

## **CHAPTER 272**

### **THE MEDICAL AND DENTAL PRACTITIONERS ACT.**

#### **Arrangement of Sections.**

#### Section

##### **PART I—INTERPRETATION.**

1. Interpretation.

##### **PART II—ESTABLISHMENT, FUNCTIONS AND COMPOSITION OF THE COUNCIL.**

2. Establishment of the council.
3. Functions of the council.
4. Composition of the council.
5. Meetings of the council.

##### **PART III—MANAGEMENT AND STAFF OF THE COUNCIL.**

6. Secretariat.
7. Registrar of the council.
8. Functions of the registrar.
9. Deputy registrar.
10. Other staff.

##### **PART IV—FINANCIAL PROVISIONS.**

11. Funds of the council.
12. Financial year of the council.
13. Estimates.
14. Accounts.
15. Audit.
16. Report to Parliament.

##### **PART V—REGISTERS AND REGISTRATION OF PRACTITIONERS.**

17. Eligibility for registration.

18. Recognition of other qualifications.
19. Registers and publication in the Gazette.
20. Person whose qualification not recognised.
21. Application for registration.
22. Certificate of registration.
23. Provisional registration.
24. Registered person to practise medicine or dentistry.
25. Removal from register.
26. Restoration of name after removal.

#### PART VI—LICENSING AND REGISTRATION FOR PRIVATE PRACTICE.

27. Private practice without a licence prohibited.
28. Licensing of private practice.
29. Registration of health units.
30. Particulars of health units to be published in the Gazette.
31. Control of operation of private health units.
32. Inspection of health units.

#### PART VII—INQUIRY BY THE COUNCIL.

33. Inquiry into professional misconduct.
34. Procedure of inquiry.
35. Legal advice to the council at inquiry.
36. Notification of decision to person concerned.
37. Publication of decision of the council.
38. Appeal to High Court.

#### PART VIII—MISCELLANEOUS PROVISIONS.

39. Committees of the council.
40. Additional qualifications.
41. Publication prima facie evidence.
42. Charges.
43. Authorised person to give medical or dental treatment.
44. Registered practitioner to undertake minimum continuing medical or dental education.
45. Notification of death of practitioner.
46. Regulations.
47. Offences and penalties.

## **Schedules**

<i>First Schedule</i>	The seal and procedure of the meetings of the council.
<i>Second Schedule</i>	Medical and dental practitioners and health unit registers.
<i>Third Schedule</i>	Registration certificates.

## CHAPTER 272

### THE MEDICAL AND DENTAL PRACTITIONERS ACT.

*Commencement:* 30 January, 1998.

#### **An Act to consolidate the law relating to the medical and dental practice and for other connected purposes.**

#### PART I—INTERPRETATION.

##### **1. Interpretation.**

In this Act, unless the context otherwise requires—

- (a) “active practice” means the regular management of medical or dental conditions by a medical or dental practitioner in public or private practice;
- (b) “chairperson” means the chairperson of the council appointed under section 4(1)(a);
- (c) “council” means the Medical and Dental Practitioners Council established under section 2;
- (d) “dentist” means a person who qualifies to practise dentistry under this Act;
- (e) “drug” means any substance or preparation used or intended to be used for internal or external application to the human body either in treatment of disease or for improving physiological functions;
- (f) “Gazette” means the *Uganda Gazette* and includes the *Gazette Extraordinary*;
- (g) “health unit” includes a private hospital, clinic, nursing home, maternity centre or other specialised establishment as well as Government units of the same nature;
- (h) “internship” means the prescribed period of supervised practice from the time a practitioner obtains the first degree to the time of satisfying the supervisor that the practitioner is competent;
- (i) “minimum continuing education” means the attendance by a medical or dental practitioner of at least one medical or dental seminar, workshop or other training event in a year;
- (j) “Minister” means the Minister responsible for health;
- (k) “national” means a citizen of Uganda;
- (l) “nursing home” means a health unit which is neither denominational nor Governmental, that is large or small, manned

by at least a fully registered practitioner for the purpose of treating general or specialised patients as outpatients or inpatients or both;

- (m) “practitioner” means a person registered under section 21 to practise medicine, surgery or dentistry;
- (n) “private health unit” means a health unit not established by the central government or a local government;
- (o) “private practice” means the practice of medicine or dentistry by a registered practitioner either alone or in partnership in a registered premises on his own account or that of the partnership;
- (p) “provisional registration” means registration made under section 23;
- (q) “public health unit” means a health unit established by the central government or a local council;
- (r) “qualification” includes a medical or dental diploma, certificate, degree or other document or written authority granted or awarded by a university, corporation, college or other body acting under the authority of the government of any country;
- (s) “register” means a register of medical or dental practitioners or specialists or of health units maintained by the registrar under section 19;
- (t) “registrar” means the registrar of the council appointed under section 7;
- (u) “registered dental surgery” means a premises duly registered by the council where private practice is carried out by a registered dentist;
- (v) “registered medical clinic” means a premises duly registered by the council where private practice is carried out by a registered medical practitioner;
- (w) “specialised establishment” means a premises, including laboratories and radiological units, duly registered by the council where private diagnostic or medical support services, including physiotherapy or other support services, are rendered;
- (x) “specialist” means a practitioner who has trained full time for not less than three years in an institution or in different institutions under guidance of a consultant or consultants or senior professionals in the relevant field of medical or dental practice and has obtained a post graduate qualification;
- (y) “specialist register” means the register of medical or dental specialists;
- (z) “temporary registration” means registration made under section 17(4).

