



THE REPUBLIC OF UGANDA

**THE TRADITIONAL AND COMPLEMENTARY
MEDICINE ACT, 2019.**



THE REPUBLIC OF UGANDA

I SIGNIFY my assent to the bill.

Yoweri Museveni
.....
President

Date of assent: *14/9/2020*
.....

Act *Traditional and Complementary Medicine Act* 2019

THE TRADITIONAL AND COMPLEMENTARY MEDICINE ACT, 2019.

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THE REPUBLIC OF UGANDA

THE TRADITIONAL AND COMPLEMENTARY
MEDICINE ACT, 2019.

An Act to define traditional and complementary medicine in relation to modern medicine, to establish a Council to control and regulate the practice of traditional and complementary medicine, to register and license practitioners and to provide for related matters.

DATE OF ASSENT:

Date of Commencement:

BE IT ENACTED by Parliament as follows:

PART I—PRELIMINARY.

1. Commencement.

This Act shall come into force on a date the Minister may by statutory instrument appoint; but the Minister may appoint different dates for the commencement of different provisions of this Act.

2. Objectives of Act.

The Objectives of this Act are to—

- (a) define and standardise the concept of traditional and complementary medicine practice;
- (b) provide for registration and categorisation of traditional and complementary medicine practitioners;
- (c) define the acceptable scope and standard of traditional and complementary medicine practice as well as unacceptable malpractices;
- (d) institute appropriate rewards for good Practice and sanctions against malpractices in traditional and complementary medicine practice;
- (e) protect and promote the profession of traditional and complementary medicine practice;
- (f) promote the sustainable production of agro-business medicinal plants;
- (g) promote the use of authentic and quality traditional and complementary medicine products;
- (h) promote the rational use of traditional and complementary medicine through the provision of scientific evidence;
- (i) promote collaboration and integration of traditional and complimentary medicine with conventional medicine;
- (j) provide for the regulation of herbal medicine and herbal practice;
- (k) provide for quality assurance in the delivery of traditional and complementary medicine services;
- (l) create a Council responsible for the regulation of traditional and complementary medicine practitioners and define their roles; and
- (m) ensure professional discipline and good conduct among traditional and complementary medicine practitioners.

3. Interpretation.

In this Act, except where the context otherwise requires—

“advertisement” includes any notice, circular, label, wrapper or a document, and an announcement made orally or by means of producing or transmitting light or sound;

“association” means an association or body of associations of traditional or complementary medicine practitioners registered under the laws of Uganda and recognized by the Council;

“bio-diversity” means living things of varied nature;

“complementary medicine” refers to health care practices that are not part of the traditional or conventional medicine of Uganda and can be used alone or along with conventional medicine including aromatherapy, homeopathy, naturopathy, reflexology and Ayurveda;

“complementary medicine practitioner” means a person registered under this Act to practice complementary medicine;

“conventional medicine” means a system in which medical doctors and other healthcare professionals such as nurses, pharmacists, and therapists treat symptoms and diseases using drugs, radiation or surgery;

“Council” means the National Council of Traditional and Complementary Medicine Practitioners established under section 4;

“currency point” has the value assigned to it in the Schedule 1 to this Act;

“herbal medicine” means any finished labeled medicinal product that contains active ingredients of aerial or underground

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parts of plants or other plant material or a combination of them, whether in a crude state or as a plant preparation and for the purpose of this definition—

- (a) herbal medicine may contain inactive substances in plant material in addition to the active ingredients and in exceptional cases may also contain natural organic active ingredients, that are not of plant origin; and
- (b) plant material includes extracts, gums, fatty oils and any other substance of that nature;

“inspector” means a person empowered under Part V of this Act to enter any premises;

“Minister” means the Minister responsible for health;

“Ministry” means the Ministry responsible for health;

“Practice” means traditional and complementary medicine practice;

“practitioner” means a person registered and licensed under this Act to practice traditional or complementary medicine;

“traditional medicine” means the sum total of knowledge, skills, and practices based on theories and experiences indigenous to the different cultures in Uganda, whether explicable or not, used to maintain health and also to prevent, diagnose, improve or treat physical or mental illness;

“traditional medicine practitioner” means a person registered under this Act who uses a recognised aspect of traditional medicine for the prevention, promotion and maintenance of health, diagnosis and treatment of diseases.”

