SRI LANKA MEDICAL COUNCIL

ANNUAL REPORT

2009

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Compiled by
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MESSAGE FROM THE PRESIDENT
SRI LANKA MEDICAL COUNCIL

I was appointed as the President of the Sri Lanka Medical Council by Hon. Nimal Siripala de Silva, Minister for Healthcare and Nutrition, in June 2009. I accepted the post with full knowledge of the responsibilities and accountability the post entailed towards the practise of medicine and dentistry in Sri Lanka.

The outgoing President Vidyajyothi Dr. H. H. R. Samarasinghe served the Medical Council from 1995 to 2009. On behalf of the Council, I express my deep gratitude for the service he rendered. He spearheaded the purchase of the land and the building of the spacious modern office of the Council, a task which could not have been completed but for his good standing in society and personal links with bankers. He shouldered the long drawn out litigation regarding the St. Petersburg degree awarded to a group of Assistant Medical Practitioners. He and Dr. Nonis were even charged for contempt of court. It must be placed on record that this litigation was not the product of any lapse on the part of the Council. The matter was finally resolved through a settlement.

The printing of Annual Reports began during Dr. Samarasinghe's term of office. He also initiated the publication of several books by the Council, on Ethical Guidelines, Assisted Reproductive Technology etc. and encouraged the setting up of a Human Reproductive and Genetics Authority.

Dr. Samarasinghe's ten years as President of the Council was not entirely happy, having noticed to appear before courts, Parliamentary Consultative Committee etc., but he faced these challenges with dignity even when provoked by bombs thrown at his house. These events perhaps mirrored trends outside in the rest of the country.

Dr. Ananda Samarasekera ceased to be a member of the Council from June 2009 having served as a member for fifteen years. He was elected the Vice President of the Council from 1997.

The Council wishes Dr. H. H. R. Samarasinghe and Dr. Ananda Samarasekera the very best in their future endeavours, good health, happiness and peace of mind.

Dr. Ananda Hapugoda and Dr. Srilal De Silva were elected as members of the Council in June and December 2009 respectively.

There is a continuum of issues that the Council has to face. Outstanding among those inherited during Dr. Samarasinghe's term of office pertain to the Act 16 exam, now called the Examination for Registration to Practise Medicine (ERPM) and the amendments to the Medical Ordinance.

A Fundamental Rights application in the Supreme Court regarding the ERPM ended in a settlement without the case being heard. The court directed that the ERPM should be conducted by the UGC which was not a party to the case and moreover not an 'examining body'. On the basis of the settlement, medical graduates qualified abroad had to sit the common MCQ papers administered to the local medical students at the final MBBS examination. The pass rate at the written papers fell significantly and led to another court case in which a plea is being made for the conduct of the ERPM to be returned to the Council.

A meeting was held with about 300 medical graduates qualified abroad who are candidates at the ERPM, in October 2009.

The Council initiated a scheme for them to do clinical attachments in non-teaching hospitals. Furthermore the Council encouraged professional colleges to conduct courses for them, and is grateful. Prof. Narada Warnasuriya, President, Sri Lanka Medical Association (SLMA) on the request of the Council organized such a course. It is unfortunate that only a few ERPM candidates avail themselves of these opportunities to acclimatise to medical practice in Sri Lanka and also to remedy the deficiencies in their foreign training.

Several amendments have been drafted to the Medical Ordinance but the progress of getting them legalized is taking much longer than expected. Among regulations that have been approved by the Council which are awaiting parliamentary approval are ones necessary to accelerate complaints against those registered and election procedure.

One amendment suggested to the Medical Ordinance is the maintenance of a Specialist Register. The Council has begun compiling a list of Specialists for information of the public.

The Council obtained expert legal opinion on the recognition of degrees awarded by foreign medical schools and the MBBS degrees awarded by local Degree Awarding Institutes. The decisions of the Council are guided by these legal opinions.

A review process began in 2009 of all foreign medical schools in the recognised list. The criteria for recognition of foreign medical schools for the training of citizens of Sri Lanka to return and practise in this country are now more stringent.

Dr. H. M. S. S. D. Herath and I attended the meeting of the Regional Network of Medical Councils in November 2009 in Kathmandu, Nepal. The meeting focused on quality assurance in medical education, CME/CPD activities, teaching of medical ethics and governance structure of the network as priority activities to be carried out from 2010 to 2012.

At all times, the Council attempts to fulfil its statutory purpose, which is to protect, promote and maintain the health and safety of the public by ensuring proper standards in the practise of medicine. Standards are provided by registration in the Council, setting and monitoring standards of medical education and CPD and taking action in instances where expected good and ethical medical practice had been breached.

I wish to thank Dr. N. J. Nonis, the Registrar, Dr. H. M. S. S. D. Herath, the Assistant Registrar, the office staff and Members of the Council and others who have contributed by participating in various committees for their willing cooperation at all times.

Vidyajyothi Professor Lalitha Mendis
PRESIDENT,
SRI LANKA MEDICAL COUNCIL

MEMBERS OF THE SRI LANKA MEDICAL COUNCIL – 2009

Dr. H. H. R. Samarasinghe (up to 04 June 2009)
Prof. Lalitha Mendis (President from 19 June 2009)
Prof. H. R. Seneviratne
Prof. W. I. Amarasinghe (up to September 2009)
Dr. Gamini Buthpitiya (from 07 October 2009)
Dr. K. Sivapalan (up to May 2009)
Dr. Bhavani Gnanachandramoorthy (from 31 July 2009)
Prof. A. R.Wickremasinghe
Prof. Jayantha Jayawardana
Dr. B. Lalith Perera
Dr. S. Sivapriyan
Dr. Lalantha A. Ranasinghe
Dr. Nanda Amarasekera
Dr. H. B. J. C. K. Ariyaratne
Dr. Sarath Gamini De Silva
Dr. Ananda Samarasekera (up to 01 June 2009)
Dr. T. Wickremasuriya
Dr. A. M. L. Beligaswatte
Dr. Palitha Abeykoon
Prof. Dayasiri A. Fernando
Dr. U. Ajith Mendis
Dr. Suresh Shanmuganathan
Dr. E. A. Prasad D. Amaratunga
Dr. Ananda Hapugoda (from 02 June 2009)
Dr. J. A. Srilal De Silva (from 21 December 2009)
Dr. K. M. Zahir

NAME	DATE OF APPOINTMENT	DATE OF COMPLETION OF TERM / RESIGNATION DURING THE YEAR
Dr. H. H. R. Samarasinghe	04.06.2004	Completed – 03 June 2009
Prof. Lalitha Mendis	18.10.2005	Appointed President – 19.06.2009
Dr. K. Sivapalan	10.03.2003	Resigned – May 2009
Dr. Bhavani Gnanachandra--moorthy	31.07.2009	
Prof. A. R. Wickremasinghe	13.09.2006	
Prof. Jayantha Jayawardana	08.08.2006	
Dr. B. Lalith Perera	21.11.2007	
Dr. S. Sivapriyan	21.11.2007	
Dr. L. A. Ranasinghe	06.06.2006	
Dr. Nanda Amarasekera	16.01.2008	
Dr. Sarath Gamini De Silva	16.01.2008	
Dr. A. Samarasekera	02.06.2004	Completed – 01.06.2009
Dr. T. Wickremasuriya	02.05.2005	
Dr. A. M. L. Beligaswatte	25.06.2005	
Dr. Palitha Abeykoon	25.06.2005	
Prof. D. P. A. Fernando	24.04.2006	
Dr. U. Ajith Mendis	22.11.2007	Ex-Officio
Dr. Suresh Shanmuganathan	27.07.2007	
Prof. Prasad D. Amaratunga	31.08.2007	
Dr. Ananda Hapugoda	30.05.2009	
Dr. J. R. Srilal De Silva	21.12.2009	
Dr. K. M. Zahir	18.10.2005	

Dr. H. H. R. Samarasinghe was nominated as the President of the Sri Lanka Medical Council by the Hon. Minister of Health under section 12 (1) (a) of the Medical Ordinance.

Prof. Lalitha Mendis was nominated as the President of the Sri Lanka Medical Council by the Hon. Minister of Health under section 12 (1) (a) of the Medical Ordinance on completion of the term of office of Dr. H. H. R. Samarasinghe.

Prof. H. R. Seneviratne was elected by the Faculty Board of the Faculty of Medicine, University of Colombo under section 12 (1) (b) of the Medical Ordinance.

Prof. W. I. Amarasinghe and Dr. Gamini Buthpitiya was elected by the Faculty Board of the Faculty of Medicine, University of Peradeniya under section 12 (1) (b) of the Medical Ordinance.

Prof. T. R. Weerasooriya was elected by the Faculty Board of the Faculty of Medicine, University of Ruhuna under section 12 (1) (b) of the Medical Ordinance. On his resignation, Dr. K. Sivapalan was elected by the Faculty Board of the Faculty of Medicine, University of Jaffna under section 12 (1) (b) of the Medical Ordinance. On his resignation, Dr. Bhavani Gnanachandramoorthy was elected by the Faculty Board.

Prof. A. R. Wickremasinghe was elected by the Faculty Board of the Faculty of Medicine, University of Kelaniya under section 12 (1) (b) of the Medical Ordinance.

Prof. Jayantha Jayawardana was elected by the Faculty Board of the Faculty of Medical Sciences, University of Sri Jayawardenepura under section 12 (1) (b) of the Medical Ordinance.

Dr. E. A. Prasad D. Amaratunga was elected by the Faculty Board of the Faculty of Dental Sciences, University of Peradeniya under section 12 (1) (dd) of the Medical Ordinance.

Dr. Ananda Samarasekera, Dr. Nanda Amarasekera, Dr. Sarath Gamini De Silva, Prof. Lalitha Mendis, Dr. L. A. Ranasinghe, Dr. B. Lalith Perera, Dr. S. Sivapriyan, Dr. H. B. J. C. K. Ariyaratne, Dr. Ananda Hapugoda and Dr. J. R. Srilal De Silva were elected under section 12 (1) (c) of the Medical Ordinance by Medical Practitioners registered under Section 29.

Dr. Tissa Wickremasuriya, Dr. A. M. L. Beligaswatte, Dr. Palitha Abeykoon and Prof. Dayasiri Fernando were nominated by the Hon. Minister of Health under section 12 (1) (f) of the Medical Ordinance.

Dr. U. Ajith Mendis, Director General of Health Services is an Ex-officio Member of the Council under section 12 (1) (g) of the Medical Ordinance.

Dr. Suresh Shanmuganathan was elected under section 12 (1) (e) of the Medical Ordinance by Dentists registered under Section 43.

Dr. K. M. Zahir was elected under section 12 (1) (d) of the Medical Ordinance by persons registered under Section 41.

STAFF OF THE SRI LANKA MEDICAL COUNCIL

Registrar	– Dr. N. J. Nonis
Assistant Registrar	– Dr. H. M. S. S. D. Herath
Clerks/Typists	– Mrs. Gillian T. Buultjens
	– Mrs. Champa Hettiarachchi
	– Mrs. Roshani Dissanayake
	– Miss. Chammika Gunatilleke
	– Ms. Pearl Chinnakone
	– Miss. Dilani Senanayake
	– Mrs. Shanaz Rila
Computer Applications Assistant	– Mrs. Manohari Maddumage

Receptionist	– Mrs. Disna Ranathunga
Librarian /Clerk to Coordinate Exams	– Mrs. Nadeeka Wijedasa
Peons	– Mr. W. Sarath Kumara
	– Mr. Gayan Wijesinghe
	– Mr. Srinath Thilakarathna

The Registrar and the Assistant Registrar were appointed by the Council under Section 17 (1) of the Medical Ordinance.

COMMITTEES OF THE COUNCIL

1. PRELIMINARY PROCEEDINGS COMMITTEE

Chairman – Dr. Ananda Samarasekera/
Dr. Nanda Amarasekera (Vice President)
– Prof. H. R. Senevirathne
– Prof. Lalitha Mendis
– Dr. L. A. Ranasinghe
– Dr. S. Sivapriyan
– Prof. A. R. Wickremasinghe
(in the absence of Dr. Ananda Samarasekera)

2. PROFESSIONAL CONDUCT COMMITTEE

Chairman – Dr. H. H. R. Samarasinghe/
Prof. Lalitha Mendis (President)
– Dr. Nanda Amarasekera
– Dr. Sarath Gamini De Silva
– Dr. T. W. Wickremasuriya
– Dr. P. A. Abeykoon
– Dr. B. L. Perera
– Dr. S. Shanmuganathan
– Prof. E. A. Prasad D. Amaratunga

– Prof. Jayantha Jayawardana
– Dr. H. B. J. C. Ariyaratne
– Dr. Ananda Hapugoda
– Dr. J. A. Srilal De Silva

3. FOREIGN DEGREES COMMITTEE

Chairman – Dr. Nanda Amarasekera
– Dr. Sarath Gamini De Silva
– Dr. K. Sivapalan
– Dr. Ajith Mendis

4. ETHICS COMMITTEE

Chairman – Dr. H. H. R. Samarasinghe/
Prof. Lalitha Mendis (President)
– Dr. Ananda Samarasekera/
– Dr. Nanda Amarasekera (Vice President)
– Dr. S. Sivapriyan
– Dr. K. M. Zahir
– Dr. Palitha Abeykoon

5. EDUCATION COMMITTEE

Chairman – Dr. H. H. R. Samarasinghe (President)
– Dr. Ananda Samarasekera (Vice President)
– Dr. Nanda Amarasekera
– Dr. Sarath Gamini De Silva
– Prof. S. P. Lamabadusuriya
– Prof. Lalitha Mendis
– Prof. W. I. Amarasinghe
– Prof. Dayasiri Fernando
– Dr. Palitha Abeykoon

6. COMMITTEE TO CONSIDER SPECIALIST REGISTER

Chairman – Dr. Ananda Samarasekera (Vice President)
– Dr. Nanda Amarasekera

7. COMMITTEE ON INTERNSHIP

Chairman – Dr. Ananda Samarasekera (Vice President)
– Dr. Nanda Amarasekera
– Dr. Sarath Gamini De Silva
– Prof. S. P. Lamabadusuriya
– Dr. B. L. Perera
– Dr. S. Sivapriyan

8. MANAGEMENT COMMITTEE

Chairman – Dr. H. H. R. Samarasinghe (President)
– Dr. Ananda Samarasekera (Vice President)
– Dr. N. J. Nonis (Registrar)
– Dr. H. M. S. S. D. Herath (Asst. Registrar)
– Dr. Nanda Amarasekera
– Dr. T. W. Wickremasuriya
– Dr. P. A. Abeykoon
– Dr. S. Sivapriyan

SERVICES PROVIDED BY THE COUNCIL

1. Maintenance of Registers
2. Change of Name in Registers
3. Change of Address in Registers
4. Insertion of Additional Qualifications in the Registers
5. Issue of Certified Extract from the Register
6. Restoration of Name in the Register
7. Issue of Certificates of Registration
8. Replying to inquiries regarding registration
9. Issue of Certificates of Good Standing to registered persons
10. Issue of Identity Cards to registered persons
11. Registration of Apprentice Pharmacists and issue of indentures
12. Maintaining Council Accounts and issue of Cheques
13. Approval of Degree of Medical and Dental Graduates qualified abroad
14. Conduct of Special Examination for Medical and Dental Graduates qualified abroad (ERPM/Act 16 exam/ERPDS)
15. Issue of Certificates of Completion of ERPM/Act 16 exam
16. Inquiries into Complaints
17. Retaining Counsel in Court Cases involving the Council
18. Retaining Counsel involving the Council before the Human Rights Commission
19. Recognition of Foreign Medical and Dental Schools and maintaining lists of such schools
20. Certification of Documents issued by the Council

COUNCIL MEETINGS HELD IN 2009

1. 478th meeting held on 23 January
2. 479th meeting held on 20 February
3. 480th meeting held on 27 March
4. 481st meeting held on 24 April
5. 482nd meeting on 29 May
6. 483rd meeting held on 26 June
7. 484th meeting held on 31 July
8. 485th meeting held on 21 August
9. 486th meeting held on 25 September
10. 487th meeting held on 20 October
11. 488th meeting held on 20 November
12. 489th meeting held on 18 December

SPECIAL COUNCIL MEETINGS HELD IN 2009

1. Special meeting held on 02 October

IMPORTANT DECISIONS TAKEN AT MEETINGS OF THE SRI LANKA MEDICAL COUNCIL

I. 478th meeting held on Friday 23 January 2009

Present: The President, 17 other Members, Registrar and the Asst. Registrar.

i. SC/FR 135/2007 and SC/FR 136/2007 Case

The President made the following statement at the commencement of the meeting:

"The settlement in the SC/FR 135/2007 and SC/FR 136/2007 Case has been made according to a letter the Registrar has sent to the Council lawyers. The case record states that "An application should be made for this purpose to the Secretary to the Ministry of Health who will consider attaching the petitioners to a particular university which would be recognized for this purpose by the 1st Respondent (i.e. the Sri Lanka Medical Council). Payment of salaries to these persons will be considered in terms of applicable Rules and Regulations on the basis that they are released for full time study".

According to this judgment, the Council is not involved any further and the A.M.P.s have to apply to the Secretary, Health.

The President then read the letter sent by the Registrar to the Council lawyers which is annexed to the judgement. He stated that all these started in 1997 when the A.M.P.s and their union negotiated with a medical school in Russia for furtherance of their knowledge. This has been endorsed by the Government with certain ministers taking an active role. The G.M.O.A. informed the Council in 1997 and the Council protested to the Minister but there was no response from the Ministry. Finally, they went to Russia and were awarded the M.D. and they returned and when the Council refused to recognize their degree, an application was made to the Court of Appeal. The Court gave an order to the Council to take steps to recognize the

degree. The legal advice had been that if certain letters were produced to court, the judgement would have been different. One was a letter signed by Dr. M. A. L. R. Perera, which stated that "since the matters before court are of a technical nature coming under the purview of the Sri Lanka Medical Council, the present Minister, Hon. P. Dayaratne instructed me to inform you that the ministry remains neutral on this matter and is prepared to accept any order made by court. Hence, it is not necessary to file any objections on behalf on the Ministry".

There is another document written even before that, minutes of a meeting held on 14 August 1997, by a former President of the Sri Lanka Medical Association, Dr. Lucien Jayasuriya. It stated that "SRAMO wanted no-pay leave granted to fifty of their members. They are not interested whether the SLMC recognizes the degree or not.....".

The President stated that after the Supreme Court refused leave to proceed on the appeal against the decision of the Court of Appeal there was a meeting of the Council at which seventeen members were present. Legal opinion was obtained from Mr. Shibly Aziz, P.C. who appeared for the Council in the cases and he said that the Council has to comply with the order. As the members were not happy with the interpretation, another opinion was sought from Mr. D. S. Wijesinghe P.C. who gave the same interpretation.

There is a letter written by the Hon. Attorney General dated 14 March 2005 which states that "In my opinion, the Council has to comply with the judgement of the Court of Appeal in the case". Therefore the Registrar, Prof. Panditharatne started giving letters of recognition of the degree to the A.M.P.s.

Following this, there was agitation by the G.M.O.A. and then the Minister requested him to stop the issue of letters of approval as he was going to appoint a committee headed by the Director General of Health Services, Dr. Kahandaliyanage. The SLMA was saying

that they have legal opinion of what the Council was doing is incorrect. A certain Professor from the Medical Faculty, Colombo was also saying that he met the judge who gave the verdict in the Court of Appeal case and he said that he did not mean that the Council should recognize the degree. Prof. Sheriffdeen who was under the influence of the other professor also said this at a press conference. One day he said to meet the President, Mrs. Chandrika Bandaranaike Kumarathunga, and he arranged for the President of the Council and Registrar to meet her. When we met the President, the Minsiter, Hon. Nimal Siripala de Silva was also there. When we were discussing this, the Minister went and whispered something in her ear, her stance completely changed. She said that the only person who could help was the Chief Justice and he doesn't come and meet her now.

Subsequently, nothing happened until the A.M.P.s filed a case requesting that they should be allowed to sit for the ERPM (Act 16 exam). A Contempt of Court case was also filed by them against the President and the Registrar. These cases went on and on for a long time until the Chief Justice gave the decision of the Court on 1 December 2008. There is no role for the Council to play in this matter".

ii. **Court cases**

(a) SC/FR 135/2007 and 136/2007

Dr. Athula Kahandaliyage has written a letter regarding the implementation of the court decision on this case. We have obtained legal opinion and replied the letter. The reply was copied to the Registrar, Supreme Court as S/H has sent a copy of his letter to the Registrar, Supreme Court.

(b) C.A. (Writ) Application 58/2008

The Registrar explained that the Ministry has recruited a new category called Vision Technicians who would be trained for two years. The Ophthalmic Technologists have filed this action

as these Vision Technicians may get the same registration as Ophthalmic Auxiliaries if they bring a certificate of proficiency from the Ceylon Medical College Council.

(c) C.A. (Writ) Application 804/2008

A doctor named K. K. N. C. Premaratne has filed this case as the Board of Study in Sports Medicine has refused to take him for training for a M.Sc. course in Sports Medicine.

iii. **Education Committee**

The minutes of the meetings of the Education Committee to discuss the replies to a questionnaire sent to medical faculties in Sri Lanka was circulated.

The Council noted the contents and decided that the Council should visit the medical schools. It was decided to visit the Faculty of Ruhuna University first as the Council has never visited it and the Eastern University. Prof. Prasad Amarathunga requested the Council to send the questionnaire to the only Dental Faculty in the country. The document on Accreditation of Medical Schools which was prepared by the Council in collaboration with the W.H.O. and medical faculties was circulated for information of members.