PART II—ESTABLISHMENT, FUNCTIONS AND COMPOSITION OF THE  
COUNCIL.

**2. Establishment of the council.**

(1) There is established a council to be known as the Medical and Dental Practitioners Council which shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name and, subject to this Act, may do or suffer all other things and acts as bodies corporate may lawfully do or suffer.

(2) The seal of the council shall be authenticated in the manner provided under the First Schedule.

**3. Functions of the council.**

The functions of the council shall be—

- (a) to monitor and exercise general supervision and control over and maintenance of professional medical and dental educational standards, including continuing education;
- (b) to promote the maintenance and enforcement of professional medical and dental ethics;
- (c) to exercise general supervision of medical and dental practice at all levels;
- (d) to exercise disciplinary control over medical and dental practitioners;
- (e) to protect society from abuse of medical and dental care and research on human beings;
- (f) to advise and make recommendations to the Government on matters relating to the medical and dental professions;
- (g) to exercise any power and perform any duty authorised or required by this Act or any other law;
- (h) to disseminate to the medical and dental practitioners and the public, ethics relating to doctor-patient rights and obligations; and
- (i) for the purposes of discharging its functions under this Act, to perform any other function or act relating to medical or dental practice as the Minister may direct.

#### **4. Composition of the council.**

- (1) The council shall consist of—
  - (a) the chairperson, who shall be a senior practitioner appointed by the Minister;
  - (b) the director general of health services;
  - (c) persons representing their respective bodies all of whom shall be appointed by the Minister on the recommendation of the respective bodies represented by them as follows—
    - (i) two representatives of the faculties of medicine of all the universities established by law in Uganda;
    - (ii) two representatives of the Uganda Medical Association;
    - (iii) one representative of the Uganda Dental Association;
    - (iv) one private practitioner representing the Uganda private medical and dental practitioners.
- (2) The registrar shall be the secretary to the council and as such shall participate in the deliberations of the council but shall have no right to vote.
- (3) A member of the council shall hold office for a term of three years from the date of appointment and shall be eligible for reappointment.
- (4) A member of the council may resign his or her office by writing under his or her hand addressed to the chairperson and in the case of the chairperson addressed to the Minister, or may be removed from office by the Minister for inability to perform the functions of his or her office.
- (5) If the office of a member of the council becomes vacant other than by effluxion of time, the Minister may appoint another person to hold the office, and the person appointed shall cease to hold office on the date on which the person in whose place he or she holds office would have ceased to hold office.
- (6) Where a member of the council is, for any reasonable cause, temporarily unable to perform the functions of his or her office, the Minister may appoint a suitable person to act as a member of the council in the place of the substantive member for the period of his or her inability.

## **5. Meetings of the council.**

The meetings of the council shall be as is provided under the First Schedule to this Act, and the Minister may by statutory instrument amend the First Schedule.

### **PART III—MANAGEMENT AND STAFF OF THE COUNCIL.**

## **6. Secretariat.**

(1) The council shall have a secretariat to assist it in carrying out its functions.

- (2) The functions of the secretariat shall be—
  - (a) to implement the decisions of the council;
  - (b) to recommend proposals for the formulation of policies of the council and to implement those policies adopted by the council;
  - (c) to establish and maintain relationships with national, regional and international organisations, institutions and agencies as may be appropriate for facilitating the implementation of the policies and the carrying out of the functions of the council;
  - (d) to carry out other functions within the functions of the council as the council may direct.

## **7. Registrar of the council.**

(1) There shall be a registrar of the council who shall be a public officer appointed by the Health Service Commission from among the registered practitioners.

- (2) The registrar shall be—
  - (a) the chief executive officer and head of the secretariat;
  - (b) the secretary of the council and its committees.
- (3) The office of registrar shall become vacant—
  - (a) if the registrar resigns his or her office by writing under his or her hand addressed to the Health Service Commission;
  - (b) if, in the opinion of the council, the registrar becomes incapable of performing the duties of his or her office and the council recommends to the Health Service Commission his or her removal from office; or



- (c) if the registrar is found guilty of misconduct by the council, as a practitioner or in relation to his or her office as registrar.

## **8. Functions of the registrar.**

- (1) The functions of the registrar shall be—
  - (a) to keep and maintain, on behalf of the council, registers of medical and dental practitioners in the forms set out in the Second Schedule;
  - (b) to make necessary alterations and corrections in the registers in relation to any entry as may be directed by the council;
  - (c) to remove from the register—
    - (i) the name of any person ordered to be removed in accordance with this Act;
    - (ii) the name of a deceased practitioner;
    - (iii) any entry which might have been incorrectly or fraudulently made in the register;
    - (iv) with the consent of the person concerned, the name of a person who has ceased to practise;
  - (d) to reinstate any name removed from the register at the request of the person concerned and payment of the prescribed fee;
  - (e) on behalf of the council, to inspect and have full access to all medical and dental health units, acting in accordance with the provisions of this Act;
  - (f) to record or cause to be recorded all minutes of meetings of the council and its committees and to keep all records and documents of the council;
  - (g) to have the custody of the seal of the council;
  - (h) to carry on any other function that may be conferred on him or her by the council.