PART II—ESTABLISHMENT, OBJECT AND FUNCTIONS OF THE
NATIONAL COUNCIL OF TRADITIONAL AND COMPLEMENTARY
MEDICINE PRACTITIONERS.

4. The Council.

(1) There is established a Council to be known as the National Council of Traditional and Complementary Medicine Practitioners.

(2) The Council shall be a body corporate with perpetual succession and a common seal.

(3) The Council shall in its own name be capable of—

(a) entering into any contract, acquiring, holding or disposing of property movable or immovable, necessary for the attainment of the objectives of the Council and the performance of the functions of the Council under this Act;

(b) suing or being sued; and

(c) doing or suffering all acts and things a body corporate may lawfully do or suffer.

5. Composition of the Council.

(1) The Council shall consist of the following members—

(a) two representatives of the association of traditional medicine practitioners, one of whom shall be a herbalist;

(b) two representatives of the association of complementary medicine practitioners;

(c) a representative from the National Drug Authority;

(d) the commissioner for clinical services in the Ministry or his or her nominee;

(e) the director of research at the Natural Chemotherapeutical Research Institute or his or her nominee.

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(2) The Registrar appointed under section 18 of this Act shall be secretary to the Council and an ex-officio member of the Council.

(3) The Minister shall appoint the chairperson of the Council from the members of the Council.

(4) The Minister shall appoint the members referred to in subsection (1) (a) and (b).

(5) At least one third of the members of the Council shall be women.

6. Associations of Traditional and Complementary medicine practitioners.

(1) The Minister shall supervise the formation of associations for traditional and complementary medicine practitioners.

(2) Where the Council is formed before the associations referred to in sub-section (1) are in existence, the Minister shall appoint interim representatives for traditional and complementary medicine practitioners.

7. Functions of the Council.

(1) The functions of the Council shall be to—

- (a) register, license and monitor the activities of traditional and complementary medical practitioners;
- (b) oversee the enforcement of this Act;
- (c) institute disciplinary action against traditional and complementary medicine practitioners for professional misconduct and unethical behavior;
- (d) set standards and quality control measures and assurances for traditional and complementary medicine practitioners;
- (e) promote continuous training and skilling for traditional and complementary medicine practitioner;

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- (f) approve, in consultation with the education and research institutions the curricula for training in traditional and complementary medicine in the institutions;
- (g) serve as a link between the conventional medicine practice fraternity and traditional and complementary medicine practitioners;
- (h) protect and promote the legitimate and professional interests of traditional and complementary medicine practitioners;
- (i) support the continuous growth and development of traditional and complementary medicine sector;
- (j) promote continuous training and skills development for traditional and complementary medicine practitioners;
- (k) receive complaints, investigate and discipline errant traditional and complementary medicine practitioners;
- (l) maintain records relating to traditional and complementary medicine including research on traditional medicine;
- (m) ensure the establishment of conservation areas and banks for medicinal plants; and
- (n) do anything incidental or conducive to the attainment of its object and functions under this section.

8. Tenure of office of members.

A member of the Council other than a member appointed by virtue of his or her office shall hold office for three years and shall be eligible for re-appointment for only one more term.

9. Termination of office.

(1) Where a member of the Council other than the ex-officio member resigns, dies, is removed from office or is for any reason

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unable to act as a member of the Council, the appointing authority shall appoint another person to hold office for the unexpired term of the member's term of office.

(2) A member of the Council other than the ex-officio member may at any time resign from the Council.

(3) A member of the Council other than the ex-officio member that is absent for three or more consecutive meetings of the Council without sufficient cause shall cease to be a member of the Council.

(4) The Minister may in public interest terminate the term of office of a member of the Council.

10. Meetings of the Council.

The provisions of Schedule 2 to this Act shall have effect with regard to the meetings of the Council.