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iv. **Dentists**

Prof. Prasad Amarathunga stated that he was given some applications by certain dental schools abroad seeking recognition of their degrees from the Sri Lanka Medical Council. He would submit a detailed report for discussion at the next Council meeting. As the Special Examination for Dental Graduates qualified abroad (ERPDS) is scheduled to commence on 6th November 2008, he recommended the recognition of Bristol University, U.K. and Faculty of Stomatology, Nizhny Novgorod State Medical Academy, Russia. There were four colleges, three from India and one from Bangladesh who have applied and he is of the opinion that they should be visited for consideration of recognition. The Council accepted the recommendation.

v. **Temporary registration**

A member queried about the registration of Dr. Kakkar under Section 67 A to work at Sakura Hospital, Battaramulla as a Dentist. The Registrar replied that he checked and his application was approved by the 67 A Committee in March but he has not produced the Passport to check his visa and the certificate had not been issued. His registration in the Dental Council of India is valid only up to 31 December 2008. Hence, his registration would be granted only up to that date. A letter was sent to him stating that if he is practising, he is doing so illegally, without registration.

vi. **Correspondence**

An undated letter received on 21.10.2008, sent by Dr. Amal Harsha De Silva to the Registrar with copies to the President and Council Members was circulated. A letter sent to him by the Registrar on 02.10.2008 and a letter received from the State Education Department of New York, U.S.A. dated 24.04.2008 with a copy of a letter sent by Dr. Amal Harsha De Silva dated 21.09.2007 to CGFNS, U.S.A. with a certificate of proficiency signed by Dr. Athula Kahandaliyanage as DGHS and Dr. Amal Harsha De Silva issued to a nurse trained at Allied College of Health Sciences, Peradeniya were also circulated. The Registrar stated that –

"At the meeting of the PHSRC held on 16.10.2008, a letter from the Presidential Secretariat was read. I asked for a copy and when the Secretary (Dr. Amal Harsha De Silva) hesitated, the DGHS stated that I am entitled to a copy. The letter, purportedly from the Presidential Secretariat stated that representations have been made to H.E. the President by the Private Nursing Homes Association regarding the registration of nurses and to take urgent action as the Sri Lanka Medical Council does not register them.

The Council then adopted a resolution condemning the contents and the language used in the letter by Dr. Amal Harsha De Silva. The Council requested the President to write to the Secretary, Ministry of Health to initiate an inquiry as the Registrar is carrying out the

instructions of the Council. Using such language is a violation of the instructions of the Establishment Code and Dr. Amal Harsha De Silva is a public officer. The President stated that he would sign the letter".

II. 479th meeting held on Friday 20 February 2009

Present: The President, 13 other Members, Registrar and the Asst. Registrar.

i. **Matters arising from minutes**

Dr. Ananda Samarasekera queried the outcome of the meeting convened by the Secretary, Ministry of Healthcare and Nutrition regarding implementation of the court decision in SC/FR 135 and 136/2007. The President stated that he was accompanied by Mr. S. A. Cader, the Council lawyer and he explained that the Council has no further role to play. The S/H decided to write to the U.G.C. regarding the training course by a university and to the Director, Establishment regarding salaries and leave.

ii. **Committees**

(a) **Management Committee**

Summary of minutes of the meetings held in January 2009 were circulated. Meeting held on 21 January – Request for recognition of Base Hospital, Balangoda for internship. The Council was informed that this matter would be referred to the Internship Committee for consideration.

(b) **Education Committee**

The minutes of the meeting held on 30 January 2009 was circulated. Dr. Ananda Samarasekera pointed out that the Committee decided to summon a Pre-results Board consisting of the Exam Coordinators and Subject Coordinators who would check the marks awarded to each candidate before it is presented

to the Results Board. The Council discussed whether to continue with the earlier decision that persons who take part in teaching the candidates for the ERPM should not take part in the exam. Following discussion, it was decided that those who take part in conducting classes organized by the academic colleges and faculties may take part in the exam. It was decided to write to the colleges to organize such courses and inform the Council decision that lecturers are allowed to participate as examiners. The Council also decided to write to the 'Old Format' candidates that they can be attached to non-teaching hospitals by requesting the DDG(MS).

An analysis of results of the "New Format" of the ERPM conducted from January 2005 to December 2008 was circulated. The Council decided to send copies to H.E. the President, Hon. Ministers of Higher Education and Healthcare, publish it in the Council website and display in the notice board.

ERPDS – The Council was handed over a copy of a proposal regarding the dental examination for dental graduates qualified abroad at the meeting of the Education Committee on 30 January 2009 by Dr. N. C. Wanigasooriya who represented Prof. Prasad Amaratunga. The Committee decided to have a meeting with Prof. Amaratunga to discuss the details. Regarding payments for examiners of ERPDS, it was decided to negotiate for a lump sum to be paid to the faculty.

(c) **Internship Committee**

Minutes of the meeting of the Internship Committee held on 16 January 2009 was circulated. The Council discussed the recommendations of the Committee with regard to exemption from internship in Sri Lanka. There were two applicants who were granted registration (full) by the Karnataka Medical Council before the 'completion of internship' as declared for exemption. Following discussion, the Council decided to request the institution to clarify (i) the dates of commencing and completing

each appointment; (ii) the level of responsibility given to an intern; and (iii) whether an intern is entitled to issue medical certificates. Some members expressed the opinion that true facts with regard to the internship are not revealed when exemptions are requested and there is no way that the Council can verify them. Hence, only internship done in Sri Lanka should be accepted. The Council decided to exempt those who are eligible. Dr. Ananda Samarasekera disagreed and suggested that we wait for clarification. He stated that he is however not against the idea of insisting on internship in Sri Lanka. It was stated that local graduates are also going abroad to do internship because of the long waiting period after qualifying. It was decided to write to the Minister and ask for shortening the delay in giving internship by overlapping batches.

(iii) **Correspondence**

(1) A letter sent by Dr. Prasanna Gunasena, Secretary, Consultants Forum, Teaching Hospital, Anuradapura with regard to clinical teaching was circulated. Prof. Malini Udupihille stated that matters mentioned in the letter are correct. The faculty has informed the University Grants Commission and the Ministry of Higher Education but they do not seem to understand the problems of establishing a new medical faculty. Prof. Malini Udupihille was requested to write to the Registrar giving details for the Council to take the matter up with the authorities. The Council resolved to give notice of an inspection visit to the faculty and the Teaching Hospital, Anuradhapura in early April.

(2) A letter dated 16 February 2009 written by Dr. Neville Fernando and addressed to the President was circulated. It referred to a Memorandum of Understanding signed between the South Asian Institute of Technology and Management and the Vice Chancellor of Nizhny Novgorod State Medical Academy, Russia to set up a campus of the university in Malabe to award the degree of Doctor of Medicine. The duration of the course would be five years with four years in Sri Lanka and the final year in

Russia. As the letter stated that "we will supply all the information you need", the Council decided to request Dr. Neville Fernando to provide all the information available.

(3) A letter to H.E. the President drafted regarding the Medical Faculty of Rajarata University was approved to be sent:

H.E. the President,

Lack of Resources for Training of Undergraduates at the Faculty of Medicine and Allied Sciences, Rajarata University of Sri Lanka

The Sri Lanka Medical Council has noted since the establishment of the above faculty that it lacks the resources required for the training of undergraduate medical students. We wish to inform Your Excellency some of the major problems encountered in the faculty at present:

1. **Lack of staff**: The academic staff of the Faculty at present consists of five retired professors employed on contract basis. Being situated in a station without other facilities such as good schools for children etc. the Faculty has not been able to attract qualified medical staff as permanent members. Although those who are there render a yeoman service, it is disheartening to note that this is continuing despite the Faculty being in existence for over three years. Another problem in recruiting staff is the difficulty non-transferability of the 'bond' signed with the Ministry of Health and other medical faculties for postgraduate training. Hence young consultants are unable to apply for the available posts.

2. **High intake of students**: Although the Sri Lanka Medical Council has brought it to the notice of the University Grants Commission and the Hon. Minister of Higher Education on several occasions, 180 students are admitted each year to this newly established faculty, which is only marginally second

in the number of admissions to the Medical Faculty in Colombo which has the full complement of staff. It is the opinion of the Sri Lanka Medical Council that no students should be admitted this year to give the faculty a little breathing space and not more than sixty (60) students should be admitted thereafter.

3. **Lack of Facilities at Teaching Hospital, Anuradhapura**: The Consultants of T.H., Anuradhapura have informed us that they have hardly any time to devote to teaching of medical students with the heavy workload as the major hospital serving a wide area (copy of their latter attached). We wish to make the following suggestions:

(i) Appoint Consultants to T.H., Anuradhapura according to the accepted norms for Teaching Hospitals.

(ii) Recognize T.H., Anuradhapura for postgraduate teaching and appoint Registrars and Senior Registrars.

(iii) Expedite the construction of professorial units so that the first batch of students could do their professorial appointments next year (2010).

(iv) Provide facilities for students such as teaching rooms, rest room, toilets, canteen etc.

4. **Facilities at the Faculty**: (i) The para-clinical departments are not yet ready although the first batch has commenced studies in these subjects. (ii) Funds to be made available for the Clinical building and student hostels

III. 480th meeting held on Friday 27 March 2009

Present: The President, 13 other Members, Registrar and the Asst. Registrar.

The President called the meeting to order and commenced proceedings. He welcomed Dr. Gamini Buthpitiya as a Member of

the Council elected in place of Prof. W. I. Amerasinghe who has gone on leave prior to retirement.

i. **Election of a Member under Section 12 (1) (c)**

A note explaining the present status of the election was circulated to the members. The President explained that a letter sent by Dr. Ananda Samarasekera which was considered by the Management Committee on 18 March 2009 and his request for sending ballot papers to every person eligible to vote was accepted. However, a delegation led by the President, GMOA met him on 25 March 2009 and protested against the change pointing out that most members of the GMOA are working away from their registered addresses and that the regulations are not violated by sending ballot papers to the addresses requested and holding a 'voting in person'. The Secretary, GMOA and Dr. Ananda Hapugoda also wrote to the Council. These were considered by the Management Committee on 25 March 2009 and it was decided to take it up at the Council meeting on 27 March 2009.

Following discussion, the Council decided to conduct the election according to the decision of the meeting held on 22 February 2008 and insert press notices in newspapers and in the website to give effect to it. We would also write to the SLMA, GMOA and the IMPA. The CVs of the candidates would be requested for inclusion with the postal votes and in the website.

ii. **Matters arising from minutes**

(1) 479.6.2 – ERPDS – The Registrar explained that Prof. Prasad Amaratunga sent a proposal for a lump sum to be paid to the faculty for the exam in place of payments to Examiners other than External Examiners, materials, non-academic staff etc. He suggested a payment of Rs. 50,000 per exam and the Management Committee recommended this. The Council accepted the proposal of Prof. Amaratunga.

(2) 479.8 – Internship – The President stated that he wrote to Kasturba Hospital, Manipal, India regarding internship there but there was no reply. Expressing his personal opinion, the President stated that we have been accepting the internships done in certain places abroad by foreign graduates. There is an inequity in this as others have to work in remote areas and get experience of working under local conditions. His proposal that the Council should not accept the internships done outside the country with effect from 01 May 2010 was accepted and also to insert press advertisements and give publicity. The members expressed concern regarding the delay in appointing interns, earlier scheduled for April but now postponed to June this year. The Council decided to write to the DGHS regarding this.

iii. **Court cases**

(1) C.A. Application 2063/2006, 2064/2006 and 44/2007 – Contempt of Court case against the President and Registrar – the case was terminated as the petitioners withdrew the case.

(2) SC/FR 124/2009 – A new case had been filed by 54 'Old Format' candidates of ERPM against the Council citing several wrong statements and a few mistakes which occurred in the past. They plead that the Council is unfair in conducting the Act 16 exam/ ERPM, to have only a *viva voce* exam and hand it over to a University or the Department of Examinations. The President explained that he, the Registrar and Dr. Nanda Amarasekera had a consultation with Mr. Shibly Aziz P.C. and Mr. S. A. Cader and clarifications requested by the lawyers were given. The case is coming up before a bench with CJ and two other Judges on Monday, 30 March 2009.

iv. **Medical graduates qualified abroad**

Letter from a person regarding the University of Science and Technology, Chittagong, Bangladesh was circulated. He stated that the facilities at the medical school are not up to standard. The

President proposed sending two members from the Council to visit the Medical School at Council expense and submit a report. This proposal was approved by the Council and Prof. Jayantha Jayawardana and Dr. Nanda Amarasekera were nominated to visit the school.

v. **Temporary registration**

Regarding temporary registration of eye surgeons under Section 67 A, Dr. Suresh Shanmuganathan informed the Council that it was brought to his notice by an eye surgeon that complications following eye surgery done by these persons end up with them. He suggested that there should be some arrangement by the sponsors for treatment of complications following such surgery. The Council decided to inform the sponsors hereafter to make such arrangements for follow up, before the camps are conducted. Regarding registration of Indian doctors who came to set up a Field Hospital at Pulmoddai, the Registrar explained that he was called for a meeting at the Ministry with the Hon. Minister chairing the meeting which was attended by officials of the Provincial Health Administration in the North and East and the Indian High Commission. During the discussion, the Secretary/Health stated that the Registrar was called because the doctors and nurses who arrive would need registration in the Medical Council. The Hon. Minister said that in these busy times such formalities need not be followed. However, the Registrar got down an application form from the office and handed it over to the Secretary/Health to photocopy and get the doctors and nurses to apply for registration. This was done subsequently.

vi. **Professional Conduct Committee**

The President brought the attention of the Council to an opinion given by an eminent lawyer named Mr. Harsha Cabraal regarding the powers of the two disciplinary committees. This was because the Professional Conduct Committee rejected the recommendation of the Preliminary Proceedings Committee and this was challenged by Dr. Ananda Samarasekera. Copies of the opinion were circulated

and it states that the Professional Conduct Committee is a higher committee as it has more members and makes the final decision. Later there was another opinion given by Mr. D. P. Kumarasinghe P.C., that when the decision of the PCC is conveyed to the Council, the Council has no powers to change it. It can only direct the Registrar to inform the decision to the parties concerned. A copy of the opinions given by lawyers on various Council matters is bound and kept in the Library for anyone interested to refer.

vii. **Other complaints**

A copy of a complaint against a dental surgeon attached to the General Hospital, Ratnapura was circulated as the President perused the complaint and referred it to the Council. It was made by the Inquirer into Sudden Deaths, Ratnapura for interfering with his work. Following discussion, the Council decided to refer the complaint to the PPC for inquiry.

viii. **Any other matters**

Dr. Gamini Buthpitiya stated that the University of Peradeniya would be signing a Memorandum of Understanding with the Government of Bhutan to train a group of medical undergraduates for the MBBS course. He inquired whether it is possible to give them internship appointments after graduation. He was informed that a medical graduate of a university in Sri Lanka can be given Provisional Registration by the Council under the Medical Ordinance. The Ministry had been granting internship appointments to such graduates from Colombo and Kelaniya Universities in the past and the same conditions would apply.

IV. 481st meeting held on Friday 24 April 2009

Present: The President, 18 other Members, Registrar and the Asst. Registrar.

i. **Election of a member**

As a matter of urgency and importance, the President wanted the Council to consider the issues that have arisen with regard to the Election of a member. The President asked the members whether to call the two candidates but the members expressed that the authority is with the Council and the Council should decide. Then Dr. Ananda Samarasekera withdrew temporarily from the meeting. The President made the following statement:

"The Sri Lanka Medical Council (SLMC) is a properly constituted body and must ensure that a free and fair election is conducted to fill the vacancy that will exist in the Council. As the two contestants seeking election had written to the Registrar expressing different viewpoints, legal opinion was sought as to how best a free and fair election could be conducted. Consequently, on 22 March 2009, the Management Committee consisting of the President, Dr. Nanda Amarasekera, Dr. Sarath Gamini De Silva, Dr. T. Wickremasuriya and Dr. S. Sivapriyan together with the Registrar and the Assistant Registrar met the two contestants. As the President, I requested the two candidates to come to a consensus on how this election be conducted in a free and fair manner.

Dr. A. Samarasekera asked me on what regulation the election would be conducted. Dr. A. Hapugoda stated that the responsibility of conducting the election was with the SLMC and should therefore lay down the manner in which the election could be conducted. I as the President read the legal opinion which was to follow the procedure adapted by the Election Commissioner. I also readout the extract of the Ceylon Government Gazette of August 1929 Section 2, Appendix A where it is stated 'voting (when necessary) may be done by post indicating that there was no mandatory obligation for the SLMC to facilitate members to cast their vote by post'.

Both contestants stated that this proposal of following the procedure of the Election Commissioner was impractical as a number of doctors

would need to take leave on a particular day leading to even closure of hospitals or at least restricted services in hospitals. Therefore, the Management Committee decided to forward the letters sent by the two contestants and the Regulations of August 1929 as laid down in the government gazette and a copy of the minutes of the Council meeting of February 2008 to the Council so that the Members could take a decision on how to have a free and fair election. The decision of the Council would then be the basis for the conduct of the election. What is stated above and the decision of the Council will be available to any forum if required."

The President requested the members to respond and read the letters of the two contestants. The President stated that unfortunately the former Registrar has not incorporated that document in the minutes and may not be accepted as legally valid. Following discussion, it was decided to send the notice of election to all medical practitioners eligible to vote informing them of the voting in person and those who wish, to request postal votes.

ii. **Court cases**

SC/FR 124/2009 – a note was circulated regarding the court order on information received from the lawyers. The court is on vacation until 27 April 2009 and then only the order would be signed and conveyed. When the order is received, action would be taken with the U.G.C. to discuss how the exam could be conducted.

iii. **Committee on Specialist Register**

The report of the meeting of the Committee held on 16 April 2009 was circulated. It was decided to call it a 'List' rather than a Register as there could be legal problems. It was pointed out that there is provision to include any other specialities in the list. The President suggested discussing the matter and to call a Special meeting for the purpose.

v. **Professional Conduct Committee**

The minutes of the meeting of the Committee which met on 20 March 2009 to discuss reports from the PPC was circulated. It was noted that the Committee decided to conduct one formal inquiry against a practitioner. The Council sanctioned the Registrar to inform the persons concerned regarding the complaints.

vi. **Other complaints**

A complaint submitted by a male nurse attached to the Prison Hospital against the Medical Officer-in-Charge. Following discussion, it was decided to refer it to the PPC which could call the complainant.

Regarding remand prisoners who are admitted to Merchants' Ward of NHSL, the President explained the action taken in the past to formulate regulations. These regulations were approved but have not been gazetted.

vii. **Any other matters**

(1) Employment of Staff – A note was circulated by the Registrar regarding two persons, the Receptionist and a Typist/Clerk who have been working for over one year and three months. The Council decided to employ them on a permanent basis following a formal interview by the Management Committee.

(2) Internship appointments – Dr. S. Sivapriyan mentioned that medical graduates would be given internship appointments on Tuesday 28 April but graduates from Jaffna cannot apply because the Dean has not sent the pass list to the Council to issue provisional registration certificates. Following discussion, it was decided to write to the U.G.C. regarding this.

(3) Display of Official designations in Private Practice – Dr. Lalantha Ranasinghe stated that medical officers are displaying their official designations at their places of private practice and

Consultants using rubber stamps with their official designations in their private practice. The Registrar informed the Council that we wrote to the DGHS and he has issued a circular regarding this. If such instances are reported to the Council, we could write to the medical practitioners concerned.

V. 482nd meeting held on Friday 29 May 2009

Present: The President, 18 other Members, Registrar and the Asst. Registrar.

i. **Matters arising from minutes**

(1) Election of a member – The Registrar explained that following the decision of the Council at the last meeting, all eligible voters were sent a letter informing them individually about the procedure, that they could either request a postal vote or come in person and vote from 10.00 a.m. to 3.30 p.m. on 27, 28 and today 29 May. 1927 have been sent postal votes as requested and some have come and voted. The voting would conclude at 3.30 p.m. today and counting would take place at 10.00 a.m. tomorrow. The Registrar was informed by Dr. Ananda Samarasekera that he is filing a case regarding the election and papers were sent. The respondents were the President and Members of the Council, the Council, the Registrar, the Hon. Minister of Healthcare and Nutrition and the other contestant. The plea of the petition is to "i) Issue notice to the respondents; ii) Issue a writ of certiorari to squash the notices regarding the election; iii) Issue a writ of certiorari to the Council to squash its decision to send letters to all persons eligible to vote; iv) To issue a writ of mandamus to the respondents to conduct the election according to the regulations published in the gazette of 1929; v) Issue a stay order preventing the conduct of the election as decided; vi) For costs of the petition and vii) To grant such other relief Your Lordships Court may grant".

The case had been taken up before the Court of Appeal on 26.05.2009 and postponed for Tuesday 2 June 2009. There is no stay order to prevent the conducting of the election. Our lawyers were present in court and informed us that a stay order was not granted and the election could proceed.

There were two letters sent by Dr. Ananda Samarasekera on Thursday 28 May 2009 which were circulated to members. One stated that he filed a case against the conducting of the election and to withhold the counting of votes.

The other referred to an application form sent by an organisation to apply for postal votes, the ballot papers that were sent had not been delivered to the intended recipients and that they are being marked by other persons and delivered in bulk to the Council. He requested that postal votes should not be accepted in bulk and to preserve all documents, envelopes etc. used for postal voting. In the past, postal votes have been accepted in bulk. We are keeping the documents, envelopes etc. safely as requested. The Council was advised by the lawyers that counting of votes and declaring of the winner could proceed as scheduled. The members made no comments regarding the election.

(2) ERPDS – The Registrar announced that ERPDS, the exam for foreign dental graduates has been held, four candidates sat and one passed the exam. This has been circulated to the members. Prof. E. A. Prasad D. Amarathunga explained that the closed marking system was used with the pass mark being 9 for each component. It was observed that the theoretical knowledge of some of the candidates was good but the practical aspects were not up to the mark. He has a proposal for the new format for this exam where, if the candidates pass the theory component, they do not have to do it again even if they do not pass the exam. It was decided to convene a meeting of the Education Committee to consider the New Format of the ERPDS.

(3) 481.3.1 (3) – Medical Faculty of Rajarata University – It was decided to arrange a team to visit the Faculty and the Teaching Hospital in June with representatives from medical faculties. The President stated that we should visit the Faculty in the Eastern University and also Ruhuna University.

(4) 481.3.1 (4) Visit to University of Science and Technology, Chittagong, Bangladesh – A questionnaire which was sent by Prof. Jayantha Jayawardana by combining the U.G.C. document and the Prescribed Standards was sent to USTC and we are awaiting their reply.

(5) 481.3.2. – SC/FR 124/2009 – The Council had a consultation on this with our lawyers yesterday and they informed us to write to the UGC and discuss how the exam is to be conducted. They said that, if necessary, they can go back to the court and obtain a clarification. We have written to the Chairman, U.G.C. and asked for an appointment to discuss the implementation of the order.

