

No. 6] *Agreement Establishing the Caribbean Accreditation Authority for Education in Medicine and Other Health Professions Act* [ 2017

**SAINT LUCIA**

**No. 6 of 2017**

**ARRANGEMENT OF SECTIONS**

*Section*

1. Short title
2. Interpretation
3. Force of law
4. Amendment of Schedule
5. Regulations

**SCHEDULE**



No. 6] *Agreement Establishing the Caribbean Accreditation Authority for Education in Medicine and Other Health Professions Act* [ 2017

I ASSENT

[L.S.]

PEARLETTE LOUISY,  
*Governor-General.*

*July 26, 2017.*

## SAINT LUCIA

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### No. 6 of 2017

**AN ACT** to give effect to and provide for the implementation of the Agreement Establishing the Caribbean Accreditation Authority for Education in Medicine and Other Health Professions.

[ 14th August, 2017 ]

**BE IT ENACTED** by the Queen's Most Excellent Majesty, by and with the advice and consent of the House of Assembly and the Senate of Saint Lucia, and by the authority of the same, as follows:

No. 6] *Agreement Establishing the Caribbean Accreditation Authority for Education in Medicine and Other Health Professions Act* [ 2017

**Short title**

1. This Act may be cited as the Agreement Establishing the Caribbean Accreditation Authority for Education in Medicine and Other Health Professions Act, 2017.

**Interpretation**

2. In this Act —

“Agreement” means the Agreement Establishing the Caribbean Accreditation Authority for Education in Medicine and Other Health Professions signed on the 26<sup>th</sup> day of February, 2015 in Nassau, Bahamas, the text of which is set out in the Schedule;

“Minister” means the Minister responsible for education.

**Force of law**

3. The Agreement shall have the force of law in Saint Lucia.

**Amendment of Schedule**

4.—(1) Where an amendment to the Agreement is accepted by the Contracting Parties under Article 22 of the Agreement, the Minister may by Order amend the Schedule for the purpose of including the amendments.

(2) Where the Schedule is amended under subsection (1), a reference in this Act, any other enactment or an instrument is, unless the context otherwise requires, construed as a reference to the Agreement as amended.

**Regulations**

5. The Minister may make Regulations for giving effect to the provisions of this Act.

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**SCHEDULE**

(Section 2)

**AGREEMENT ESTABLISHING THE CARIBBEAN ACCREDITATION AUTHORITY FOR EDUCATION IN MEDICINE AND OTHER HEALTH PROFESSIONS**

**THE CONTRACTING PARTIES**

**Recalling** the provisions of the Revised Treaty of Chaguaramas establishing the Caribbean Community, including the CARICOM Single Market and Economy signed at Nassau, The Bahamas, on 5 July 2001:

**Concerned** that international trends in the accreditation of training programmes in certain fields, in particular, the regional accreditation initiatives of the European Union will have implications for the traditional methods of accrediting medical programmes offered by institutions in the Caribbean Community:

**Acknowledging** the absence of a regional system of accreditation for training programmes in the Caribbean Community in medicine and other health professions:

**Recognizing** that the establishment of such a system is essential within the Caribbean Community and that such a system must be internationally recognized:

**Conscious** that the primary focus of accreditation and quality assurance initiatives in the Caribbean Community must be on the delivery of programmes of study aimed at achieving recognized, pre-determined quality standards, by Universities and like institutions in the Caribbean Community engaged in providing training in medicine and other health professions:

**Aware** of the critical importance of international comparability of programmes of study accredited by a body established within the Caribbean Community:

**Determined** to establish in the Caribbean Community a regional mechanism for the accreditation of training programmes in medicine and other health professions:

**Have agreed** as follows:

**Article 1**

**Use of Terms**

1. In this Agreement, unless the context otherwise requires:

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“accredit” means the according of recognition by the Authority, on the basis of an informed evaluation, that the programmes of study offered by an institution and any award it confers, satisfy standards prescribed or approved by the Authority; and “reaccredit”, “accreditation” and other cognate expressions shall be construed accordingly;