11. Committees of the Council.

(1) The Council may appoint committees composed of members of the Council and non members of the Council, to exercise any of the functions under this Act.

(2) Every committee of the Council shall be chaired by a member of the Council.

(3) The Council shall determine the functions and procedures of the committees of the Council.

12. Disciplinary Committee of the Council.

The Council shall appoint a disciplinary committee to deal with matters of professional misconduct, unethical behaviour and malpractices among the practitioners.

13. Intellectual Property Rights Committee.

The Council shall appoint a committee to ensure protection of the intellectual property rights of the practitioners.

14. Allowances of members of the Council.

There shall be paid to the members of the Council, members of a committee of the Council and any other person as the Council may deem fit such allowances as may be approved by the Minister in consultation with the ministers responsible for finance and public service.

15. Collaboration with other agencies.

In carrying out its functions, the Council shall collaborate with relevant agencies and institutions including the National Drug Authority, Uganda National Council for Science and Technology, Uganda National Research Health Organization and Uganda Communications Commission.

PART III—SECRETARIAT AND STAFF OF COUNCIL.

16. Secretariat.

(1) The Secretariat of the Council shall be the Ministry of Health.

(2) For purposes of subsection (1), a unit shall be formed by the Permanent Secretary of the Ministry in consultation with the ministry responsible for public service to serve the Council.

(3) The unit shall comprise public officers determined by the Minister in consultation with the ministry responsible for public service.

17. Management of traditional and complementary medicine at the local government level.

The Council shall be represented in the district local government health management structures.

18. The Registrar:

(1) The Minister shall, in consultation with the ministry responsible for public service and the Council, appoint a Registrar of the Council.

(2) The Registrar shall hold office upon such terms and conditions as shall be specified in his or her letter of appointment.

(3) The Registrar shall be a practitioner with administrative and managerial experience.

19. Functions of the Registrar:

(1) Subject to the directions of the Council, the Registrar shall be responsible for the day-to-day administration of the Council and shall be answerable to the Council in the performance of his or her functions under this Act.

(2) The Registrar shall keep up to date records of registered practitioners and licensed Practices under this Act.

(3) The Registrar shall as approved by the Council, issue and renew the registration certificates of practitioners and the licenses of Practices.

(4) The Registrar shall perform such other functions as the Council may determine.

(5) The Registrar may delegate any of his or her functions to a staff of the secretariat of the Council.

20. Other staff of the Council:

(1) The Council shall have such other officers and staff as may be necessary for the proper and effective performance of its functions.

(2) The Minister shall in accordance with the advice of the Council and in consultation with the ministry responsible for public service and on such terms and conditions as he or she may determine appoint other staff of the Council.

(3) The Council may engage the services of such consultants and advisers as it may determine upon the recommendation of the Registrar.

(4) Other public officers may be transferred or seconded to the Council or may otherwise give assistance to it.

PART IV—REGISTRATION OF PRACTITIONERS.

21. Registration of practitioners.

(1) A person shall not operate, own or use premises as a practitioner, producer, manufacturer, supplier or seller of traditional, herbal or complementary medicine unless that person is registered as a traditional or complementary medicine practitioner in accordance with this Act.

(2) A person seeking registration shall apply to the Registrar in such manner, as the Council shall determine.

22. Qualification for registration.

(1) A person is not qualified to practice as a traditional or complementary medicine practitioner unless—

- (a) in the case of traditional medicine practice the person—
 - (i) has training, knowledge or skill in the practice of traditional medicine recognised by the Council; and
 - (ii) is recommended by;
 - (A) the district health office;
 - (B) a representative of the Council at the district local government; and
 - (C) a responsible officer from the cell or village council.

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- (b) in the case of complementary medicine practice, the person—
- (i) holds a valid qualification in the field of specialisation of complementary medicine from an institute recognised by the Council;
 - (ii) has completed internship in complementary medicine for a period determined by the council; and
 - (iii) is recommended by;
 - (A) the district health office;
 - (B) a representative of the Council at the district local government;
 - (C) a responsible officer of the local council of the community; and
 - (D) an association of complementary medicine practitioners.

