform such other duties in connection with the Register and Auxiliary Roll as may be prescribed by rules made under section 13.

The Register.

5. (1) The Register shall consist of the following parts—

(a) a general part containing the names of all female nurses registered by reason of the provisions of paragraphs (a), (b), (c) or (d) of section 6;

(b) a general part containing the names of all male nurses registered by reason of the provisions of paragraphs (a), (b), (c) or (d) of section 6;

(c) a supplementary part containing the names of nurses trained in Health Visiting;

(d) a supplementary part containing the names of nurses trained in Nurse Tutoring;

(e) any other part prescribed by rules made under section 13.

Where any person is entitled to have his or her name entered in any supplementary or prescribed part of the Register, such name may be included in that part of the Register notwithstanding that it is also included in one of the general parts thereof.

(2) Every entry into the Register shall indicate the qualifications by virtue of which registration was made.

6. Subject to the provisions of this Ordinance, the following persons shall be entitled to be registered—

Persons who are entitled to registration.

(a) any person registered as, or possessing the qualifications entitling him or her to registration as, a State Registered Nurse in the United Kingdom;

(b) any person holding a valid certificate of competency in nursing, issued by the Board in pursuance of rules made under section 13;

(c) any person holding a valid certificate of competency in nursing issued by the Director prior to the commencement of this Ordinance;

(d) any person who has habitually practised nursing over a period immediately preceding the commencement of this Ordinance of not less than five years and who furnishes to the satisfaction of the Board evidence of good character and competency in such practice and applies for registration within six months of the date of such commencement;

(e) any person registered as, or possessing the qualifications entitling him or her to registration as, a Health Visitor in the United Kingdom;

(f) any person holding a valid certificate of competency in health visiting, issued by the Board in pursuance of rules made under section 13;

(g) any person registered as, or possessing the qualifications entitling him or her to registration as, a Nurse Tutor in the United Kingdom.

7. The Auxiliary Roll shall consist of the following parts—

The Auxiliary Roll.

(a) a general part containing the names of both male and female persons trained in general assistant nursing;

(b) a supplementary part containing the names of both male and female persons trained as mental hospital attendants;

(c) a supplementary part containing the names of both male and female persons trained as infectious disease attendants.

Persons
entitled to
enrolment.

8. Subject to the provisions of this Ordinance, the following persons shall be entitled to be enrolled—

(a) any person holding a valid certificate of competency in general assistant nursing, issued by the Board in pursuance of rules made under section 13;

(b) any person holding a valid certificate of competency as a mental hospital attendant, issued by the Board in pursuance of rules made under section 13;

(c) any person holding a valid certificate of competency as an infectious disease attendant, issued by the Board in pursuance of rules made under section 13.

Registration
and
enrolment.

9. (1) Any person entitled to be registered or enrolled may apply to the Registrar for registration or enrolment, as the case may be. Every such application shall be made in such manner and shall be accompanied by such documents, photographs and particulars as may be prescribed. Proof of identity shall be furnished in each case to the satisfaction of the Registrar.

(2) Upon compliance with the provisions of sub-section (1), and with any rules relating thereto, and on payment of the prescribed fee, the name of such person shall, subject to the provisions of sub-section (3), be entered in the Register or Auxiliary Roll, as the case may be, by the Registrar upon direction by the Board.

(3) If any person has been or is convicted of any offence which in the opinion of the Board renders such person unfit to be registered or enrolled, the Board may direct the Registrar to refuse to register or enrol such person, or, if such person is already registered or enrolled, to remove the name of such person from the Register or the Auxiliary Roll, as the case may be.

Certificates.

10. (1) Where a person has been registered, the Board shall issue a certificate of registration, and a photograph of such person shall be affixed to the certificate.

(2) Where a person has been enrolled, the Board shall issue a certificate of enrolment, and a photograph of such person shall be affixed to the certificate.

Rights not
conferred by
registration
or enrolment
Cap. 151.
Cap. 153.

11. Neither registration nor enrolment shall confer upon any person any right to be registered or licensed under the Medical Practitioners, Dentists and Druggists Ordinance, the Midwives Ordinance, or any Ordinance which may be enacted to provide

for the control of persons engaged in the sale of medicines and poisons, or to assume any name, title or description implying authority in law to practise under any of these Ordinances.

12. (1) The Registrar shall publish annually in the *Gazette*, as soon as practicable after the first day of January of each year, a list of all persons registered and a list of all persons enrolled. Publication
of lists in
Gazette.

(2) The publication of such lists shall be *prima facie* evidence that the persons named therein are registered or enrolled, as the case may be.

(3) The absence of the name of any person from such a list shall be *prima facie* evidence that such person is not registered or enrolled, as the case may be.

(4) A certificate under the hand of the Registrar that the name of a person appearing in such a list has been removed from the Register or Auxiliary Roll, as the case may be, shall be conclusive evidence of the fact that such person is not registered or enrolled and of the date upon which that person ceased to be registered or enrolled, as the case may be.