“Associate Member” means a state or territory that is admitted to associate membership of the Community under Article 231 of the Revised Treaty of Chaguaramas signed at Nassau, the Bahamas, on 5 July, 2001;

“Authority” means the Authority established by Article 2;

“award” means a degree, diploma, certificate or other evidence that prescribed programmes of study in medicine and other health professions have been completed successfully;

“Contracting Party” means a Member State or an Associate Member State of the Community for which this Agreement is in force;

“Community” means the Caribbean Community, including the CARICOM Single Market and Economy established by the Revised Treaty of Chaguaramas signed at Nassau, the Bahamas, on 5 July, 2001;

“Executive Director” means the Executive Director appointed by Article 11;

“medicine” includes dental medicine and veterinary medicine;

“other health professions” means any health profession other than medicine specified by the Authority pursuant to paragraph 4 of Article 9;

“quality assurance” means a system or process of ensuring that awards granted or programmes of study offered in medicine and other health professions by Universities or like institutions satisfy standards prescribed or accepted by the Authority;

“Secretariat” means the Secretariat established by the Authority by Article 10;

“Secretary-General” means the Secretary-General of the Community;

“standard” means a clearly defined level of academic achievement employed as a measurement of the quality of education.

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2. For the purposes of this Agreement any reference in the following Articles to the Community shall include a reference to an Associate Member.

**Article 2**

**Establishment of the Authority**

1. There is hereby established the Caribbean Accreditation Authority for Education in Medicine and other Health Professions having the objectives, powers and functions set out in this Agreement.
2. The Headquarters of the Authority shall be located in a Member State of the Community to be determined by the Contracting Parties.

**Article 3**

**Objectives of the Authority**

The Authority shall have the following objectives:

- (a) the achievement and maintenance of standards of excellence in programmes of study in medicine and other health professions offered by institutions in the Community;
- (b) the establishment of an efficient system of regulation in relation to the standards and quality of programmes of study in medicine and other health professions;
- (c) the securing of international recognition of the programmes of study in medicine and other health professions;
- (d) maintaining the confidence of the peoples of the region in the quality of training offered in the Community in medicine and other health professions.

**Article 4**

**Composition of the Authority**

1. Subject to this Article and to Article 5, the Authority shall consist of the following members:
  - (a) three (3) persons nominated jointly by academic institutions in the Community offering training in medicine (other than dental medicine and veterinary medicine);

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- (b) one (1) person nominated jointly by academic institutions in the Community offering training in dental medicine;
  - (c) one (1) person nominated jointly by academic institutions in the Community offering training in veterinary medicine;
  - (d) two (2) persons nominated jointly by regional organizations representing civil society;
  - (e) two (2) students enrolled in training programmes in medicine at academic institutions in the Community and nominated by the institutions;
  - (f) two (2) persons from outside the region who have expertise in the accreditation of training programmes in medicine or other health professions;
  - (g) one person representing the Caribbean Association of Medical Councils (CAMC);
  - (h) three (3) persons, each appointed by a Contracting Party selected by the Secretary-General on a rotational basis;
  - (i) the Executive Director, who shall be an *ex-officio* member.
2. Persons referred to in sub-paragraphs (a), (b), (c), (d), and (g) of paragraph 1 and sub-paragraph (a) of paragraph 6 shall be appointed for a term of three years and shall be eligible for re-appointment for a further term of three years. No such persons may be appointed for more than six consecutive years.
  3. Persons referred to in sub-paragraph (e) of paragraph 1 and sub-paragraph (b) of paragraph 6 shall be appointed for a term of one year and shall be eligible for re-appointment for another one-year term. No such persons may be appointed for more than two consecutive years.
  4. Persons referred to in sub-paragraph (f) of paragraph 1 shall be appointed for a single term not exceeding three years.
  5. Persons referred to in sub-paragraph (h) of paragraph 1 shall be appointed for a term of three years.
  6. Where under paragraph 4 of Article 9, the Authority specifies which professions are to be treated as other health professions, membership of the Authority shall be extended to include —