(2) Upon satisfaction by the Council that an applicant has fulfilled all the conditions for registration under this Act and has paid the prescribed fee, the Council shall direct the Registrar to enter the applicant's name in the register of practitioners and issue the applicant with a certificate of registration.

(3) A person issued with a certificate under subsection (2) shall be known as a practitioner for the purposes of this Act.

(4) Registration under this Act shall be in addition to registration required under any other law for the time being in force in respect of the Practice.

(5) The Council shall on an annual basis publish a list of all registered practitioners.

23. Registration of non-citizens and foreign-trained practitioners.
A person who is not a citizen of Uganda or a foreign trained practitioner may be registered as a practitioner where that person—

- (a) is the holder of a work permit or is otherwise entitled to engage in gainful employment in Uganda;
- (b) has undergone internship training in an institution approved by the Council for a period determined by the Council;
- (c) has a good working knowledge of the official language of Uganda or an indigenous language of Uganda;
- (d) has proof of qualification and registration to practice in his or her country of origin or where he or she was trained; and
- (e) has paid the prescribed fee.

24. Duration and renewal of certificate of registration.

The certificate of registration shall expire after twelve calendar months from the date of issue.

25. Titles of practitioners.

The Minister may on the recommendation of the Council, prescribe by regulations the titles to be used by practitioners based on the type of service rendered and the qualifications of the practitioners.

26. Suspension of a practitioner.

The Council may suspend a practitioner for a period determined by the Council where—

- (a) the practitioner is being investigated for an offence committed in relation to the Practice;
- (b) allegations of misconduct have been made against the practitioner;

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- (c) a false declaration has been made in an application for a certificate or licence issued to him or her; or
- (d) the practitioner has contravened any provision of this Act.

27. Cancellation of registration.

(1) A certificate of a practitioner may be cancelled by the Council on the recommendation of a committee of the Council where the practitioner—

- (a) has been convicted of an offence under this Act or regulations made under it;
- (b) has breached any of the terms of the licence for the Practice;
- (c) has lost the qualification on the basis of which the registration was made; or
- (d) has appeared before the disciplinary Committee of the council and the Committee had recommended that the certificate be cancelled.

(2) A certificate of a practitioner shall be cancelled where the Council considers it necessary in the interest of public health.

(3) The Council shall within two weeks after cancellation of a certificate of a practitioner notify the general public of the cancellation and give reasons for the cancellation.

28. Restoration of name on register.

(1) A practitioner whose registration is suspended may apply to the Council for restoration of his or her name on the register where the period of suspension has elapsed and the reasons for the suspension have been rectified.

(2) Subject to subsection (1), the Council may direct the Registrar to restore the name of a practitioner on the register.

29. Right of a practitioner to be heard by the Council.

(1) The Council shall give a practitioner at least notice of fourteen days of the intention of the Council to suspend or cancel registration of the practitioner.

(2) The Council shall give the practitioner an opportunity to be heard before a decision is made by the council.

PART V—LICENSING OF PRACTICES.

30. Licensing of Practices.

A person shall not own or operate a Practice unless he or she holds a licence in respect of the Practice issued under this Act and holds a licence issued under the National Drug Policy and Authority Act Cap. 206 in respect of the medicine.

31. Application and conditions of licence.

(1) A person may apply to the Council for a licence through the representative of the Council at the district local government within the area in which the Practice is to be operated and in such form as the Council shall determine.

(2) There shall be attached to the application—

- (a) the block plan of the premises for the Practice, where applicable;
- (b) approval from the physical planning office or relevant authority on land use, where applicable;
- (c) evidence of ability of the applicant to carry out the Practice and proof of applicant's registration;
- (d) testimonials of the applicant and recommendation from the association of either traditional or complementary medicine as the case may be;
- (e) two passport size photographs of the applicant;

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- (f) a list of the types of services to be rendered by the practitioner;
- (g) the prescribed licence fee; and
- (h) any other additional information, as shall be determined by the Council;

(3) A licence shall not be issued to an applicant unless the Council is satisfied that the applicant—

- (a) is registered as a practitioner under this Act;
- (b) has the experience and competence to manage the Practice in accordance with this Act; and
- (c) has complied with any other requirement specified by the Council, the provisions of the National Drug Policy and Authority Act and any other relevant law.