(6) 481.9 – Persons entitled to practice medicine and surgery – Prof. Jayantha Jayawardana stated that he received a letter from Secretary/Health regarding a course for these persons following the court order in SC/FR case Nos. 135/2007 and 136/2007. He stated that they were not a party to it and he has no powers to admit students to the faculty. The President stated that the Council is not involved in the matter any further.

ii. **Additions to Registers**

The list of persons registered in March and April 2009 was circulated. Dr. Lalantha Ranasinghe referred to the registrations under Section 67 A of the Medical Ordinance and the President explained the provisions where the Council can only assess the skill and knowledge of the applicants, recommended by a Dean, DGHS or Secretary/Health.

iii. **Income and Expenditure**

The Financial Statement for the Year 2008 was considered by the Finance Committee and recommended approval. It was circulated to the members and the Council approved it.

iv. **Committees**

Committee on Specialist Register

The report of the meeting of the Committee held on 16 April 2009 was circulated. If a person who had been a Specialist requests inclusion, it would be considered by an Expert Committee including representatives of the PGIM and the relevant Academic Colleges. All applications would be ratified by the Council. The Council approved the recommendation of the Committee.

vii. **Medical graduates qualified abroad**

(1) The President requested the Registrar to explain the case involving a medical graduate named Ms. F. S. Cader who declared that she was trained at St. Petersburg State Medical University named after I. P. Pavlov for four years and at St. Petersburg State Medical Academy named after I. I. Mechnikov for two years from where she graduated. She had a police report stating that she lost her passport in Russia. The Management Committee approved the recognition of her degree. Subsequently, a letter was received that she did not study at St. Petersburg State Medical University named after I. P. Pavlov but was at IMTU, Guntur, India and later at IMTU, Tanzania. When we checked with St. Petersburg State Medical University named after I. P. Pavlov, they stated that there was no such student. This was informed to St. Petersburg State Medical Academy named after I. I. Mechnikov and they withdrew the degree awarded to her. She was reported to the C.I.D. and they filed a case against her in the High Court, Colombo. We retained Mr. Upali Gooneratne to represent the Council. Although some pressure was brought on the Attorney General's Department and Mr. Upali Gooneratne,

she later pleaded guilty and was sentenced to a fine of Rs. 60,000 and two years simple imprisonment suspended for 15 years.

(2) Outcome of the meeting of the Parliamentary Consultative Committee on Health held on 05 May 2009 – The President stated that the Council was informed that the Prescribed Standards for Medical Education published in the government gazette on 25 February 2009 would be discussed and presented to parliament on the following day for approval and was informed to attend the meeting. The President, the Registrar, Dr. Nanda Amarasekera, Prof. Lalitha Mendis, Dr. Sarath Gamini De Silva and Dr. S. Sivapriyan attended the meeting. At the meeting, the Hon. Minister stated that the Prescribed Standards would not be presented to Parliament as it was discussed in the Government Parliamentary Group meeting and the Cabinet and another Member of Parliament stated that the U.G.C. has powers to recognize degrees. The Minister wanted the views of the Council and of the medical profession. He also inquired why an exam is necessary if they obtain degrees from recognized medical schools. The Council representatives expressed the views of the Council and the Minister said that the Medical Ordinance could be amended. He thanked the Members and said that we could leave. The President said that the Council should inform the SLMA and other medical organizations. It was decided to write a comprehensive letter including figures of those who passed the ERPM and countries which have such exams. Dr. Ananda Samarasekera stated that at the network meeting of SEARO/WHO held in Colombo in December 2007 there was a consensus that there should be such assessments.

viii. **Internship**

Foreign – The President referred to a letter he had written to Kasturba Medical College, Manipal regarding internship and the reply was circulated. It states that a remuneration of Rs. 1500 (Indian) is

paid per month by the College, each unit has about 30 patients under their care and there are 3 interns in a unit, interns do not prescribe drugs or request investigations without supervision and have no responsibility for management of patients. So the internship there is different from the internship in Sri Lanka.

ix. **Medical ethics**

The President stated that the Guidelines have been revised and ready for publication. The President stated that he wrote to the Chairman, SLMA Committee on Ethics regarding publishing of photographs of contributors of articles and he replied that the majority do not consider it inappropriate. The reply was circulated among the Members.

x. **Correspondence**

The President informed the Council that Dr. Neville Fernando, a medical practitioner has initiated in establishing a medical school at Malabe by an organization called the South Asian Institute of Technology and Medicine. The medical school has arranged to send the students to Russia for the final year and award a degree from Nizhny Novgorod State Medical Academy, Russia. He has written a letter stating that when some parents inquired, the Registrar has stated that the medical school at Malabe is not recognized by the medical council. It was decided to obtain legal advice on how to respond.

VI. 483rd meeting held on Friday 26 June 2009

Present: The President, 14 other Members, Registrar and the Asst. Registrar.

i. **Appointment of President and Members of the Council**

The Registrar read the copy of a letter dated 19 June 2009 addressed to Vidyajyothi Prof. Lalitha N. Mendis by the Hon. Minister for Healthcare and Nutrition with the heading "Appointment as President of the Sri Lanka Medical Council". The letter stated, "With the powers

vested in me by Chapter 12 (1) of the Medical Ordinance, I hereby appoint you as the President of the Sri Lanka Medical Council for a period of five (05) years from the 19th June 2009. You are kindly requested to let me know in writing your acceptance of this appointment."

Prof. Lalitha Mendis has accepted the appointment and the Registrar requested her to take the Chair.

Prof. Lalitha Mendis then occupied the Chair of the President, thanked the members and welcomed them to the 483rd meeting of the Council. The President welcomed Dr. Ananda Hapugoda who was elected to the Council as a new member. She stated that there are two persons who are not with us at the meeting today and that she wishes to express her appreciation of the contribution to the SLMC.

One is **Vidyajyothi Dr. H. H. R. Samarasinghe** the outgoing President. He was nominated to the Medical Council in 1995 by the Hon. Minister Mr. Fowzie. In 1999, he was appointed as President of the SLMC by the Hon. Minister Nimal Siripala de Silva following the resignation of Dr. Uragoda. He held this position for 10 years till 4th June 2009. The SLMC which had been in existence since 1927 had been renting offices in the Medical College, the Medical Library and in the SLMA. He initiated the purchase of the premises on which the SLMC currently is and the building of this spacious modern office befitting the dignity of the SLMC. We owe a depth of gratitude to him for this.

On behalf of the Council I wish to thank him very much for the ten years he has given to the SLMC.

The other person is **Dr. Ananda Samarasekara**. Dr Ananda Samarasekara was first elected uncontested to the Medical Council in 1994 and re-elected in 1999 and 2004. He was elected its Vice President in 1997 and functioned as the Chairman of the PPC. He

was responsible for suggesting the formation of a management committee and initiated the printing of annual reports. He has contributed a very useful article on the History of the Medical Council to the 1999 Annual Report. He functioned as a member of several committees which were responsible for various publications of the SLMC. He played an active role in the organisation of the WHO workshop for establishing a network of SEAR Medical Councils. He is an internationally recognized specialist in Forensic Medicine and I wish to thank him very much for his contribution to the SLMC.

The President wished to share a few thoughts with the members of the Council. She said, "The practice of medicine starts and centres on the doctor-patient relationship. The basis of this relationship is trust. This has been recognised since the time of the Hippocratic Oath of the fourth century BC. What has changed is the complexity of the world in which we live. This complexity affects all aspects of our society, not just medicine. For example, every modern society has rigorous procedures to protect its people. Processed food, drugs or the vaccines we use have come through many stages and procedures before we pick it up. Likewise, the history and development of medical regulation is driven by the recognition that doctors function in increasingly complex societies and must review and evolve procedures to maintain the relationship of trust that has existed for ages. Medical councils are called upon to protect, promote and maintain the health and safety of the public by ensuring proper standards in the practice of medicine. We do this basically by:-

- maintaining standards for the registration of doctors, dentists and paramedical staff
- promoting and ensuring high standards of professional medical education
- fostering good, and ethical medical practice
- dealing firmly and fairly with medical professionals whose fitness to practice is in doubt.

From time to time a Medical Council needs to stop, reflect and review as to whether we are achieving our objectives and more importantly whether processes in place are adequate for us to achieve our goals in a changing world. I feel that the change of a President of the Council is a good time to engage in such introspection, reflection and review.

One important aspect that I would like to focus on is the image that the Medical Council presents to the eyes of the Sri Lankan public. What are their perceptions of us? What perceptions do medical professionals have of us? Are we a trusted organisation? We all know that this image has recently taken a battering because of justified and unjustified criticism and damaging publicity.

We need to engage in some image building and present ourselves and our case with honesty and conviction. There is absolutely no room for slipups and mistakes. Our procedures must be legal, they must be reasonable and foolproof and stand up to scrutiny. I appeal to you to work for the Council with dedication and commitment and I look forward to working with all of you". The President stated that there is a vacancy for a Member of the Council to be elected and the process of filling this vacancy would be discussed when we take up the issue of election procedure.

ii. **Election of a member under Section 12 (1) (d)**

(1) The voting for the election was concluded on 29 May 2009 and the votes were counted on the 30th May 2009. There were 914 votes cast for Dr. Ananda Hapugoda and 124 for Dr. Ananda Samarasekera. Dr. Ananda Hapugoda was declared as the Member elected to the Council. Details regarding the election were circulated to the members.

(2) A letter was received from the Dean, Faculty of Medicine, University of Jaffna that Dr. Mrs. G. Bhavani had been elected to represent the Faculty in the Council.

iii. **Matters arising from minutes**

(1) 482.3.1 (1) **Election of a member** – The President announced that the case filed by Dr. Ananda Samarasekera had been withdrawn.

(2) 482.3.1 (3) – **Visit to the Medical Faculty of Rajarata University** – It was decided to arrange a team to visit the Faculty and the Teaching Hospital during the second week of August. The same form that was sent to UST, Chittagong, Bangladesh would be sent to these faculties.

(3) 482.3.1. (5) – **SC/FR 124/2009** – The Council representatives had two meetings, one on 18 June with the UGC. The UGC informed us that they have no mandate to conduct exams. However, because of the Court order, it was agreed to form a committee to discuss how the Court order could be implemented. The UGC is to be represented by Prof. Janaka de Silva, Prof M. T. M. Jiffry, Prof. Jayantha Jayawardana and the UGC Legal Officer Ms. Pamoda Rajakeeya and SLMC representatives to be members of the Education Committee with the Council lawyer. The Committee meeting was held this morning (26.06.2009) and various suggestions were made. These would be presented to the Chairman, UGC for his approval. As the candidates have to be informed of the format of the exam and the dates, the President requested Council approval to present the agreements with the UGC to the Education Committee and to act on it pending approval of the Council at the next meeting. A letter would be sent to all Council Members informing of the outcome. This was approved by the Council.

(4) 482.3.1. (6) – **Follow up of SC/FR 135 and 136 /2007 Order** – Prof. Harsha Senevirathne informed the Council that some discussions are going on in the Ministry of Health as more than seventy persons have applied for the course. One faculty cannot handle such a large number and they have to be accommodated

in two or more faculties. They could be divided into small groups and the clinical training provided by Consultants in non-teaching hospitals. The Health Ministry again would be involved in this. Arrangements have to be made by the faculties for lectures and end of the course evaluation. They have to undergo internship for registration under Section 29 and the SLMC would be only involved at that stage.

(5) 482.6.2 **Committee on Specialist Register** – A document was circulated with a list of specialities and specialist qualifications. It was decided to circulate this list to the Deans of medical faculties, Director – PGIM and to the colleges to scrutinize the list and to respond before a specified date. It was also mentioned that after specific dates, qualifications such as FRCS and MRCP are no longer exit qualifications but regarded as entry qualifications. Thus after specific dates, a Certificate of Completion of Specialist Training (CCST) is required to be considered as a Specialist. The dates of introduction of CCST as a requirement for a Specialist would be requested from the colleges.

(6) 482. 7. **Medical graduates qualified abroad** – The President inquired whether we have verified the degrees of persons who request registration. The Registrar informed the Council that this was only introduced about five years ago. Following discussion, it was decided to write to the medical schools about persons who are failing the ERPM over a long period of time. The President suggested that the public be informed through the newspapers and TV programmes about the SLMC as there appeared to be small knowledge of its functions. When she met the Minister to receive the letter of appointment he had asked about the Act 16 exam and that the Government Parliamentary Group wants to cancel it etc. He had asked whether she could explain to the President why it could not be cancelled. She thought then of having a document ready. The Council agreed with this suggestion and she requested Dr. Nanda Amarasekera and Dr.

Sarath Gamini De Silva to help in drafting a brief information document on the SLMC. She would with both Registrars work on the Act 16 document – including history, analysis of results according to medical schools etc.

iv. **Appointment of a Vice President**

The President called for nominations for the post of Vice President of the Council. Dr. Sarath Gamini De Silva proposed the name of Dr. Nanda Amarasekera, the most senior member of the Council. It was seconded by Prof. Dayasiri Fernando. As there were no other names proposed, the President declared Dr. Nanda Amarasekera as the Vice President of the Council and congratulated him. Dr. Nanda Amarasekera thanked the members for electing him. The President announced that Dr. Nanda Amarasekera as Vice President would be the Chairman of the PPC and deputise for her when she is not present.

Because of these movements, there is a vacancy in the PCC. The President requested nominations of a member for the vacancy in the PCC. The name of Dr. Ananda Hapugoda was proposed and seconded. As there were no other nominations, the President declared Dr. Ananda Hapugoda elected to the PCC.

v. **Committees**

(1) **Education Committee**

The minutes of the meeting of the Education Committee held on 12 June 2009 was circulated. The summary of the results of the Part B of the ERPM held in May/June 2009 were circulated. The overall result was better on this occasion, more than 70% passing in the Clinical section, Community Medicine viva and Forensic Medicine viva. The result of the Emergency Medicine viva is about 60%, which is still better than on previous occasions. Sixty six completed the New Format and one in the Old Format. This time, some persons have been advised not to sit the exam

because of the court order and some of the Old Format candidates were absent.

vi. **Draft for election procedure and regulations under gazette notification**

This was circulated to the Members. An alternative suggestion was also circulated regarding the postal voting where every voter would be sent a postal vote to his registered address. Another alternative would be to inform the eligible voters by sending a postcard informing them of the election and asking them to send a stamped envelope for the ballot paper. Following discussion, it was decided to defer the decision until the next Council meeting. In the meantime an appointment would be requested from the Commissioner of Elections for advice on how to conduct the election.

vii. **Correspondence**

(1) A letter was received from the Secretary, Ministry of Healthcare and Nutrition on the instructions of the Hon. Minister, requesting the payment of an allowance to the President of the Council considering the time, commitment, responsibility and traveling. It explained that the payment of such an allowance would interest a wider circle of persons to take up this post in the future. No figure was mentioned. The Council accepted it in principle and requested the Management Committee to decide on the figure.

VII. 484th meeting held on Friday 31 July 2009

Present: The President, 17 other Members, Registrar and the Asst. Registrar.

i. **Matters arising from the minutes:**

(1) 483.4 - (2) – **Visit to the Medical Faculty of Rajarata University** – The President inquired from the Dean, Prof. Malini

Udupihille when the Council should visit the faculty. Prof. Udupihille replied that the building for the para-clinical departments is not ready and suggested that the visit should take place in mid or late September.

(2) 483.4 (3) – **Implementation of the order of case SC/FR 124/2009** – The President informed the members that this was discussed at a meeting of the Education Committee and the Committee appointed by the UGC. It was decided to inform the candidates individually by sending a notice regarding the ERPM that would be conducted in the future. A copy of the notice had been circulated to the members.

The President also informed the Council that a Guidelines Book for candidates preparing for ERPM was in its last stages of drafting. It will contain the core curriculum, recommended text books and sample questions and answers.

The President informed the Members that the former President Dr. H. H. R. Samarasinghe made an appeal at a previous Council meeting to conduct a course for the ERPM candidates and Prof. Jayantha Jayawardana stated that the Faculty of Sri Jayawardenepura University is prepared to conduct such a course. Plans were made to conduct a course by the "SLMC and a Faculty of Medicine". Some members of the Education Committee felt that the Council should not get directly involved.

Prof. Jayantha Jayawardana stated that he attended a meeting of the Consultative Committee of the Ministry of Higher Education in parliament last week. Although not a matter for that Ministry, the Ministers and Members of Parliament present brought out the question of foreign graduates. They asked why there is such a high failure rate in the exam conducted by the Medical Council and why an exam is necessary if they go to schools recognized by the Council. He explained the reasons and they accepted it. But they had requested him to get the

universities to conduct courses for them. The other thing they asked about was the recognition process and the de-recognition of medical schools which they felt was not up to the mark. They wanted the Medical Council to advise students regarding good medical schools to enter.

Regarding the ERPM: Prof. Jayantha Jayawardana explained that the Universities have decided to conduct the Common Merit MCQ papers in September this year on the instructions of the UGC. Additional papers would be photocopied for ERPM candidates. The Medical Faculty of Kelaniya would coordinate the Medicine and Paediatric papers while Sri Jayawardenepura University would coordinate Obstetrics and Gynaecology, and Surgery. An additional paper with questions in Community Medicine, Forensic Medicine and Pathology would also be set by Sri Jayawardenepura.

(3) **Follow up of SC/FR case 135/2007 and 136/2007** – The President inquired from the DGHS whether there is any progress made as the Secretary/ Ministry of Health was ordered to arrange a course if any of the petitioners request such a course. Dr. Ajith Mendis replied that he has to find out and inform at the next meting.

(4) **Specialist Register** – The President asked the Registrar regarding the progress made and he replied that some colleges have responded. It was decided to discuss this at the next meeting.

(5) **Medical graduates qualified abroad** – The President inquired whether we have written to the schools of candidates who repeatedly fail the ERPM and the Registrar replied that we have written but so far they have not responded. It was decided to consider the matter later.

(6) **Procedure for election of Members** – The President informed the Council that the Registrar wrote to the Commissioner of

Elections and sent a draft of our proposals for regulations with a request for a meeting. He kindly gave us a meeting and the President, Registrar, Asst. Registrar and Dr. S. Sivapriyan met him and had a long and useful discussion. The President explained the changes made in the draft following the discussion with him. She stated that at the end of the discussion the Commissioner agreed to giving his stamp of approval to the final draft.

Following discussion, the Council decided to amend Draft 1.2 of the Procedure that one election may be conducted for an election within a period of six months. The sitting member would not be debarred from contesting the election and the counting would take place within one month of the membership falling vacant. The Council also agreed to the amendment suggested by the Management Committee that the Head of the Institution or the Certifying Officer should place his seal after the signature in case of postal votes sent to institutions.

Dr. Ajith Mendis agreed to issue a circular regarding the involvement of Heads of Institutions in the election. The President suggested that the Council advertises the vacancy that exists and call for nominations.

ii. **Court cases**

The Registrar informed the Council that a graduate of a medical school abroad has filed a case against the Council and others (SC/ FR 405/2009). He had been granted a scholarship to a medical school in Russia which is not recognised by the Council. We had a consultation with our lawyers and in reply to their queries, we stated that the school has applied for recognition but we have not considered it as the Prescribed Standards have not been passed. They are of the view that the Council can have its own standards as in the past. It was decided to obtain another opinion and also the views of the Hon. Attorney General on the matter.

iii. **Committees**

Management Committee

A summary of minutes of the meetings of the Management Committee held during the month June 2009 were circulated.

Meeting held on 03 June – Prescribed Standards – The President proposed that we write to all medical schools that we have recognized and ask for the curriculum and details of clinical training such as whether their students are allowed to do deliveries etc. It was also proposed that we put a skill list on our website so that the students are aware of the expected training and also send the guidelines to the medical schools so that they are aware of the training and the skills Sri Lankan students should achieve. If the schools do not reply or do not achieve the standard required, then the Council should say that the school ceases to be recognized rather than use the term 'de-recognized'. Prof. Jayantha Jayawardana suggested that we make use of the document which was sent to the University of Science and Technology, Chittagong as it is a combination of the Prescribed Standards document and the UGC document on Quality Assurance.

iv. **Internship**

Foreign

The minutes of the meeting of the Internship Committee held on 09 July 2009 was circulated. The Committee considered the applications for exemption from internship in Sri Lanka. The applications of two were recommended and others were not recommended.

v. **Section 41 – Persons entitled to practise medicine and surgery**

Dr. K. M. Zahir referred to a letter he wrote to the Registrar. He read the National Transport Act which granted the R.M.Ps like him the right to fill medical examination forms for licence to drive light vehicles. The Registrar replied that a medical practitioner from Kandy wrote to the Council regarding the filling of the Medical Examinations Forms for driving licence. This was discussed at the Management

Committee and it was decided to write to the Commissioner of Motor Traffic that as stated the Form, the medical officer who is entitled to fill the form is a medical practitioner registered under Section 29 of the Medical Ordinance. Dr. Zahir was of the opinion that issues such as these should be discussed in the Council. Following discussion, it was decided to request a meeting with the Commissioner of Motor Traffic and discuss the issue in the light of new regulations that have been drafted by the Commissioner of Motor Traffic.

vi. **Medical ethics**

The President read a letter from Dr. Malik Fernando, the Chairman of the SLMA Ethics Committee in response to a letter the Council sent regarding personal websites maintained by persons registered in the Council. Previously, the Council received a query from the Secretary, SLDA regarding the issue. Dr. Malik Fernando has suggested that the Council work in partnership with the SLMA to develop a Code of Advertising for Medical Practitioners and Healthcare Institutions. The above mentioned letter, as well as the letter from the SLDA were circulated. The President informed the Council that she has written to the Medical Councils of U.K., Singapore and Australia regarding this matter and received a response from Singapore. It stated that personal websites are allowed under certain conditions which are available on a guideline. The Council monitors the websites and takes action when required. A meeting of the Ethics Committee with the representatives of the SLMA and the SLDA would be convened to discuss this matter. Dr. Palitha Abeykoon agreed to take part in the meeting.

vii. **Any other matters**

(1) Delay in internship appointments: The President expressed concern to the DGHS about the long period of time between qualifying and obtaining internship. Dr. Ajith Mendis undertook to look into the matter.

A member brought to the notice of the Council the pathetic state of accommodation for interns. Another member stated that when

the interns complained about the appalling living conditions, the Medical Superintendent threatened them saying that their internships would not be signed if they complain.

(2) Summoning of Dr. H. H. R. Samarasinghe and Dr. N. J. Nonis before the Parliamentary Privileges Committee. The Council was informed that Dr. H. H. R. Samarasinghe and Dr. N. J. Nonis were summoned to appear before the Privileges Committee of the Parliament on 6 August 2009 regarding an allegation made by Dr. Rajitha Senarathne for the incident which occurred at the meeting held on 27 September 2007. The Council decided to obtain legal representation on behalf of the Registrar.

