



**BELIZE**

**MEDICAL PRACTITIONERS' REGISTRATION ACT  
CHAPTER 318**

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**CHAPTER 318**

**MEDICAL PRACTITIONERS' REGISTRATION**

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CHAPTER 318

MEDICAL PRACTITIONERS' REGISTRATION

Ch. 80,  
R.L., 1958.  
CAP. 251,  
R.E. 1980-1990.  
22 of 2004.  
40 of 1963.  
9 of 1968.  
17 of 1973.  
21 of 1982.  
22 of 1987.  
18 of 1992.  
21 of 1960.

[24<sup>th</sup> April 1894]

PART I

*Preliminary*

1. This Act may be cited as the Medical Practitioners Registration Act.

Short title.

2. In this Act, unless the context otherwise requires,

Interpretation.  
21 of 1982.

“Belize Medical and Dental Association” means the Belize Medical and Dental Association duly registered under that name under the Companies Act, Cap. 250;

“CARICOM Member State” means a State which is a party to the Treaty of Chaguaramas establishing the Caribbean Community, including the CARICOM Single Market and Economy;

22 of 2004.

“Council” means the Medical Council of Belize established by section 3;

“Council for Human and Social Development” means the body of the Caribbean Community empowered under Article 35 of the Treaty of Chaguaramas establishing the Caribbean Community, including the CARICOM Single Market and Economy, to establish common standards and measures for accreditation or mutual recognition of diplomas, certificates and other evidence of qualification of CARICOM Member States;

22 of 2004.

“medical practitioner” means a person whose name appears in the register;

“Minister” means the Minister of Government for the time being responsible for Health;

“register” means the Medical Practitioners Register required to be kept by the Registrar under section 5 of this Act;

“Registrar” means the Registrar General;

“Secretary” means the person for the time being performing the functions of the Secretary to the Council.

## PART II

### *Establishment, Powers and Functions, etc., of the Medical Council.*

Establishment and meetings of the medical Council. 21 of 1982. 18 of 1992.

**3.-(1)** For the purposes of this Act, there is hereby established a Council, to be known as the Medical Council of Belize, consisting of,

- (a) the Director of Health Services, *ex officio*;
- (b) two medical practitioners appointed by the Minister;
- (c) one dentist appointed by the Minister; and
- (d) two fully registered medical practitioners or dentists or one of each appointed by the Minister on the advice of the Belize Medical and Dental Association,

22 of 2004.

Provided that the persons appointed by the Minister under paragraphs (b), (c) and (d) shall be a national of a CARICOM Member State.

(2) The Minister shall appoint a Secretary to the Council and such Secretary shall not be a member and shall not have the right to vote.

(3) The Chairperson shall be elected by and from among the members of the Council. 18 of 1992.

(4) Every member of the Council, other than the Director of Health Services shall, unless he earlier vacates office by death or resignation, hold office for a period of three years. 18 of 1992.

(5) Any member other than the Director of Health Services may at any time resign his office by letter addressed to the Minister. 18 of 1992.

(6) Any vacancy in the membership of the Council shall be filled as soon as may be convenient.

(7) No act or proceeding of the Council shall be invalid by reason only of the existence of any vacancy amongst its members or any defect in the appointment of a member thereof.

(8) If any member of the Council is temporarily unable to discharge the duties of his office on account of ill health or absence from Belize or for any other cause, the Minister may, with due regard to the provisions of subsection (1) of this section, appoint some other person to act in his place as such member.

(9) Any person appointed in place of any member who has vacated office by death or resignation shall hold office only for the unexpired period of office of such member who has vacated office.

(10) Any member of the Council shall be deemed to have vacated his seat if he,

- (a) dies; or
- (b) is certified insane; or
- (c) is adjudicated bankrupt; or
- (d) not being an *ex officio* member, is absent without leave of the Council from four consecutive meetings of the Council; or

- (e) not being an *ex officio* member, ceases to be eligible to serve on the Council.

(11) The Council shall hold meetings for the transaction of its business at such time and place and upon such days as the Chairperson may determine from time to time,

Provided that the Council shall meet at least once every three months.

(12) The quorum for any meeting of the Council shall be three members, of whom the Chairperson shall be one.

(13) Any decision of the Council shall be by a majority of the votes of the members present and voting. In the event of an equality of votes, the Chairperson shall have a casting vote.

(14) The Secretary shall maintain proper records of the meetings of the Council and the transaction of business at the meetings, and such records shall be forwarded to the Minister after each meeting.

18 of 1992.

**4.-(1)** The functions of the Council shall be,

Functions of the Council.