(4) Where applicable the Council may request from the applicant—

- (a) clearance or an appropriate permit from the National Environmental Management Authority; and
- (b) evidence of financial viability for the ownership and operation of the Practice.

32. Issue and renewal of licence.

(1) Where the Council is satisfied that an applicant has fulfilled all conditions required under this Act for licensing of a Practice, it shall approve the application and issue the applicant with a licence.

(2) The licence shall expire after twelve calendar months from the date of issue.

(3) There shall be paid by the applicant in respect of the licence and renewal of the licence such fee as may be prescribed and a licence or renewal shall not be issued or made unless the prescribed fee is paid.

33. Display of licence.

The licence shall be displayed in a conspicuous place in the premises of the practitioner which is accessible to the public.

34. Application by non-citizen.

(1) A non-citizen may apply for a licence to the Council through the representative of the Council at the district local government within the area in which he or she intends to practice.

(2) The applicant shall indicate that he or she—

- (a) has a valid work permit issued by the responsible authority;
- (b) has evidence of being trained in the Practice of traditional medicine in his or her country of origin, if he or she was not trained in Uganda, and has been registered or licensed as a practitioner;
- (c) has at least five years post qualification experience in a recognized institution relevant to traditional and complementary medicine; and
- (d) has passed—
 - (i) an English language proficiency test where the applicant is not trained in English; and
 - (ii) any professional test set by the Council, where applicable;
 - (iii) has registered with the Uganda Investment Authority, where applicable; and
 - (iv) has fulfilled the conditions set out in section 31(2) as the Council may determine and any other conditions set by the Council.

35. Revocation, suspension and refusal to renew licence.

(1) The Council may revoke, suspend or refuse to renew a licence of a Practice where the Council is satisfied that—

- (a) the provisions of this Act are not being complied with;
- (b) the continued operation of the Practice creates risk to public health, safety or is immoral;
- (c) the services provided in the Practice have deteriorated below the required standard;
- (d) qualified practitioners have not been employed by the owner or operator of the Practice;
- (e) a practitioner in the Practice is not a fit or qualified person to be so employed;
- (f) there is a breach of quality control requirements in the preparation of the herbal medicine dispensed by the Practice; and
- (g) any other reasonable requirement the Council deems fit has not been complied with.

(2) Where the Council revokes, suspends or refuses to renew a licence of a Practice, the Council shall notify the general public in a newspaper of wide circulation of the area or in case of a local authority, the notification shall be displayed at the sub-county headquarters.

36. Notice of suspension, revocation of licence and refusal to renew licence.

(1) Where the Council intends to suspend or revoke or refuse to renew a licence of a Practice, the Registrar shall give the licensee—

- (a) notice of intention to suspend, revoke or refuse renewal;
- (b) reasons for the intention to suspend, revoke or refuse; and

(c) an opportunity to be heard.

(2) Subject to sub-section (1)(a), the notice shall be given at least fourteen days before the decision to suspend, revoke or refuse to renew is made.

37. Refusal to grant a licence.

(1) Where the Council intends to refuse to issue a licence, the Registrar shall give the applicant—

- (a) reasons for refusal; and
- (b) an opportunity to be heard.

(2) Subject to sub-section (1) the applicant shall be given an opportunity to be heard within fourteen days before a decision to refuse is made.

38. Effect of suspension or revocation of licence.

Where the licence of a Practice is suspended or revoked under this Act, the premises shall be closed down and such practitioner shall be barred from carrying out a related Practice from any other place or location.

39. Right to be heard.

(1) A licensee who receives a notice under sections 36 may appear in person or by representation before the Council within fourteen days from the date of receipt of the notice.