VIII. 485th meeting held on Friday 21 August 2009

Present: The President, 13 other Members, Registrar and the Asst. Registrar.

i. **Matters arising from the minutes**

(1) **Implementation of the order of case SC/FR 124/2009** – The President informed the Members that the Chairman of the UGC sent a letter dated 6 August 2009 regarding the eligibility of candidates sitting the ERPM. He has stated that the UGC recognises degrees from universities which are listed in the International Handbook of Universities and the Commonwealth Yearbook. He expressed grave concern as there may be medical schools recognised by the SLMC which may not be in those lists. We consulted our lawyers and Mr. S. A. Cader gave his opinion on the matter. A reply was drafted at the Management Committee incorporating the legal opinion and sent to the UGC. The copies of letters from the UGC and the reply were circulated among the Members of the Council.

The President informed that more than 40 medical schools have applied for recognition by the Council but the Council had

decided previously that it will not recognise any medical schools until the Prescribed Standards are approved by parliament. The opinion of a barrister named Mrs. Lalitha Senaratne is available and we are awaiting the opinion of Mr. Shibly Aziz. The Council would be informed of their opinions in the future. The ERPM Part A is scheduled to be held in September and clinical/oral exam could be held in late October/November. The next theory exam for the faculties would be held from 2 December 2009. Next year, theory exams would be held in April, August and December.

(2) **Follow up of SC/FR Case 135/2007 and 136/2007** – The President informed the Council that we were summoned to the UGC for a meeting on 12 August 2009 regarding the implementation of the court order in the above case. The Council was informed that Prof. Nilanthi de Silva was appointed as the Coordinator and Chairperson of a Committee appointed to organise a course to implement the court order. It would be located outside the faculties and clinical training would be conducted in non-teaching hospitals. The Committee has asked for a period of five months to plan the course. The Committee includes the Deputy Director General – Education, Training and Research of the Ministry of Health.

(3) **Specialist Register** – The President stated that some colleges have responded and a summary had been circulated. The members agreed that as a Certificate of Completion of Specialist Training is necessary to be considered a Specialist in U.K. in addition to qualifications such as MRCP, FRCS, MRCOG etc. since November 1996, only persons with such qualifications obtained before 1996 should be included in the list. Regarding qualifications obtained in other countries, it was decided to write to the medical councils or the colleges when such requests are made. A committee consisting of the Director or representative of the PGIM, Chairman or representative of the relevant Board of Study and the President or representative of the relevant

college would advise the Council regarding applications from persons who were not either Board certified or were not eligible for Board certification and applied on the basis of qualifications obtained from countries other than the U.K.

(4) **Medical graduates qualified abroad** – The President informed that we have written to the schools of candidates who repeatedly fail the ERPM and a few schools have responded. It was decided to send reminders regarding the others.

(5) **Procedure for election of Members** – The President informed the Council that the draft following the discussion with the Commissioner of Elections had been circulated.

The following changes were made to the draft after discussion:

(i) 2.4 – The particulars of the applicant would be checked with the relevant registers in the Council and entered in the register of applications. The fact that ballot papers are dispatched would be entered in the register of applications.

(ii) 4.3 – All postal votes would be dispatched as soon as possible after receiving the applications. They will be received back by the Council up to a specified date which would be more than fourteen days or ten working days, whichever is longer, after the dispatch of the last vote. The last date of receiving postal votes would be a working day.

(iii) Dates for marking postal votes would be informed by the Returning Officer to the Heads of Institutions, candidates and the persons receiving postal votes. The Heads of Institutions and/or the Certifying Officer would be instructed to arrange for marking the vote and certification.

(iv) Photocopies of the lists of persons to whom postal votes were sent may be supplied to the candidates if requested.

The Council agreed that with these amendments, the election procedure could be sent to the Commissioner of Elections for his approval and to the Ministry of Health to be published as regulations.

(6) 484.6.1 – Regarding the discussion on Prescribed Standards at the meeting of the Management Committee held on 03 June 2009 – The President proposed that the Education Committee should draft a guideline on skills expected from Sri Lankan students and put it on our website so that the students are aware of the expected training and also send the guidelines to the medical schools so that they are aware of the training and the skills the students should achieve. The President requested representatives of the dental profession to similarly draft a 'Guideline' document and a 'Skills' document for information of dental graduates qualified abroad and to enter in the website.

ii. **Any other matters**

(1) **Letter from the Presidential Secretariat**: A copy of a letter addressed to the Secretary, Ministry of Health by Mr. M. D. W. Ariyawansa, Addl. Secretary to the President was sent to the President of the Council. This was circulated to the members. The President stated that a reply had been sent to the Presidential Secretariat with a copy to Secretary/Health. In brief:-

The Foreign Medical Graduates Association had alleged that the Council was holding the ERPM by itself contrary to the settlement in the FR case. The Council explained the steps taken after the meeting with H.E. the President. The decision was for the Council to arrange courses for foreign graduates through the Academic Colleges and send a letter to the UGC to make the Common MCQ papers used in the Final MBBS available for the ERPM. However, in the meantime some of the foreign graduates filed the FR case and the settlement was for the ERPM to be held through the UGC. Thereafter, the

Council wrote to the UGC and held discussions on implementing the court order and steps were taken to hold the ERPM Part A from 1 September 2009.

Before the court order, the Council had conducted the written papers of the ERPM. Clinicals and orals for those who passed the written test had been held in May 2009, as otherwise, they would have to wait at least until October 2009. The reply also included the analysis of the results of the 'Old Format' of the ERPM which shows that 874 out of 1185 who were registered passed the exam (74%). As only 52 candidates from the rest have applied to sit the ERPM in September, the rest may have left the country or they may not be interested in sitting the exam. Details of the analysis of the results would be circulated to Members and also entered in the website.

Regarding courses for foreign graduates, the President stated that some Members of the Management Committee were not happy with involvement of the Council in the conducting of the courses. The faculties were not willing to be involved in organizing such courses because of possible objection by their students. The Council could write to colleges and ask whether they are willing to conduct courses and to instruct their lecturers on how to conduct crash courses. The Members gave approval to the Council to act as a facilitator in this regard.

(2) **Scholarships to medical schools in China:** Recently, some students have been given scholarships by the government of China through the Ministry of Higher Education. Some students had been given scholarships to schools which are not recognised. Some students and parents came to the Council to seek clarification. It was pointed out that one was a medical school for which we have granted recognition earlier (Fudan University). When the President contacted the Secretary, Ministry of Higher Education, she sent the Additional Secretary

and the minutes of the meeting with him were circulated. The Ambassador in China could help us in seeking clarifications from these schools. He was informed of the recognition process and requested to ask the school authorities to apply for recognition. He agreed to help regarding schools in Russia as well.

IX. 486th meeting held on Friday 25 September 2009

Present: The President, 18 other Members, Registrar and the Asst. Registrar.

i. Matters arising from the minutes:

(1) **Implementation of the order of case SC/FR 124/2009** – The President informed the Members that the Chairman of the UGC sent two letters again regarding the ERPM. In the first dated 7th September 2009, he stated that the UGC recognises degrees from universities which are listed in the International Handbook of Universities. It also requested UGC concurrence when we published notices regarding the exam. Another letter was received dated 11 September 2009 which mentioned only about concurrence when advertising for the exam.

The Management Committee decided that copies of the notices about the ERPM would be sent to the UGC. The ERPM Part A was held in September and the marks are ready to be released. The minutes of a meeting held on 21 August with the Deans of the two medical faculties which coordinated the exam have been circulated, regarding the arrangements we made to conduct the exam. The Deans and the staff who coordinated the exam would be invited for the Results Board. The marks supplied have been entered into our computer and these would be checked by the Deans. When the Results Board meets on 30 September 2009, the Deans and Heads of Departments would be present when the results are released.

(2) **Processing of applications for recognition of foreign medical schools**

A Pre-intern employed by us is going through the documents from medical schools which have been recognized and the applications of foreign medical schools which are applied for recognition. Mrs. Lalitha Senaratne in her legal opinion categorically stated that "The SLMC had both the right and even a duty to continue the process of recognition and exercise their discretionary powers in the manner in which they have been doing for several years ….."

(2) **Procedure for election of Members** – The President stated that the draft decided was sent to the Commissioner of Elections who made some minor editorial changes. These were sent to the Ministry of Health. Yesterday (24 September) we had a very fruitful meeting with Secretary/Health who would take action to publish it in the Government Gazette as a Regulation. Although a discussion ensued regarding the dates for sending out postal votes regarding clause 4.6, the procedure was confirmed without any changes.

A note was circulated regarding the election of a Member and the proposed election schedule. There were two candidates who submitted nominations and an election had to be conducted. The Council authorized the appointment of the Registrar as the Returning Officer. The election schedule with requests for postal votes would be advertised in the newspapers on 1 October 2009 and the closing date for applications would be 23 October 2009. The notices will also be sent to the SLMA, GMOA, AMS, ACGMOA, IMPA and postal votes would be dispatched before 6 November 2009. Voting in person was held at the Council office from 25 to 27 November and counting of votes on 28 November 2009. The Council agreed with the dates suggested.

(3) **Prescribed standards on medical education** – As advised by lawyers, the President said that a revised document on

required minimum standards of medical education was being drafted. The skills expected from Sri Lankan students will be put on the website. Furthermore, guidelines and skills list will be sent to recognized medical schools overseas.

The President requested Prof. Prasad Amarathunga to similarly draft a 'Guideline' document and a 'Skills' document for information of dental graduates qualified abroad for it to be entered in the website following approval by the Education Committee.

(4) **Persons entitled to practise medicine and surgery**: Regarding the issue of fitness certificates for driving licence, the Registrar has written to the Commissioner of Motor Traffic and requested an appointment to meet him and discuss the issues but we were not successful in contacting him. Further attempts will be made.

(5) **Courses for foreign medical graduates** – It was decided to write to the Colleges to arrange such courses. Following discussion, it was decided to call representatives from the Colleges and discuss with them. Dr. Nanda Amarasekera and Dr. B. Lalith Perera agreed to help in the arrangements.

(6) **Court cases** – (i) SC/FR 405/2009 – The Registrar explained that following legal advice, we informed court that we requested further information from Kazan State Medical University, Russia and awaiting their response for consideration of recognition.

(ii) SC/FR 124/2008 - Following the implementation of the Court order to hold the ERPM through the UGC, a motion had been filed by the petitioners that they are reliably informed that answer papers are to be marked by the Council and objecting to the inclusion of a clause stating that they must pass Part B of the ERPM within five years, replacing the earlier statement that both parts should be passed within

five years. According to our lawyers, when the case came up on 22 September 2009, the lawyers for the petitioners could not substantiate the charge regarding marking of papers and the case was dismissed.

(iii) **CA Application 71/2009** – The Registrar explained that this was a case filed by a former Estate Medical Assistant for registration under Section 41. There is evidence that he has not fulfilled the criteria for eligibility and we would submit evidence on that.

ii. **Committees**

(a) **Management Committee**

With reference to the minutes of the meeting held on 12 August regarding Maternity Leave and Interns, the President stated that at the meeting with S/H on 24 September 2009, DDGMS stated that interns are entitled for fully paid maternity leave during internship like other employees. They do not lose seniority unless they avail extra half-pay or no-pay leave. They are regarded as having completed internship on the same day as their colleagues, but they have to work as interns for a further period to fulfill the internship requirements.

(b) **Education Committee**

(i) The legal opinion of Mrs. Lalitha Senaratne regarding recognition of medical schools was circulated. She has expressed the opinion that other degrees from local medical schools and Degree Awarding Institutes, the Council has the power only to recognize degrees awarded by medical schools outside Sri Lanka. The President stated that in 1988, through an amendment under Act No. 25, Degree Awarding Institutes were also included in Section 29, below "the University of Ceylon or corresponding university". According to the legal opinion, there is no provision to recognize degrees of medical schools which come under subsection (ii) unless

they are outside Sri Lanka. As she suggested, we are meeting another lawyer on 26 September 2009 (tomorrow) to obtain his opinion. In fact, her opinion is that the Prescribed Standards published in the Gazette are 'ultra vires' the Medical Ordinance. If the other lawyer confirms her opinion, we are going to request the withdrawal of the Prescribed Standards and re-introduce it without the reference to 'Twinning Programmes'. Following discussion, it was decided to convene a Special meeting on Friday 02 October 2009 to discuss the opinion of the second lawyer following the discussion with him on 26 September 2009. Draft of letters to the Hon. Minister, to SAITM and Nizhny Novgorod Medical Academy and the newspapers would be brought before the Special meeting of the Council.

(ii) Memorandum of Understanding (MOU) between Kotelawala Defence University (KDU) and University of Ruhuna (UOR)

A letter dated 22 September 2009 from Prof. T. R. Weerasooriya with a summary of the MOU was circulated to members. Prof. Weerasooriya explained the background to the MOU. He stated that the first two batches would be trained at UOR. They will receive the MBBS of KDU which is a Degree Awarding Institute (DAI) and does not come under the purview of the UGC, although the Chairman, UGC is a member of the Board of Management. Twenty five (25) candidates have been selected for the first batch and the minimum requirement is a Z-score higher than the minimum admitted to a University to do medicine by the UGC. Out of those selected, only two are sons of military personnel, being sons of an ordinary soldier and a captain in the army. All selected candidates are recruited to the armed forces considering other criteria such as height and weight and are bonded to serve the armed forces, which is compulsory for fifteen (15) years. The President informed

the Council that the legal provisions for DAIs are formulated under the Universities Act. According to the said Act, there are Higher Educational Institutions which come under the purview of the UGC. Degree Awarding Institutes have to be declared and gazetted as such by the Minister for Higher Education. It was stated that the Minister may appoint a Specified Authority for the purpose of this Act. She said that the Secretary/Health had been informed on 24 September 2009 that in the case of medical degrees awarded by DAIs, the Medical Council should be declared the Specified Authority, which will monitor the standards. Some members argued whether the Council as the Licencing Authority should also be the monitoring body for DAIs.

Prof. Jayantha Jayawardana informed the Council that there is a Quality Assurance Council under the UGC which reviews various faculties. From next year, it would review postgraduate education as well. He asked whether it is possible for the Council to request the representatives of the Council to be included in the Committee regarding review of medical faculties.

Following discussion, the Council approved a meeting with the Minister for Higher Education to discuss these issues.

iii. **Other complaints**

Complaint of a person against an A.J.M.O.

The Registrar explained that a person has made a complaint regarding an A.J.M.O. who filled the Medico Legal Report in the case where the complainant is alleged to have assaulted his wife. The complainant is challenging the accuracy of the report because of the discrepancy of dates. Following discussion, the Council decided to obtain a copy of the B.H.T. and summon the doctor before the Management Committee.

iv. **Correspondence**

Letter from the Chairman, SLMA Central CPD Committee

The Council received a letter dated 17 August 2009 from Dr. Sunil Seneviratne Epa, Chairman, Central CPD Committee of the SLMA requesting us to recognize the National CPD Certificate of the National CPD Programme of the doctors. We also received a letter dated 21 August 2009 requesting our stance on CPD and participation of the Council in a workshop to be held on 24 October 2009 on how to implement the National CPD Programme.

The President indicated that our attitude should be to encourage the participation of doctors in CPD programmes. Earlier there was a suggestion for such a certificate to be accepted for promotion of Grade II Medical Officers in the Health Department to Grade I. Dr. Ajith Mendis, DGHS said that it was accepted in principle. It was agreed that our policy should be to facilitate and encourage CPD of doctors. Dr. Ananda Hapugoda said that CPD should be available even to doctors in the periphery and unless that happens, it should not be made compulsory.

v. **Advertisement of Postgraduate Diploma in Health Development by the Faculty of Medicine, Colombo**

There was an advertisement for the course stating that a degree from a recognized university or a professional qualification and experience of at least two years in a health related field acceptable to the university were the eligibility criteria. Members of the Management Committee queried how those without a degree can be given a postgraduate diploma. Prof. Harsha Seneviratne explained that a policy decision was taken by the faculty not to call them postgraduate diplomas but the UGC has authorized it and it would be very difficult to change it. There is a trend, to open educational opportunities and upward movement to persons who have not been able to get a university education. It is done by a committee of several departments such as Community Medicine, Pharmacology and Forensic Medicine.

vi. **Visit of the President, SLMC to the Medical Council of India**

The report was circulated to the members. The President stated that she is grateful to the W.H.O. and Dr. Palitha Abeykoon for arranging the visit and providing funds for two extra days in New Delhi. The MCI had welcomed her warmly, spent much time in discussing common issues and handed to her many publications and documents.

Briefly, the MCI has three sets of legal enactments. (i) The Act which has to be approved by Parliament; (ii) Rules formulated by the Government to clarify implementation of the Act and (iii) Regulations which are recommended by the Council and approved by the Minister. Once approved, they are published in the Gazette and become effective. They do not require parliamentary approval. She expressed the hope that we could achieve something similar in the future by discussion.

Regarding the composition of the Council she stated that there are 98 members, who are all medical persons.

Regarding the procedure adapted for recognizing medical courses, she stated that if a medical school applies to start a course, the Central Government sends it to the MCI for technical evaluation. It gives approval if it meets the criteria laid down. Once a medical school starts, it is inspected every year by the Council until the first batch of students graduate. There is no difference in the criteria or procedure for government and private institutions. The MCI does not recognize off-shore campuses in India or anywhere else which trains students for foreign medical schools or Indian medical schools. The MCI only recognizes a medical course that is conducted in one location.

Regarding de-recognition, when there are gross deficiencies, the MCI recommends to the Central Government for de-recognition, which issues a 'show-cause' notice to the institute, the affiliated

university and the State. The Central Government takes the final decision based on the inputs. The de-recognition process is prospective as well as formative and new students cannot be admitted until the conditions are rectified.

A student qualified from a recognized foreign medical school can sit for the licensing examination of the MCI. The entire course should have been at one place.

A maximum of three chances are given for a candidate and the pass rate is 20-30% and if they cannot pass in the three attempts, they cannot obtain registration by the MCI or any State Medical Council and they cannot practise in India.

Regarding complaints received, they are referred to the State Medical Council where the doctor is registered. The MCI is the Appellate Authority. The complainant has to fill a form which is also available on the website and submit it along with Indian Rs. 5000. There are various forms of punishments such as censure, warning, temporary removal and permanent erasure.

vii. **Meeting with Dr. Athula Kahandaliyanage, Secretary, Ministry of Healthcare and Nutrition**

The President said that a very useful meeting was held on 24 September 2009, with the Secretary/Health, DDGMS and the Legal Officer. Amendments to the Medical Ordinance were discussed. Previous amendments that we submitted have been discussed with an officer of the Legal Draftsman's Department and they are almost ready. However, the Secretary/Health was informed that based on legal opinion received recently, we have to bring in certain other amendments urgently.

Section 72 (4) states that regulations have to be approved by Parliament and such approval should be published in he gazette. Under Section 19 D, the Minister can entertain complaints from the public and inquire into affairs of the Council.

Under the Ordinance, the Medical Council is given a lot of powers but there are a lot of strictures. There is a mismatch between the powers of the Council and the degree of independence and autonomy permitted. We are requesting:

(a) a repeal of Section 72 (4) and cast it in a more modern form, giving the SLMC power over certain procedures such as Standing Orders on Council meetings, election of members etc.

(b) other regulations can be approved by the Minister,

(c) other more important ones can go to Parliament.

(d) the regulations become immediately effective and become null and void only if Parliament rejects them, without prejudice to anything done previously.

(e) We request that Section 19 D should be repealed as the Minister has powers under Section 18 of the Ordinance.

(f) We also request that the SLMC should be protected from civil and criminal suites as in the Act regarding the UGC.

Regarding Section 25 and 33 of the Medical Ordinance, the President stated that we have already suggested some amendments.

i. The second para of the section 25 to read " (a) on any grounds authorized by this Ordinance, order that the name of any person be erased from the register or in lieu of erasure, may order that he be suspended from the rights, privileges and immunities conferred upon him by registration during the period specified in the order, **or that he be placed under supervised practice or conditional practice or that he be warned or that he give an undertaking to the Council that he will abstain from conduct regarding which complaint had been made to the Council. In addition, the Council may impose a fine not exceeding the cost of the inquiry".**

ii. The third para to remain the same but,

iii. The fourth para to be amended to read as follows: **"Where the Medical Council orders that the name of any person erased from a register under paragraph (1) or makes any other order against any person under that paragraph, the Council shall cause the particulars relating to such erasure or order to be notified in the gazette and the Medical Council website by the Registrar on the direction of the Council and/or notify the appropriate professional body within or outside Sri Lanka".**

iv. Section 33, in addition to the amendments already suggested, add the word 'ethical' before the word advertising.

To change the stem of Section 33 to read – The name of a medical practitioner may be erased or in lieu of erasure be dealt with as stated in Section 25 (a) as amended.

Part V – Section 29 and Part III Section 19 (e) – The Universities Act refers to Higher Education Institutes and Degree Awarding Institutes (DAI). While Higher Education Institutes have been placed under the purview of the UGC, DAIs have not. It should be borne in mind that DAIs could even come through the BOI. Medical Amendment Act No. 25 of 1988 has brought degree of MBBS awarded by DAIs under Section 29 (1) (i). The DAIs will come under the Ministry of Higher Education and he will have the power to appoint a **specifying authority** to inspect and monitor the standards of these institutes. We recommend that in the case of DAIs that award medical degrees, an amendment should be introduced that will make the **specifying authority the SLMC.** The SLMC should be vested with the power of recognizing their courses of study and degrees awarded through amendments to Section 29 (1) (b) (i).

No definite recommendations were made regarding amendments to this section as it needs to be discussed with the Minister and lawyers.

viii. **Renewal of registration**

A note was circulated regarding renewal of registration. According to Section 26 A (1) of the Medical Ordinance, "the Minister may require persons registered under this Ordinance to renew their registration at prescribed intervals and on payment of the prescribed fee". The Minister has approved renewal of registration of medical practitioners, dentists and persons entitled to practise medicine and surgery every five years. Renewals of registration of these categories were done in the years 1995, 2000 and 2005. In the certificates issued in 2005, we have mentioned that registration is valid until 31 December 2009. There are inquiries from persons locally as well as those abroad what we are going to do about it. The Council approved the commencement of the renewal process.

X. Special meeting held on Friday 02 October 2009

Present: The President, 13 other Members, Registrar and the Asst. Registrar.

i. **Recognition of Medical Schools in view of legal opinions**

The President stated that she had previously referred to some aspects of the opinion given by Mrs. Lalitha Senaratne. As suggested by Mrs. Senaratne and also the Management Committee, we also consulted Mr. M. A. Sumanthiran to whom Mrs. Senaratne's opinion and relevant documents were given. Drs. Nonis, Herath, Sivapriyan and the President met Mr Sumnathiran on Saturday, 26 September 2009. He said that Mrs. Senaratne's opinion was a very detailed and a good opinion and he agreed with most of what she said.