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- (a) two (2) persons nominated jointly by academic institutions offering training in other health professions in the Community;
  - (b) two (2) students enrolled in training programmes in other health professions in institutions in the Community nominated jointly by those institutions.
7. Where the institutions fail, within the time specified in the request, to nominate any person under this Article, the Secretary-General may designate such person.
  8. Where a member is unable to act or resigns, the competent institutions shall nominate another person to act in the place of that member.
  9. A member may resign by transmitting a written notice in that behalf to the Chairman. In the case of the Chairman, such notice should be transmitted to the Vice-Chairman.

**Article 5**

**Criteria for membership of the Authority**

1. The members nominated pursuant to paragraph 1(a) of Article 4 shall currently hold, or have held, a faculty appointment at an academic institution referred to in that paragraph or otherwise have knowledge and experience in the process of accrediting programmes of study in medicine.
2. The members nominated pursuant to paragraph 1(b) or (c) of Article 4 shall hold the appropriate academic qualifications, and be actively engaged in or have recent experience in the practice of their discipline.
3. The members nominated pursuant to paragraph 1(d) of Article 4 shall, by virtue of education, experience and public service, possess qualifications which enable them to provide a public perspective in evaluating programmes of study in medicine or other health professions.
4. The members nominated pursuant to paragraph 1(e) of Article 4 should normally be in their penultimate year of training, be in good academic standing and should be students drawn from among institutions in the Community.

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5. The members nominated pursuant to paragraph 6(a) of Article 4 shall currently hold, or have held, a faculty appointment at an academic institution referred to in that paragraph or otherwise have knowledge and experience in the process of accrediting programmes of study in other health professions.
6. The members nominated pursuant to paragraph 6 (b) of Article 4 should normally be in their penultimate year of training, be in good academic standing and should be students drawn from among institutions in the Community.
7. Subject to Article 25, the Secretariat shall be responsible for soliciting nominations for membership.

**Article 6**

**Chairman and Vice-Chairman**

1. At its first meeting, and as required thereafter, the Authority shall elect a Chairman and Vice-Chairman , from among its members referred to in paragraph 1 (a), (b), (c), (d), and (g) and paragraph 6 (a) of Article 4.
2. The Chairman and Vice-Chairman shall each hold office for three years and shall be eligible for re-election.
3. The Chairman may resign from the office of Chairman by notice in writing addressed to the Vice-Chairman and the resignation shall take effect on the date of receipt of the notice.
4. The Vice-Chairman may resign from that position by notice in writing addressed to the Chairman and the resignation shall take effect on the date of receipt of the notice by the Chairman.
5. The Chairman shall preside at all meetings of the Authority and in the event of the Chairman's absence the Vice-Chairman shall preside.
6. If both the Chairman and the Vice-Chairman are absent from a meeting, the members present shall elect one of the members qualified under paragraph 1 to act as Chairman or Vice-Chairman at that meeting.

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**Article 7**

**Procedures of the Authority**

1. The Authority shall meet in ordinary session at least once in every year and in special session as often as circumstances may require. Special sessions of the Authority shall be convened upon the written request of two-thirds of the members in that behalf.
2. Decisions of the Authority shall be made by a two-thirds majority of the members of the Authority who are eligible to vote. A simple majority of such members of the Authority shall constitute a quorum.
3. Where circumstances warrant, the Authority may make decisions without meeting in formal session.
4. Minutes of the proceedings of the Authority shall be kept in proper form.
5. Subject to this Agreement, the Authority shall establish its rules of procedure.

