

(2) An annual report shall include a copy of the audited accounts of the Commission together with the report on the accounts.

(3) A copy of the report approved by the Commission shall be submitted to the Minister not later than three months after the year to which the report relates and the Minister shall, as soon as possible but not later than three months after receiving the report lay it before Parliament.

PART V—MISCELLANEOUS

Regulations. 15. The Commission may, by statutory instrument, make rules and regulations to give effect to this Act.

Amendment of Act No. 6 of 2003. 16. The Hospital Boards Act, 2003 is amended by the repeal of paragraphs (d), (f) and (h) of subsection (1) of section 13 and paragraphs (c), (d) and (f) of section 14.

Passed in Parliament this 29th day of March, in the year of our Lord two thousand and eleven.

VICTOR A. KAMARA,
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 correct printed copy of the said Bill.

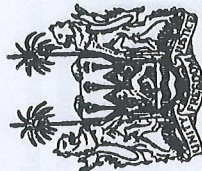
VICTOR A. KAMARA,
Clerk of Parliament.

ACT

Supplement to the Sierra Leone Gazette Vol. CXLII, No. 24
dated 12th May, 2011

SIGNED this 20th day of April, 2011.

DR. ERNEST BAIKOROMA,
President.



No. 5

2011

Sierra Leone

THE SIERRA LEONE HEALTH SERVICE COMMISSION
ACT, 2011. Short title.

Being an Act to provide for the establishment of the Sierra Leone Health Service Commission to assist the Ministry responsible for health in the delivery of affordable and improved healthcare services to the people of Sierra Leone and for other related matters.

/ Date of commencement.

ENACTED by the President and Members of Parliament in this present Parliament assembled.

Commence-
ment.

1. In this Act, unless the context otherwise requires -
 "Commission" means the Sierra Leone Health Service Commission established by section 2;
 "civil society" means a group of members of the public identified as relevant to the functions of the Commission;

"Minister" means the Minister responsible for health and Ministry shall be construed accordingly.

PART II - ESTABLISHMENT OF SIERRA LEONE HEALTH SERVICE COMMISSION

Establish-
ment
of
Commis-
sion

2. (1) There is hereby established the Sierra Leone Health Service Commission.
- (2) The Commission shall be a body corporate having perpetual succession, a common seal, and capable of acquiring, holding and disposing of any property, whether movable or immovable, and of suing and being sued in its corporate name and subject to this Act, of performing all such acts as bodies corporate may by law perform.

(3) The Commission shall have a common seal the use of which shall be authenticated by the signatures of -

- (a) the Chairman or other member of the Commission generally or specifically authorised by the Commission for that purpose; and
- (b) the Secretary.

(4) Every document purporting to be an instrument executed or issued by or on behalf of the Commission and to be sealed with the common seal authenticated in the manner stated in subsection (3) shall be deemed to be so executed or issued without other proof unless the contrary is proved.

(5) In appropriate cases the common seal may be affixed to documents outside Sierra Leone.

Composition
of
Com-
mission.

3. (1) The Commission shall consist of -

- (a) the day-to-day administration of the Commission;
- (b) the recording and keeping of minutes of meetings of the Commission;
- (c) overseeing the work and discipline of the other staff of the Commission; and
- (d) carrying out such other duties as the Commission may determine.

PART IV - FINANCIAL PROVISIONS

Funds of
Commission.

11. (1) The activities of the Commission shall be financed from funds consisting of -

- (i) monies appropriated by Parliament for the purposes of the Commission; and
- (ii) grants, gifts or donations from any person or organisation whether local or external for the purposes of the Commission.

Accounts
and
audit.

12. (1) The Commission shall keep proper books of accounts and proper records in relation to the accounts; and shall prepare within the period of three months after the end of each financial year, a statement of its accounts in such form as the Auditor-General may direct.

(2) The books and accounts of the Commission shall each year be audited by the Auditor-General or an auditor appointed by him and a report of the audit which shall include a copy of the audited accounts shall be submitted to the Commission.

Financial year
of Com-
mission.

13. The financial year of the Commission shall be the same as the financial year of Government.

14. (1) The Secretary shall, within three months after the end of each financial year, submit for the approval of the Commission, an annual report of the activities, undertakings, property and finances of the Commission for that year.

(6) The Commission may at any time co-opt any person to attend and participate in the deliberations of any matter but the person shall not vote on any issue for decision by the Commission.

(7) Subject to this section, the Commission shall regulate the procedure at its meetings.

Disclosure of interest.

7. (1) A member of the Commission who has any interest whether direct or indirect in any matter being considered by the Commission shall disclose the nature of that interest to the Commission and the disclosure shall be recorded in the minutes of the Commission.