So, the President said that the SLMC is fairly clear on its position about a number of issues facing the Council. The President read some highlights from Mrs. Senaratne's opinion.

Applications for recognition by Foreign Medical Schools

The processing of applications for recognition by Foreign Medical Schools had been put on hold for the last three years until the Prescribed Standards are approved by Parliament. Mrs. Senaratne stated "quite categorically that no formally enacted rules are available did not mean that the powers of the Council under Section 29 for recognition purposes cannot be exercised. The SLMC has both the right and implicitly a duty owed to Sri Lankan aspirants to continue to process the applications for recognition".

The Malabe Medical College

Mrs. Senaratne quoted an article in 'The Island' of 02.04.09 in which the UGC had said that private medical colleges do not come under the purview of the UGC. They could be established under the BOI.

Both SAITM and the ITS have stated that their institutions are recognized by the SLMC. In Mrs. Senaratne's opinion, the Medical Ordinance empowers the SLMC only to recognize degrees of medical schools in countries other than Sri Lanka. Regarding the two institutions seeking SLMC recognition, Mrs. Senaratne states, that the Council has in effect held out previously that it has the 'vires' (authority) under the law, to recognize them under Section (1) (b) (ii) (bb) of the Ordinance, if the Prescribed Minimum Standards are available by approval of Parliament. But, both institutions do not fall under that provision of the Ordinance. She goes on to state that even if the Prescribed Standards are approved by Parliament and the Council recognizes these institutions, it will be held 'ultra vires' and void in a court of law. The validity of this proposition is based on the Medical Ordinance and not on the still abortive Minimum Standards, even if they are approved by Parliament. The MB or equivalent degree can only be recognized if it is awarded by a university or institution outside the territorial limits of the Sri Lankan state. Any other interpretation would make it meaningless the words 'any country other than Sri Lanka'. The words are quite un-ambiguous

and the court would not resort to interpretation. Their task is to ensure that the intention of the legislature at the time of enactment is implemented.

The SLMC is empowered to recognize an entire MB degree and not parts of a degree. So the MD of Nizhny Novgorod of Russia can be recognized but not the four year part of it in SAITM as requested by its Chairman.

Regarding Degree Awarding Institutes (DAI), Mrs Senaratne has stated, that under an amendment to the Universities Act No.16 of 1978, the Minister is empowered to recognize DAIs in any branch of learning at its discretion. There was a concomitant amendment to the Medical Ordinance by Act No. 25 of 1988 of Section 29 (1) which conferred holders of the MB degree of DAIs on par with holders of the degree from the University of Ceylon or corresponding university. DAIs come under the Ministry of Higher Education and not the UGC. Technically, these institutions come under Section 19 (e) of the Medical Ordinance as the SLMC is empowered to make regulations regarding their standards of medical education.

They also come within the ambit of Part III under Section 19 A and B of the Ordinance regarding the process of de-recognition. The control which the SLMC is empowered to exercise is however illusory as it is the Minister of Higher Education who is empowered to 'recognise' degree awarding institutes including those conferring medical degrees. The holder of a MBBS from a DAI has to be recognized by the Council if he/she is eligible under Section 29 (1) (a), i.e. 'is of good character'.

The President stated that the Council has to take decisions:

1. regarding the claim by SAITM that the SLMC will monitor the standards of medical education in their institutes;

2. regarding the monitoring of DAIs awarding medical degrees by the SLMC. Under the Universities Act which deals with

establishment of DAIs, there is provision for the Minister of Higher Education to declare a Specified Authority to monitor the DAIs;

3. regarding the prescribed minimum standards.

After discussion, Dr. B. L. Perera proposed the following resolution **"The Sri Lanka Medical Council resolves that representatives of the Council discuss issues relating to the Degree Awarding Institutes with the Minister of Higher Education"**. It was seconded by Prof. Harsha Senevirathne and was passed by the Council unanimously.

The President stated that in one of the newspaper notices, SAITM has claimed that "the programme will be closely monitored by the Sri Lanka Medical Council in accordance with the standards according to the law on recognition". The correspondence with SAITM has started in February 2009 and the SLMC had indicated that Minimum Prescribed Standards should be available to consider recognition by the SLMC. The President also informed the Members about correspondence with the Medical Students Union of Colombo and Rector of Nizhny Novgorod State Medical Academy, Russia where he states that they are in the process of obtaining approval from the Ministry of Public Health and Ministry of Education of the Russian Federation to open an off-shore campus in Sri Lanka, and requests the cooperation of the SLMC.

The legal opinion was that a newspaper advertisement should be published informing the public by giving them a clear idea regarding the position of the Council.

After discussion by the Council, Dr. Palitha Abeykoon proposed the following resolution – **"The Sri Lanka Medical Council resolves that a statement be published in the newspapers countering claims made by the South Asian Institute of Technology and Management that their programme will be closely monitored**

by the Sri Lanka Medical Council for compliance with the standards according to the law on recognition. The text of the notice is to be formulated on the advice of a lawyer". Dr. Ananda Hapugoda seconded the resolution and it was passed unanimously.

The President stated that the lawyers advised the Council that Prescribed Standards which were published in the gazette is misleading the public. According to Section 72 (4) of the Medical Ordinance, regulations have to be published in the gazette after approval of Parliament.

Following discussion, Dr. S. Sivapriyan proposed a resolution which states **"The Sri Lanka Medical Council resolves that a letter be written to the Minister for Healthcare and Nutrition requesting him to withdraw the Gazette Extraordinary No. 1590/13 of Wednesday February 25, 2009 on Medial Education (Minimum Standards) Regulations No. 01 of 2009, in view of the fact that it has not been approved by Parliament, so that the public is not misled".** The resolution was seconded by Dr. H. B. J. C. Ariyaratne and passed unanimously by the Council.

ii. **Results of the ERPM Part A held in September 2009**

A summary of the results was circulated. It indicates that the results are very poor, for example New Format Candidates: in Paper 1 – Medicine – 8.1% passed, Paper 2 – Obstetrics and Gynaecology 15%, Paper 3 – Paediatrics – 14.7%, Paper 4 – Surgery – 12.5% and Paper 5 – Community Medicine, Pathology and Forensic Medicine – 14%. Out of the Old Format candidates who filed the case on which decision this exam was conducted, no one passed in any paper. The results of the ERPM Part A held in March 2009 was also circulated, which showed that Papers 1 and 2 consisting of Medicine, Obstetrics and Gynaecology, Paediatrics and Surgery, 29.89% have passed, and in Paper 3, the Combined paper, 49% passed. In the Old Format also there were a few passes.

At the Results Board, in addition to the members of the Education Committee, there were the two Deans who coordinated the papers and members of their staff who coordinated and corrected the papers. The President read some of the comments made at the meeting:

- the ERPM is a licencing exam and not a MBBS exam,
- that in the Faculties of Medicine, marks from the MCQ papers are not 'stand alone' but combined with another written paper in each subject,
- that in the local faculties the students are coached for the exam etc. Prof. Harsha Senevirathne stated that in the past when the first foreign qualified students came, they had to do appointments for one year and go through the final MBBS clinical exam before they were allowed to do internship. However, they wanted employment as soon as they arrived and the procedure was cancelled.

The President stated that there was an urgent need to help these students. She suggested a bridging course including appointments in non teaching hospitals, and short courses conducted by the professional colleges. The Registrar had written to the Colleges and it was decided to invite them for a meeting to discuss the possibility of them conducting a course.

The suggestion as to whether the SLMC should take the matter of the ERPM to courts was discussed. Members were of the opinion that the Council should not initiate court action.

The Council endorsed the President's suggestion that ERPM candidates be summoned to a meeting to initiate a dialogue.

The Secretary/Health and the DGHS will also be informed. A report on the ERPM would be sent to the UGC.

XI. 487th meeting held on Friday 23 October

Present: The President, 14 other Members, Registrar and the Asst. Registrar.

i. The President stated that a letter was received from the Assistant Registrar, Faculty of Medicine, University of Peradeniya that at the 341st meeting of the Faculty Board held on 7th October 2009, Dr. Gamini Buthpitiya, the Dean of the faculty was elected to the Sri Lanka Medical Council.

ii. Matters arising from the minutes

Memorandum of Understanding (MOU) between Kotelawala Defence University (KDU) and University of Ruhuna (UOR)

The President stated that there was a very useful meeting on 15 October 2009 with the Vice Chancellor of KDU, Maj. General Milinda Peiris and other representatives of the KDU, Prof. Susirith Mendis VC UOR, Prof. T. R. Weerasooriya and other representatives of the Faculty of Medicine of UOR. Dr. Nanda Amarasekera, Dr. Sarath Gamini De Silva, Prof. H. R. Seneviratne, the Registrar and Asst. Registrar were others who represented the Council.

The following matters were discussed:

i. Basis on which the Faculty of Medicine of KDU was established
ii. Expectations of the KDU from the SLMC
iii. Legal position of the KDU as regards the Medical Ordinance
iv. Possible follow-up action

The minutes of the meeting would be circulated when the draft is approved by the participants. The President explained the main features of the discussion, particularly the legal aspects for which she had obtained the advice from a lawyer, Mrs. Senaratne. According to the legal opinion, the Medical Ordinance under Section 29 recognises degrees from the University of Ceylon, a

"corresponding university" as defined by Section 74 and by the amendment of Act No. 25 of 1988, degrees from Degree Awarding Institutes (DAI). According to the Universities Act, DAIs should be declared as such by the Minister for Higher Education and published in the gazette. At present, KDU is a university independent of the UGC. Hence, it is a DAI but no order has been gazetted by the Minister. This has to be sorted out.

Regarding clinical training, the army is planning a military hospital at Narahenpita with 10 floors and 1000 beds and hope to elevate it to a Teaching Hospital. They also have the idea of using Sri Jayawardenepura General Hospital, Kotte and other military hospitals around the country for clinical training.

Prof. Susirith Mendis had requested assistance with regard to the MBBS course to enable recognition of the degree. Prof. Lalitha Mendis informed Maj. Gen. Peiris and Prof. Susirith Mendis that ideally the SLMC should inspect the medical course annually until the first batch qualifies.

ii. **Foreign Degrees Committee**

The President informed the Council that applications for recognition of foreign medical schools are being sorted out. Very soon the Foreign Degree Committee would be called upon to meet and consider these. Out of the members appointed earlier to the Committee, Dr. Nanda Amarasekera, Dr. Sarath Gamini De Silva and Dr. Tissa Wickremasuriya can continue to serve in the Committee. The following were added as members to the Committee: Prof. Jayantha Jayawardana, Prof. Harsha Senevirathne, Dr. S. Sivapriyan and Dr. Ananda Hapugoda.

iii. **Outcome of the meeting of the President with the Hon. Minister for Healthcare and Nutrition**

A summary of the outcome of the meeting the President of the Council had with the Hon. Minister for Healthcare and Nutrition on 06 October 2009 was circulated. Besides the Prescribed Standards,

the other matters discussed with him were Disciplinary Procedures against registered persons, Regulations with regard to Election Procedure and the amendments to the Medical Ordinance which he said to discuss with the Hon. Attorney General. The Hon. Minister also agreed to withdraw the gazette notification with regard to Minimum Standards.

iv. **ERPM**

The President stated that ERPM candidates, especially those who failed are now appealing to have the exam conducted by the Council. Now they express full confidence in the Council. We met the candidates at a meeting convened at the NBTS Auditorium, Narahenpita which was well attended by over 250 candidates. They were told that the last exam was held on a court order and any change has to be made by courts. Short presentations were made by Examiners in different subjects, Dr. Sarath Gamini De Silva in Medicine, Prof. Mohan de Silva in Surgery, Dr. Manel Fernando in Paediatrics, Dr. Rukshan Fernandopulle in Obstetrics and Gynaecology, Dr. Buddhika Weerasundera in Forensic Medicine and Dr. Ananda Herath in Community Medicine. This was followed by a discussion where they asked for various concessions which were placed before the Education Committee. Prof. Harsha Senevirathne stated that if we initiate changes, there could be a 'back-lash' from the undergraduates in local faculties. It would be interesting to find out the marks scored by students in local faculties who sat the same Common MCQ papers.

XII 488th meeting held on Friday 20 November 2009

Present: The President, 15 other Members, Registrar and the Asst. Registrar.

i. **Matters arising from the minutes:**

(1) **Procedure for election of Members** – The Registrar explained that the process is going on regarding the election of a member.

The profiles of the two candidates were requested but only one was received. Then the other candidate and the Secretary, GMOA protested. Apparently, he had initially sent by e-mail to the wrong address. Another purported to be sent to the correct address was not received. Hence, those who had been sent only one profile were sent another ballot paper in a different colour to cast their vote, if they changed their minds after receiving the second profile.

(2) **ERPM** – Part B of the ERPM was held in October/November and the Results Board met on 19 November 2009 and released the results. In the 'New Format' 114 candidates sat and 64 completed the exam (56%). In the 'Old Format', 3 candidates completed the exam. The President thanked the two Deans and staff of Sri Jayawardenepura and Kelaniya medical faculties for the cooperation they extended in conducting the exam.

ii. **Internship**

Local

The President referred to the delay in giving Internship appointments. The 2001 A/L Repeat Batch and the 2002 A/L Main Batch have completed the Final MBBS exam in all the faculties and are awaiting appointments. It was agreed by the Council that the overlap of batches should be re-activated by appointing a batch 3 months before a batch completes internship. If necessary, more hospitals with specialists could be recognised for internship. However, opportunities to work in existing units and hospitals should not be compromised.

iii. **Section 41 – Persons entitled to practise medicine and surgery**

The DGHS by his letter dated 20.10.2009 has written about a diploma for R/AMOs, the Union of A/RMOs rejecting our suggestion for a Diploma in Primary Health Care and requesting a Diploma in Assistant Medical Practice and a Diploma in Registered Medical Practice for the two categories. The Council noted that there is

already a provision to award a diploma of efficiency as apothecaries (or Assistant Medical Practitioner) by the Ceylon Medical College Council under Section 7 (1) (bbb) of the Medical Ordinance. As other categories such as Nurses, Pharmacists and Professions Supplementary to Medicine are getting a diploma at the end of their primary training course, it was agreed to grant a diploma for AMPs. Following discussion, the Council resolved that they should be awarded the diploma of efficiency as Assistant Medical Practitioners by the Ceylon Medical College Council.

iv. **Professional Conduct Committee**

The minutes of the meeting of the PCC held 22 October 2009 were circulated. The Committee decided against conducting formal inquiries in four cases, to summon three persons against whom complaints were made and to conduct formal inquiries into two cases.

The Committee considered the appeal submitted by Dr. W. R. Piyasoma who was suspended for three years with effect from 27.07.2007 in lieu of erasure of the name from the register of medical practitioners. In view of the serious nature of the charges against him, the committee decided not to remove the suspension until the period is completed.

The Council noted these decisions and directed the Registrar to take action to implement them.

v. **Correspondence**

(i) Appeal of E. Puvikaran – He was a candidate at the ERPM conducted in September 2009 where he passed the Medicine and Obstetrics and Gynaecology papers and obtained 99 out of 200 in Paediatrics. By an oversight, he was not named as having passed in Paediatrics whereas others who obtained 99 were passed. He has made an appeal as he heard that others who obtained 99 were passed. Members expressed their displeasure that matters discussed at the Results Board were known to

outsiders. However, the Council decided to consider that he has passed the Paediatrics paper.

(ii) Letter from Dr. Gamini Buthpitiya, Dean of the Faculty of Medicine, University of Peradeniya and Council member regarding use of the title 'Doctor' by a physiotherapist employed by the Faculty of Allied Health Sciences, University of Peradeniya. It was stated that an Indian national named Amit Sharma was employed as a lecturer in physiotherapy. He has B.Sc. and M.Sc. degrees and claimed that a court in India has allowed him to use the title 'doctor'. The acting Dean of the Faculty of Allied Health Sciences (AHS) has allowed the use of the title on the basis of the Indian court decision. Dr. Gamini Buthpitiya explained that he raised this issue at a meeting of the University Senate at which the acting Dean of the Faculty of AHS was not present. The matter was not decided but at the subsequent meeting the Acting Dean was present and he justified his actions. The Council decided to write to the Vice Chancellor.

vi. **Amendments to the Medical Ordinance by Act No. 25 of 1988**

The Council was made aware of this Act very recently and its legality was confirmed by the Legal Draftsman. There are several amendments to be noted in the Act.

(1) Section 29 is amended by substitution of sub-paragraph (i) to state – "holds a degree of Bachelor of Medicine of (a) the University of Ceylon or a corresponding university; or (b) a Degree Awarding Institute…

This amendment grants recognition to holders of a degree of Bachelor of Medicine from a Degree Awarding Institute as in the case of University of Ceylon.

(2) A new subsection is added at the end of Subsection (1) of Section 29 as "(iii) not being qualified to be registered under the preceding sub-paragraphs:- (aa) is a citizen of Sri Lanka; (bb) holds a degree

of Bachelor of Medicine or an equivalent qualification of any university or medical school of any country outside Sri Lanka, which on the date on which such person was admitted to such university or medical school, was a degree or qualification which entitled its holder to be registered as a medical practitioner under this Ordinance; (cc) has had an aggregate period of at least five years of efficient and satisfactory service, in the capacity of a medical officer; and (dd) holds a certificate granted by the Medical Council under Section 32.

This amendment makes provision to register medical graduates qualified abroad who were appointed to the Ministry of Health between May 1991 and 1999, who are citizens, hold degrees from recognized universities or medical schools, have more than five years of satisfactory and efficient service and done an internship recognized under Section 32. There are about one hundred such persons eligible to be registered.

(3) An amendment to grant provisional registration to persons from the University of Ceylon, a Corresponding University or a Degree Awarding Institute who have passed the final MBBS exam but not awarded the degree owing to a delay.

(4) An amendment to grant provisional registration to a person from any university or medical school of any country outside Sri Lanka, which is recognized by the Medical Council, who has passed final exam but not awarded the degree owing to a delay in awarding the degree.

(5) An amendment to Section 41 to grant recognition to estate apothecaries who are on an estate or, on an estate and in the public service.

(6) An amendment to Section 43 to grant recognition to a person awarded a degree in dentistry by a Degree Awarding Institute.

(7) An amendment as Section 69A which (a) recognises offences under the Medical Ordinance as cognizable offences; (b) the Minister may appoint Regional Director of Health Services and Medical Officers of Health as authorized officers for the purposes of this section and (c) every authorized officer shall be deemed to be a peace officer within the meaning of the Code of Criminal Procedure Act No. 15 of 1979, for the purpose of exercising in relation to any offence under this Ordinance.

In terms of the Act, the DGHS issued the General Circular No. 1597 of 30th November 1988. The Procedure to follow was stated. When a detection is made, the Registrar, Medical Council should be written to under registered cover to find out whether the person concerned is registered to practice medicine under the Medical Ordinance. If he is not registered, he/she should be prosecuted. Assistance in the procedural steps in the prosecution may be obtained from the Food and Drugs Inspectors. Authorization and Identity Cards were to be issued by the DDG(MS).

Following discussion, the Council decided to write to persons registered under Section 31 to apply for registration under the amendment (2) of this Act.

Regarding amendment (7), the Council also decided to request the DGHS to inform the RDHSS and MOHH to take action under the Circular.

vii. **Implementation of the Order of the Court – SC/FR 135/2007 and 136/2007**

A letter dated 18.11.2009 sent by the Secretary/Health regarding this matter was circulated. The order was served on the Secretary/ Health to implement this and a Committee was appointed as no single faculty was prepared to undertake the responsibility.

Prof. Nilanthi de Silva kindly consented to be the Chairperson of the Committee. 71 persons have applied to follow the course. According to the document submitted to court by the Council, a curriculum has been drawn up. The first two years would be theory consisting of lectures and tutorials and the third year would be clinical with rotational appointments at General Hospital, Kalutara. As the persons involved in the training would be doing extra work, they are to be paid for their services. A budget has been prepared and a sum of Rs. 4 million had been allocated by the Ministry. The Ministry has requested the assistance of the Council with regard to three issues:

1. Can the Council take charge of the allocation of funds and make payments?
2. Can some space be given in the Council office for the Coordinator to function? We may be able to charge a rent for this.
3. Can the Committee meet all Deans to discuss the arrangements?

Following discussion, the Council agreed to assist the implementation of the programme.

XIII. 489th Meeting held on Friday 18 December 2009

Present: The President, 14 other Members, Registrar and the Asst. Registrar.

i. Matters arising from the minutes:

(1) **Procedure for election of Members** – The Registrar explained that the election of a member proceeded with the receipt of postal votes up to 24 November 2009 and voting in person commenced on 25 November 2009 at 9.30 a.m. Two medical practitioners cast their votes and at about 10.30 a.m. the Registrar received a call from the Registrar of the District Court of Colombo that a case was filed by Dr. W. M. A. S. Jayasena – case No. DSP 00227/2009 – and the Judge granted an injunction stopping the election and ordered that the Registrar, SLMC should

be informed over the telephone. The Registrar conveyed this to the Council lawyer and he confirmed it. So action was taken to withhold the voting in person. The case notes were later received where the President and members of the Council were named as the 1st to 24th respondents, the Registrar as the 25th respondent and Dr. J. A. Srilal De Silva, the other contestant as the 26th respondent. The President, Registrar and a few members signed proxy for appearance of Julius & Creasy as instructing attorneys for the Council. Dr. B. L. Perera, Dr. L. A. Ranasinghe, Dr. S. Sivapriyan, Dr. H. B. J. C. Ariyaratne and Dr. A. Hapugoda were represented personally by another lawyer and the DGHS by State Counsel. The 26th respondent retained a lawyer on his own.

The case was called on 9th December 2009 and the lawyers for the respondents have pointed out that the plea was only to grant an injunction for three days, which has now lapsed. This was accepted by the Court and the Council lawyers informed the Council that the election can proceed. Newspaper advertisements were placed stating that the voting in person would take place on 16th, 17 and 18th December 2009 and would conclude at 3.30 p.m. on the last day.

This was also conveyed to the contestants and that the counting of votes would take place on Monday 21 December 2009 at 10.00 a.m. The case was called again on 14 December 2009 and the lawyer appearing for Dr. Srilal De Silva wanted time to consider whether he could submit a counter claim and the case was postponed for 12 January 2010. The Council approved the procedure. A member informed the Council that another case was filed on the 14 December and an injunction was requested but the Judge refused the injunction and both cases would be re-called on 12 January 2010.