(2) In addition to the functions under subsection (1), the registrar shall, subject to the general control of the council, be responsible for the funds and property of the council and for the day-to-day administration of the affairs of the council and of the secretariat and for the control of the staff of the council.

(3) The chairperson may, from time to time, in writing, require the registrar to submit a report on any matter affecting the affairs of the council, and the registrar shall comply.

(4) The registrar shall, within three months after the end of each financial year, submit to the council a general report on the affairs and activities of the council.

**9. Deputy registrar.**

(1) The council shall have a deputy registrar who shall be appointed in the same manner as the registrar and hold office on similar terms and conditions.

(2) The deputy registrar shall perform such duties as may be assigned to him or her by the registrar and shall deputise the registrar in all his or her duties and in the absence of the registrar shall perform the duties of the registrar.

**10. Other staff.**

(1) The council may employ other officers and employees as may be necessary for the proper and efficient discharge of its functions and the functions of the secretariat.

(2) The council may with the approval of the Minister regulate the manner of appointment, terms and conditions of service and the discipline of its employees.

(3) Public officers may be seconded to the service of the council or may otherwise give assistance to the council.

**PART IV—FINANCIAL PROVISIONS.**

**11. Funds of the council.**

- (1) The funds of the council shall consist of—
  - (a) subventions received from the Government or other bodies;
  - (b) grants, gifts and donations received from the Government, organisations or other bodies;
  - (c) fees and other monies payable to the council for services rendered by it; and
  - (d) monies that may become payable to or vested in the council in any manner, or in relation or incidental to the carrying out of its functions.

(2) The council shall operate a bank account in a bank it may determine, and the account shall be operated in the manner decided by the council.

## **12. Financial year of council.**

The financial year of the council shall be in respect of each accounting period the twelve months ending on the 30th day of June.

## **13. Estimates.**

(1) The council shall, within three months before the end of each financial year, cause to be prepared and submitted to the Minister for approval, estimates of income and expenditure of the council for the next ensuing financial year.

(2) No expenditure shall be made out of the funds of the council unless the expenditure has been approved by the Minister under subsection (1).

## **14. Accounts.**

(1) The council shall keep proper books of account of all its income and expenditure and proper records in relation to them.

(2) The council shall cause to be prepared in respect of each financial year, not later than three months after the close of the financial year, a statement of account which shall include a report on the performance of the council during the financial year comprising—

- (a) a balance sheet and a statement of income and expenditure; and
- (b) any other information in respect of the financial affairs of the council as the Minister responsible for finance may require.

## **15. Audit.**

(1) The accounts of the council shall, in respect of each financial year, be audited by the Auditor General or an auditor appointed by him or her.

(2) The council shall ensure that within four months after the expiry

of each financial year a statement of account prepared under section 14 is submitted to the Auditor General.

(3) The Auditor General or an auditor appointed by him or her shall have access to all books of account, vouchers and other financial records of the council and be entitled to have any information and explanation required by him or her in relation to the above as he or she may require.

(4) The Auditor General shall, within two months after receipt of the statement of account under subsection (2), audit the accounts and deliver to the council and the Minister a copy of the audited accounts together with his or her report on those accounts stating any matter which in the opinion of the Auditor General should be brought to the attention of the council and the Minister.

#### **16. Report to Parliament.**

The Minister shall, within three months after receiving them, submit to Parliament—

- (a) the audited accounts of the council submitted to him or her by the Auditor General under section 15; and
- (b) a report of the activities of the council in respect of that year submitted to the Minister by the council.

#### **PART V—REGISTERS AND REGISTRATION OF PRACTITIONERS.**

#### **17. Eligibility for registration.**

(1) A person holding any of the following minimum qualifications shall be eligible for registration in the appropriate category to which his or her qualifications relate—

- (a) a degree of Bachelor of Medicine, Bachelor of Surgery or Bachelor of Dental Surgery granted by a university established in Uganda by law;
- (b) a medical or dental qualification recognised by the council for the purposes of registration.

(2) In addition to the qualifications provided under subsection (1), a person applying for registration shall satisfy the council that he or she has acquired experience by satisfactorily serving a full-time internship in a hospital approved by the council.

(3) In the case of a person holding a qualification other than a qualification obtained from a university established in Uganda by law, the council may accept experience it may consider to be equivalent to the experience specified under subsection (2) if that person produces a certificate of registration which entitled him or her to practise in that country where he or she was registered.

(4) Where a person applying for registration is not a citizen of Uganda and has a qualification obtained from a university established in Uganda by law or any other university approved by the council, that person shall obtain a temporary registration as may be prescribed by the council.

#### **18. Recognition of other qualifications.**

(1) The council may, taking into account the entrance requirements, the curriculum followed and, where possible, the professional standards exhibited by persons holding qualifications of the medical or dental school awarding the qualification under consideration, recognise qualifications other than qualifications awarded by a university established in Uganda by law, for purposes of registration under this Act.

(2) Qualifications recognised under subsection (1) shall be published in the Gazette as soon as the council recognises them, and the registrar shall after the 1st day of January and not later than the 31st day of March in each year cause to be published all such qualifications in the Gazette.