(2) The member of the Commission referred to in subsection (1) shall not take part in the deliberation or decision of the Commission relating to the matter.

(3) Any member who fails to comply with subsection (1) or (2) shall be guilty of misconduct and be liable to be removed from the Commission.

Committees of Commission.

8. (1) The Commission may, for the discharge of its functions appoint committees which shall consist of members of the Commission or non-members or both.

(2) A committee shall submit a report of its proceedings to the Commission at a time to be determined by the Commission.

Functions of Commission.

9. (1) The object for which the Commission is established is to assist the Ministry in formulating and implementing policies for the delivery of affordable, accessible and improved healthcare services to the people.

(2) Without prejudice to the generality of subsection (1), it shall be the function of the Commission to -

(a) assist the Ministry with the implementation of national policies, programmes and projects for the delivery of healthcare services throughout the country;

(b) ensure access by the people to good quality healthcare services;

(e) for inability to perform the functions of the office as a result of infirmity of mind or body.

4. (1) Where the Chairman or other member of the Commission dies, resigns, is removed from office or is absent from Sierra Leone for a continuous period exceeding three months or by reason of illness is unable to perform the functions of his office, the members of the Commission shall elect one of their number to act as Chairman until such time as the Chairman resumes his office or another is appointed in his stead; and in the case of the other member, the Chairman shall arrange, subject to this Act, to have another person appointed to the Commission.

(2) Where a person is elected as Chairman or appointed as a member to fill a vacancy, he shall hold office for the remainder of the term of the previous Chairman or other member, and shall, subject to this Act, be eligible for re-appointment or re-election as the case may be.

Remuneration of members of Commission.

5. The Chairman and other members of the Commission shall be paid fees of allowances as may be fixed by the Commission with the approval of Parliament.

Meetings of Commission.

6. (1) The Commission shall hold its first meeting on a date and at a time to be determined by the Minister after consultation with the Commission; and after that the Commission shall meet for the dispatch of business at least once a month.

(2) The Chairman shall preside at every meeting of the Commission and in his absence, the members present shall elect one of their number to preside.

(3) The quorum at a meeting of the Commission shall be five.

(4) The Chairman shall, at the request of three other members of the Commission convene an extraordinary meeting of the Commission at a place and time determined by the Chairman.

(5) Decisions of the Commission shall be by a majority of votes of the members present and where the votes are equal, the Chairman or other member presiding shall have a casting vote.

(c) appoint the professional staff of Government healthcare facilities and the Ministry and determine the remuneration and other conditions of service of the staff;

(d) recommend to the Minister the fees to be charged for the services rendered by Government healthcare facilities referred to in paragraph (c);

(e) assist with the management of the various projects and programmes in the health sector to ensure that services are delivered effectively and efficiently;

(f) monitor and supervise the Boards of the hospitals established by the Hospital Boards Act, 2003, in the performance of their functions;

Act No. 6 of 2003.

(g) set standards for the training of healthcare providers and ensure compliance with the standards; and ;

(h) perform such other functions as are incidental to the achievement of the object for which the Commission is established.

PART III-SECRETARIAT OF THE COMMISSION

10. (1) The Commission shall be serviced by a Secretariat.

(2) The Secretariat shall consist of -

(a) the Secretary who shall be the head and shall be appointed by the Commission;

(b) such other staff as may be required for the efficient performance of the functions of the Commission as the commission may appoint.

(3) The Secretary shall be a person with qualification and considerable experience in management and administration and shall be responsible to the Commission for-

(a) a chairman who shall be a person having extensive knowledge and experience in health care management and administration;

(b) the Chief Medical Officer; *SA*

(c) the Chief Nursing Officer;

(d) the Deputy Vice Chancellor of the College of Medicine and Allied Health Science or his representative;

(e) a representative of the Sierra Leone Medical and Dental Council;

(f) a representative of civil society; and

(g) a representative of the Sierra Leone Chamber of Commerce, Agriculture and Industry.

(2) The Chairman shall be appointed by the President on the recommendation of the Minister and approved by Parliament.

(3) The Chairman and the representative of the civil society shall hold office for a term of three years and shall be eligible for re-appointment or re-election, as the case may be, for another term only.

(4) The Chairman and any other member of the Commission may resign his office by notice in writing to the President and may be removed by the President by letter addressed to that member.

(5) A person shall cease to be a member of the Commission on any of the following grounds:-

(a) if the person is absent from three consecutive meetings of the Commission without reasonable cause;

(b) if the person becomes bankrupt;

(c) if the person is convicted of an offence involving fraud or dishonesty;

(d) for proven misconduct;