- (a) to examine all applications for registration of medical practitioners;
- (b) to interview applicants for the purpose of determining their suitability for registration;
- (c) to hold examinations where considered necessary by the Council to determine the suitability of the application;
- (d) to entertain complaints against registered medical practitioners alleging poor standards of practice and of professional ethics;
- (e) to hold disciplinary proceedings against registered medical practitioners in accordance with the provisions of this Act;



- (f) to advise the Minister on matters related to the practice of medicine in Belize;
- (g) to do such other things as may be necessary to achieve the objects of this Act.

(2) Subsection (1)(a), (b) and (c) of this section, shall not apply in respect of a national of a CARICOM Member State who is an applicant who holds qualification recognised and approved by the Council of Human and Social Development.

22 of 2004.

**5.**-(1) The Registrar shall keep a register to be known as “the Medical Practitioner Register” in which he shall cause to be entered, subject to section 6 of this Act, the names of every person entitled to be registered as a medical practitioner under section 7 of this Act, together with the following particulars in respect of each such person,

The Medical Practitioners Register.  
21 of 1982.

- (a) his full name and address;
- (b) the date of his registration;
- (c) a description and the date of the qualifications in respect of which he is registered.

(2) The register shall at all reasonable times be open to inspection at the office of the Registrar.

(3) Any person whose name has been entered in the register shall notify the Registrar as soon as possible of any change in the address or qualifications which has taken place since the previous entry. The Registrar shall from time to time make such alterations in the addresses and qualifications of medical practitioners as are necessary and shall remove from the register the names of any medical practitioner who is deceased or no longer qualified to practice medicine in Belize.

(4) Subject to section 6 of this Act, no person whose name is not on the register shall be eligible to practice medicine in Belize.

Registration of persons whose names appear on the Medical Practitioners Register, etc.  
21 of 1982.

**6.** The Registrar shall, before he enters the name of any person in pursuance of any application made under section 7 of this Act, cause to be entered in the register referred to in section 5 the particulars specified in paragraphs (a), (b) and (c) of subsection (1) of the said section 5 of this Act, of all persons who have been registered as medical practitioners under section 4 or licensed under section 9 of this Act as it stood before the enactment of the Medical Practitioners Registration (Amendment) Act, 1982 and before the Revised Laws of Belize, 1980, without application on the part of such persons and without the payment of any fee, and pending such entry, those persons shall be deemed to be medical practitioners.

Registration.  
18 of 1992.

**7.-(1)** Any person who has not been registered as a medical practitioner in pursuance of the provisions of the repealed section 4 of this Act and who applies to the Council to be registered as a medical practitioner and who satisfies the Council,

- (a) that he is qualified to be so registered; and
- (b) that he is physically and mentally fit to practice medicine in Belize; and
- (c) that he is of good character and has no criminal record or record of professional misconduct,

shall upon compliance with the requirements of this Act and upon payment of the appropriate fee, be entitled to be registered as a medical practitioner.

18 of 1992.

(2) For the purpose of subsection (1) of this section, a person is qualified to be registered as a medical practitioner who holds any diploma, degree, fellowship, membership, licence, certificate or other status or form of registration granted by a university, college or body empowered to confer authority to practice medicine by the law of the country or place where it is granted and which in the opinion of the Council is evidence of satisfactory medical training. For this purpose, the Council shall maintain a list of accredited institutions and the President of the Council (or a person nominated by him) shall make the necessary investigation to verify and ensure the suitability of any institution to be accepted.

(2A) For the purpose of subsection (1), and notwithstanding anything to the contrary in subsection (2) of this section, a national of a CARICOM Member State is qualified to be registered as medical practitioner who holds a qualification recognised and approved by the Council for Human and Social Development. 22 of 2004.

(3) An application for registration shall be made in the form provided by the Council, and every applicant shall furnish to the Secretary, 18 of 1992.

- (a) satisfactory evidence of his qualifications;
- (b) proof of his identify and date of birth; and
- (c) such further and other information as the Council may require for the purpose of determining the application.

(4) If the Council is satisfied that the applicant fulfils the requirements for registration specified in subsection (1) of this section, it shall, after consultation with the Minister, notify the Registrar in writing to register the applicant and issue a certificate of registration to him. 18 of 1992.

(5) Upon receipt of the notification mentioned in subsection (4), of this section the Registrar shall register the applicant and issue a certificate of registration upon payment of the prescribed fee and cause to be entered in the register the name of the applicant. 18 of 1992.

(6) Every person whose name has been entered in the register shall pay annually the prescribed practicing fee to the Registrar at the specified dates. 18 of 1992.

(7) Notwithstanding the provisions of this section, the Council may approve, 18 of 1992.