(3) The council may, at any time if professional standards so require, withdraw its recognition of qualifications under subsection (1).

(4) Where the council withdraws its recognition under subsection (3), the withdrawal shall not affect the registration of an already registered medical or dental practitioner or that of any provisionally or temporary registered person of the entitlement to remain on the register and to continue to practise.

#### **19. Registers and publication in the Gazette.**

(1) The registrar shall maintain or cause to be maintained the following registers—

(a) a main register of medical and dental practitioners in Form 1 set

- out in the Second Schedule;
- (b) a provisional register of medical and dental practitioners in Form 2 set out in the Second Schedule;
- (c) a temporary register of medical and dental practitioners in Form 3 set out in the Second Schedule;
- (d) a register for specialist medical and dental practitioners in Form 4 set out in the Second Schedule;
- (e) a register of health units in Form 5 set out in the Second Schedule;
- (f) a register of medical and dental practitioners licensed to engage in active public or private practice in Form 6 set out in the Second Schedule.

(2) The registrar shall as soon as convenient after the 1st day of January and in any case not later than the 31st day of March in each year cause to be published in the Gazette all up-to-date registers maintained under subsection (1).

(3) The registrar shall as often as is convenient publish in the Gazette lists of persons and health units that have been registered in between the annual publication of updated registers.

(4) The Minister may, on the advice of the council, amend the forms under this section.

## **20. Person whose qualification not recognised.**

(1) Where a person holds a qualification which is not recognised by the council or which is not awarded by a university established in Uganda by law, he or she may apply to the council, and the council may make arrangements for that person to attend an interview and sit for an oral or written examination or both for the purpose of having his or her qualification recognised by the council.

(2) The council may, after interviewing or examining a person under subsection (1), direct that person to undergo a period of training or undertake further examination as it may specify.

(3) The council shall authorise the registration of a person if it is satisfied with the results of an interview or examination under subsection (1) or when the conditions given under subsection (2) are fulfilled to its

satisfaction.

(4) The council may appoint a committee from among its members or some other registered persons to assess the suitability for registration of a person under this section, and the committee shall submit its findings and recommendations to the council for the council's decision.

## **21. Application for registration.**

(1) Any person who qualifies to be registered as a medical or dental practitioner may apply to the council for registration, and the council, if satisfied that the applicant is eligible for registration, shall authorise the registrar to enter his or her name on the register.

(2) An application for registration shall be in the prescribed form, and every application shall be accompanied by documentary proof of the qualifications of the applicant together with the prescribed fees.

(3) The registrar shall not register in the medical or dental register the name of any person whose name has been removed from a similar register of any country on grounds of misconduct on the part of that person without the council making further inquiry satisfying itself that the individual should be registered.

## **22. Certificate of registration.**

On the registration of a medical or dental practitioner the registrar shall issue to the person registered, sealed with the seal of the council, a certificate of registration in the Forms A1 to A4 set out in the Third Schedule.

## **23. Provisional registration.**

(1) A person who does not qualify to be registered by reason only that he or she does not have the experience required under section 17(2) may apply to the council for provisional registration.

(2) Provisional registration shall cease to have effect when a provisionally registered medical or dental practitioner is fully registered.

**24. Registered person to practise medicine or dentistry.**

(1) A person registered or provisionally registered as a medical practitioner under this Act may engage in medical practice.

(2) A person registered or provisionally registered as dental practitioner under this Act may engage in dental practice.

**25. Removal from register.**

(1) The council may, after inquiry, cause to be removed from the medical or dental register the name of any registered or provisionally registered person—

- (a) who is convicted by any court of law of a criminal offence involving moral turpitude;
- (b) who is found guilty of professional misconduct by the council;
- (c) whose name has been removed from the medical or dental practitioners register of any other country or who is suspended from practice.

(2) Where the name of any person is removed from the register in accordance with this section, the registration of a health unit or specialised establishment under his or her name shall also, by virtue of the removal, lapse unless it is registered in partnership with another practitioner or until such time as another practitioner is registered in respect of those premises.

**26. Restoration of name after removal.**

(1) The council may, of its own motion or on the application of the person whose name has been removed from the register and after holding such inquiry as the council may consider desirable, cause the name of that person to be reinstated on the register on payment of a fee, as the council may determine.

(2) Where the name of a person is reinstated in accordance with subsection (1), the council may restore the registration of the medical clinic, dental surgery or specialised establishment that may have lapsed and may impose a period of supervision or any other conditions it deems fit.



PART VI— LICENSING AND REGISTRATION FOR PRIVATE PRACTICE.

**27. Private practice without a licence prohibited.**

(1) A person shall not engage in private practice without holding a practising licence issued under this Act.

(2) A person contravening this section commits an offence and is liable on conviction to a fine of not less than two hundred thousand shillings and not more than three million shillings or to a term of imprisonment of not less than three months and not more than three years or to both.

**28. Licensing of private practice.**

(1) A registered medical or dental practitioner may apply to the council for a licence to engage in private practice either as a general medical or dental practitioner or as a specialist in his or her area of specialisation.

(2) An application for a licence under subsection (1) shall be accompanied by a copy of the certificate of registration.

(3) The council may, if satisfied that the applicant possesses the necessary qualifications, authorise the grant of a licence for private practice in Form B set out in the Third Schedule, subject to such conditions as the council may consider fit.