**Article 8**

**The Seal of the Authority**

1. The Authority shall have and use as occasion may require a Seal having a device or impression with the inscription "Caribbean Accreditation Authority for Education in Medicine and Other Health Professions".
2. The Seal of the Authority shall be kept in the custody of the Executive Director and shall be affixed to documents pursuant to a resolution of the Authority in the presence of the Chairman and any other member of the Authority and the Executive Director.
3. The Seal shall be authenticated by the signatures of the Chairman or any other member authorised to act in that behalf.

**Article 9**

**Powers and Functions of the Authority**

1. The Authority shall perform such functions as may be required for the achievement of the objectives set out in Article 3.

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2. Without prejudice to the provisions of paragraph 1, the Authority shall *inter alia*:
- (a) determine and prescribe standards, criteria and systems for the accreditation of programmes of study in the Community in medicine and other health professions;
  - (b) select suitable persons as assessors and appoint panels of assessors;
  - (c) accredit, on the basis of the reports of the assessors, programmes of study in medicine and other health professions;
  - (d) facilitate the development of an accreditation and quality assurance ethos in the Community;
  - (e) collaborate with professional bodies to develop training programmes designed to create a regional cadre of trained assessors;
  - (f) establish rules, guidelines and procedures in relation to the accreditation of programmes in medicine and other health professions;
  - (g) approve arrangements and systems for accrediting programmes of study in medicine and other health professions;
  - (h) withdraw or modify, as appropriate, accreditation granted to any programme;
  - (i) establish and maintain relations with bodies outside the Community having functions in relation to accreditation and quality assurance;
  - (j) determine the basis and procedures for the removal of a member;
  - (k) approve the budget of the Authority;
  - (l) approve the staff regulations and financial regulations of the Authority;
  - (m) appoint an auditor;
  - (n) determine the fees payable by institutions in connection with the accreditation of their programmes;
  - (o) do all such other acts and things as may be required for the achievement of the objectives of the Authority.

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3. The Authority may —
  - (a) establish committees of the Authority and invite persons to serve on such committees;
  - (b) delegate to such committees, the functions of the Authority specified in the instrument of delegation, provided that a person invited pursuant to sub-paragraph (a) shall not be deemed to be a member of the Authority.
4. The Authority shall specify the professions which are to be treated as other health professions for the purposes of this Agreement. The Executive Director shall notify the Contracting Parties of such decisions of the Authority.

**Article 10**

**The Secretariat**

1. The Authority shall establish a Secretariat which shall be responsible for the general administration of the affairs of the Authority.
2. The Secretariat shall comprise an Executive Director and such professional, administrative and other staff as may be required to carry out its functions.
3. The appointment of the Executive Director and professional, administrative and other staff shall be subject to such terms and conditions as the Authority shall determine.
4. In addition to any functions which may be assigned to it by the Authority, the Secretariat shall *inter alia*:
  - (a) conduct research on accreditation and quality assurance so as to inform the work of the Authority;
  - (b) manage the accreditation cycle for programmes subject to the Authority's accreditation process;
  - (c) communicate with and provide guidance and advice to institutions that are engaged in or propose to be engaged in the Authority's accreditation process;
  - (d) undertake or arrange for the training of persons as assessors of programmes;

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- (e) provide information on the work of the Authority to the Contracting Parties, institutions providing training in medicine and other health professions and to members of the public;
- (f) maintain a record of all activities;
- (g) prepare an annual report of the Authority's work;
- (h) maintain, on behalf of the Authority, contacts with bodies outside of the Community having functions in relation to accreditation and quality assurance;
- (i) prepare the draft budget of the Authority and submit it for the consideration and approval of the Authority;
- (j) prepare and submit for the consideration and approval of the Authority, the staff regulations and financial regulations of the Authority;
- (k) prepare an annual Work Programme and present it to the Authority for approval;
- (l) service meetings of the Authority and any committee thereof.