(2) **Delay in internship appointments:** A copy of a letter sent by DDGMS regarding the calling for applications for internship

appointments was circulated. The 2001/02 A/L Repeat Batch would be commencing their internship from 21 December 2009. According to the schedule of final MBBS exams sent by Prof. Jayantha Jayawardana, which was also circulated, the last faculty to conduct the Final exam for the 2002/03 Main Batch was Jaffna in September 2009. As the previous main batch would complete internship in July 2010, with a three month overlap, the 2002/03 Main batch could commence internship in April 2010. The 2002/03 Repeat Batch would finish their Final exams in December 2009 and could start internship in September 2010. Similarly 2003/04 Main Batch could start internship in January 2011 and the 2003/04 Repeat Batch in June 2011. It was pointed out that there are Consultants appointed to upgraded Base Hospitals who are requesting interns. Without overcrowding units with too many interns, they could be appointed to such hospitals. However, the Council felt that there should be a fair distribution so that those who are at the top end of the Merit Order get the units for which there is a demand. The Council agreed to write to the Ministry of Health with copies to Deans so that they would take action to appoint interns and the Deans to send the pass lists on time.

(3) **Courses for foreign medical graduates** – The President read a letter sent by the President of the College of Obstetricians and Gynaecologists, Prof. Malik Goonewardena regarding the one-day course conducted by the College for ERPM candidates. He stated that their knowledge of theory in the subject is very poor and sending them for clinical attachments would not be productive without improving their knowledge. He attached a summary of an evaluation using 40 MCQs where only one person out of 34 who handed over the answer sheet scored more than 50%. Earlier the Faculty of Medical Sciences, Sri Jayawardenepura University had agreed to provide a course in association with the Medical Council. However, Members of the Council decided that the Council should not get involved and the course was

abandoned. Although the Colleges expressed their willingness to conduct courses, only the College of Obstetricians and Gynaecologists was able to conduct the one-day course. The President strongly suggested that we explore the possibility of SJU conducting the course as planned earlier. She said that the College of Forensic Pathologists and the College of Community Physicians conduct courses in Forensic Medicine and Community Medicine respectively. Prof. Jayantha Jayawardana was agreeable to go back to the faculty and re-consider the matter.

A member suggested that we discourage students going to medical schools which are not providing a good training. However, we are unable to do anything regarding these schools at present due to the non-availability of Prescribed Standards. Another member suggested limiting the number of attempts at the exam and implementing the earlier decision. Prof. Jayantha Jayawardana stated that this matter was discussed at the Consultative Committee in Parliament on Higher Education and the members requested the Council to do something about it. The Council decided to encourage faculties and Colleges to conduct such courses for medical graduates qualified abroad.

(4) **Court cases – SC/FR 405/2009** – Further information was provided from Kazan State Medical University, Russia and there seems to be a problem about Paediatric training at that university. It appears that there is a separate faculty for Paediatrics whereas very little teaching of the subject is done in the General Medicine course. Hence it would not be proper to recognize the degree. The petitioner's transcript showed that he had adequate training in Paediatrics.

He had been sent on a Government Scholarship and had no control over the university to which he was allocated. At the time, he had also written to the Ministry of Higher Education that he had been sent to a medical school which was not on the

list of medical schools recognized by the Medical Council. Having considered all these facts, the Council decided to allow the petitioner to sit the ERPM, but that Kazan University would **not** be recognized and included in the list of recognized medical schools.

(5) 487.3.5 – **Foreign Degree Committee** – The Committee met on 08 December 2009 to consider the applications for recognition and the minutes were circulated. It was noted that the Council had recognized 222 medical schools but only files on 77 of them are available in the Council. It means that we do not have files on 165 of the recognized medical schools. There are 58 schools which were in the list published in 2002, which are not in the list published in 2006. Letters were sent to them in 2005 but they did not reply. The President stated that she received a letter from the Presidential Secretariat recently which had an annexure of a letter from the President of the Foreign Medical Graduates Association. They have pointed out that China Medical University which was in our 2002 list was taken off in the 2006 list and that this was done without going through the de-recognition process and there are students from Sri Lanka studying there. We are now writing to the 58 schools which were taken off the list and asking whether they have any document from the Council granting recognition. Regarding the other 165 schools without files, we are writing to them and asking for any previous correspondence with the Council. The other problem we faced was regarding some medical schools in China which have amalgamated, separated or changed their names and addresses.

With the assistance of the Assistant Secretary of the Ministry of Higher Education and through him the Minister/Counselor of the Sri Lanka Embassy in China, we are sorting out matters relating to the medical schools in China. It may be possible for the Ministry of Higher Education to arrange a visit to inspect medical schools in China.

ii. **Letter from ERPM 'Old Format' candidates requesting an alteration of the pass mark for candidates who have to pass one subject**

A letter dated 09 December 2009 signed by eight 'Old Format' candidates requesting an alteration of the pass mark for candidates who have to pass one subject was circulated. They state that the pass mark was 40% before 2005 when the 'New Format' was introduced and the pass mark was made 50% for all. Dr. Herath who did an analysis explained that it shows that 289 out of 334 or 85% passed the exam even when the pass mark was increased. Out of the 51 'Old Format' candidates yet to complete the exam, 17 have one subject – 12 in Paediatrics, 2 on Obstetrics and Gynaecology, 3 in Medicine; 13 have two subjects to pass; 5 have three subjects; 8 have four subjects; 4 have five subjects; 3 have six subjects and 1 has all seven subjects to pass. If the pass mark was brought down to 40%, 11 would have passed certain papers and five would have completed the exam.

The President stated that she wishes to place before the Council a proposal regarding the exam. She stated that Dr. Sivakumaran was the architect of the exam and much thought and effort has gone to formulate it. It has gone on for four years until the court case when we had to use the 'Common MCQ' papers through the UGC.

She proposed that the Council request Dr. Sivakumaran and a few others to review the ERPM and suggest proposals for the exam if it is handed back to the Council. Dr. Gominda Ponnamperuma and Dr. Palitha Abeykoon with Dr. Ananda Herath as convener were suggested and approved.

v. **Results of ERPDS held in the Faculty of Dental Sciences, Peradeniya**

The Dean, Faculty of Dental Sciences, Peradeniya sent the results of the Examination for Registration to Practise Dental Surgery, held in October 2009. There were four candidates and all of them failed the exam. The Council confirmed the results.

ADDITIONS TO REGISTERS 2009

1. MEDICAL PRACTITIONERS

1.1	Full Registration (Section 29)	–	1032
1.1.1	Graduates from local medical schools		
1.1.1.1	Medical Faculty, U/Colombo	–	191
1.1.1.2	Medical Faculty, U/Peradeniya	–	157
1.1.1.3	Medical Faculty, U/Ruhuna	–	124
1.1.1.4	Medical Faculty, U/Jaffna	–	58
1.1.1.5	Medical Faculty, U/Kelaniya	–	185
1.1.1.6	Medical Faculty, U/Sri Jayawardenepura	–	168
1.1.2	Graduates from Foreign Medical Schools	–	81
1.1.3	Graduates registered under Act No. 25 of 1988	–	53
1.2	Provisional Registration (Section 32)	–	1233
1.2.2	Provisional Registration (Local)	–	886
1.2.2.1	Medical Faculty, Colombo	–	185
1.2.2.2	Medical Faculty, Peradeniya	–	165
1.2.2.3	Medical Faculty, Ruhuna	–	137
1.2.2.4	Medical Faculty, Jaffna	–	98
1.2.2.5	Medical Faculty, Kelaniya	–	159
1.2.2.6	Medical Faculty, Sri Jayawardenepura	–	142
1.3.	Exemption from internship in Sri Lanka	–	13
1.4.	Approval of degrees of foreign medical graduates	–	216
1.5.	Provisional registration of foreign medical graduates	–	139
1.6.	Temporary Registration (Section 67A)	–	113

2. DENTISTS			
2.1	(Section 43)	–	79
2.2	Approval of degrees of foreign dental graduates	–	05
2.3	Temporary Registration (Section 67A)	–	03
3. PERSONS ENTITLED TO PRACTISE MEDICINE AND SURGERY (Section 41)		–	10
4. PHARMACISTS (Section 56)		–	328
4.1	External pharmacists	–	244
4.2	Internal pharmacists	–	75
4.3	B.Sc. Pharmacy	–	06
4.4	Diploma in Pharmacy	–	02
4.5	Assistant medical practitioners	–	01
4.6	Apprentice pharmacists	–	1348
5. NURSES (Section 61)			
5.1	Female Nurses Part A	–	1643
5.1.1	Female Nurses trained locally	–	1642
5.1.2	Female Nurses trained abroad	–	01
5.2	Male Nurses Part B	–	211
5.3	Public Health	–	12
5.4	Qualified abroad	–	00
5.4	Temporary Registration (Section 67A)	–	79
6. MIDWIVES (Section 51)		–	654

7. PARA-MEDICAL ASSISTANTS (Section 60A)		–	23
7.1	Audiologists	–	02
7.2	Electrocardiograph Recordists	–	00
7.3	Ophthalmic Auxiliaries	–	06
7.4	Speech Therapists	–	02
7.5	Clinical Psychologists	–	01
7.6	Nutritionists	–	04
7.7	Dieticians	–	06
7.8	Electroencephalograph Recordists	–	02
8. PROFESSIONS SUPPLEMENTARY TO MEDICINE (Section 60F)		–	189
8.1	Physiotherapists	–	30
8.2	Radiographers	–	13
8.3	Medical Laboratory Technologists	–	145
8.4	Occupational Therapists	–	01

MEETINGS OF COMMITTEES

FINANCE COMMITTEE

Meeting on 07 March

Recommendations regarding Staff: appointments, duty hours, leave, salaries, allowances and other emoluments.

INQUIRY INTO ALLEGATIONS AT ERPM PART B

Meetings on 02 April and 04 April

A three member committee was appointed to inquire into certain allegations which were made regarding a Senior Registrar in Medicine at the National Hospital, Colombo. It was alleged that he showed a candidate appearing for the exam the following day, cases that were selected for the exam. Following the inquiry, the Committee made recommendations regarding the exam: The wards of the hospitals from which the candidates are selected would be made 'Out-of-bounds' for the candidates, three days before the exam up to the conclusion of the exam; Medical Officers working in the hospitals should be informed not to discuss with others the cases that are earmarked for the exam; the Directors of the hospitals to be informed regarding the 'Out-of-bounds' period for candidates; Medical Officers who conduct classes outside the hospital should not conduct classes for the candidates in the wards; the Senior Registrar involved to be summoned and warned.

EDUCATION COMMITTEE

Meeting on 02 May

A meeting was held with Hon. Prof. Wiswa Warnapala, Minister for Higher Education regarding the Faculty of Medicine, University of Rajarata. The following matters were discussed: Action taken to advertise for Academic posts in the Pre-clinical and Para-clinical departments; Incentives for academic staff selected; no new medical faculties would be established until deficiencies in the existing faculties are completed.

Meetings on 18 July, 12 August, 21 August and 05 September

The Committee considered the replies to a questionnaire circulated to all medical faculties and the replies were considered and a report submitted to Council with regard to: The number of students selected per batch, Staff distribution in each department; Curricula; Infrastructure and Student Welfare facilities; Evaluations.

Meeting on 28 August

A meeting was held with Hon. Prof. Wiswa Warnapala, Minister for Higher Education regarding the Faculty of Medicine, Universityof Rajarata. The following matters were discussed: Admission of students; Teaching of Anatomy; Attraction of Staff from other faculties; Teaching by clinical staff attached to the hospital; Facilities at Teaching Hospital and Transport of students between the Faculty/Hostels and Teaching Hospital.

Meeting on 12 September

The Committee discussed with members of the Board of Management of the PGIM the on-line courses leading to the award of M.Sc. without 'hands-on' training for the courses in Toxicology and Sports Medicine.

Meeting on 17 September

The Committee discussed the appeal for continuation of the 'Old Format' of the ERPM by the candidates and the hands-on training for postgraduate courses conducted by the PGIM discussed at the meeting on 12 September.

INTERNSHIP COMMITTEE

Meeting on 18 March

The Committee discussed the details of the Supervised Hands-On Training programme for internship with regard to the specialties and units available, date of implementation, further discussion with Ministry officials.

Meeting on 05 November

The Committee discussed the applications of five persons for exemption from internship in Sri Lanka and made recommendations to the Council.

COMPLAINTS

The Council receives complaints and can only proceed with inquiries against persons registered in the Council according to the procedure published in the government gazette. The complaints should be submitted as an affidavit unless it is submitted by a person acting in a public capacity. 'Acting in a public capacity' is defined as a Head of a Government Department, a Vice Chancellor or Registrar of a University, a Mayor or Commissioner of a Municipality or a Chairman or Secretary of an Urban Council or Pradeshiya Saba, or the Registrar. Complaints against un-registered persons are referred to the police if it appears that an offence against any provision in the Medical Ordinance is being committed.

Valid complaints are considered by the President of the Council. If it appears to him that the complaint should be inquired into, he refers it to the Preliminary Proceedings Committee. If it appears to the President that it does not require an inquiry, he refers it to the Council. All the members are given a copy of the complaint and it is discussed at a Council meeting. The members may decide not to inquire about the complaint giving reasons, refer it to another body or refer it to the Preliminary Proceedings Committee.

The following complaints were referred by the President to the Preliminary Proceedings Committee for inquiry during the year:

PPC – 229 – A complaint by a person against a medical practitioner granted temporary registration under Section 67 A to work as a Resident Anaesthetist to work in a private hospital in Colombo. It was alleged that he works as a Consultant Anaesthetist and an Intensivist at the Emergency Therapy Unit, Ambulance Service, Cardiac Catheterization Laboratory and the General Operating Theatre.

PPC – 230 – A complaint by a person against an Ophthalmologist for prescribing a lens which he had to purchase but claimed that it should be given free and that it is of poor quality.

PPC – 231 – A complaint by a Medical Officer against a Consultant Anaesthetist for stating that he is not mentally suitable to administer anaesthesia without supervision.

PPC – 232 – A complaint by an Attorney-at-Law against a medical practitioner for crashing his vehicle on the complainant's vehicle while using a hand phone when driving, abusing him and making a false complaint to the police.

PPC – 233 – A complaint by a person against an ENT Surgeon for operating on the wrong ear of her child with a pre-auricular sinus.

PPC – 234 – A complaint by an Inquirer into Sudden Deaths against a Dental Surgeon of a Provincial General Hospital for threatening and abusing him for not ordering a postmortem examination in a case being treated by him where the cause of death is unknown.

PPC – 235 – A complaint by the Registrar of the Council against a medical practitioner for calling himself a Consultant Physician and a Cardiologist when he had no recognized qualifications.

PPC – 236 – A complaint by a person against a medical practitioner working in a Peripheral Unit for not accepting that he was harmed by the police, not recording that in the Bed Head Ticket and speaking to him in a derogatory manner.

PPC – 237 – A complaint by a person against two medical practitioners who are Consultant Obstetricians for not referring his wife who had a twin pregnancy with abnormal placentae to a government hospital on time, resulting in the death of his wife and the babies.

PPC – 238 – A complaint by a person against a medical practitioner temporarily registered under Section 67 A of the Medical Ordinance for not properly diagnosing and treating his eye condition.

PPC – 239 – A complaint by a person against a Consultant Physician in a General Hospital who failed to refer the patient admitted the patient to a private hospital stating lack of facilities at the government hospital but did not refer to a teaching hospital with better facilities when the patient was in a serious condition. The physician claimed expert knowledge in Intensive Care, Artificial Ventilation and Echocardiography.

PPC – 242 – A complaint by a Secretary of an Interim Committee of a sports body and a mother of a sportsman against a medical practitioner for failing to advise properly regarding the proper use of medication before an international sporting event.

PPC – 241 – A complaint by a person against a Consultant Physician and other staff in a Teaching Hospital regarding the death of a patient with Cerebral Infarction.

PPC – 242 – A complaint by a person against a M.O. (Medico-legal) of a Base Hospital for failure to recommend admission to a hospital following an alleged police assault.

PPC – 243 – A complaint by a person against a Consultant Ophthalmologist for negligence in treating him for an accidental injury to the eye.

PPC – 244 – A complaint by a person against a Consultant Obstetrician for negligence in causing the death of a patient who had a Caesarean Section and Myomectomy and died following haemorrhage due to Disseminated Intravascular Coagulation.

PPC – 245 – A complaint by a Medical Officer O.P.D. against a Medical Officer (Medico-legal) for lodging a false complaint against him to the police and harassment.

PPC – 246 – A complaint by a Consultant Physician against a Consultant Anaesthetist for attending to a patient under the care of the Physician without referral, transferring the patient to the Intensive Care Unit and mismanaging the case.

PPC – 247 – A complaint by a person against a Gastro-enterological surgeon for giving pre-medication for an endoscopy, making him sleep and not performing the endoscopy.

PPC – 248 – A complaint by an Obstetrician against a fellow Obstetrician for giving publicity for a procedure claiming that he did it as the first such procedure done in the country. It was apparently done by another medical practitioner from overseas who was not registered to practise in Sri Lanka.

PPC – 249 – A complaint by a person against a Paediatrician for prescribing drugs above the usual dose for his child.

PPC – 250 – A complaint by a person against a Consultant Pathologist for issuing a histopathological report on a Breast biopsy when a biopsy was done on the Liver.

PPC – 251 – A complaint by a person against an Obstetrician for mismanaging a patient who had a stillbirth due to cord prolapse.

PPC – 252 – A complaint by a person against a medical practitioner for causing the sudden death of a 20-year old patient as a result of prescribing Paracetamol, Prochlorperazine and Propranolol (1/4 tablet).

PPC – 253 – A complaint by a person against a dental surgeon for his treatment which caused difficulty in chewing food.

MEETINGS OF DISCIPLINARY COMMITTEES

PRELIMINARY PROCEEDINGS COMMITTEE

165th meeting held on 11 January

Four members were present. Three persons were called before the Committee and their evidence was recorded. The Committee considered two other cases and decided on future action.

166th meeting held on 24 January

Four members were present. Three persons were called before the Committee and their evidence was recorded. The Committee considered two other cases and decided on future action.

167th meeting held on 21 February

Three members were present. Six persons were called before the Committee and their evidence was recorded. The Committee considered another case and decided on future action.

168th meeting held on 13 March

Three members were present. Three persons were called before the Committee and their evidence was recorded.

169th meeting held on 3 April

Three members were present. Three persons were called before the Committee and their evidence was recorded.

170th meeting held on 8 May

Four members were present. Four persons were called before the Committee and their evidence was recorded.

171st meeting held on 29 May

Four members were present. One person was called before the Committee and his evidence was recorded. Seven other cases and reports to the PCC were considered.

172nd meeting held on 12 June

Three members were present. Three persons were called before the Committee and their evidence was recorded.

177th meeting held on 28 August

Four members were present. Two persons were called before the Committee their evidence was recorded.

178th meeting held on 11 September

Four members were present. Three persons were called before the Committee but only one person was present. His evidence was recorded.

179th meeting held on 25 September

Five members were present. Three persons were called before the Committee but only two persons were present. Their evidence was recorded.

180th meeting held on 10 October

Four members were present. Two persons were called before the Committee and their evidence was recorded.

181st meeting held on 23 October

Four members were present. Two persons were called before the Committee and their evidence was recorded.

182nd meeting held on 06 November

Three members were present. Two persons were called before the Committee and their evidence was recorded.

183rd meeting held on 27 November

Three members were present. Four persons were called before the Committee and their evidence was recorded.

PROFESSIONAL CONDUCT COMMITTEE

I. Meeting held on 26th February

The President, five Members, the Registrar and the Asst. Registrar were present.

The following matters were considered by the Committee:

1. Complaint against a medical practitioner who was convicted of assaulting and obstructing the passage of another medical practitioner appeared before the Committee. A preliminary objection was raised by an Attorney-at-Law who appeared for the medical practitioner as he has filed an appeal against the judgement. On the advice of the Attorney-at-Law who is advising the Council, the matter was postponed.

2. Complaint against doctors attached to a Base Hospital regarding the death of a mother who underwent caesarean section and following an incompatible blood transfusion.

   The medical officer in charge of the Blood Bank and the Intern House Officer who did the cross-matching were summoned before the Committee. They were advised regarding their lapses.

   The Committee decided to inform the DGHS to implement the recommendations of the Director, NBTC providing a 24-hour duty roster for all the Blood Banks with medical officers trained in blood transfusion procedures.

3. Complaint against a medical practitioner and a medical laboratory technologist regarding a false report of Gonnococcus in urine.

   The medical laboratory technologist was summoned before the Committee and informed to stop using the strip method and to bring the strip and its literature to the Council.

4. Complaint against a medical practitioner for excessive charges for visiting a patient in a private hospital and divulging information about the patient's urine report to his employer.

   The Committee advised her regarding charging fees excessively and maintaining confidentiality of information regarding patients.

5. Complaint against medical practitioner for running a pharmacy close to his place of practice. He was informed that he should not be associated with the pharmacy owned by his wife and to conduct his practise further away from it. He was also informed that it is unethical to state that he is working at a Teaching Hospital in the name board at his dispensary.

II. Meeting held on 05th December

The Chairman, seven Members, Registrar and the Asst. Registrar were present.

The Committee considered twelve reports forwarded by the Preliminary Proceedings Committee:

The Committee decided to conduct formal inquiries in three cases and against conducting formal inquiries in eight cases. In the other case, where a specialist was reported by the Director General of Health Services for incompetence, the Committee decided not to conduct a formal inquiry but to request the DGHS to conduct an audit of his work and decide on action. The Committee also decided to write to the PGIM that it should have taken the report of foreign trainer who informed that the person was un-trainable.