(4) No licence for private practice shall be granted under this section for a person to practise independently as a full-time medical or dental practitioner in a private practice, unless the council is satisfied that he or she has for a period of not less than three years subsequent to registration as a medical or dental practitioner acquired experience by having rendered satisfactory service in full-time employment in a hospital or health unit approved by the council or has obtained equivalent experience in a similar institution.

(5) The licence for private practice granted under subsection (3) shall be valid for the calendar year in which it is issued and will be subject to renewal for one calendar year at a time.

(6) A licence renewed under subsection (5) shall not be issued subject to a condition which is less advantageous than that already attached unless

the person concerned has been given an opportunity of being heard by the council.

(7) Any person aggrieved by a decision of the council under this section may, within thirty days from the date of notification of the decision, appeal to the Minister; and the Minister may confirm, reverse or vary the decision.

## **29. Registration of health units.**

(1) On and after the coming into force of this Act, every person or body who or which intends to open a private health unit shall apply to the council for the registration of the health unit.

(2) The council may, after making such inquiry as it considers necessary, and receiving a fee determined by the council, authorise the registration of the specific health unit; and upon registration, the health unit shall be licensed under this Act, and a licence shall be issued as set out in Form C in the Third Schedule.

(3) At the discretion of the council and subject to conditions that the council may determine, the registrar may register a private dispensary or maternity home operated by a medical assistant, nurse or midwife, as the case may be, exclusively for the use of a body corporate of an institution but under the supervision of a registered medical practitioner.

(4) Notwithstanding subsection (2)—

- (a) public health units shall not pay the prescribed fee; and
- (b) health units which have been established for twenty or more years may not pay the prescribed fee.

(5) The licence for a private health unit issued under subsection (2) shall be valid for the calendar year in which it is issued and will be subject to renewal for one year at a time.

(6) After the commencement of this Act, the Minister shall, by statutory instrument, prescribe the period within which all existing health units may be registered.

### **30. Particulars of health units to be published in the Gazette.**

The council shall cause to be published in the Gazette soon after registration is authorised and a licence issued in respect of a health unit—

- (a) the name, address, qualifications and the date of registration of the medical or dental practitioner supervising the health unit;
- (b) the conditions, if any, attached to the licence;
- (c) the name and address of the health unit;
- (d) the medical or dental practitioner in whose name the health unit is registered.

### **31. Control of operation of private health units.**

(1) No person shall operate a private health unit or consulting room registered under this Act unless there is in attendance a registered medical or dental practitioner, as the case may be, to exercise personal supervision over its operation.

(2) Notwithstanding subsection (1), a health unit may operate in the absence of a registered practitioner for the purpose of making appointments or dressing and administering follow-up treatments.

(3) A medical or dental practitioner shall not, except with a special licence or permission, engage in stockpiling, retailing or wholesaling of drugs at his or her health unit.

### **32. Inspection of health units.**

(1) The registrar or any medical or dental practitioner authorised by the council shall for the purpose of certifying that the provisions of this Act are complied with enter and inspect any health unit with the assistance of a law enforcement officer if necessary.

(2) If in the opinion of the person who made the inspection any action against the health unit is necessary, he or she shall submit a report to that effect to the council at the earliest opportunity.

(3) On receipt of a report made under subsection (2), the council may, after making or causing to be made such inquiry as is considered necessary and after affording an opportunity to the owner of the health unit to be heard, take action as it may consider fit.

PART VII—INQUIRY BY THE COUNCIL.

**33. Inquiry into professional misconduct.**

The council shall hold an inquiry where it receives an allegation which, if proved, would constitute professional misconduct on the part of a registered practitioner under this Act.

**34. Procedure of inquiry.**

(1) For purposes of holding an inquiry under this Act, the registrar, in consultation with the chairperson, shall convene a meeting of the council.

(2) A notice in writing signed by the registrar indicating the date, place and time of the inquiry shall be served personally on or sent by registered post or courier to the person whose conduct is the subject of inquiry at least twenty-one days prior to the date of inquiry.

(3) The notice under subsection (2) shall specify particulars of the alleged misconduct to be inquired into and shall be accompanied by a copy of any document to be produced in evidence at the inquiry, and any such document shall be available for public inspection at all reasonable times at the office of the registrar.

(4) A person whose conduct is the subject of inquiry shall be entitled to be present and to be represented by an advocate of his or her own choice in respect of the inquiry.

(5) Where a person whose conduct is the subject of inquiry fails without reasonable cause to appear and the council is satisfied that the provisions of subsection (2) have been complied with, the council may proceed with the inquiry in his or her absence.

(6) The provisions of Chapter X of the Penal Code Act and section 131 of the Evidence Act shall apply in relation to any inquiry held by the council as they apply in relation to causes or matters in a court of law.

(7) The council may order and enforce the attendance of any person as witness at any inquiry under this Act and may require the production of books and documents as it may deem fit.

(8) Summons for the attendance of a witness at the proceedings of an inquiry by the council shall be signed and issued by the registrar.

(9) The proceedings and decision of the council at an inquiry shall be recorded under the direction of the chairperson and when signed shall be conclusive evidence of the proceedings and decision.

(10) Subject to the foregoing provisions, the council may regulate its own procedure in all inquiries under this Act.

