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TRADITIONAL MEDICINE REGULATION AND REGISTRATION LAW

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TRADITIONAL MEDICINE REGULATION AND REGISTRATION LAW A Law to regulate the activities of traditional medicine practitioners— [No. 4 of 2006.] [Date of commencement: 6th June, 1994]

1. Short title

This Law may be cited as the Traditional Medicine Regulation and Registration Law, 1994.

2. Interpretation

In this Law, unless the context otherwise requires—

“Authorising officer” means any officer appointed by the State Ministry of Health for the purpose of this Law and includes police officers;

“Commissioner” means the State Commissioner charged with responsibility for Health matters;

“Governor” means the Governor of Kwara State; [No. 4 of 2006.] “Herbalist” means a dealer in medicinal herbs;

“Premises” means any house or building with its belongings; “State” means Kwara State of Nigeria; and

“Traditional Medicine Practitioner” means a person who administers medicinal herbs as a curative method and includes a Herbalist.

3. Registration

- (1) As from the commencement of this Law, no person shall practice as a Traditional Medicine Practitioner for profit or hold himself out as such unless he is registered in accordance with the provisions of this Law.
- (2) Where before the commencement of this Law, any person has been practicing as a Traditional Medicine Practitioner for profit, he shall apply within six months to be registered but shall cease to carry on such business after the expiration of the said period except he is registered to continue his business in accordance with the provision of this Law.
- (3) (a) Where a person intends to register as a Traditional Medicine Practitioner, he shall apply in writing to the Commissioner as in the format together with the fee as prescribed in the First Schedule stating among others in his application— (i) his name and address; [First Schedule] (ii) the nature of the cure he intends to offer; and (iii) any other particulars or information as may be required by the commissioner; (b) Upon the receipt of an application under this section, the commissioner shall cause such inquiries to be made by the Advisory Committee on Traditional Medicine as to what may assist him in coming to a just decision in a particular case; (c) If after the receipt of the particulars in compliance with the foregoing provisions of this section, the Commissioner is of the opinion that the Traditional Medicine Practitioner be registered, he shall issue him a Certificate of Registration as prescribed in the Second Schedule with or without conditions on the payment of the Prescribed fees; [Second Schedule] (d) Where a Certificate of Registration is issued subject to certain conditions, the Traditional Medicine Practitioner shall comply with each of such conditions contained therein; (e) The Commissioner shall from time to time determine the amount payable as registration fees.

4. Display of Certificate

Every Traditional Medicine Practitioner to whom a Certificate has been issued under the provisions of this Law shall have the Certificate exhibited in a conspicuous place within the area of his operation.

5. Offence and penalty

Any person who— (a) administers any medical herb which is not registered with the National Agency for Food and Drug Administration and Control as required by any enactment; or (b) practice for profit as a traditional medicine practitioner other than in accordance with this Law; or (c) fails to comply with any provision of this

Law, shall be guilty of an offence and shall be liable on conviction to a fine of fifty thousand naira or imprisonment for one year or both. [No. 4 of 2006.]

5A. Prohibition of certain activities

- (1) No traditional medicine practitioner shall engage in any of the following activities— (a) eye surgery; (b) surgical operations; (c) administering injection; (d) tooth extraction; (e) issuing of medical or death certificates; (f) autopsy; (g) blood transfusion; and (h) intravenous therapy.
- (2) Any person who contravenes the provisions of subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine of fifty thousand naira or imprisonment for two years, or both. [No. 4 of 2006.]

6. Categories for registration

For the purpose of registration, the Traditional Medicine Practitioners shall be categorised into the following underlisted groups

- (i) Herbalists;
- (ii) Bone setters;
- (iii) Dentists;
- (iv) Diviners;
- (v) Occulist;
- (vi) Oracle Consultants;
- (vii) Psychoterapists;
- (viii) Traditional Birth Attendants;
- (ix) Traditional Psychiatrists;
- (x) Traditional Surgeons;
- (xi) Homeopaths; and
- (xii) General Practitioner.[No. 4 of 2006.]

7. Power to revoke registration

The Commissioner may at any time vary, revoke or add to any conditions of a certificate of registration as he may deem fit and necessary.

8. Power to enter premises

Any authorised officer shall have a right of access to any premise at any time as may be necessary for the purpose of ensuring compliance with the provisions of this Law.

9. Power to make regulation

The Commissioner may from time to time make regulations generally for the purpose of carrying into effect the provisions of this Law.

10. Committee

(1) The Commissioner shall constitute the advisory committee on Traditional Medicine as follows—

- (a) The Director, Food, Drug and Pharmaceutical Services as the Chairman;
- (b) A representative of the personnel Management Department of the Ministry as member;
- (c) Three representatives of the State Traditional Medicine Practitioners appointed amongst themselves as member;
- (d) A representative of the Medical Services Department as member; and
- (e) A representative of the Pharmaceutical Service Department Secretary.

(2) The functions of the Advisory Committee shall include—

- (i) to prepare criteria for registration maintenance of a register of members and categorise member of the Traditional Medicine Practitioners;
- (ii) to harmonise and monitor the practice of Traditional Medicine Practitioners;
- (iii) to regulate the conducts and ethics of the practice;
- (iv) to standardise the practice of traditional medicine in the State;
- (v) to formulate plans for the development of Traditional Medicine Institutions, and
- (vi) to do such other duties as the Commissioner may assign to it from time to time.

3. (a) The quorum of the Advisory Committee shall be the Chairman and four other members.

- (b) The advisory Committee shall meet not less than four times in a year and subject thereto, the Committee shall meet for any emergency when so summoned.
- (c) Any decision of the Committee shall be by a simple majority.

FIRST SCHEDULE

Advisory Committee on Traditional Medicines

The Practice of the Art of Traditional Healing Registration Form

No..... 1. Name in Full..... 2. Residential
Address..... 3.
Clinic/Business Address (if any)
..... 4. Local Government
Area..... 5. Age..... 6. Tribe and
Nationality..... 7. Professional Knowledge, where trained and
date.....
..... 8. How many years
Training?..... 9. Do you belong to any Traditional Organisation? (if
yes name it)?..... 10. Any certificate of Proficiency? (if so
produce the photocopy) 11. Field of Speciality..... (e.g. Midwifery,

Psychiatry, Bone Setting, Eye Specialist, Dentistry, Skin Diseases, Asthmatic Condition, Cancer, Tuberculosis, Diabetes, etc.) 12. Give the name of any other disease you can cure..... 13.
.....
How many years of experience?..... FEE FOR THE
FORM.....

SECOND SCHEDULE

[Section 3 (3) (c).] [No. 4 of 2006.] Ministry of Health

Affix Passport Photograph No.....

Certificate of Registration

This is to certify that:

having complied with the requirement prescribed by the Ministry of Health in accordance with the provisions of the Law on Regulation and Registration of Traditional Medicine Practitioners in Kwara State is hereby granted permission by the Advisory Committee on Traditional Medicines of the Ministry of Health, Kwara State, To, Operate a at in the.....
Local Government Area. Issued this day of.....,20..... Chairman of the Committee
Permanent Secretary

CHAPTER T4

TRADITIONAL MEDICINE REGULATION AND REGISTRATION LAW

SUBSIDIARY LEGISLATION

No Subsidiary Legislation



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