SRI LANKA MEDICAL COUNCIL

ERPM PART A – MARCH 2009

(Papers set by a Board of Examiners appointed by the Council)

SUMMARY OF RESULTS

NEW FORMAT CANDIDATES

SUBJECT	NO. APPLIED	NO. ABSENT	NO. PASSED	% PASSED
PAPER 1 & 2	295	04	25	24.06 %
PAPER 3	301	04	146	49.15 %

TOTAL NUMBER OF CANDIDATES SAT THE EXAM – 308

NUMBER OF CANDIDATES COMPLETED THE EXAM – 87

% PASSES – 28.24%

REFERRED IN PAPER 1 & 2 – 61

REFERRED IN PAPER 3 – NONE

OLD FORMAT CANDIDATES

SUBJECT	NO. APPLIED	NO. ABSENT	NO. PASSED	% PASSED
MEDICINE	24	00	00	0%
SURGERY	02	00	00	0%
OBSTETRICS & GYNAECOLOGY	18	00	00	0%
PAEDIATRICS	39	00	00	0%
COMMUNITY MEDICINE	22	00	08	36.36%
FORENSIC MEDICINE	09	00	01	11.11%
PATHOLOGY	03	01	00	0%

ERPM PART – B – MAY 2009

(Examination coordinated by the Council)

SUMMARY OF RESULTS

NEW FORMAT CANDIDATES

SUBJECT	NO. APPLIED	NO. ABSENT	NO. PASSED	% PASSED
CLINICAL SECTION	132	01	94	71.75%
COMMUNITY MEDICINE	118	02	92	79.31%
EMERGENCY MEDICINE	121	02	71	59.66%
FORENSIC MEDICINE	117	02	86	74.78%

TOTAL NUMBER OF CANDIDATES WHO SAT THE EXAM – 158

NUMBER OF CANDIDATES WHO COMPLETED THE EXAM – 66 (41.77%)

OLD FORMAT CANDIDATES

SUBJECT	NO. APPLIED	NO. ABSENT	NO. PASSED	% PASSED
MEDICINE	11	04	00	0%
SURGERY	09	05	01	25.0%
PAEDIATRICS	06	01	02	40.0%
OBS. & GYN.	07	02	02	40.0%
COMMUNITY MEDICINE	14	02	06	50.0%
FORENSIC MEDICINE	05	03	00	0%

TOTAL NUMBER CANDIDATES SAT THE EXAM – 33

NUMBER OF CANDIDATES COMPLETED THE EXAM – NIL

ERPM PART – A - SEPTEMBER 2009

(Papers in Clinical Subjects used for the 'Common MCQ Examination' of medical faculties. Paper in Para-clinical subjects set by F/ Medical Sc., Sri Jayawardenepura U.)

SUMMARY OF RESULTS

NEW FORMAT CANDIDATES

SUBJECT	NO. APPLIED	NO. ABSENT	NO. PASSED	% PASSED
PAPER 1 **MEDICINE**	313	06	25	8.1
PAPER 2 **OBST. & GYN.**	310	04	46	15.0
PAPER 3 **PAEDIATRICS**	311	05	45	14.7
PAPER 4 **SURGERY**	313	03	40	12.9
PAPER 5 **PARA-CLINICAL**	255	05	35	14.0

TOTAL NUMBER OF CANDIDATES WHO SAT THE EXAM – 329
NUMBER OF CANDIDATES COMPLETED THE EXAM – 21
% PASSES – 6.38%

OLD FORMAT CANDIDATES

SUBJECT	NO. APPLIED	NO. ABSENT	NO. PASSED	% PASSED
MEDICINE	25	01	00	0%
SURGERY	09	00	00	0%
OBST. & GYN.	19	00	00	0%
PAEDIATRICS	41	00	00	0%
COMMUNITY MEDICINE	14	00	00	0%
FORENSIC MEDICINE	05	05	00	0%
PATHOLOGY	1	1	00	0%

ERPM PART – B – OCTOBER 2009

(Exam coordinated by Medical Faculties of Kelaniya and Sri Jayawardenepura U.)

SUMMARY OF RESULTS

NEW FORMAT CANDIDATES

SUBJECT	NO. APPLIED	NO. ABSENT	NO. PASSED	% PASSED
CLINICAL SECTION	58	01	29	49.99%
COMMUNITY MEDICINE	60	02	41	68.33%
EMERGENCY MEDICINE	76	01	53	69.73%
FORENSIC MEDICINE	53	01	45	84.90%

TOTAL NUMBER OF CANDIDATES WHO SAT THE EXAM – 114
NUMBER OF CANDIDATES WHO COMPLETED THE EXAM – 64 (56.14%)

OLD FORMAT CANDIDATES

SUBJECT	NO. APPLIED	NO. ABSENT	NO. PASSED	% PASSED
MEDICINE	11	03	03	27.27%
SURGERY	03	00	00	0%
PAEDIATRICS	02	00	00	0%
OBST. & GYN.	04	01	00	0%
COMMUNITY MEDICINE	08	01	05	62.0%
FORENSIC MEDICINE	04	00	02	50.0%

TOTAL NUMBER CANDIDATES SAT THE EXAM – 33
NUMBER OF CANDIDATES COMPLETED THE EXAM – 3 (9.09%)

ERPM PART A - DECEMBER 2009

(Papers in Clinical Subjects used for the 'Common MCQ examination' of medical faculties. Paper in Para-clinical subjects set by F/ Medical Sc., Sri Jayawardenepura U.)

SUMMARY OF RESULTS

NEW FORMAT CANDIDATES

SUBJECT	NO. APPLIED	NO. ABSENT	NO. PASSED	% PASSED
PAPER 1 **MEDICINE**	320	04	47	14.9%
PAPER 2 **OBST. & GYN.**	309	02	35	11.4%
PAPER 3 **PAEDIATRICS**	304	03	58	19.3%
PAPER 4 **SURGERY**	308	01	115	37.5%
PAPER 5 **PARA-CLINICAL**	268	04	30	11.4%

TOTAL NUMBER OF CANDIDATES WHO SAT THE EXAM – 349
NUMBER OF CANDIDATES COMPLETED THE EXAM – 36
% PASSES – 10.3%

OLD FORMAT CANDIDATES

SUBJECT	NO. APPLIED	NO. ABSENT	NO. PASSED	% PASSED
MEDICINE	26	04	00	0%
SURGERY	07	01	00	0%
OBST. & GYN.	22	00	00	0%
PAEDIATRICS	43	01	00	0%
COMMUNITY MEDICINE	17	01	01	6.3%
FORENSIC MEDICINE	02	00	00	0%
PATHOLOGY	08	00	00	0%

PERFORMANCE OF CANDIDATES FROM FOREIGN COUNTRIES / MEDICAL SCHOOLS AT THE ERPM – NEW FORMAT

From January 2005 to December 2009

Country/ Medical School	No. of Applications Approved	No. of candidates who sat for ERPM	No. of candidates who completed ERPM	% Completed ERPM
Armenia				
Yerevan	1	1	1	100
Australia				
Adelaide	1	-	-	-
NSW	1	-	-	-
Bangladesh – Total	104	102	52	51%
Chittagong U.	7	6	6	100
Dhaka U.	1	1	1	100
U.of Sc.&Tech., Chittagong	96	95	45	47
Belarus – Total	19	17	5	29%
State M. U.	3	3	1	33
Gomel	6	6	2	33
Vitebsk	10	8	2	25
China – Total	23	18	6	33
Beijing	1	1	1	100
China MU	1	-	-	-
Guanxi	1	1	-	-
Shanghai Jiao Tong	4	2	1	50
Sun Yat Sen	2	2	2	100
Tianjin	11	9	-	-
Tonji	1	1	-	-
Xiyang ya	2	2	2	100

Country/ Medical School	No. of Applications Approved	No. of candidates who sat for ERPM	No. of candidates who completed ERPM	% Completed ERPM
Czech Rep.				
Charles U.	1	1	-	-
Georgia				
Tbilisi	2	2	-	-
India – Total	80	64	32	50%
Benares	1	-	-	-
BLDE BM Patil MC	2	1	-	-
Christian M.C., Vellore	3	3	3	100
Delhi M.C.	1	-	-	-
Manipal U.	56	44	26	59
Kempegowda	1	1	-	-
Kilpauk	1	1	-	-
Lady Hardinge	1	1	1	100
MGM MC&H	1	1	-	-
MS Ramaiah	1	1	-	-
Rajamutthiah	2	2	-	-
Sri Ramachandra	4	4	1	25
Thirunelveli	3	2	-	-
JIPMER	3	3	1	33
Latvia – Total	44	36	17	47%
Riga Stradings	20	16	9	56
University of Latvia	24	20	8	40
Malaysia				
Penang	1	1	-	-
Nepal - Total	85	81	47	58
Col. of Med.Sc., Bharatpur	1	1	-	-
Kathmandu M.C.	1	1	1	100
B.P.Koirala Manipal M.C.,	1	1	-	-

Country/ Medical School	No. of Applications Approved	No. of candidates who sat for ERPM	No. of candidates who completed ERPM	% Completed ERPM
Pokhara	72	69	39	57
Nepal M.C.	2	2	2	100
Thribhuvan	5	4	3	75
Univl. Col. of Med. Sc.	3	3	2	67
Nigeria				
Ahmedu Bello	1	1	1	100
Pakistan – Total	42	39	28	72
Aga Khan	1	-	-	-
Army National M.C.,	1	-	-	-
Ayub M.C.,	1	1	-	-
Dow M.C.	7	7	5	71
Fatima Jinnah M.C.	4	4	4	100
Liaquat M.C.	15	15	10	67
Nat. U. Sc. Tech.,	1	1	1	100
Nawabshah M.C.	3	3	1	33
Nishtar	1	1	-	-
Quaid E Azam M.C.	2	1	1	100
Sindh M.C.	6	6	6	100
Romania				
Ovidus	1	-	-	-
Russia – Total	532	511	185	36%
Astrakhan	6	6	2	33
I.M.Sechnov	17	15	7	47
Kuban St.	4	4	1	25
Kursk State	130	124	45	36
Mordovia State	9	9	3	33
Moscow Med. U.	1	1	1	100
Nizhny Novgd	95	90	32	36
Peoples' Fr. U.,	63	62	34	55
Rostov	34	33	15	45
Russian St.	5	5	-	-
Ryazan	18	17	1	6

Country/ Medical School	No. of Applications Approved	No. of candidates who sat for ERPM	No. of candidates who completed ERPM	% Completed ERPM
St.Petersberg SMA (Mechnikov)	50	47	14	30
St.Petersberg SMU (Pavlov)	8	7	4	57
Smolensk	31	31	6	19
Tula State	6	6	2	33
Tver State	44	43	15	35
Volgograd	11	11	3	27
Tanzania				
IMTU	20	20	12	60
U.K. – Total	24	12	5	42%
Aberdeen	1	-	-	-
Birmingham	1	-	-	-
Bristol	4	3	1	33
Cambridge	2	-	-	-
Imperial - Lond.	1	-	-	-
Kings - Lond.	2	1	1	100
Manchester	1	-	-	-
Nottingham	1	1	-	-
Sheffield	4	2	1	50
Southampton	5	4	1	25
Ireland - Nat.U.	2	1	1	100
Ukraine – Total	13	12	4	33%
Crimea	1	1	1	100
Kharkov	3	2	1	50
National Piragov	2	2	1	50
Zaparozhye	7	7	1	14
U.A.E				
GulfM.C.	3	3	1	33%
TOTAL	**998**	**921**	**396**	**43%**

REPORT ON ELECTION OF MEMBERS

ELECTION OF A MEMBER TO THE COUNCIL

A member of the Council elected under Section 12 (1) (c) of the Medical Ordinance, Dr. Ananda Samarasekera, was due to complete his term on 01 June 2009 and nominations were called through advertisements in three English newspapers on 02 February 2009. Two persons submitted nominations and they were: 1. Dr. Ananda Samarasekera and 2. Dr. Ananda Hapugoda.

Dr. Ananda Samarasekera sent a letter which was considered by the Management Committee on 18 March 2009 and his request for sending ballot papers to every person eligible to vote was accepted. However, a delegation led by the President, GMOA met the President on 25 March 2009 and protested against the change pointing out that most members of the GMOA are working away from their registered addresses and that the regulations are not violated by sending ballot papers to the addresses requested and holding a 'voting in person'. The Secretary, GMOA and Dr. Ananda Hapugoda also wrote to the Council. These were considered by the Management Committee on 25 March 2009 and it was decided to take it up at the Council meeting on 27 March 2009.

Following discussion, the Council decided to conduct the election according to the decision of the meeting held on 22 February 2008 and insert press notices in newspapers and in the website to give effect to it. SLMA, GMOA and the IMPA would also be informed. The CV of the candidates would be requested for inclusion with the postal votes and in the website.

At the meeting of the Council held on 24 April 2009, the President wanted the Council to consider the issues that have arisen with regard to the election of a member. The President asked the members whether to call the two candidates, discuss with them and arrive at a decision. The members expressed their view that the authority is with the Council and the Council should decide. Then Dr. Ananda Samarasekera withdrew temporarily from the meeting. The President made the following statement:

"The Sri Lanka Medical Council (SLMC) is a properly constituted body and must ensure that a free and fair election is conducted to fill the vacancy that will exist in the Council. As the two contestants seeking election had written to the Registrar expressing different viewpoints, legal opinion was sought as to how best a free and fair election could be conducted. Consequently, on 22 March 2009, the Management Committee consisting of the President, Dr. Nanda Amarasekera, Dr. Sarath Gamini De Silva, Dr. T. Wickremasuriya and Dr. S. Sivapriyan together with the Registrar and the Assistant Registrar met the two contestants. As the President, I requested the two candidates to come to a consensus on how this election be conducted in a free and fair manner.

Dr. A. Samarasekera asked me on what regulation the election would be conducted. Dr. A Hapugoda stated that the responsibility of conducting the election was with the SLMC and should therefore lay down the manner in which the election could be conducted. I as the President read the legal opinion which was to follow the procedure adapted by the Election Commissioner. I also readout the extract of the Ceylon Government Gazette of August 1929 Section 2, Appendix A where it is stated 'voting (when necessary) may be done by post indicating that there was no mandatory obligation for the SLMC to facilitate members to cast their vote by post.

Both contestants stated that this proposal of following the procedure of the Election Commissioner was impractical as a number of doctors would need to take leave on a particular day leading to even closure of hospitals or at least restricted services in hospitals. Therefore, the Management Committee decided to place the letters sent by the two contestants and the Regulations of August 1929 as laid down in the government gazette and a copy of the minutes of the Council meeting of February 2008 to the Council so that the members could take a decision on how to have a free and fair election. The decision of the Council would then be the basis for the conduct of the election.

What is stated above and the decision of the Council will be available to any forum if required." The President requested the members to respond and read the letter dated 3 March 2009 from Dr. Ananda Samarasekera

requesting that the Council hold the election in the same manner as on the previous occasion in December 2007, by sending ballot papers to all medical practitioners eligible to vote. Then he read the letter dated 18 March 2009 from Dr. Ananda Hapugoda requesting that the election be held according to the decision of the Council on 10 February 2004. The President stated that unfortunately the former Registrar has not incorporated that document in the minutes and may not be accepted as legally valid. The letter dated 6 April 2009 was circulated for the meeting. Following discussion, it was decided to send the notice of election to all medical practitioners eligible to vote informing them of the voting in person and those who wish, to request postal votes.

At the meeting held on 29 May 2009, the Registrar explained that following the decision of the Council at the last meeting, all eligible voters were sent a letter informing them individually about the procedure, that they could either request a postal vote or come in person and vote from 10.00 a.m. to 3.30 p.m. on 27, 28 and today 29 May. 1927 have been sent postal votes as requested and some have come and voted. The voting would conclude at 3.30 p.m. today and counting would take place at 10.00 a.m. tomorrow. The Registrar was informed by Dr. Ananda Samarasekera that he is filing a case regarding the election and papers were sent. The respondents were the President and members of the Council, the Council, the Registrar, the Hon. Minister of Healthcare and Nutrition and the other contestant. The plea of the petition is to "i) Issue notice to the respondents; ii) Issue a writ of certiorari to squash the notices regarding the election; iii) Issue a writ of certiorari to the Council to squash its decision to send letters to all persons eligible to vote; iv) To issue a writ of mandamus to the respondents to conduct the election according to the regulations published in the gazette of 1929; v) Issue a stay order preventing the conduct of the election as decided; vi) For costs of the petition and vii) To grant such other relief Your Lordships Court may grant".

The case had been taken up before the Court of Appeal on 26.05.2009 and postponed for Tuesday 2 June 2009. There is no stay order to prevent the conducting of the election. Our lawyers were present in court and informed us that a stay order was not granted and the election could proceed.

There were two letters sent by Dr. Ananda Samarasekera on Thursday 28 May 2009 which were circulated to members. One stated that he filed a case against the conducting of the election and to withhold the counting of votes. The other referred to an application form sent by an organisation to apply for postal votes, the ballot papers that were sent had not been delivered to the intended recipients and that they are being marked by other persons and delivered in bulk to the Council. He requested that postal votes should not be accepted in bulk and to preserve all documents, envelopes etc. used for postal voting. In the past, postal votes have been accepted in bulk. We are keeping the documents, envelopes etc. safely as requested. The Council was advised by the lawyers that counting of votes and declaring of the winner could proceed as scheduled. The members made no comments regarding the election.

The voting for the election was concluded on 29 May 2009 and the votes were counted on the 30th May 2009. There were 914 votes cast for Dr.Ananda Hapugoda and 124 for Dr. Ananda Samarasekera. Dr. Ananda Hapugoda was declared as the member elected to the Council. Details regarding the election were circulated to the members at the Council meeting held on 26 June 2010. The President announced that the case filed by Dr. Ananda Samarasekera had been withdrawn.

The President informed the Council at its meeting on 21 August 2009 that the draft following the discussion with the Commissioner of Elections had been made and circulated. Amendments and corrections were made and it was adopted as the Procedure for future elections to the Council and sent to the Ministry of Health to be published as Regulations.

ELECTION OF MEMBERS TO THE COUNCIL

1. **Advertisement and Nomination**

   1.1 Appointment of Returning Officer by the Council – Unless the President himself acts as the Returning Officer, the Council shall appoint for that purpose the Registrar, who will take steps required by the Medical Ordinance for election of members.

1.2 In the case of elected members who complete their term of office, the vacancies will be advertised three months before the vacancy is due. In case of resignation or vacation of post by such a member, it will be advertised soon after the vacancy is sanctioned by the Council.

1.3 To reduce costs and time, one election may be conducted during a period of six months for all the vacancies that would arise during that period. The counting of votes would be held within a period of one month before the vacancy occurs. A sitting member would be eligible to contest the election even before he completes his term of office.

1.4 Vacancies will be advertised in at least three National Sinhala/ Tamil/English daily newspapers requesting nominations, indicating the last date and time of receiving nominations.

1.5 The Returning Officer will also issue a notice regarding the vacancies and the calling for nominations to the Ministry of Health, relevant professional associations and trade unions.

1.6 Nomination papers shall indicate the Full Name, Registration Number, the consent and the signature of the candidate. The candidate should be nominated by ten or more registered practitioners in the case of an election under Section 12 (c) of the Medical Ordinance (Medical practitioners registered under Section 29) and signed by five or more registered practitioners in the case of an election under Section 12 (d) and (e) (persons entitled to practice medicine and surgery registered under Section 41 and dentists registered under Section 43) respectively, with their signatures, full names and registration numbers.

1.7 The nomination papers will be immediately checked for the names and registration numbers of the candidates and the persons nominating.

1.8 If the number of valid nominations are the same as the number of vacancies, these will be declared duly elected and the Council will be informed at the next meeting.

1.9 If the number of valid nominations exceed the number of vacancies, a ballot is necessary. Voting can be by post or in person.

1.10 A press notice will be published in three English newspapers indicating the names of candidates, the dates of voting in person and the closing date for application of postal votes.

1.11 If an election is necessary, ballot papers shall be issued according to the number of members to be elected, to each voter.

2. **Application for postal votes**

2.1 The press notice indicating the election will also include the requirements for applying for a postal vote. The applicant should furnish his full name as registered in the Council, the registered number and the National Identity Card number. A self addressed envelope large enough to send the envelopes and instructions should also be sent with the application indicating the name and registered address or place of work to which it should be delivered.

2.2 Applications for postal voting should be made individually but may be sent or handed over in bulk to the Council office.

2.3 Applications received by post or handed over would be date stamped and entered in a register for postal votes.

2.4 The particulars of the applicant will be checked with the relevant registers in the Council and entered in the register of applications. The fact that ballot papers are dispatched would be entered in the register of applications.

2.5 When applications are handed over, the person handing over will write his name and sign the register.

2.6 A person whose name has been erased from the register is not entitled to a vote, and will be so informed. Those eligible will be entitled to a vote if they restore their names before the closing date for applications.

3. **Documents for ballots**

The following items would be included for postal voting:

3.1 Instructions for voting

3.2 Large envelope 'B' for placing the small envelope 'A' and posting or sending the postal vote, addressed to the Returning Officer.

3.3 Small envelop 'A' with the following printed:

(i) Full name of voter
(ii) Address
(iii) Signature
(iv) SLMC Registration number
(v) National Identity Card number
(vi) Signature of Witness/Certifying Officer
(vii) Name of Witness/Certifying Officer:
(viii) Seal of witness/Certifying Officer

3.4 A short self-introduction by the candidates in less than 200 words.

3.5 Ballot papers will be prepared with the names of the candidates with a square against the name to mark the vote with an 'X'.

3.6 The ballot papers would be serially numbered and kept by the Returning Officer who shall be responsible for their security.

3.7 The Returning Officer would place his signature and stamp his designation on the reverse of the ballot paper.

3.8 In each envelope sent by the applicant, a ballot paper, instructions on voting, a small envelope 'A', a large envelope 'B' and the self-introductions by the candidates will be enclosed. The envelope would be sealed and sent by registered post.

4. **Dispatch and marking of ballot papers**

4.1 The dispatch of ballot papers would be indicated in the 'Register of Applications'.

4.2 Lists of names and addresses of those being sent postal votes would be made, twenty in each list. Two photocopies would be made and sent with the envelopes to the post office where the allocated registration number and date would be entered and one copy returned to the Council. These lists would be filed of record as proof of dispatching postal votes.

4.3 All postal votes would be dispatched as soon as possible after receiving applications. They will be received back by the Council by a specified date which would be more than fourteen days or ten working days, whichever is longer, after the dispatch of the last vote. The last day of receiving a postal vote should be a working day.

4.4 In the case of postal votes sent to institutions with more than one voter, the Head of the Institution would be instructed to distribute postal votes.

4.5 The Head of the Institution shall certify the voter on the small envelope 'A' after checking his identity with the National Identity Card / SLMC Identity Card or any other official Identity Card. The Head of the Institution may identify a Certifying Officer for the institution and obtain approval of the Returning Officer to certify the identity of postal voters, prior to the dispatch of postal votes.

4.6 Dates for marking postal votes would be informed by the Returning Officer to the Heads of Institutions, candidates and

the persons receiving a postal vote. The Head of the Institution and/or the Certifying Officer would be instructed to arrange for marking the vote and certification.