(5) A certificate under the hand of the Registrar that a person is not registered or that a person is not enrolled shall be conclusive evidence of the fact that such person is not registered or enrolled, as the case may be.

(6) The removal of the name of a person from and the addition of the name of a person to the Register or the Auxiliary Roll shall be notified in the *Gazette* as soon as practicable.

13. The duties and powers of the Board shall be to make any rule or do any act or perform any duty which is reasonably necessary for the carrying out of the provisions and purposes of this Ordinance, and, without prejudice to the generality of the powers hereby conferred, the Board may— Duties and
powers of
Board.

(a) make rules prescribing all or any of the following matters—

(i) the proceedings of the Board;

(ii) the functions of a Supervisory Authority appointed under the provisions of section 15;

(iii) the duties of the Registrar;

(iv) the form of the Register and of the Auxiliary Roll and the mode in which they shall be kept;

(v) the manner in which applications for registration and enrolment may be made;

(vi) the fees to be paid in respect of proceedings under, and certificates issued under, this Ordinance or any rule made under this section;

(vii) the procedure to be adopted at inquiries before the Board;

(viii) the issue and form of any certificates, notices and other documents required for carrying out the purposes of this Ordinance;

(ix) the preliminary standard of education, the course of training and the conduct of examination of candidates for registration and enrolment;

(x) the conditions of registration and of enrolment;

(xi) the practice of nursing both by registered nurses and by enrolled persons;

(xii) the issue by the Board of badges, and the wearing of such badges;

(xiii) the conditions under which registered nurses or enrolled persons may be suspended from practice;

(xiv) the particulars to be furnished in any notice given under the provisions of section 17;

rules made under this paragraph shall be signed by the President and not less than two other members of the Board, and shall be subject to the approval of the Governor in Council;

(b) appoint examiners and pay them such remuneration as may be approved by the Director;

(c) decide upon the places where, and the times when, examinations shall be held;

(d) caution, censure, suspend, or remove from the Register or Auxiliary Roll, as the case may be, the name of any registered nurse or enrolled person for malpractice, incompetence, negligence, misconduct or habitual drunkenness, or for failing to carry out any duty imposed by any law from time to time in force, or on conviction of a criminal offence, and may also order the restoration to the Register or to the Auxiliary Roll, as the case may be, of the name of any person so suspended or whose name has been so removed, and for any such purpose may hold an inquiry if the Board so thinks fit;

(e) issue, suspend and cancel certificates.



14. Any person whose name has been ordered to be removed from the Register or Auxiliary Roll shall within fourteen days of such order surrender any certificate and any badge issued to him or her by the Board, and on failure so to do shall be guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding five pounds.

Surrender of
certificates
and badges.

15. The Board may appoint any person or body of persons to be a Supervisory Authority over any registered nurse or class of registered nurses or over any enrolled person or class of enrolled persons or over any person undergoing training under supervision in nursing, and may cancel any such appointment.

Supervisory
Authorities.

16. (1) It shall be the duty of every Supervisory Authority in respect of any registered nurse or class of registered nurses, or of any enrolled person or class of enrolled persons, or of any person undergoing training under supervision in nursing, placed under its authority—

Duties of
Supervisory
Authorities.

(a) to exercise general supervision in accordance with any rules made under section 13;

(b) to investigate any charge made against a registered nurse or enrolled person or person undergoing training under supervision in nursing of malpractice, incompetence, negligence, misconduct or habitual drunkenness, and, if a *prima facie* case be established, to make a report to the Board;

(c) to suspend from practice or duty, as the case may be, any registered nurse or enrolled person or person undergoing training under supervision in nursing in accordance with any rules made under section 13, if such suspension appears necessary in order to prevent the spread of infection;

(d) to report forthwith to the Board the name of any registered nurse or enrolled person or person undergoing training under supervision in nursing, convicted of a criminal offence.

(2) With the approval of the Board, any Supervisory Authority may delegate in writing, with or without restrictions or conditions, any duty imposed upon it by sub-section (1) to any person or body of persons in any particular place or area.

17. (1) Every registered nurse shall before commencing practice, give written notice to the Board of his or her intention so to do.

Notice of
intention to
practise and
of change of
address.

(2) If any registered nurse who has been engaged in practice in any place transfers to another place for the purpose of

practice there, he or she shall within seven days of such transfer give notice thereof to the Board.

(3) Every such notice shall contain such particulars as are required by any rule made under section 13.

(4) Every registered nurse who fails to comply with any of the provisions of this section shall be guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding five pounds.

(5) The provisions of this section shall not apply to any person in the service of the Medical Department of the Government of Sierra Leone or of any statutory Local Authority or Health Authority.

Enrolled persons may only practise under supervision.

18. (1) No enrolled person may practise nursing otherwise than in the employment of, and under the supervision of a Supervisory Authority.

(2) Any Supervisory Authority who engages an enrolled person to practise nursing shall within seven days give written notice to the Board of such engagement.

(3) If any enrolled person ceases to be employed and supervised by a Supervisory Authority, the Supervisory Authority shall give notice to the Board within seven days that such enrolled person has ceased to be so employed or supervised by that Authority.

