



[L.S.]

I Assent,

James B. Carlisle
Governor-General.

16th August, 2000.

ANTIGUA AND BARBUDA

No. 8 of 2000

An Act to amend the Medical and Holberton Institution Act
Cap. 270.

[7th September, 2000]

ENACTED by the Parliament of Antigua and Barbuda as
follows:

1. This Act may be cited as the Medical and Holberton **Institution (Amendment) Act 2000.** **Short title.**

2. The Medical and Holberton Institution Act, in this Act referred to as the principal Act, is amended in section 2 as follows — **Amendment of section 2.**

- (a) by the deletion of the definition of the words hospital, labourer, Medical Superintendent or superintendent and proprietor;
- (b) by the insertion in the appropriate alphabetical order of the following —

"Medical Chief of Staff" means the person appointed under section 10 of ~~the~~ Antigua and Barbuda Hospitals Board Act 1999 to hold such office. **No.1 of 1999.**

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*Medical and Holberton Institution
(Amendment) Act 2000.*

No. 8 of 2000.

"Superintendent" means the Superintendent ~~appointed~~ under section 4.

Amendment of
section 3.

3. Section 3(1) of the principal Act is repealed ~~and~~ substituted by the following —

"3(1) The ~~Fiennes~~ Institute, the soup kitchen and the workhouse shall, for the purposes of this Act, ~~form~~ the Holberton Institution.

Amendment of
section 4

4. The principal Act is amended in section 4 as follows —

(a) by the repeal of subsection (1) and the ~~substitution~~ of the following —

"(1) The Public Service Commission shall appoint some duly qualified person to be the Superintendent of the Holberton Institution".

(b) by the deletion of the colon in subsection (2) and the substitution of a full stop.

(c) by the repeal of ~~the~~ proviso to subsection (2).

Amendment of
section 6.

5. (1) Section 6 of the principal Act is amended by the repeal of subsection (2) and the ~~substitution~~ of the following —

"(2) The visitors appointed under subsection (1) shall hold office for a period not exceeding three years and may be eligible for reappointment."

Amendment of
section 8.

6. The principal Act is amended in section 8 by the deletion of paragraph (f).

Amendment of
section 9.

7. Section 9 of the principal Act is repealed.

Amendment of
section 10.

8. Section 10 of the principal Act is repealed and the following substituted —

(1) Every District Medical Officer shall have authority, at any time, to refer patients under his care to any hospital under the control of the Antigua and Barbuda Hospitals Board for treatment of any disease, sickness or injury for which in his opinion, treatment cannot be ~~obtained~~ elsewhere.

(2) No District Medical Officer or Medical Practitioner shall refer any person to a hospital unless he has personally visited or seen such person and satisfied himself that the disease, sickness or injury of which such person is afflicted could not be treated elsewhere.

(3) Every case referred under this section shall be, as nearly as circumstances admit, in the form set out in Schedule A or as may be prescribed by the rules to be made under section 8 and shall comprise such particulars as the Medical Chief of Staff may require.

(4) The Medical Chief of Staff or any **consultant** or any duly qualified medical practitioner shall, ~~upon~~ receipt of a case so referred to him under ~~this~~ section, carefully examine the person who is the subject of the referral, ~~and~~, if he shall be of the opinion that the case is a proper one for treatment in the hospital shall proceed to provide or cause such treatment to be provided.

(5) The Cabinet shall make rules to ~~determine~~ the circumstances and the manner in which the medical expenses of any person who is unable to pay such expenses shall be settled.

9. Section 13 of the principal Act is repealed and the following substituted — **Amendment of section 13.**

"13. The Cabinet shall, from time to time, divide Antigua and Barbuda into such number of medical districts as it considers necessary.

10. Section 14 of the principal Act is repealed and the following substituted — **Amendment of section 14.**

"The Public Service Commission shall appoint duly qualified medical practitioners to be District Medical Officers in the medical districts into which Antigua and Barbuda is divided under section **13**".

11. Sections 19, 20, 21, 22, 23 and 24 are repealed and the following substituted — **Repeal of sections 19, 20, 21, 22, 23, and 24.**

"Responsibility for removal to a hospital.

19. (1) The head of any household or the person in charge of any person whose removal to a hospital has been ordered by a District

Medical Officer shall be responsible for the prompt removal and the payment of the expenses incurred for the **removal** or the transfer of the person to the hospital.

(2) Any such head of a household or person in charge of any person ordered to be removed into a hospital who fails or neglects to convey or cause to be conveyed to the hospital any such person so ordered to be removed within a reasonable time of the order for removal commits an **offence** and is liable on summary conviction to a fine not exceeding five hundred dollars.

(3) The District Medical Officer shall indicate to the Medical Chief of Staff, the person or persons who shall be responsible for the payment of any expenses incurred in the treatment of any person referred to the hospital.

(4) Where the person so referred is a destitute person or has no means of paying for the treatment, the Government shall be responsible for the person's removal and shall bear the expenses for his treatment.

Recovery of penalties.

20. All fines and penalties imposed by this Act or the rules shall be recovered summarily on the complaint of the Superintendent under the Magistrate's Code of Procedure Act.

Funds of the Holberton Institute.

21. (1) There is hereby created a Fund to be known as the Holberton **Institution** Fund into which all monies received by the Institution shall be paid.

(2) The Funds and resources of the Institution shall consist of —

- (a) monies appropriated by Parliament;
- (b) monies received from gifts, endowments, and bequests.

(3) The funds of the institution shall be used for the maintainance and support of the inmates and other dependants of the institution and other purposes incidental therewith." **Amendment of Schedule.**

12. The Schedule to the principal Act is amended by deleting the words "and I hereby recommend that the said . . . be admitted to the hospital." and substituting the following —

"and I hereby refer . . . to **the** Medical Chief of Staff for treatment at the **hospital.**"

Passed the House of Representatives
this 6th day of June, 2000.

Passed the Senate this 20th day of
June, 2000.

Bridget Harris,
Speaker.

Senator Llewlyn Smith,
Vice President.

Yvonne Henry,
*Deputy Clerk to the House of
Representatives.*

Sylvia Walker,
Clerk to the Senate.

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