- (a) the provisional registration of the name of any person who satisfies the Council that he is employed as an intern in a Government hospital in Belize, such registration to be effected without payment of any fee and to last only for the period of internship;

- (b) the temporary registration for a period not exceeding one year of the name of any duly qualified, fit and proper person who satisfies the Council that,
- (i) he will be employed on a full time basis in the public service;
  - (ii) he will be doing full time work with a non-profit organization or a hospital;
  - (iii) he will be engaged on a contract basis with a private institution and there is no qualified Belizean to fill the post; or
  - (iv) that he will be practicing as a specialist in a field of medicine in which such specialist services are not available in Belize,

Provided that the temporary registration may be renewed at the discretion of the Council on the fulfillment of the conditions specified above.

22 of 2004.

(8) Subsection (7) of this section shall not apply to a national of a CARICOM Member State.

Examinations.

**8.-(1)** Where in respect of an application as a medical practitioner,

21 of 1982.

- (a) the Council is of the opinion that any qualification mentioned in section 7 (2) of this Act, which the applicant holds is not evidence of satisfactory medical training; or
- (b) a question has arisen with respect to the evidence presented by the applicant as to his training,

the Council in its absolute discretion may require that the applicant submit to examination in such subjects as it considers necessary to establish that he possesses satisfactory medical training.

22 of 2004.

(1a) Subsection (1) of this section, shall not apply to an applicant who is a national of a CARICOM Member State who holds qualification recognised and approved by the Council for Human and Social Development.

(2) The Council shall fix a time and place for the holding of the examination and the Secretary shall notify the applicant of that time and place, and the subject or subjects in which the applicant has to submit to examination.

(3) The applicant shall pay into the Consolidated Revenue Fund such fee as may be determined by the Council.

(4) If as a result of the examination, the Council finds that the applicant is sufficiently informed, he shall be deemed qualified to be registered as a medical practitioner for the purposes of section 7 (1) of this Act.

(5) Where the Council finds that the applicant has been unsuccessful in the examination, he shall not, unless the Council so recommends, be permitted to present himself for further examination until the expiration of one year from the date of the examination in which he was unsuccessful. In such a case he may be granted provisional registration in accordance with the provisions of subsection (7) of section 7 of this Act.

18 of 1992.

(6) If an applicant fails to pass the examination after three attempts, he shall not be allowed to sit for further examination without the special permission of the Council.

9. A medical practitioner who obtains a qualification approved by the Council or the Council for Human and Social Development as higher than or additional to that in respect of which he registered shall be entitled to have such higher or additional qualification entered by the Registrar in the register in addition to the qualifications in respect of which he is registered, providing the Council or the Council for Human and Social Development is satisfied with the *bona fides* of such additional qualifications.

Additional qualifications.  
21 of 1982.  
22 of 2004.

10.-(1) On the completion of every calendar year, the Registrar shall prepare a list of all registered medical practitioners, arranged in alphabetical order of the surnames, together with the designation of the qualifications in respect of which they were registered, the date of registration, and the address of such persons, and cause the said list to be published in the *Gazette* within thirty days of completion of the calendar year.

Publication of list of medical practitioners.  
21 of 1982.

(2) The Registrar shall also cause to be published in the *Gazette*, as soon as practicable after such registration, the names of any person registering as a medical practitioner after the 1<sup>st</sup> January in any year.

Unregistered persons practicing medicine, and prohibition of taking out of blood.

**11.**—(1) Any person who is not registered under this Act but who shall nevertheless practice medicine or surgery or perform any surgical operation for which he shall demand or receive any fee, gratuity or remuneration commits an offence.

(2) Any person who is not registered under this Act, who shall pretend to be or take or use the name or title of a physician, surgeon, doctor of medicine or surgery, or master of surgery or take or assume any other style, title, addition, designation or description implying that he is qualified to practice medicine, surgery or midwifery or that he is recognised by law as a physician or surgeon or licentiate in medicine or surgery or a practitioner in medicine commits an offence.

(3) The absence of the name of the person charged from the last number of the *Gazette* containing a list of registered medical practitioners shall be sufficient evidence that such person is not registered, unless the contrary is shown.

17 of 1978.

(4) Any person, including a person registered under this Act, who without written approval of the Council, takes or causes or permits to be taken, blood from the body of a human being commits an offence.

21 of 1982.

(5) Any person who commits an offence under this section shall be liable on summary conviction to a fine not exceeding five hundred dollars.

Construction of term "medical practitioner".

**12.** Wherever in any law in Belize it is directed that any certificate or declaration be given or made, or any act done or performed by a medical practitioner, "medical practitioner" means a person whose name at the time is on the register.