(4) Every notice required by this section shall contain such particulars as are required by any rules made under section 13.

Power of Board to clear Register and Auxiliary Roll.

19. The Registrar may, upon the direction of the Board from time to time by registered letter addressed to any registered nurse or enrolled person whose name appears in the Register or the Auxiliary Roll at the address as appearing therein, enquire whether such person has ceased practice or changed residence; and if within a period of six months from the sending of the letter no answer is received thereto, the Board may direct the Registrar to remove the name of such nurse or person from the Register or Auxiliary Roll, as the case may be, and cancel any certificate issued under the provisions of this Ordinance to him or her, but without prejudice to the power of the Board subsequently to direct the restoration of the name to the Register or Auxiliary Roll, as the case may be, and to reissue the certificate if it appears to the Board to be proper so to do.

20. (1) All fees paid under the provisions of any rule made under section 13 shall be paid into, and form part of, the general revenue of Sierra Leone.

Fees, and expenses of administration.

(2) No member of the Board nor any person employed by or acting on behalf of the Board shall do any act of any kind in respect of any matter with regard to which a fee is payable under the provisions of any rule made under section 13, until such fee is paid:

Provided that no fee for any matter provided for by this Ordinance or by any rule made under section 13 shall be payable by any person in the service of the Medical Department of the Government of Sierra Leone.

(3) The expenses connected with or related to the carrying out of the provisions and purposes of this Ordinance shall be paid out of the general revenue of Sierra Leone.

21. Any person aggrieved by a decision of the Board removing his or her name from the Register or Auxiliary Roll or refusing to enter his or her name in the Register or Auxiliary Roll, as the case may be, may, within one month of the date of notification to him or her by the Registrar of such decision, but not otherwise, appeal, in accordance with rules made by the Chief Justice, to the Supreme Court, upon which the necessary jurisdiction is hereby exclusively conferred. The decision of the Supreme Court shall be final.

Appeals.

22. (1) Any person who, not being a registered nurse, takes or uses the title of registered nurse or any name, title, description or badge implying that he or she is registered or is recognised by law as a registered nurse shall be guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding fifty pounds or to imprisonment with or without hard labour, for a period not exceeding six months, or to both such fine and imprisonment.

Penalty for false claim to be a registered nurse.

(2) Any person who, not being an enrolled person, takes any name, title, description, or badge implying that he or she is enrolled or is recognised by law as an enrolled person shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment with or without hard labour, for a period not exceeding six months, or to both such fine and imprisonment.

Penalty for false claim to be an enrolled person.

(3) Any person not being a registered medical practitioner, nor a registered nurse, nor an enrolled person acting under the supervision of a Supervisory Authority, nor a person undergoing

Penalty for false claim to be specially qualified.

training under supervision in nursing in accordance with rules made under section 13, who does any act implying that he or she is a person specially qualified to practise nursing shall be guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding fifty pounds or to imprisonment with or without hard labour for a period not exceeding six months, or to both such fine and imprisonment.

Penalties for unlawful practising.

23. (1) Any person who, being a person whose name is included in any part of the Register or Auxiliary Roll, at any time—

(a) takes or uses any name, title, addition, description, uniform or badge, or otherwise does any act of any kind implying that his or her name is included in some other part of the Register or Auxiliary Roll, as the case may be, when, in fact, his or her name is not included in such other part; or

(b) practises any type of nursing other than a type of nursing in respect of which he or she is registered or enrolled or for which he or she is undergoing training under supervision in accordance with rules made under section 13;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment with or without hard labour for a period not exceeding six months, or to both such fine and imprisonment.

(2) Any person other than—

(a) a registered medical practitioner;

(b) a registered nurse;

(c) an enrolled person acting under the supervision of a Supervisory Authority; or

(d) a person undergoing training under supervision in nursing in accordance with rules made under section 13;

who practises nursing within Sierra Leone, shall be guilty of an offence, and shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment with or without hard labour for a period not exceeding six months, or to both such fine and imprisonment.

Employment of substitutes by registered nurses.

24. Any registered nurse who employs an unregistered person as his or her substitute shall be guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding fifty pounds or to imprisonment with or without hard labour for a period not exceeding six months, or to both such fine and imprisonment.

25. Any person who—

(a) procures or attempts to procure registration or enrolment, or a certificate, by making, producing or causing to be made or produced any false or fraudulent declaration in writing or otherwise, or who aids and abets any other person therein; or

Offences
connected
with
registration
and
enrolment.

(b) wilfully makes or causes to be made any false entry in the Register or Auxiliary Roll;

shall be guilty of an offence and shall be liable, on summary conviction, to imprisonment with or without hard labour for a period not exceeding twelve months or to a fine not exceeding fifty pounds or to both such imprisonment and fine.

26. The provisions, restrictions and prohibitions in this Ordinance contained shall not apply to nursing performed in the execution of duty by any person serving in or employed by the naval, military or air forces of the Crown. Saving.
