

GUYANA

No. 1 of 2002

REGULATIONS

Made Under

THE MEDICAL PRACTITIONERS ACT 1991

(No. 16 of 1991)

IN EXERCISE OF THE POWERS CONFERRED UPON ME BY SECTION 23 OF THE MEDICAL PRACTITIONERS ACT 1991, I HEREBY MAKE THE FOLLOWING REGULATIONS:-

Citation.                    1.        These Regulations may be cited as the Medical Council of Guyana (Election) Regulations 2002.

Candidates nominated and seconded for election to the Council.

2.(1) For the purpose of election of the members of the council referred to in paragraph 1 (c) of the First Schedule to the Act, the Chief Medical Officer shall cause a notice to be published in the daily newspapers fixing a day, within ten days from the date of such publication, for candidates to be nominated and seconded for election to the Council.

(2) Any medical practitioner may, in writing, addressed to the Chief Medical Officer, nominate or second the nomination for election to the Council a medical practitioner with at least five years post registration experience, provided that a candidate shall not be nominated and seconded by the same medical practitioner and provided further that two or more candidates shall not be nominated and seconded by the same medical practitioners.

**Nomination.**

3.(1) Where a medical practitioner has been nominated and seconded, the Chief Medical Officer shall within ten days thereof notify in writing the medical practitioner of his being nominated and seconded and request his acceptance or refusal thereof in writing within ten days of the receipt of such notice. Where a medical practitioner fails to signify such acceptance or refusal he shall be deemed to have refused being nominated and seconded.

(2) The Chief Medical Officer shall cause the names of all candidates, those refusing and those accepting being nominated and seconded, to be published in the daily newspapers within seven days of the receipt of the notice of acceptance or refusal referred to in paragraph (1).

(3) Where only six medical practitioners have been nominated and seconded and all the six medical practitioners accept being nominated and seconded they shall, subject to paragraph (1), be deemed to have been duly elected and shall accordingly be notified in writing within seven days of their being so deemed.

(4) After notice of acceptance or refusal referred to in paragraph (1) has been received by the Chief Medical Officer, the Chief Medical Officer shall, if necessary, fix a day, other than Saturday or Sunday, on which the election shall be held at a place in Georgetown, between the hours of nine o'clock in the morning and four o'clock in the afternoon, such day being not more than fifteen days after the expiry of the date for the receipt of notice of acceptance or refusal of being nominated and seconded.

**Notification to medical practitioners.** 4.(1) Where more than six medical practitioners have accepted being nominated and seconded, the Chief Medical Officer shall by publication in two daily newspapers and by registered letter, notify all medical practitioners resident in Guyana of the date and place of the election referred to in regulation 3(4) and the names of the candidates who have accepted being nominated and seconded:

Provided that failure to receive such notice shall not render an election void and a medical practitioner may vote in the manner specified notwithstanding that he has not received a notice under this regulation.

(2) The Chief Medical Officer shall enclose in each letter of notification a voting paper, in a form determined by the Chief Medical Officer duly stamped with the seal of the Ministry of Health and initialled by an officer of the Ministry authorised by the Chief Medical Officer, containing the names of all the medical practitioners who have accepted being nominated and seconded, and no vote shall be valid unless recorded on such voting paper. If any medical practitioner transmits more than one voting paper to the Chief Medical Officer, that medical practitioner's vote shall be declared spoilt.

**Declaration and publication of results of election.** 5.(1) All voting papers must reach or be delivered at the place of the election before four o'clock in the afternoon of the day on which the election is held:

Provided that a medical practitioner in the queue before four o'clock in the afternoon of the day of the election shall be allowed to deliver his voting paper.

(2) The Chief Medical Officer shall on the day fixed for the election cause the votes duly cast to be counted, and recorded in the book referred to in regulation 7, and

each of the six candidates having more votes than the others, individually shall be deemed to have been duly elected, and shall be so declared.

(3) Where two or more candidates secure an equal number of votes, a re-election in accordance with these Regulations shall be held:

Provided that if in such re-election an equality of votes results, the Chief Medical Officer, acting in the presence of the Minister or the persons referred to in paragraph (4) shall by lot choose one of the candidates in respect of whom the votes are equal to be a member of the Council and such member shall be deemed to have been duly elected.

(4) Two persons employed in the Public Service, and nominated by the Minister responsible for the Public Service, shall be present during the counting of votes, and shall, upon the completion of the counting, certify the results in the book referred to in regulation 7.

(5) The Secretary shall cause a notice of the results of the election to be published in the Gazette and in the daily newspapers.

(6) Persons nominated and seconded for election to the council as well as all medical practitioners are entitled to observe the elections.

Application. 6. These Regulations shall apply mutatis mutandis to an election to fill one or more vacancies of members of the council referred to in paragraph (1)(c) of the First Schedule to the Act.

Book to be kept.

7. The Chief Medical Officer shall keep a book in which shall be recorded: under regulation 2 the date of the publication of the notice, under regulation 3 the names

of the medical practitioners nominated and seconded and the names of those who accept being so nominated and seconded, under regulation 4(1) the names of the candidates who accept being nominated and seconded, under regulation 4(2) the names of the medical practitioners to whom voting papers have been sent, under regulation 5(2) the names of the candidates elected, under regulation 5 (3) the candidates with an equality of votes and under regulation 5(4) the certification of the results.

Made this 25<sup>th</sup> day of January, 2002.



Minister of Health.