**Article 11**

**Executive Director**

1. The Executive Director shall be appointed by the Authority for a term of three (3) years, on such other terms and conditions as may be specified in the instrument of appointment, and shall be eligible for reappointment.
2. The Executive Director shall attend and participate in all meetings of the Authority but shall have no right to vote on any matter before the Authority.
3. The Executive Director shall be responsible for the day-to-day management and operations of the Secretariat and without limiting the generality of the foregoing —
  - (a) shall ensure the efficient use and management of the resources of the Authority;
  - (b) shall make recommendations for and in relation to the achievement of the objectives set out in Article 3;

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- (c) shall implement the directives of the Authority;
- (d) may enter into contracts and sign instruments and documents on behalf of the Authority;
- (e) shall carry out such other duties as may be assigned by the Authority.

The Executive Director shall appoint such staff as may be required for the operations of the Secretariat.

**Article 12**

**Financial Provisions**

1. The funds of the Authority shall comprise:
  - (a) annual contributions from the Contracting Parties;
  - (b) grant funds received from donor agencies;
  - (c) income derived from earnings for services provided by the Authority;
  - (d) fees from institutions whose programmes are accredited by the Authority;
  - (e) monies received from any other source of funding.
2. The draft budget prepared by the Secretariat shall be presented to the Authority for approval (with or without modifications).
3. Upon approval of the draft budget, the Authority shall submit it to the Council for Human and Social Development (an organ of the Community so named in paragraph 2 of Article 10 of the Treaty) for approval.
4. The Executive Director shall cause proper accounts of the Authority to be kept and such accounts shall be audited annually by an auditor appointed by the Authority under Article 9.
5. The Authority shall, within thirty (30) days of the receipt of the report of the auditor and the audited accounts of the Authority, transmit copies of the report and audited accounts to the Contracting Parties and the Council for Human and Social Development.

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**Article 13**

**Provisional Budgetary Measures**

The Authority is empowered to commit provisionally and pending approval of the budget, expenditure not exceeding one-fifth (1/5) of the regular Budget of the previous year.

**Article 14**

**Exemption From Taxation**

1. The income of the Authority shall be exempt from income tax.
2. The Authority shall be exempt from property tax and stamp duty in respect of instruments executed by or on its behalf.
3. The Authority shall be exempt from customs duties and taxes on goods imported, purchased or taken out of bond and used for the execution of its functions.

**Article 15**

**Legal Status of the Authority**

1. The Authority shall possess full legal capacity and in particular full capacity —
  - (a) to contract;
  - (b) to acquire and dispose of movable and immovable property; and
  - (c) to institute and defend legal proceedings.
2. The Authority may enter into agreements with any entity for the achievement of its objectives.
3. The Authority shall conclude with the Contracting Party in which the Headquarters is to be located, an agreement relating to the privileges and immunities to be granted or accorded to the Authority.
4. In any legal proceedings the Authority shall be represented by the Executive Director.



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**Article 16**

**Protection from Legal Process**

No action, suit or other proceeding shall be instituted against any member of the Authority or any member of the staff of the Secretariat for any acts done *bona fide* in the execution of their functions under this Agreement.

**Article 17**

**Signature**

This Agreement shall be open for signature by any Member State or Associate Member of the Community.

**Article 18**

**Entry into Force**

This Agreement shall enter into force on signature by all Member States of the Community.

**Article 19**

**Provisional Application**

This Agreement may be provisionally applied on signature by not less than four Member States of the Community.

**Article 20**

**Depositary**

This Agreement shall be deposited with the Secretary-General (hereinafter called “the Depositary”). The Depositary shall transmit copies of this Agreement to each Contracting Party.

**Article 21**

**Accession**

1. After its entry into force any Member State or Associate Member of the Community may accede to this Agreement.

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2. Instruments of Accession shall be deposited with the Depository.

**Article 22**

**Amendment**

1. A proposal for the amendment of this Agreement shall be transmitted by the Chairman of the Authority to each Contracting Party within 30 days of the date of the proposal.
2. The amendment shall have effect upon the acceptance thereof by the Contracting Parties.