(2) Where a representation is not made under subsection (1), the Council may revoke a licence or temporarily close the Practice after the time specified under subsection (1) has expired.

(3) Where representation is made under this section the affected Practice shall subject to subsection (2) not operate until the Council determines the case.

(4) The Council shall within three months after the receipt of a representation under subsection (1), take a decision and inform the licensee of its decision within fourteen days.

40. Power of entry and inspection.

(1) An inspector authorized by the Council may at any reasonable time enter a Practice or a place suspected to be used as a Practice or a place for the production of herbal medicines for sale, to investigate activities there and make a report to the Council.

(2) Where an inspector enters any premises by virtue of subsection (1) he or she shall inspect—

- (a) the licence, registers, books and equipment of the Practice;
- (b) the registration certificate of any practitioner;
- (c) the premises;
- (d) any herbal medicines and may conduct random sampling of the herbal medicines to determine compliance with the quality control requirements; and
- (e) any other thing, which is relevant to the investigation.

(3) The inspector shall produce his or her authorization.

(4) The Council shall cause each Practice to be inspected at least once a year.

(5) The Council may order the temporary closure of a Practice in the presence of a police officer if it considers it in the public interest to do so.

(6) Nothing in this section shall be construed as authorising the inspection of any medical record of a patient found in premises of a Practice except where such patient has given written authorization to the Council to inspect the medical record.

41. Obstruction of inspector.

A person shall not obstruct an authorised inspector in the conduct of his or her duty under this Act.

42. Notification of chairperson of the local council.

A practitioner shall notify the chairperson of the local council in that area within twenty-four hours of any death, which occurs on the premises of the Practice.

PART VI—FINANCIAL PROVISIONS.

43. Funds of the Council.

The funds of the Council shall consist of—

- (a) monies appropriated by Parliament for the purposes of the Council;
- (b) revenue derived from the sale of property, movable or immovable, by or on behalf of the Council.
- (c) fees derived from services offered, fines and penalties instituted by the Council.

44. Power to open and operate bank accounts.

(1) The Council may, with the approval of the Accountant General open and maintain such accounts as are necessary for the performance of the functions of the Council.

45. Estimates.

The Registrar shall, within three months before the end of each financial year, cause to be prepared and submitted to the Council for its approval, estimates of the income and expenditure of the Council.

46. Financial year of the Council.

The financial year of the Council shall be the same as the financial year for the Government.

47. Accounts.

(1) The Registrar shall cause to be kept, proper books of accounts and records of the transactions of the Council in accordance with accepted accounting principles.

(2) Subject to any direction given by the Council, the Registrar shall cause to be prepared an annual financial statement stating the basis of accounting and shall identify any significant departure from it and the reasons for departure.

(3) The statements of account shall include—

- (a) a balance sheet, an income and expenditure account and a source and application of Council's statement; and
- (b) any other information in respect of the financial affairs of the Council as the Auditor General or auditor appointed by the Auditor General may, in writing require.

48. Audit.

(1) The Auditor General or an auditor appointed by the Auditor shall, in each financial year, audit the accounts of the Council in accordance with National Audit Act, 2008.

(2) The Registrar shall ensure that three months after the end of each financial year, a statement of accounts is submitted to the Auditor General or to an auditor appointed by the Auditor General for auditing.

49. Annual report.

(1) The Council shall submit to the Minister, as soon as practicable and in any case not later than six months after the end of each financial year, a report dealing generally with the activities

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and operations of the Council during the year to which the report relates.

- (2) The report referred to in subsection (1) shall contain—
- (a) the audited accounts of the Council and the Auditor General's report on the accounts of the Authority; and
 - (b) such other information as the Council may consider necessary.

(3) The Minister shall, within two months after the receipt of the annual report, submit the report to Parliament with any statement which he or she considers necessary.

50. Compliance with Public Finance Management Act, 2015.

The Council shall at all times comply with the Public Finance Management Act, 2015.

PART VII—GENERAL.

Minimum standards to be maintained in the practice of traditional and complementary medicine.

