

L.N. 316 of 2004

**HEALTHCARE PROFESSIONS ACT, 2003
(ACT. NO. XII of 2003)**

Appeals Committee (Elections) Regulations, 2004

IN exercise of the powers conferred by article 51(1)(f) of the Health Care Professions Act 2003, the Minister of Health has made the following regulations:–

Title and
commencement.

1. The title of these regulations is the Appeals Committee (Elections) Regulations, 2004.

Definitions.

2. In these regulations, unless the context otherwise requires –

“the Committee” means the Appeals Committee;

“the President” means the President of the Committee;

“the Registrars” means the Registrars of the respective Councils.

Elections
Commissions.

3. (1) There shall be established four Commissions, to be called the Appeals Committee Elections Commissions each composed of four election commissioners representing each Council, and each commissioner shall be appointed by the Council which he is representing.

(2) These Commissions shall be appointed every three years by the respective Councils and shall bear the same name and be composed of the same number of commissioners to conduct the election to the said Committee for that year.

Nomination of
candidate.

4. The Commissions shall by the end of June 2004 cause a notice to be published in the Gazette and in all local daily newspapers, specifying the place, days and times during which nominations of candidates for the election to the Committee will be received by the Registrars of the Councils.

Notice of
candidature to be
published.

5. (1) When any of the Commissions is informed by the President that a vacancy has occurred amongst the elected members of the Committee, it shall as soon as may be, cause a notice to be published in the Gazette, and all local daily newspapers, specifying the place, days

and times during which nominations of candidates for election to the Committee will be received by the Registrar.

(2) A candidate shall be nominated in writing on a form in accordance with the specimen contained in the First Schedule to these regulations. Whatever the number of vacancies to be filled, no person shall be nominated to fill in more than one vacancy.

6. (1) If the nominations received exceed the number of vacancies on the Committee, an election shall be held. Holding of an election.

(2) The Commissions shall, within three working days after the closure of nominations, send a ballot paper to all the professionals resident in Malta and registered with each Council, and shall inform voters of the method of voting as well as the place where, and the time by which the ballots are to be returned to each Commission.

(3) The ballot paper to be used for the purpose of the election shall be in accordance with the specimen contained in the Second Schedule to these regulations, and shall be signed by two members of the Commission.

7. A voter shall record his vote by placing a cross against the name of the candidate for whom he votes. Manner of voting.

8. Votes shall not be accepted after the expiration of the time fixed by the each Commission for the receipt of such votes. Expiration of voting time.

9. Each Commission shall count the votes immediately after the expiration of the time mentioned in the preceding regulation. Counting of votes.

10. When, on the ballot paper, there is registered a larger number of votes than is required, the ballot paper shall be declared invalid by that Commission. Invalid votes.

11. The candidate representing a Council who obtains the largest number of votes shall be declared elected by the Commission. Elected candidates.

12. If two or more candidates representing a Council obtain an equal number of votes, a partial election amongst those candidates shall be held in accordance with the provisions of these regulations. Partial elections.

13. Each Commission shall immediately report the election result to the Minister responsible for Health, Elderly and Community Care and to the Council, and the said result shall be published in the Gazette. Reporting of result.

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Decision of the
Commission.

14. The decision of the Commission on the validity of any nomination, the right of a person to cast the vote, the place where the votes are received and the result of the election, are final and conclusive.

FIRST SCHEDULE**Nomination Form for Candidates for Election to the Appeals Committee**

We, the undersigned, being voters entitled to vote at an election of the Appeals Committee for

- (a) A medical practitioner or dentist registered with the Medical Council, or
- (b) A pharmacist or pharmacy technician registered with the Pharmacy Council, or
- (c) A nurse or midwife registered with the Council for Nurses and Midwives, or
- (d) A professional registered with the Council for the Professions Complementary to Medicine,

do hereby nominate (**)

registered in the (**)
(Register)

and whose address is (**)
as a candidate for the said election.

Proposer: Name
(Block Letters)

Signature Date

Registered in the

Seconder: Name
(Block Letters)

Signature Date

Registered in the

DECLARATION BY PERSON NOMINATED

I, whose name appears
(full name in block letters)

on the accept the above nomination.
(Register)

Date
Candidate's signature

(**) In block letters

SECOND SCHEDULE
Ballot Paper

FOR USE BY

**VOTING FOR ELECTION OF A CANDIDATE TO THE APPEALS
COMMITTEE**

Names of Candidates (in alphabetical order)	Place a cross in this part against the name of the candidate for whom you wish to vote

VOTE FOR CANDIDATE(S)
(only)

Signature of Election Commissioner

Signature of Election Commissioner