### **35. Legal advice to the council at inquiry.**

(1) The council may appoint an advocate to assist it in the conduct of an inquiry and for purposes of advising the council on any question of law arising or likely to arise in the inquiry, and that advocate shall be a person who has been entitled to practise for not less than six years.

(2) Where an advocate appointed under subsection (1) advises the council on any question of law—

- (a) prior to the commencement of the council's proceedings, the advice tendered shall be given in the presence of the person whose conduct is the subject of inquiry and his or her advocate, if any, or when either of them is present;
- (b) if the council commences or conducts any of its proceedings in the absence of the person whose conduct is the subject of inquiry and his or her advocate, if any, that person or his or her advocate shall be informed of the advice;
- (c) the person whose conduct is the subject of inquiry or his or her advocate shall be informed during the inquiry if the council does not accept the advice of the advocate.

### **36. Notification of decision to person concerned.**

Within thirty days after the conclusion of an inquiry, the registrar shall notify the person concerned in writing of the decision of the council.

### **37. Publication of decision of the council.**

The council may direct, in a manner that it deems fit, the publication of a report and the decision of any inquiry held by it.

### **38. Appeal to High Court.**

(1) A person aggrieved by the decision of the council in any inquiry may, within ninety days from the date of notification of the decision of the council, appeal to the High Court against the decision; and the High Court may confirm, annul or vary the decision as it thinks fit.

(2) The Chief Justice may make rules regulating appeals to the High Court under this Act.

## **PART VIII—MISCELLANEOUS PROVISIONS.**

### **39. Committees of the council.**

(1) For better carrying out of its functions, the council may appoint such committees composed of its members, or its members and other persons, as it may consider necessary.

(2) A committee appointed under subsection (1) shall deliberate on any matter assigned to it by the council and make recommendations to the council.

(3) The chairperson of a committee under this section shall be appointed from among the members of the council.

### **40. Additional qualifications.**

A person registered under this Act who has acquired additional qualifications approved by the council may, on payment of a prescribed fee, have the additional qualifications included in the register.

### **41. Publication prima facie evidence.**

(1) The publication of the lists in the Gazette as provided in section 19 shall be prima facie evidence that—

- (a) a person whose name appears therein is registered as indicated in the Gazette;
- (b) the health unit, mentioned in the Gazette at the time of publication, is duly registered under this Act;
- (c) the absence of the name of any person or health unit from the

relevant list means that a person or health unit is not registered under this Act.

(2) A copy or extract from a register certified under the hand of the registrar shall be received in evidence in a court of law.

**42. Charges.**

(1) A registered medical or dental practitioner may demand reasonable charges—

- (a) for medical, surgical or dental advice given;
- (b) for the attendance or treatment rendered;
- (c) for the performance of any medical, surgical or dental appliances;

or

- (d) for any drugs prescribed or supplied,

and shall be entitled to sue for or recover the same, with full costs, in any court of competent jurisdiction.

(2) For the avoidance of doubt, a person who is not registered under this Act shall not demand any charges under subsection (1).

**43. Authorised person to give medical or dental treatment.**

(1) A person authorised by the director general of health services may give medical or dental treatment in a Government medical institution after undergoing appropriate training.

(2) A person authorised to give medical or dental treatment under subsection (1) shall not be allowed—

- (a) to possess or use any drugs, instruments or appliances other than those authorised by the director general of health services; or
- (b) to charge or receive any fee or other consideration for the treatment rendered to a person.

**44. Registered practitioner to undertake minimum continuing medical or dental education.**

(1) Every practitioner engaged in active public or private practice shall be required to undergo a minimum continuing medical or dental education prescribed and organised by the council.

(2) No practitioner shall remain on the register maintained under section 19(1) unless he or she has undergone a minimum continuing education under subsection (1), and failure to comply with subsection (1) shall constitute a ground for disciplinary action.

- (3) The council may—
  - (a) delegate its powers under subsection (1) to—
    - (i) the Uganda Medical Association;
    - (ii) the Uganda Dental Association; or
    - (iii) any other dental or medical association it may deem fit;
  - (b) recognise any minimum continuing education taken by a practitioner from outside Uganda.

#### **45. Notification of death of practitioner.**

The chief administrative officer of every district or area, in the performance of his or her duties under the Births and Deaths Registration Act, shall, on receiving a report of the death of any registered or provisionally registered medical or dental practitioner, notify the registrar of the death in writing.

#### **46. Regulations.**

The Minister may, on the recommendation of the council, make regulations generally for better carrying out the provisions of this Act and, without prejudice to the generality of the foregoing, the Minister may—

- (a) prescribe the fees to be prescribed under this Act, including the fees payable for any registration under this Act;
- (b) prescribe the application forms that may be necessary;
- (c) prescribe any other form to be issued under this Act;
- (d) amend the Schedules to this Act.

#### **47. Offences and penalties.**

Any person who—

- (a) wilfully and falsely uses any name or title implying a qualification to practise medicine, surgery, dentistry;
- (b) not being registered or authorised under this Act practises whether openly or impliedly as a medical or dental practitioner;
- (c) wilfully procures or attempts to procure himself or herself to be registered under this Act by false or fraudulent representation either verbally or in writing;



- (d) having been summoned by the council fails—
    - (i) to attend as a witness;
    - (ii) to produce any books or documents which he or she is required to produce without reasonable cause;
  - (e) refuses, without lawful excuse, to answer any question put to him or her in the course of the proceedings of the council; or
  - (f) contravenes any other provision of this Act,
- commits an offence and is liable on conviction to a fine of not less than three hundred thousand shillings and not more than three million shillings or to imprisonment for not less than three months and not more than one year or to both.