51. Application of Part VII.

The provisions of this Part shall apply with regard to the minimum standards to be maintained in the practice of traditional and complementary medicine.

52. Code of conduct.

The following shall be followed as a code of conduct of practitioners of traditional and complementary medicine—

- (a) respect for patients;
- (b) non exploitation of patients;
- (c) respect for community values and acceptable moral and societal norms;

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- (d) promotion of beneficial aspects of traditional medicine;
- (e) elimination of harmful Practices;
- (f) promotion of social justice through safe, acceptable and cost effective traditional medicines and Practice; and
- (g) the informed consent of the patient.

53. Ethical principles.

In the practice of traditional and complementary medicine the following ethical principles shall be maintained—

- (a) protection of the individual or patient;
- (b) confidentiality and privacy of patients;
- (c) informed consent of patients;
- (d) prevention of prejudice and discrimination against patients;
- (e) respect for the dead;
- (f) respect of intellectual property rights; and
- (g) adequate compensation for services rendered and for injuries, damages or losses arising from malpractice.

Relationship between traditional and complementary medicine practice and conventional medicine practice.

54. Dual Practice.

(1) A person who desires to carry on dual Practice is authorized to do so upon fulfillment of the requirements stipulated in this Act.

(2) A conventional medicine practitioner who wishes to practice traditional or complementary medicine shall obtain a certificate of registration for the Practice and a license in accordance with this Act.

55. Non-use of conventional medical titles.

(1) A person who practices traditional or complementary medicine shall not use or refer to himself or herself a title belonging to the practice of conventional medicine for which the person is not qualified, such as doctor, nurse or professor.

(2) The Minister may on the recommendation by the Council, by statutory order declare titles to be used by practitioners of traditional and complementary medicine based on their qualifications and quality of service rendered.

56. Regulations for Part VII.

The Minister may by regulations made under section 64 prescribe any details required to give full effect to this Part and may by the regulations prescribe penalties in respect of contravention of the regulations including disciplinary penalties; and may provide for appeals from disciplinary proceedings.

PART VIII—MISCELLANEOUS.

57. Form of seal.

The common seal of the Council shall be in a form approved by the Council.

58. Protection from liability.

A member of the Council or any employee of the Council or other person engaged by the Council shall not be liable for any act done by him or her in good faith on behalf of the Council or under the instructions of the Council.

59. Ministerial responsibility and directives.

The Minister shall have ministerial responsibility for the council and may give to the Council directives of a general nature on the policy to be followed by the Council in the performance of its functions.

60. Register of traditional and complementary medicine practitioners.

The Registrar shall record in a register to be known as the Register of traditional and complementary medicine practitioners the names of registered practitioners and premises licensed for that Practice under this Act.

61. Patent rights in relation to traditional and complementary medicine.

This Act does not prohibit the right of any person to claim patent rights in respect of any invention relating to traditional and complementary medicine under any law relating to patents.

62. Offences.

(1) A person who—

- (a) owns or operates a Practice without having been registered as a practitioner under this Act;
- (b) uses a Practice for services other than those for which it is licensed;
- (c) makes a false declaration in an application for registration or for licence;
- (d) provides the Council with false information concerning a Practice;
- (e) obstructs the entry for inspection of an authorised inspector;
- (f) prevents an authorised person from closing down the Practice;
- (g) disregards safety regulations made under this Act;
- (h) pollutes the environment in the course of his or her operations under this Act;
- (i) works in a Practice without the appropriate qualification or registration;
- (j) uses a title for which he or she is not qualified;
- (k) fails to keep the required register or records prescribed by regulations;
- (l) fails to notify a local council authority of death in his or her Practice; or
- (m) breaches the ethical principles and code of conduct;

commits an offence and is liable on conviction to a fine not exceeding three hundred currency point or imprisonment not exceeding two years or both.

(4) The trial court may where necessary order the closure of the premises of the Practice on such conditions as it deems fit.

63. Appealing the decision of the Council.

(1) A practitioner who is dissatisfied with a decision of the Council regarding registration, cancellation or suspension of a certificate or licence or closure of premises of Practice, may apply to High Court for review of the decision of the Council.