4.7 The marked ballot paper should be placed in the small envelope 'A' by the voter, sealed and certified by the Head of Institution or the authorized Certifying Officer in the case of postal votes delivered to institutions.

4.8 In the case of postal votes delivered to registered addresses, the small envelope 'A' should be certified by a Medical Practitioner, Dentist, a person entitled to practice medicine and surgery under Section 41, an Attorney-at-law or a Justice of the Peace, by placing his signature and the Official Seal on the envelope.

4.9 The small envelope 'A' should be placed in the larger envelope 'B' by the voter, particulars entered on the larger envelope and sealed. The voter could return the large envelope 'B' to the Returning Officer by post or hand it over at the Council office himself or through another person.

5. **Receipt of votes**

5.1 The Returning Officer will inform the candidates a date and time at which the ballot box will be sealed. The candidates or their authorized agents will be allowed to inspect the empty ballot box before it is sealed with a padlock.

5.2 The ballot paper dispatched for postal voting could be marked and returned by post or handed over at the Council office, for which purpose registers will be maintained. The person handing over the votes brought to the office would be requested to place his signature on the register.

5.3 The large envelope will be date stamped when received.

5.4 The name, address and the registration number on the large envelope will be checked with the register of applications.

5.5 If the particulars on the envelope are correct, the envelope will be opened and entries on the small envelope would be checked. If the entries are correct, the serial number on the register will be entered on the reverse and the small envelope will be deposited in the ballot box. Any discrepancy will be brought to the notice of the Returning Officer, whose decision shall be final.

5.6 Photocopies of the lists of persons to whom postal votes were sent may be supplied to the candidates if they request.

6. **Voting in person**

6.1 The Returning Officer shall indicate the dates of voting in person in the press notice along with the dates for requesting postal votes. Voting shall be held following the last date of receipt of postal votes, on not less than two working days.

6.2 Voting will commence at 9.30 a.m. and conclude at 3.30 p.m. with a lunch break from 1.00 p.m. to 1.30 p.m.

6.3 A candidate or his agent may be allowed to observe the voting throughout the period of voting.

6.4 Arrangements should be made to mark the ballot paper without being seen by anyone else.

6.5 A person entitled to a vote should declare his full name, registration number and prove his/her identity with the National Identity Card/ SLMC Identity Card/ Passport/ Driving Licence or any other document acceptable to the Returning Officer.

6.6 The slit through which votes are inserted into the ballot box would be covered and signatures of the Returning Officer and the candidates or their agents placed across at the end of each

day of voting and opened when polling commences again. It would be sealed finally on concluding the voting.

7. **Counting of votes**

7.1 The counting of votes will take place on the Saturday following a voting in person or any other day fixed by the Returning Officer but within three working days of closure of the voting.

7.2 Counting would be in the presence of the President, Returning Officer and candidates or their authorized agents. Two authorized agents will be allowed to be present for each candidate at the time of counting.

7.3 The Returning Officer would organize the procedure of counting and will be assisted by council staff and others, if necessary.

7.4 After ascertaining that the seals are intact, the Returning Officer will remove the padlock and take the ballot papers and small envelopes used in postal voting out of the ballot box.

7.5 The ballot papers used in voting in person will be separated from the small envelopes and the two groups counted to ascertain the presence of correct numbers in the ballot box.

7.6 The ballot papers would be taken out of the valid small envelopes and added to the ballot papers voted in person.

7.7 If the marking of the ballot paper is not clear, the Returning Officer will decide whether to accept or reject the vote.

7.8 The votes polled by each candidate would be counted and the candidate/s who received the maximum number of votes will be declared as the winner/s, depending on the number of vacancies.

7.9 If a candidate or the authorized agent requests a recount, the Returning Officer will decide whether it is necessary.

7.10 The names of elected members and the votes polled by each candidate will be notified to the Council at the next meeting.

7.11 If a person registered in the Council is reported by the Returning Officer for an offence under the Regulations with regard to election procedure, he/she could be reported for professional misconduct.

FEES FOR SERVICES PROVIDED BY THE COUNCIL

1. Act 16 Completion Certificate	–	Rs. 2500/-
2. Insertion of Additional Qualification	–	Rs. 3000/-
3. Apprentice Pharmacists – Registration	–	Rs. 1500/-
– to issue extract	–	Rs. 500/-
4. Approval of Degree – Foreign Graduates	–	Rs. 7500/-
5. Certificate of Good Standing – Normal	–	Rs. 3500/-
Urgent	–	Rs. 5000/-
6. Change of Name	–	Rs. 1000/-
7. Identity Card – Plastic	–	Rs. 500/-
8. To issue Certified Extract from Register	–	Rs. 2500/-
9. Nurses' Confirmation certificate	–	Rs. 3000/-
10. Recognition of Medical School	–	Rs. 50,000/-
11. Restoration of Name	–	Rs. 2500/-
12. Renewal of Registration	–	Rs. 2500/-
13. Section 32 (Internship) Certificate	–	Rs. 1000/-
14. Certifying of Documents	–	Rs. 100/-
15. Act 16 Examination (ERPM):		
Old Format		
MCQ examination – per subject (6 subjects)	–	Rs. 500/-
Clinical examination – per subject (4 subjects)	–	Rs. 1500/-
Viva voce – per subject		
(Forensic/ Com. Medicine)	–	Rs. 750/-
Emergency Medicine	–	Rs. 1000/-
New Format		
MCQ examination Papers 1 & 2	–	Rs. 3500/-
Paper 3	–	Rs. 1500/-
Clinical examination	–	Rs. 6500/-
Viva – (Forensic/ Com. Medicine)		
per subject	–	Rs. 750/-
Emergency Medicine	–	Rs. 1000/-
16. Application Forms	–	Rs. 20/-

AUDITOR'S REPORT – 2009

P. E. MATHEW & CO.,

CHARTERED ACCOUNTANTS

94 1/4, YORK STREET, COLOMBO-01

To the Members of the Sri Lanka Medical Council

Report on the Financial Statements

We have audited the accompanying financial statements of the Sri Lanka Medical Council which comprise the balance sheet as at December 31, 2009 and the related statements of income and expenditure and receipts and payments for the year then ended, and a summary of significant accounting policies.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with the Sri Lanka Auditing Standards. This responsibility includes designing, implementing and maintaining internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatements, whether due to fraud or error; selecting and applying appropriate accounting estimates that are reasonable in the circumstances.

Scope of Audit and Basis of Opinion

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Sri Lanka Auditing Standards. Those standards require that we plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement.

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

We have obtained all the information and explanations, which to the best of our knowledge and belief were necessary for the purposes of our audit. We therefore believe that our audit provides a reasonable basis for our opinion.

Opinion

In our opinion, so far as appears from our examination, the Council maintained proper accounting records for the year ended December 31, 2009 and the financial statements give a true and fair view of the Council's state of affairs as at December 31, 2009 and its income over expenditure and receipts and payments for the year ended in accordance with Sri Lanka Auditing Standards.

Report on Other Legal and Regulatory Requirements

These financial statements also comply with the requirements of Medical Ordinance No 26 of 1927 and amendments there to and contain all particulars specified by the Commissioner General of Inland Revenue under S: 107(2)(a) of the Inland Revenue Act No. 10 of 2006.

CHARTERED ACCOUNTANTS
Colombo
March 10, 2010

R. A. Jayaweera, MBA, FCA, FSCMA

INCOME AND EXPENDITURE – 2009

1st quarter – January, February and March

Income	–	Rs.19,001,172.53
Expenditure	–	Rs. 6,514,078.84
Excess Income over Expenditure	–	Rs.12,487,093.69

2nd quarter – April, May and June

Income	–	Rs. 6,326,708.40
Expenditure	–	Rs. 4,505,166.15
Excess Income over Expenditure	–	Rs. 1,821,542.25

3rd quarter – July, August and September

Income	–	Rs.16,093,601.16
Expenditure	–	Rs. 6,256,129.41
Excess Income over Expenditure	–	Rs. 9,837,471.75

4th quarter – October, November and December

Income	–	Rs.10,445,022.65
Expenditure	–	Rs. 5,506,625.83
Excess Income over Expenditure	–	Rs. 4,938,369.82

TEMPORARY REGISTRATIONS UNDER SECTION 67 A OF THE MEDICAL ORDINANCE

APOLLO HOSPITAL, COLOMBO

Orthopaedic Surgeon	–	1
Paediatric Cardiologist	–	1
Cardiologist	–	1
Dermatologist	–	1
Paediatrician	–	1
Physician	–	1
Int. Medicine Consultant	–	1
Anaesthetists	–	1
Obstetrician & Gynaecologist	–	1
Radiologist	–	2
Hematologist	–	1
General Medicine	–	1
Eye Surgeons	–	3
Nephrologist	–	1
Cardio Thoracic Surgeons	–	3
Neurologist	–	1
ENT Surgeon	–	1
Nuclear Med. Consultant	–	1
Medical Practitioner	–	1
Dentist	–	1
Nurses	–	18

NAWALOKA HOSPITAL, COLOMBO

Consultant in ART	–	1 (4 occasions)
Consultant Cardiac Surgeon	–	1 (9 occasions)
Consultant Anaesthetist	–	1
Resident Pathologist	–	1
Cardiac Anaesthetist	–	1
Nurse	–	1

DURDANS HOSPITAL, COLOMBO

Asst. Cardiac Surgeon	–	1
Con. Cardiac Surgeons	–	2

Medical Practitioner	–	2
Con. Anaesthetist	–	1
Registrar, Cardiac Anaesthesia	–	1
Nurses	–	6

AL-HUMAISARA NATIONAL SCHOOL, BERUWALA

Dentist	–	1

ICRC, COLOMBO

Anaesthetist	–	1
Surgeon	–	1

OASIS HOSPITAL, COLOMBO

Medical Practitioner	–	1

HIGH COMMISSION OF INDIA

Medical Practitioners	–	12
Nurses	–	6

HELASARANA FOUNDATION

Medical Practitioners	–	2

J. M. WICKRAMARACHCHI & CO

Medical Practitioner	–	1

DISASTER PREPAREDNESS & RESPONSE UNIT

Medical Practitioner	–	1

CHURCH OF PRAYER MISSION, KOHUWALA

Medical Practitioners	–	5
Nurses	–	6

CHILD FUND, SRI LANKA

Medical Practitioners	–	4

GERMAN RED CROSS

Anaesthetist	–	1

SAKURA DENTAL HOSPITAL
Dentists – 2

MSF
Surgeon – 1
Medical Practitioners – 2
Nurses – 7

ASSOCIATION OF MUSLIM YOUTH OF SAILAN, COLOMBO
Eye Surgeons – 7
Medical Officer – 1

ASIRI SURGICAL HOSPITAL, COLOMBO
Radiologist – 1
Con. Cardiac Surgeon – 1
Nurse – 1

HEALTHY LIFE DIABETICS CLINIC
Dentist – 1

EMBASSY OF JAPAN
Medical Practitioner – 1

SLAF
Medical Practitioners – 7
Dentist – 1
Nurse – 1

SAMANALA VALLEY PROJECT
Medical Practitioners – 1
Nurses – 3

SATHYA SAI ORGANISATION
Medical Practitioners – 2

RDHS, COLOMBO
Medical Practitioners – 6
Nurses – 3

FACULTY OF MEDICINE – COLOMBO (Dept. of Obst & Gyn)
Medical Practitioners – 2

FACULTY OF MEDICINE – PERADENIYA (Dept. of Surgery)
Medical Practitioner – 1

FACULTY OF DENTAL SCIENCES, PERADENIYA
(Dept. of Oral & Maxillofacial Surgery)
Dentists – 2

FACULTY OF MEDICINE, KARAPITIYA, GALLE
Medical Practitioner – 1
Nurses – 2

FACULTY OF MEDICINE – KELANIYA
Medical Practitioner – 1
(Training Colorectal Surgery)

PGIM
PGIM Trainee – NHSL – 1

LRH
Plastic Surgeon – 1

SRI LANKA COLLEGE OF OBST/GYN
Medical Practitioner – 1

COLLEGE OF OPHTHALMOLOGISTS OF SRI LANKA
Medical Practitioner – 1

GASTROENTERECOLOGY & DIGESTIVE ENDOSCOPY SOCIETY OF SRI LANKA
Medical Practitioner – 1

NEWSPAPER ADVERTISEMENTS – 2009

1. **This notice appeared in 'The Daily News', 'The Island' and 'The Daily Mirror' newspapers on 2 February 2009**

SRI LANKA MEDICAL COUNCIL

Election to the Council

Nominations will be received for election of ONE MEMBER to the Council under Section 12 (1) (c) of the Medical Ordinance from 1 June 2009.

Section 12 (1) (c) of the Medical Ordinance applies to medical practitioners registered under Section 29 of the Medical Ordinance.

Each Nomination Paper should be signed by Ten (10) or more persons with valid registration under Section 29 of the Medical Ordinance indicating the full name and registration number and the consent of the person seeking election.

Nomination papers should be handed over to the Registrar, Sri Lanka Medical Council at No. 31, Norris Canal road, Colombo 10, before **3.00 p.m. on Friday 27 February 2009.**

A further notice would be issued if a ballot is necessary.

Dr. N. J. Nonis
Registrar, Sri Lanka Medical Council,
31, Norris Canal Road, Colombo 10.
Telephone: 2691848

2. **This notice appeared in 'The Daily News', 'The Island' and 'The Daily Mirror' newspapers on 17 March 2009**

SRI LANKA MEDICAL COUNCIL

Election of a Member to the Council

Nominations were received for election of One Member to the Council under Section 12 (1) (c) of the Medical Ordinance, registered under Section 29.

The following were duly nominated:

1. Dr. Ananda Samarasekera
2. Dr. Ananda Hapugoda

A ballot would be required for electing one member. Medical Practitioners with valid registration are eligible to vote, which could be done either by post or in person. A postal vote should be requested by writing a letter addressed to the Registrar, with a self-addressed envelope stating the address of the applicant's residence or place of work. The closing date for applications for a postal vote shall be **Friday 17 April 2009 at 3.00 p.m.** Marked ballot papers should reach the Council office before Friday 22 May 2009, 3.00 p.m.

Election in person would take place at the Council office from Wednesday 20 May 2009 to Friday 22 May 2009 from 9.30 a.m. to 3.00 p.m. for those who have not applied for a postal vote.

Dr. N. J. Nonis
Registrar, Sri Lanka Medical Council,
31, Norris Canal Road, Colombo 10.
Telephone: 2691848

3. **This notice appeared in 'The Daily News', 'The Island' and 'The Daily Mirror' newspapers on 23 March 2009**

SRI LANKA MEDICAL COUNCIL

Election of a Member to the Council

The advertisement which appeared in the newspapers on Tuesday 17 June 2009 is hereby cancelled. The election would be conducted according to provisions in the regulations published in the government gazette.l

Nominations were received for election of One Member to the Council under Section 12 (1) (c) of the Medical Ordinance, registered under Section 29.

The following were duly nominated:

1. Dr. Ananda Samarasekera
2. Dr. Ananda Hapugoda

A ballot would be required for electing one member. Medical Practitioners with valid registration are eligible to vote and ballot papers would be dispatched to their registered addresses. Marked ballot papers should reach the Council office before Friday 22 May 2009, 3.00 p.m. They could be sent by post or handed over at the Council office. Election in person would not take place.

Dr. N. J. Nonis
Registrar, Sri Lanka Medical Council,
31, Norris Canal Road, Colombo 10.
Telephone: 2691848

4. **This notice appeared in 'The Daily News', 'The Island' and 'The Daily Mirror' newspapers on 30 March 2009**

SRI LANKA MEDICAL COUNCIL

Election of a Member to the Council

Previous advertisements with regard to the procedure for election of One Member to the Council under Section 12 (1) (c) of the Medical Ordinance, registered under Section 29 are hereby cancelled.

A ballot would be required for electing one member. Dr. Ananda Samarasekera and Dr. Ananda Hapugoda are the candidates. Medical Practitioners with valid registration are eligible to vote, which could be done either by post or in person. A postal vote should be requested by writing a letter addressed to the Registrar, with a large self-addressed envelope stating the address of the applicant's residence or place of work. The closing date for applications for a postal vote shall be Thursday 30 April 2009 at 3.00 p.m. Marked ballot papers should reach the Council office before Friday 22 May 2009, 3.00 p.m.

Election in person would take place at the Council office from Wednesday 20 May 2009 to Friday 22 May 2009 from 9.30 a.m. to 3.00 p.m. for those who have not applied for a postal vote.

Dr. N. J. Nonis
Registrar, Sri Lanka Medical Council,
31, Norris Canal Road, Colombo 10.
Website: www.srilankamedicalcouncil.org

5. **This notice appeared in 'The Island', 'Daily Mirror' and the 'Daily News' newspapers of April 06, 2009**

SRI LANKAMEDICAL COUNCIL

RECOGNITION OF INTERNSHIP FOR REGISTRATION

The Sri Lanka Medical Council has until now recognized internship done outside Sri Lanka for the purpose of registration as medical practitioners.

The Council has decided to discontinue this practice with effect from **01 May 2010.** Thereafter, internship done only in approved hospitals in Sri Lanka would be recognized for registration.

Dr. N. J. Nonis
Registrar, Sri Lanka Medical Council,
31, Norris Canal Road, Colombo 10.

6. **This notice appeared in 'The Daily News', 'The Island' and 'The Daily Mirror' newspapers on 17 August 2009**

SRI LANKA MEDICAL COUNCIL

Election to the Council

Nominations will be received for election of ONE MEMBER to the Council under Section 12 (1) (c) of the Medical Ordinance from 1 June 2009.

Section 12 (1) (c) of the Medical Ordinance applies to medical practitioners registered under Section 29 of the Medical Ordinance.

Each Nomination Paper should be signed by ten (10) or more persons with valid registration under Section 29 of the Medical Ordinance indicating the full name and registration number and the consent of the person seeking election.

Nomination papers should be handed over to the Registrar, Sri Lanka Medical Council at No. 31, Norris Canal road, Colombo 10, before **3.00 p.m. on Friday 11 September 2009.**

A further notice would be issued if a ballot is necessary.

Dr. N. J. Nonis
Registrar, Sri Lanka Medical Council,
31, Norris Canal Road, Colombo 10.
Telephone: 2691848

7. **This notice appeared in 'The Daily News', 'The Island', 'The Daily Mirror', 'Lankadeepa' and 'Veerakesari' newspapers on 1 October 2009**

SRI LANKA MEDICAL COUNCIL

Election of a Member to the Council

Nominations were received for election of One Member to the Council under Section 12 (1) (c) of the Medical Ordinance, registered under Section 29.

The following were duly nominated:

1. Dr. J. R. Srilal De Silva
2. Dr. W. M. A. S. Jayasena

A ballot would be required for electing one member. Medical Practitioners with valid registration are eligible to vote, which could be done either by post or in person. A postal vote should be requested by writing a letter addressed to the Registrar, with a large self-addressed envelope stating the address of the applicant's residence or place of work. The closing date for applications for a postal vote shall be **Friday 23 October 2009 at 3.00 p.m.** Marked ballot papers should reach the Council office before Friday 20 November 2009, 3.00 p.m.

Election in person would take place at the Council office from Wednesday 25 November 2009 to Friday 27 November 2009 from 9.30 a.m. to 3.00 p.m. for those who have not applied for a postal vote.

Dr. N. J. Nonis
Registrar, Sri Lanka Medical Council,
31, Norris Canal Road, Colombo 10.

8. **This notice appeared in 'The Island', 'Daily Mirror', 'Daily News', 'Lankadeepa' and 'Virakesari' newspapers of October 06, 2009**

SRI LANKA MEDICAL COUNCIL

REGARDING MALABE MEDICAL COLLEGE OF THE SOUTH ASIAN INSTITUTE OF TECHNOLOGY AND MANAGEMENT

Whereas the South Asian Institute of Technology and Management (SAITM) has claimed by way of newspaper advertisement etc. with regard to the Malabe Medical College, that the programme will be closely monitored by the Sri Lanka Medical Council (SLMC),

THE SRI LANKA MEDICAL COUNCIL WISHES TO INFORM THE PUBLIC THAT THERE IS NO LEGAL PROVISION UNDER THE MEDICAL ORDINANCE (CHAPTER 105) FOR THE SLMC TO MONITOR STANDARDS OF MEDICAL EDUCATION AT THE MALABE MEDICAL COLLEGE OF SAITM

Dr. N. J. Nonis
Registrar, Sri Lanka Medical Council,
31, Norris Canal Road, Colombo 10.
Telephone: 2691848

9. **This notice appeared in 'The Daily News', 'The Island', 'The Daily Mirror', 'Veerakesari' and in Sinhala in 'Lankadeepa' newspapers on 11 December 2009**

SRI LANKA MEDICAL COUNCIL

Election of a Member to the Council

The election of One Member to the council under Section 12 (1) (c) of the Medical Ordinance was suspended by a Stay Order in Case No. DSP – 227/2009 on 25 November 2009.

THE ELECTION WILL RE-COMMENCE FOLLOWING THE REMOVAL OF THE STAY ORDER BY COURT ON 09 DECEMBER 2009.

As the postal voting was concluded before the Stay Order, voting in person will take place at the Council office from Wednesday 16 December 2009 to Friday 18 December 2009 from 9.30 a.m. to 1.00 p.m. and 1.30 p.m. to 3.30 p.m. for those who have not applied for a postal vote.

Dr. N. J. Nonis
Registrar, Sri Lanka Medical Council,
31, Norris Canal Road, Colombo 10.
Telephone: 2691848

10. **This notice appeared in 'The Sunday Observer' of 23 August 2009, 'The Island' and 'Daily Mirror' of 24 August 2009, 'Daily Mirror', 'Lankadeepa' and 'Virakesari' newspapers of 14 December 2009**

SRI LANKAMEDICAL COUNCIL

Notice to the public regarding Overseas Medical Qualifications

The Sri Lanka Medical Council (SLMC) hereby informs the public that only those with medical degrees recognized by the SLMC will be eligible to sit for the Examination for Registration to Practise Medicine in Sri Lanka (ERPM/Act 16 exam) and thereafter obtain registration to practice.

Those who seek admission to medical schools and hope to practise in Sri Lanka should verify whether such schools are recognized by the SLMC.

A list of such recognized medical schools is published in a booklet, which is available for sale at the SLMC office and also appear on the website: www.srilankamedicalcouncil.org

Dr. N. J. Nonis
Registrar, Sri Lanka Medical Council,
31, Norris Canal Road, Colombo 10.
Telephone: 2691848