**Article 23**

**Withdrawal**

1. A Contracting Party may withdraw from this Agreement by giving twelve months' notice in writing to the Depository who shall promptly notify the other Contracting Parties accordingly and the withdrawal shall take effect one year after the date on which the notice has been received by the Depository, unless the Contracting Party, before the withdrawal becomes effective, notifies the Depository in writing of the cancellation of its notice of withdrawal.
2. A Contracting Party that withdraws from this Agreement undertakes to honour financial or other obligations duly assumed as a Contracting Party.

**Article 24**

**Implementation**

The Contracting Parties shall take all necessary action, whether of a legislative, executive or administrative nature, for the purpose of giving effect to this Agreement. Such action shall be taken as expeditiously as possible, and the Executive Director shall be informed accordingly.

**Article 25**

**Inaugural Meeting**


Upon the provisional application of this Agreement, the Secretary-General shall take the necessary steps to secure the nomination of the members of the Authority referred to in Article 4 and to convene the Inaugural Meeting of the Authority.


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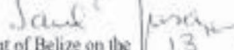
**IN WITNESS WHEREOF** the undersigned duly authorized in that behalf by their respective Governments have executed this Agreement.


DONE at Cassidy, Saint Lucia on the 13<sup>th</sup> day of November 2003.


Signed by   
for the Government of Antigua and Barbuda on the 13<sup>th</sup> day of November 2003  
at Cassidy, Saint Lucia

Signed by   
for the Government of The Bahamas on the 15<sup>th</sup> day of March 2003  
at Basseterre, St. John's and Nevis

Signed by   
for the Government of Barbados on the 15<sup>th</sup> day of December 2003  
at Bridgetown, Barbados

Signed by   
for the Government of Belize on the 13<sup>th</sup> day of November 2003  
at Cassidy, Saint Lucia

Signed by   
for the Government of the Commonwealth of Dominica on the 3<sup>rd</sup> day of July  
~~2003~~ 2011  
at Frigate Bay, Saint Christopher and Nevis

Signed by   
for the Government of Grenada on the 4<sup>th</sup> day of July 2003  
at St. George's, Grenada


Signed by   
for the Government of the Co-operative Republic of Guyana on the 16<sup>th</sup> day of January  
2007  
at Georgetown, Guyana


Signed by \_\_\_\_\_  
for the Government of the Republic of Haiti on the \_\_\_\_\_ day of \_\_\_\_\_ 2003  
at \_\_\_\_\_

Signed by   
for the Government of Jamaica on the 13<sup>th</sup> day of November 2003  
at Cassidy, Saint Lucia


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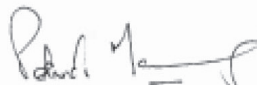
Signed by  
for the Government of Montserrat on the \_\_\_\_\_ day of \_\_\_\_\_ 2003  
at \_\_\_\_\_

Signed by   
for the Government of St. Kitts and Nevis on the 10<sup>th</sup> day of February 2003<sup>6</sup>  
at ~~Port of Spain, Trinidad~~

Signed by   
for the Government of Saint Lucia on the 26<sup>th</sup> day of February 2003<sup>15</sup>  
at ~~Castries, Barbados.~~

Signed by  
for the Government of St. Vincent and the Grenadines on the \_\_\_\_\_ day of \_\_\_\_\_ 2003  
at \_\_\_\_\_

Signed by   
for the Government of the Republic of Suriname on the 13<sup>th</sup> day of November 2003  
at ~~Castries, Saint Lucia.~~

  
Signed by \_\_\_\_\_ for the Government of the Republic of Trinidad and Tobago on the 13<sup>th</sup> day of November 2003  
at ~~Castries, Saint Lucia.~~

Passed in the House of Assembly this 27th day of June, 2017.

LEONNE THEODORE-JOHN,  
*Speaker of the House.*

Passed in the Senate this 29th day of June, 2017.

ANDY G. DANIEL,  
*President of the Senate.*