

LAWS OF KIRIBATI  
REVISED EDITION 1979

CHAPTER 55A

MEDICAL ASSISTANTS

ARRANGEMENT OF SECTIONS

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**An Ordinance to provide for the registration of medical assistants and to regulate their practice** 5 of 1978

*Commencement: 29th September 1978*

1. This Ordinance may be cited as the Medical Assistants Ordinance. Short title

2. In this Ordinance—

Interpretation

“Board” means the Board established under section 3;

“Chief Medical Officer” means the person for the time being performing the duties of the Chief Medical Officer in and for Kiribati;

“the Matron” means the matron of the Central Hospital at Tarawa;

“medical assistant” means a person registered as such under this Ordinance;

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“registered medical practitioner” means a person registered as such under the Medical and Dental Practitioners Ordinance.

Constitution  
and functions  
of the Medi-  
cal Assistants  
Board

3. (1) There is hereby established a Board to be known as the Medical Assistants Board, which, subject to this Ordinance, shall have the duty of issuing practising certificates to medical assistants who comply with the rules made under this Ordinance.

(2) The Board shall consist of—

- (a) the Chief Medical Officer, as Chairman; and
- (b) the Matron; and
- (c) a medical assistant registered under this Ordinance appointed by notice by the Minister; and
- (d) such number of other members, not to exceed 2, as the Minister may by notice appoint, 1 of whom shall be a person nominated by the World Health Organisation, or such other international medical body as the Minister, after consultation with the Board, may from time to time by order appoint.

(3) Members appointed to the Board under subsection (2) (c) or (d) shall hold office for 2 years but may be re-appointed, and may be removed from office by the Minister for such cause as he may deem sufficient or may at any time resign by notice in writing addressed to the Chairman.

(4) If any member of the Board appointed under subsection (2) (c) or (d) dies, resigns or is removed from office, the vacancy shall be filled in the manner in which the appointment to the vacant office was originally made, and any person so appointed shall hold office for the remainder of the period for which his predecessor in office was appointed.

(5) The powers of the Board shall not be affected by any vacancy in the membership of the Board.

(6) The Chairman and 2 members of the Board shall form a quorum, and the Chairman shall have a deliberative vote and in the event of an equality of votes shall also have a casting vote.

(7) The Board may make standing orders governing its own procedure.

(8) The Board shall be a body corporate with perpetual succession and a common seal.

Duties of the  
Board

4. (1) It shall be the duty of the Board—

- (a) to form and keep in such manner and in such parts as the

Board considers desirable a register of medical assistants; and

- (b) to arrange for and regulate courses for training for medical assistants and the examination of such persons seeking admission to the register; and
- (c) to make provision for the issue of certificates to medical assistants registered under this Ordinance; and
- (d) to regulate, supervise and restrict the practice of medical assistants.

(2) A certificate under the seal of the Board authenticated by the signature of the Chairman and 1 other member stating that any person is or was at any date, or is not or was not at any date, duly registered under this Ordinance shall be conclusive in all courts of law of the facts stated in such certificate.

5. It shall be a condition of admission of a medical assistant to the register that such person—

Qualification  
of a medical  
assistant

- (a) has undergone a course of training approved or prescribed by the Board in an institution approved by the Board and has passed, to the satisfaction of the Board, an examination approved by the Board; or
- (b) is or has been registered as a medical assistant, or in a similar capacity, in a country where the standard of training and examination is not lower than that required by this Ordinance, and satisfies the Board as to his good character; or
- (c) possess such other special qualifications as in the opinion of the Board justify the admission of such person to the register of medical assistants.

6. The Board may grant to a candidate who satisfies the conditions imposed by section 5 a certificate in the form specified in rules made hereunder that he has satisfied the Board as to his ability to practise as a medical assistant in the service of the Republic subject to such rules as may be made under this Ordinance.

Certification  
of a medical  
assistant

7. Any person holding a certificate granted by the Board under the provisions of section 6 shall be entitled upon application to the Board to be registered as a medical assistant.

Registration  
as a medical  
assistant

8. No person shall be entitled to recover any charge in any court of law for any services rendered as a medical assistant.

Charges not  
recoverable

Penalty for  
misrepresentation

9. Any person who takes or uses any name, title or description implying that such person is registered as a medical assistant when not so registered shall be liable to a fine of \$100.

Disqualification of a  
medical  
assistant

10. (1) If a registered medical assistant is convicted of an offence which is punishable by a term of imprisonment of more than 6 months, or if after due enquiry and after hearing the person whose conduct is in question the Board is satisfied that a registered medical assistant has been guilty of serious misconduct in a professional matter, the Board may make an order removing the name of such person from the register.

(2) A person whose conduct is the subject of inquiry under this section may attend the inquiry in person and may be represented by counsel or otherwise.

(3) At the conclusion of such inquiry, the Board shall record its finding and the reasons therefor and may make an order accordingly, and shall forthwith notify the person concerned in writing of such finding and order and if required supply him with a copy of the finding and the reasons therefor.

(4) If the Chief Medical Officer considers that any registered medical assistant has ceased to be employed as such, whether by reason of death, dismissal, resignation, retirement or for any other cause, he shall communicate the fact to the Board and, after giving such person (if he is alive and can be found) an opportunity to be heard or to make any representation on the matter and after such other inquiry as the Board deems necessary, the Board may make an order removing the name of such person from the register.

(5) Any person aggrieved by the removal of his name from the register under any of the provisions of this section may within 3 months after the date on which notice is given to him by the Board that his name has been so removed appeal to the High Court against the removal, and on any such appeal the High Court may confirm or vary or cancel the entry in the register, and give directions as to the costs of the appeal.

(6) The Board may, in its discretion, re-admit to the register any person whose name has been removed therefrom under any of the provisions of this section.

The rules of  
the Board

11. The Board may, subject to the approval of the Minister, make rules—

- (a) making such provision as the Board deems expedient for the purpose of enabling it to carry out the duties imposed upon it by this Ordinance; and

- (b) prescribing fees for the examination and registration of medical assistants; and
- (c) prescribing the conditions under which a person whose name has been struck off the register may be re-admitted thereto.

12. Nothing in this Ordinance relating to a medical assistant shall apply to—

- (a) any person registered under the Medical and Dental Practitioners Ordinance or the Nurses and Midwives Ordinance, or to any person being instructed by or acting under the supervision of a person registered under the Medical and Dental Practitioners Ordinance or the Nurses and Midwives Ordinance; or
- (b) any person being instructed by or assisting any medical assistant registered under this Ordinance and acting under the direct supervision of such medical assistant.

Exemptions

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