---

## **SCHEDULES**

### *First Schedule.*

ss. 2, 5.

#### **The seal and procedure of meetings of the council.**

##### **1. Seal of the council.**

(1) The seal of the council shall be kept under the custody of the registrar.

(2) The affixing of the seal of the council on any document shall be authenticated by the signature of the chairperson and the registrar, and their signatures shall not be required to be witnessed by any other person.

(3) A document purporting to be an instrument issued by the council and authenticated in the manner provided by subparagraph (2) shall be deemed to be a valid instrument and admissible in evidence without further proof unless the contrary is shown.

##### **2. Vice chairperson.**

The members of the council shall elect one of their members to be the vice chairperson.

### **3. Meetings of the council.**

(1) The first meeting of the council shall be convened by the chairperson as soon as is practicable after the appointment of the council, and thereafter the council shall meet for transactions of business at such places and at such times as may be decided upon by the council; but in any case, the council shall meet at least once every three months.

(2) The chairperson or, in his or her absence, the vice chairperson, may at any time call a special meeting of the council, and shall call a special meeting upon a written request by a majority of the members of the council.

(3) The chairperson or, in his or her absence, the vice chairperson, shall preside at every meeting of the council; and in absence of both the chairperson and the vice chairperson, the members present may elect a member from among themselves to preside at that meeting.

### **4. Quorum.**

The quorum at a meeting of the council shall be a third of all the members.

### **5. Decisions of council.**

All questions proposed at a meeting of the council shall, subject to a quorum being present, be decided by a majority of the votes of the members present; and in the event of an equality of votes, the person presiding shall have a second or casting vote in addition to his or her deliberative vote.

### **6. Disclosure of interest.**

(1) A member of the council who has a direct or indirect pecuniary interest in a matter being considered or about to be considered by the council shall, as soon as possible after the relevant facts have come to his or her knowledge, disclose the nature of his or her interest to the council.

(2) A disclosure of interest under subsection (1) shall be recorded in the minutes of the council; and the member making the disclosure shall not, unless the council otherwise determines in respect of that matter—

- (a) be present during any deliberation of the matter by the council;  
or
- (b) take part in the decision of the council.

**7. Minutes of meetings.**

The council shall cause the minutes of all proceedings of its meetings to be recorded and kept, and the minutes of each meeting shall be confirmed by the council at the next meeting and signed by the chairperson of the meeting.

**8. Council may regulate its own proceedings.**

Subject to this Act, the council may regulate its own proceedings.

---

*Second Schedule.*

ss. 8, 19.

**Medical and dental practitioners and health unit registers.**

The Republic of Uganda

Form 1.

Main Register of Medical and Dental Practitioners.

*The Medical and Dental Practitioners Act.*

No.	Full name	Address	Registered qualification with date obtained, institution where qualification obtained and its address/country	Date of registration	Additional qualification and date obtained

\_\_\_\_\_  
Date

\_\_\_\_\_  
Registrar

\_\_\_\_\_

The Republic of Uganda

Form 2.

Provisional Register of Medical and Dental Practitioners.

*The Medical and Dental Practitioners Act.*

No.	Full name	Address	Registered qualification with date obtained, institution where qualification obtained and its address/country	Date of registration	Additional qualification and date obtained

\_\_\_\_\_  
Date

\_\_\_\_\_  
Registrar

\_\_\_\_\_

The Republic of Uganda

Form 3.

Temporary Register of Medical and Dental Practitioners.

*The Medical and Dental Practitioners Act.*

No.	Full name	Address	Registered qualification with date obtained, institution where qualification obtained and its address/country	Date of registration	Expiry date of registration	Additional conditions attached

---

Date

---

Registrar

---

The Republic of Uganda

Form 4.

Register for Specialist Medical and Dental Practitioners.

*The Medical and Dental Practitioners Act.*

No.	Full name	Address	Qualification with institution and date obtained	Date of registration	Specialty

\_\_\_\_\_  
Date

\_\_\_\_\_  
Registrar

\_\_\_\_\_

The Republic of Uganda

Form 5.

Register of Medical and Dental Health Units (hospitals, nursing homes, maternity centres, clinics and specialised establishments).

*The Medical and Dental Practitioners Act.*

No.	Date of registration	Name of health unit	Category of health unit	Owner and full address of health unit	Name of supervising doctor(s)	Qualifications	Date of registration as a medical/dental practitioner	Registration number of practitioner	Full address of supervising doctor(s)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Registrar

\_\_\_\_\_



The Republic of Uganda

Form 6.

Register of Medical and Dental Practitioners Registered to Engage in Active Public or Private Medical Practice.

*The Medical and Dental Practitioners Act.*

No .	Full name	Address	Registered qualification with date obtained, institution where qualification obtained and its address/country	Date of registration	Specialty, if any

\_\_\_\_\_  
Date

\_\_\_\_\_  
Registrar

\_\_\_\_\_

*Third Schedule.*

s. 22.