Complaints.  
21 of 1982.

**13.**—(1) Where a complaint is made or if it comes to the notice of the Council that a medical practitioner may be guilty of professional misconduct, the Council shall make such preliminary investigation into the matter as the Council may think fit.

(2) The Secretary shall notify the medical practitioner of the nature of the complaint or matter and call upon him to state in writing before a specified day (which day shall allow a reasonable interval for the purpose) any explanation or representation he may wish to make in respect of the complaint.

(3) Having regard to any explanation or representation made by the medical practitioner, the Council may,

- (a) determine that no enquiry shall be held; or
- (b) conduct such enquiry into the matter as the Council may consider appropriate.

(4) For the purposes of this Act, “professional misconduct” includes any conduct which in the opinion of the Council is of a nature likely to bring the profession into disrepute, and without restricting the generality of the foregoing, every person engaged in the practice of medicine shall be deemed guilty of professional misconduct who,

18 of 1992.

- (a) has been convicted of an offence whether in Belize or elsewhere which in the opinion of the Council is likely to bring the profession into disrepute;
- (b) has been acquitted of such criminal offence by reason of a technical defence or has been convicted but such conviction is quashed by reason of some technical defence and the Council is satisfied of the facts constituting the criminal offence;
- (c) wilfully betrays a professional confidence;
- (d) abandons a patient in danger without reasonable cause, and without giving him an opportunity to retain the services of another medical practitioner;
- (e) knowingly gives a false certificate respecting birth, death, notice of disease, state of health, vaccination or disinfection or respecting any matter relating to life, health or accident insurance;

- (f) is addicted to the excessive use of intoxicating liquors or to the use of narcotics;
- (g) impersonates another medical practitioner;
- (h) employs or retains, in connection with his professional practice, an assistant or partner who is not registered or licensed under this Act; or permits a person who is not registered or licensed under this Act to attend to or treat patients or to perform operations upon patients in respect of matters requiring professional discretion or skill, or by his presence or advice, assistance or cooperation enables any such person, whether acting as an assistant, partner or otherwise, to attend to or treat any person for any ailment or to perform any operation upon a patient in respect of any matter requiring professional discretion or skill, or who holds out a person who is not registered or licensed under this Act as a person qualified to practice surgery, medicine or obstetrics in Belize;
- (i) directly or indirectly holds himself out to the public as a specialist or as being specially qualified in any particular branch of medicine and who has not taken a special course in such branch and received a certificate of specialty therein which is recognised by the Council;
- (j) is grossly negligent in the performance of his professional duties; or
- (k) does or fails to do any act or thing, the doing of which or the failure to do which the Council considers to be unprofessional or discreditable.

Enquiry.  
21 of 1982.  
18 of 1992.

**14.**-(1) In the conduct of a formal enquiry, the Secretary shall serve on the medical practitioner, against whom a formal enquiry is to be instituted, a notice which shall,

- (a) specify in the form of a charge the matter into which the enquiry is to be held; and



(b) state the time and place at which the enquiry is proposed to be held.

(2) Except with the consent of the medical practitioner, an enquiry shall not be fixed for a date earlier than twenty-eight days after the date of notice of enquiry.

(3) In any case where there is a complaint, a copy of the complaint shall be sent to him with the notice of enquiry.

(4) The medical practitioner shall be entitled to receive free copies of, or to be allowed access to, any documentary evidence relied on for the purpose of the enquiry.

(5) The medical practitioner shall have the right to be represented by an attorney-at-law in any formal enquiry instituted against him.

(6) If witnesses are examined by the Council, the medical practitioner shall be given an opportunity of attending and of putting questions to the witnesses on his own behalf.

(7) The medical practitioner shall be permitted to give evidence, call witnesses and make oral or written submissions on his own behalf.

(8) If, at the conclusion of the hearing, the Council is of the opinion that the medical practitioner is not guilty of professional misconduct, he shall be immediately notified of its findings, but if the medical practitioner is found guilty of any such charge, the Council shall proceed under section 15 of this Act.

**15.**—(1) If in any proceedings as are referred to in sections 13 and 14, of this Act, a medical practitioner is found to be guilty of professional misconduct, the Council may, after consultation with the Minister,

Disciplinary proceedings.  
18 of 1992.

(a) censure him;

(b) suspend his registration for any period not exceeding one year;

- (c) direct the Registrar to remove his name from the register.

(2) When the name of any person is removed from the register, the Council may in writing require such person to return to the Registrar his certificate of registration, and such person shall comply with the requirement. Failure to do so shall constitute an offence under this Act.

