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## CHAPTER 61:02

### BOTSWANA HEALTH PROFESSIONS



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Act 17, 2001,  
S.I. 83, 2009,  
S.I. 91, 2017.

**An Act to regulate and control the practice of medicine, dentistry, pharmacy and allied health professions, and for matters connected and associated therewith.**

**PART I**  
**Preliminary (ss 1-2)**

**1. Short title**

This Act may be cited as the Botswana Health Professions Act.

**2. Interpretation**

In this Act, unless the context otherwise requires-

**"allied health professional"** means a person registered under section 9 as a duly qualified member of one of the professions referred to in Part II of Schedule B;

**"associated medical practitioner"** means a duly qualified member of one of the professions referred to in Part III of Schedule B, and registered as such in terms of section 9, entitling him to practise that profession in Botswana;

**"Council"** means the Botswana Health Professions Council established under and in accordance with section 3;

**"dentist"** means a person who is registered as a dentist in terms of section 9, entitling him to practise as such in Botswana;

**"director"** means the Director of Health Services;

**"dispenser"** means a pharmacist or a member of the health profession authorised to dispense drugs under section 9 of the Drugs and Related Substances Act (Cap. 63:04);

**"intern"** means a person registered as an intern in terms of section 9, who is required to complete a period of internship training in an approved hospital or institution to acquire practical skills and experience before becoming entitled to practice his profession without supervision;

**"medical practitioner"** means a person registered as a medical practitioner in terms of section 9, entitling him to practise as such in Botswana;

**"pharmacist"** means a person registered as a pharmacist in terms of section 9;

**"practitioner"** means a person whose name appears in one of the registers kept in terms of section 11, and who is entitled to practice the profession relevant to that register;

**"the register"** in respect of a practitioner means the appropriate register relevant to the profession practised by that practitioner;

**"Registrar"** means the person appointed to be the Registrar of the Council in accordance with the provisions of section 3(3);

**"Specialist"** means a practitioner possessing a specialist qualification in any of the professions referred to in Parts I and II of Schedule B;

## **PART II**

### ***Botswana Health Professions Council, Committees and Professional Boards (ss 3-8)***

#### **3. Establishment of Council**

(1) There shall be a Council, to be known as the Botswana Health Professions Council, which shall consist of the following members-

(a) the Director of Health Services;

(b) the Dean of the Faculty of Medicine at the University of Botswana or his representative who shall be a specialist;

(c) three medical practitioners (one of whom shall be a specialist), two dentists and two pharmacists elected from among members of their professions registered as such in terms of section 9;

(d) six allied health professionals elected from members of their professions;

(e) one associated health professional elected from among other associated health professionals registered as such in terms of section 9;  
and

(f) one person from the public not associated with the medical profession, appointed by the Minister from among persons who, in his opinion, could make significant contributions to the deliberations of the Council.

(2) The Attorney-General shall nominate a member of his Chambers to attend meetings of the Council to act as legal advisor to the Council; such member may speak at meetings of the Council, but shall not vote on issues before the Council.

(3) The Registrar shall be appointed by the Council and shall act as Secretary to the Council, and the Council may nominate a member to act as Registrar at any time when the Registrar is for any reason absent or unable to carry out duties and perform the functions of the Registrar.

(4) Members of the Council, other than the Director of Health Services and the Dean of the Faculty of Medicine at the University of Botswana, shall be appointed or elected thereto for a period stipulated under the Rules and Regulations to the Act, but may be eligible for re-appointment or re-election, in the same manner as the original appointment or election.

(5) The office of a member of the Council shall become vacant-

(a) if he is absent for more than two ordinary consecutive meetings of the Council without the consent of the Council;

(b) if for any good reason his name is removed from the relevant register referred to in section 11;

(c) if, as an elected member, he notifies the Council, in writing, that he is resigning; or

(d) if, as an appointed member, he ceases to be eligible for the appointment, or he gives notice, in writing, to the Minister of his intention to resign and such resignation is accepted by the Minister.

(6) Any vacancy in the membership of the Council in terms of subsection (5), and any vacancy caused by the death of a member, may be filled in the same way as the original appointment or election, but the terms of office of any person so appointed or elected shall expire on the date when the original appointment or election would have expired.

#### **4. Objectives, duties and functions of Council**

(1) The primary objectives of the Council shall be-

- (a) to promote the highest standards in the practice of health care in Botswana; and
- (b) to serve as a safeguard in protecting the welfare and interests of the public of Botswana in the practice and delivery of health care.

(2) The duties and functions of the Council in achieving its objectives shall include-

- (a) the registration of practitioners of the various professions, and recognition of the requisite qualifications for such professions;
- (b) keeping custody of and maintaining the relevant registers of the various professions;
- (c) monitoring standards of health care practice and medical ethics, and offering advice thereon to the practitioners of the various professions;
- (d) investigating cases of professional misconduct and public complaints lodged against practitioners and brought to the attention of the Council;
- (e) bringing to the attention of the Minister any information acquired by the Council and which it deems to be of public importance and interest, and to offer such advice thereon as it considers may be relevant;
- (f) promoting high standards of professional training, proficiency, professional conduct and etiquette; and
- (g) conducting inspection of premises of private practitioners to ensure they are in keeping with prescribed standards as befits facilities providing health care.

(3) The Council shall manage its own budget through a subvention or grant from government until such time that the Council is able to source its own funding.

#### **5. Election of Chairman and Vice-Chairman**

(1) The Minister shall convene the first meeting of the Council as soon as practicable after the commencement of this Act, and may, when circumstances demand, convene a special Council meeting as he may think necessary.

(2) At the first meeting of the Council, the members thereof shall elect from among their number a Chairman and a Vice-Chairman, who shall hold office for four years, unless they should earlier resign or otherwise cease to be or be eligible to be members of the Council.

(3) At the termination of the period in office of the Chairman or the Vice-Chairman, or if for some other reason their offices become vacant, a new Chairman or Vice-Chairman, as the case may be, shall be elected by the members of the Council at its next meeting, or as soon thereafter as may be convenient or practicable.

(4) If for any reason the Chairman is temporarily absent, or for any reason unable to perform the functions of Chairman, the Vice-Chairman shall perform those functions until the Chairman is able to resume the duties of office.

(5) If the Chairman and the Vice-Chairman are both absent from any meeting of the Council, the members present may elect one of their member to preside at that meeting and the person so presiding shall during that meeting, and unless and until the Chairman or the Vice-Chairman later attends the meeting, exercise all the functions of the Chairman.

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