

## OBJECTS AND REASONS

This Bill would amend the *Queen Elizabeth Hospital Act, 2001-14* to allow for the further preservation of rights of public officers who have been transferred from the service of the Crown to the Board including the right of appeal to the Privy Council.

### *Arrangement of Sections*

#### *Section*

1. Short title.
2. Amendment of section 6 of Act 2001-14.
3. Amendment of section 9 of Act 2001-14.
4. Amendment of section 11 of Act 2001-14.
5. Amendment of section 13 of Act 2001-14.
6. Amendment of section 19 of Act 2001-14.
7. Amendment of section 23 of Act 2001-14.
8. Amendment of Schedule to Act 2001-14.
9. Amendment to Act 2001-14.

#### SCHEDULE

BARBADOS

A Bill entitled

An Act to amend the *Queen Elizabeth Hospital Act*.

ENACTED by the Parliament of Barbados as follows:

1. This Act may be cited as the *Queen Elizabeth Hospital (Amendment) Act, 2005*. Short title.

2. Section 6 of the *Queen Elizabeth Hospital Act*, in this Act referred to as the principal Act, is amended by re-numbering paragraph (l) of subsection (1) as paragraph (m) and inserting immediately after paragraph (k) the following: Amendment of section 6 of Act 2001-14.

"(l) to provide and manage the operation of an emergency ambulance service to facilitate the timely access to and efficacious provision of services by the Hospital."

Amendment of section 9 of Act 2001-14.      **3.** Section 9 of the principal Act is amended by deleting subsection (2) and substituting the following:

"(2) The Board shall appoint as employees, a chief executive officer, by whatever name called and the following directors:

- (a) Director of Human Resources;
- (b) Director of Medical Services;
- (c) Director of Nursing Services;
- (d) Director of Support Services;
- (e) Director of Financial Services; and
- (f) Director of Engineering Services."

Amendment of section 11 of Act 2001-14.      **4.** Section 11 of the principal Act is amended by deleting the words "or property of whatever kind; and", appearing in paragraph (a) and inserting, immediately following the word "estate", the words "or real property;"

Amendment of section 13 of Act 2001-14.      **5.** Section 13 of the principal Act is amended by inserting after subsection (4) the following subsection:

"(5) The Government may, by a resolution of both Houses of Parliament guarantee the repayment of a loan authorised in accordance with subsection (2)."

Amendment of section 19 of Act 2001-14.      **6.** Section 19 of the principal Act is amended by inserting immediately after subsection (2) the following subsections:

"(2A) An officer who has been appointed to the public service on or before 1st October, 2004 and who is transferred to the staff of the Board not later than 1st September 2005, shall

- (a) continue to be employed on terms and conditions that are no less favourable than those enjoyed by a public officer of proximate rank or a public officer performing comparable duties; and

- (b) have a right of appeal to the Privy Council in respect of any decision by the Board that would render a person referred to in this subsection liable to the penalty of dismissal or reduction in rank.

(2B) The terms and conditions of employment that form part of the contract between the officer referred to in subsection (2A) and the Board shall be regarded as terms and conditions meeting the requirements of subsection (2A)(a).

(2C) An appeal to the Privy Council shall be in accordance with the procedure set out in the *Second Schedule*.

7. Section 23 of the principal Act is amended in paragraph (d) by deleting the words "Chief of Medical Staff" and substituting the words "Director of Medical Services".

Amendment of section 23 of Act 2001-14.

8. The Schedule to the principal Act is amended by

Amendment of Schedule to Act 2001-14.

- (a) renumbering that Schedule as the *First Schedule*;
- (b) deleting sub-paragraphs (1)(i) and (2) of paragraph 1;
- (c) deleting the word "6" appearing in paragraph 7 and substituting the word "5".

9. The principal Act is amended by inserting the schedule contained in the *Schedule* to this Act as the *Second Schedule*.

Amendment to Act 2001-14. Second Schedule.

SCHEDULE

*(Section 9)*

"SECOND SCHEDULE

*(Section 19(2A))*

*Appeal to Privy Council*

1. Where upon an application for a review by an officer, the Board has confirmed the decision in respect of the officer, an application may be made in writing to the Governor-General to have the matter referred to the Privy Council.
2. The application shall
  - (a) be made within 14 days of the date on which the officer was advised in writing of the decision of the Board;
  - (b) be transmitted to the Governor-General by the Chief Executive Officer pursuant to paragraph 3.
3. Together with the application referred to in paragraph 2(b), the Chief Executive Officer shall transmit the complete report of all the proceedings in the matter."