(3) Where any medical practitioner has been suspended by the Council for any period, it shall be an offence to practice medicine during the period of suspension.

**16.** It shall be lawful for the Council to direct the removal from the register of the names of,

- (a) any medical practitioner who has died;
- (b) any medical practitioner who has ceased to reside in Belize or is absent therefrom for a period longer than three years without communicating to the Council his intention to return.

**17.** The Council may at any time direct the Registrar to restore to the register any name removed therefrom under section 15 of this Act, in pursuance of regulations made for that purpose under the provisions of section 23 of this Act.

**18.**—(1) Any person who is aggrieved by the refusal of the Council to grant him registration (including provisional or temporary registration), or by the removal of his name from the register, or by the decision of the Council to censure him or suspend his registration, may, within three months after the date on which notice is given to him by the Council of such refusal, removal, censure or suspension, appeal against the Council's decision to a judge of the Supreme Court who shall give such directions in the matter as he may think proper, including a direction as to the costs of the appeal.

(2) The Chief Justice may make rules for the hearing of appeals under this section.

Removal of name  
from register.  
21 of 1982.

Restoration of  
names to register.  
21 of 1982.

Appeals against  
refusal to register,  
removal, etc.  
18 of 1982.

19. Nothing in this Act shall prevent,

- (a) any person from giving necessary medical or surgical aid in cases of emergency without hire, gain or hope of reward;
- (b) the domestic administration of family remedies.

Practice of medicine by persons other than medical practitioners.  
18 of 1992.

### PART III

#### *Miscellaneous*

20.-(1) Any person who,

- (a) wilfully procures or attempts to procure registration under this Act fraudulently for himself or for any other person; or
- (b) makes or produces or causes to be made or produced any fraudulent representation or declaration either orally, in writing or otherwise,

Offences.

18 of 1992.

commits an offence.

(2) Any person not being a medical practitioner who,

- (a) except as provided in section 19 of this Act, engages in the practice of medicine or surgery;
- (b) pretends to be or takes or uses the name or title of a physician, surgeon, doctor of medicine or surgery, or master of surgery or takes or assumes any other style, title, addition, designation or description implying that he is qualified to practice medicine or surgery, or that he is recognised by law as a physician or surgeon or licentiate in medicine or surgery or a practitioner in medicine; or

18 of 1992.

(c) acts as the assistant or associate of any person who practices or pretends to practice medicine as herein set out,  
commits an offence.

18 of 1992.

(3) Subsection (2) of this section, shall not apply to the practice of medicine by any person,

(a) provisionally or temporarily registered under this Act;  
or

(b) acting under the direct supervision of a medical practitioner with the written approval of the Council,

who under the authority thereof performs or provides any service which he is authorized or entitled to perform or provide.

18 of 1992.

(4) In any prosecution under this Act it shall be sufficient proof of an offence under this section if it is proved that the accused has done or committed a single act of unauthorised practice or has committed on one occasion any of the acts prohibited hereunder.

Penalty.  
21 of 1982.  
18 of 1992.

**21.**—(1) Any person who commits an offence under this Act shall be liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment.

18 of 1992.

(2) No criminal prosecution shall be instituted in respect of any offence under this Act unless the prosecution has been authorized in writing by the Council under the hand of the Chairperson or the Secretary or by the Director of Public Prosecutions, and any authority purporting to be signed by the Chairperson, Secretary or the Director of Public Prosecutions, as the case may be, shall be received as *prima facie* evidence of such authorization.

Expenses.  
21 of 1982.

**22.** Any expense incurred by the Council in the performance of its functions under this Act shall be defrayed out of the Consolidated Revenue Fund.

**23.**—(1) The Minister may, in consultation with the Council, make regulations for the better carrying out of the principles and provisions of this Act.

Regulations.  
21 of 1992.

(2) Without prejudice to the generality of the foregoing, any such regulations may be made for all or any of the following purposes,

18 of 1992.

- (a) for the good government of the Council and for the proper conduct of its affairs;
- (b) with respect to the fees for registration and the amount of any annual practicing or other fees;
- (c) for prescribing in respect of any contravention thereof or failure to comply therewith a penalty on summary conviction not exceeding a fine of five hundred dollars or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment.

**24.**—(1) Where a national of a CARICOM Member State is registered as a medical practitioner under this Act, such national shall not require a work permit, a visa, or other immigration permit in order for him to enter, leave or reside in Belize for the purpose of practicing as medical practitioner.

CARICOM  
Nationals.  
22 of 2004.

(2) The provisions of this Act shall apply equally without discrimination to citizens of Belize and nationals of CARICOM Member States.