**Registration certificates.**

The Republic of Uganda

Form A1.

Full Registration Certificate.

*The Medical and Dental Practitioners Act.*

I certify that the following is a true copy entry in the main register of medical and dental practitioners maintained under section 19(1)(a) of the Medical and Dental Practitioners Act.

Registration Number	Full name	Address	Registered qualification with date of obtaining and institution	Date of registration	Additional qualifications with date of obtaining

\_\_\_\_\_  
Date

\_\_\_\_\_  
Registrar

Office of the Registrar  
Medical Practitioners and Dental Surgeons Council  
P.O. Box 16115, Wandegaya

\_\_\_\_\_  
Chairperson

\_\_\_\_\_

The Republic of Uganda

Form A2.

Provisional Registration Certificate.  
*The Medical and Dental Practitioners Act.*

I certify that the following is a true copy entry in the provisional register of medical and dental practitioners maintained under section 19(1)(b) of the Medical and Dental Practitioners Act.

Registration number	Full name	Address	Registered qualification with date of obtaining and institution	Date of registration	Additional qualifications with date of obtaining

\_\_\_\_\_  
Date

\_\_\_\_\_  
Registrar

\_\_\_\_\_  
Chairperson

Office of the Registrar  
Medical Practitioners and Dental Surgeons Council  
P.O. Box 16115, Wandegaya

\_\_\_\_\_

The Republic of Uganda

Form A3.

Temporary Registration Certificate.  
*The Medical and Dental Practitioners Act.*

I certify that the following is a true copy entry in the temporary register of medical and dental practitioners maintained under section 19(1)(c) of the Medical and Dental Practitioners Act. The holder of this certificate is licensed to engage in medical/dental practice in Uganda while working with \_\_\_\_\_ for a period of \_\_\_\_\_ starting from this date of registration.

Registration number	Full name	Address in Uganda	Registered qualification with date of obtaining and institution	Date of registration	Additional qualifications with date of obtaining

\_\_\_\_\_  
Date

\_\_\_\_\_  
Registrar

Office of the Registrar  
Medical Practitioners and Dental Surgeons Council  
P.O. Box 16115, Wandegaya

\_\_\_\_\_  
Chairperson

\_\_\_\_\_

The Republic of Uganda

Form A4.

Specialist Registration Certificate.  
*The Medical and Dental Practitioners Act.*

I certify that the following is a true copy entry in the specialist register of medical and dental practitioners maintained under section 19(1)(d) of the Medical and Dental Practitioners Act. The holder of this certificate is specialised in \_\_\_\_\_ medical discipline and is permitted to operate as such.

Registration number	Full name	Address in Uganda	Registered qualification with date of obtaining and institution	Date of registration	Additional qualifications with date of obtaining

\_\_\_\_\_  
Date

\_\_\_\_\_  
Registrar

Office of the Registrar  
Medical Practitioners and Dental Surgeons Council  
P.O. Box 16115, Wandegaya

\_\_\_\_\_  
Chairperson

\_\_\_\_\_

s. 28.

The Republic of Uganda

*Form B.*

*Registration Certificate for Private Medical Practice.  
The Medical and Dental Practitioners Act.*

I certify that the following is a true copy entry in the register of medical and dental practitioners authorised to apply and engage in private practice maintained under section 19(1)(f) of the Medical and Dental Practitioners Act.

Registration number	Full name	Address in Uganda	Registered qualification with date of obtaining and institution	Date of registration	Additional qualifications with date of obtaining

\*Practitioner licensed to practise independently.

\*Practitioner licensed to practise under an independently licensed practitioner.

\* Delete as appropriate.

\_\_\_\_\_  
Date

Office of the Registrar  
Medical Practitioners and Dental Surgeons Council  
P.O. Box 16115, Wandegaya

\_\_\_\_\_  
Registrar

\_\_\_\_\_  
Chairperson

\_\_\_\_\_

The Republic of Uganda

Form C.

Registration Certificate of Premises.

*The Medical and Dental Practitioners Act.*

This is to certify that \_\_\_\_\_ is authorised to operate a health unit known as \_\_\_\_\_ hospital/nursing home/health centre/maternity/dispensary/clinic/dental-surgery/specialised establishment located at \_\_\_\_\_ in \_\_\_\_\_ district/town.

Licensed for the calendar year \_\_\_\_\_

Fees \_\_\_\_\_ Date of issue \_\_\_\_\_

\_\_\_\_\_  
Registrar

\_\_\_\_\_  
Chairperson

Conditions:

1. This certificate is issued to all units irrespective of ownership.
2. It is issued to all governmental and local authority health units once at the beginning of operation of the health unit. Under this arrangement registration fees are waived.
3. It is issued once to hospitals operated by NGOs at the payment of initial fees determined by the council.
4. This licence is issued annually to all other categories of health units and is renewable on satisfaction of medical standards and payment of registration fees.
5. This permit can be withdrawn at any time if the council is convinced the unit has inappropriate medical standards and presents danger to the users.

\_\_\_\_\_  
**History:** Statute 11/1996; S.I. 6/1998.

### **Cross References**

Births and Deaths Registration Act, Cap. 309.

Evidence Act, Cap. 6.

Penal Code Act, Cap. 120.

---