(2) A person who is dissatisfied with the decision of the Council regarding the issuance of licence may apply to High Court for review of the decision of the Council.

64. Regulations.

(1) The Minister may on advice of the Council by statutory instrument, make regulations for the better carrying into effect of the provisions of this Act.

(2) Without prejudice to the general effect of subsection (1), the Minister may prescribe—

- (a) the standards of safety and sanitary conditions of a Practice;
- (b) a code of ethics for practitioners and for disciplinary matters;
- (c) how to regulate the arrangements for sterilisation and disinfection of a Practice and the prevention of spread of infections from a Practice;
- (d) how the register and records are to be kept in respect of a Practice;
- (e) the fees to be paid for registration of practitioners and licensing of a Practice;
- (f) regulations of the preparation and storage of herbal medicines; and
- (g) acts which constitute exploitation of patients.

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- (3) Regulations made under subsection (1) may—
- (a) prescribe fees in respect of anything to be done under this Act;
 - (b) prescribe penalties for the contravention of the regulations not exceeding a fine of one hundred and twenty currency points or imprisonment not exceeding five years or both;
 - (c) prescribe a higher penalty for repeated or continued offences; and
 - (d) require the court to confiscate anything used in the contravention.

65. Power to amend Schedules.

The Minister may amend the Schedules to this Act.

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SCHEDULE 1

Sections 3.

CURRENCY POINT.

One currency point is equivalent to twenty thousand Uganda shillings.

SCHEDULE 2

Sections 10

1. **Meetings of the Council.**

(1) The Council shall meet for the transaction of business at such times and at such places as the Chairperson may determine but shall meet at least once in every three months.

(2) The Chairperson shall at the request in writing of not less than one-third of the membership of the Council convene an extraordinary meeting of the Council at such a place and time as he or she may determine.

(3) Five members of the Council shall constitute a quorum.

(4) A meeting of the Council shall be presided over by the Chairperson and in his or her absence by a member of the Council elected by the members present from among their members.

(5) A matter before the Council shall be decided by a simple majority of the members present and voting and where there is an equality of votes, the Chairperson shall have a second or casting vote.

(6) The Council may co-opt any person to attend a Council meeting but that person shall not vote any matter for decision by the Council.

(7) Proceedings of the Council shall not be invalidated by reason of any vacancy in the membership of the Council or by reason of any defect in the appointment of any member or by reason that a person not entitled to be present or vote at any meeting of the Council was present or voted at the meeting.

(8) The Council may where it considers appropriate determine any matter by circulation of papers and indication of views by members except that a member may request that a specific matter should be dealt with formality by the Council.

2. **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

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shall, as soon as possible after the relevant facts have come to his or her knowledge, disclose to the Council the nature of his or her interest.

(2) A disclosure under sub paragraph (1) shall be recorded in the minutes of the meeting of the Council and the member making the disclosure shall not, unless the Council otherwise directs in respect of the matter—

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

(3) A member who contravenes this paragraph is liable to be removed from the Council.

3. Minutes of meetings of the Council.

The Council shall cause the minutes of the proceedings of its meetings to be recorded and kept and the minutes shall be confirmed by the Council at the next meeting and signed by the Chairman or other person presiding at the next meeting.

4. Council to regulate its proceedings.

Subject to this Schedule, the Council may regulate its own proceedings and the proceedings of committees appointed by the Council.

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Cross References

1. National Drug Policy and Authority Act, Cap. 206.
2. Public Finance Management Act, 2015
3. National Audit Act, No. 7 of 2008.
4. Uganda Communications Commission Act, 2013
5. Uganda National Health Research Organisation Act, 2011
6. Uganda National Council for Science and Technology Act, 1990
7. National Environment Act, 1995



THE REPUBLIC OF UGANDA

This printed impression has been carefully compared by me with the bill which was passed by Parliament and found by me to be a true copy of the bill.

.....
Clerk to Parliament

Date of authentication: 28th / 05 / 2020