

PART I

PREAMBLE

1.It is the duty of every registered medical practitioner -

(a) to devote himself to the service of suffering humanity in the field of medicine;

b) to practise his profession with conscience, dignity and integrity;

c) to maintain the utmost respect for human life at all times from the moment of conception till death;

d) to offer his knowledge, skill and time to any person in need of medical attention without any distinction or discrimination;

e) to uphold and maintain the dignity and honour of the medical profession.

2 The professional relationship between a registered medical practitioner and his patient depends on trust and the assumption that the registered medical practitioner will act in the best interests of his patient.

3 A registered medical practitioner has a duty to -

(a) encourage, and restore confidence in his patient;

(b) avoid any action which might disturb the confidence of the patient in any registered medical practitioner or in the medical profession as a whole.

4.Patients deserve full respect in all facets of their personality (physical, psychological, spiritual, financial, social). The registered medical practitioner should aim at rehabilitating them to their full state of humanhood.

5.Taking into consideration that patients are often embarrassed, ashamed, or fearful, the registered medical practitioner has a duty -

(a) to show humility, kindness and understanding towards patients;

(b) to do his best to relieve them of hidden fears and apprehensions.

6. Patients have a right to life: accordingly, it is the registered medical practitioner's duty to

(a) respect life from the time of conception;

(b) respect it at all times irrespective of whatever pressures from outside that may be exerted to the contrary;

(c) respect the quality of life including the capacity to procreate except for serious therapeutic reasons;

(d) accept death as a natural phenomenon when it comes and avoid postponing it indefinitely by artificial means which are unlikely to improve the quality of life for the patient;

(e) ensure, when death is unavoidable, that a patient dies with dignity and with as little suffering as possible.

7. Registered medical practitioners should share amongst themselves their knowledge and discoveries.

8. A registered medical practitioner should maintain a high standard of professionalism, uphold the honour of the profession and avoid engaging into any conduct or activity which might lower the profession in the esteem of the public.

9. All registered medical practitioners have a duty to continue their professional education for the duration of their practising lives in the best interests of their patients. They must maintain their professional skills so as to provide treatment of the highest standard possible.

PART II

THE CODE OF PRACTICE

1. A registered medical practitioner should respect the patient's right to visit the registered medical practitioner of his choice.
- 2 A registered medical practitioner shall obtain the informed consent of his patient in any case of medical intervention or medical research.
- 3 Where in the opinion of the registered medical practitioner informed consent cannot be obtained from the patient or in the case of a minor, the registered medical practitioner shall obtain the consent of the next of kin or the legal guardian.
- 4 .Notwithstanding paragraphs (8) and (9), a registered medical practitioner shall provide what he considers life saving treatment in emergency even if it is impossible to gain consent.
- 5(1) Subject to subparagraph (2), a registered medical practitioner shall not decline to treat a patient in case of an emergency.

(2)In any case other than an emergency a registered medical practitioner may decline to treat a patient for professional or personal reasons.
- 6 A registered medical practitioner shall not, except in the case of an emergency, undertake or continue a treatment in such field which is beyond his competence, experience or means.
- 7(1) Subject to subparagraph (2), a registered medical practitioner shall inform his patient correctly about the true nature of his illness;
(2) Where the registered medical practitioner is of the opinion that it would not be in the interest of the patient to disclose to him the nature of his illness, the registered medical practitioner may inform the next of kin or the legal guardian of the patient of his illness.
8. In case of absence a registered medical practitioner has a duty to ensure that his patients will be looked after by other colleagues in consultation with the patient or his next of kin or legal guardian if he is unable to take such decision.
- 9 A registered medical practitioner shall report to the appropriate authorities any sign of violence or assault upon a patient who is a minor.

- 10 A registered medical practitioner shall not delegate to a person other than a registered medical practitioner, any service or operation which requires the full competence of a registered medical practitioner.
- 11 A registered medical practitioner shall not expose his patient whether by investigation or treatment to unnecessary risks.
- 12 A registered medical practitioner shall not prescribe or supply drugs of addiction or dependence otherwise than in the course of bona fide treatment. He shall not prescribe the use of doping and stimulating substances which are detrimental to health, as an artificial means of improving immediate results.
- 13 A registered medical practitioner shall not disclose any information imparted to him by a patient in relation to his treatment except –
- (a) with the consent of the patient; or
 - (b) where the patient is a minor with the consent of his next of kin or legal guardian; or
 - (c) where the patient had died, with the consent of his next of kin or legal guardian; or
 - (d) when compelled by a Court of law or by any body authorised by Law.
 - (e) where a request has been made for an urgent medical treatment and that the patient is not in a position to give his consent.
14. A registered medical practitioner shall not exercise his profession if he is in a state of intoxication due to alcohol or drug abuse.
15. A medical certificate shall be issued to a patient or, in the case of a minor, to the responsible party or legal guardian whenever requested.
16. A medical certificate shall include –
- (a) the date of examination;
 - (b) the full name and address of the patient;
 - (c) the registered name and address of the registered medical practitioner; and
 - (d) the signature of the registered medical practitioner.
17. (1) Where a registered medical practitioner issues a medical certificate or any form of medical report to a person other than a patient (for example for the purposes of an insurance) the registered medical practitioner shall obtain the written consent of the patient.

- (2) Subparagraph (1) shall not apply to a Police Form 58 or 58A.
- (3) A registered medical practitioner shall write his name in block letters after signing any prescription or document.
18. A registered medical practitioner shall not make any statement or declaration or sign a certificate or other document or induce or permit another person to sign a certificate or document which the registered medical practitioner knows, or ought to know to be untrue, misleading, or otherwise improper.
19. A registered medical practitioner shall not engage in any form of canvassing with the help of touts or otherwise with a view to attracting patients.
20. (1) A registered medical practitioner shall not advertise his professional services.
- (2) Notwithstanding subparagraph (1), a registered medical practitioner may –
- (a) notify other registered medical practitioners, or his patients of any change of address, dissolution or commencement of his practice;
- (b) publish in a telephone directory in ordinary characters his-
- (i) name, qualification(s), the place and country of such qualification(s), his speciality if any, his home address and the address(es) of his surgery or consulting room(s); and
- (ii) telephone number(s)
- (3) Nothing in this paragraph shall prohibit a registered medical practitioner who is acting in the course of his official duties pertaining to his office or post from giving an interview or publishing an article in the lay media on matters of concern to his office or post.
- (4) Notwithstanding subparagraph (1), registered medical practitioners may keep their professional and managerial colleagues informed of the services they offer and of the practice arrangements, provided that the materials circulated in this way should not disparage, directly or by implication, the services provided by other registered medical practitioners nor should it claim superiority for the registered medical practitioner's personal qualities, qualifications, experience or skills.

21. (1) A registered medical practitioner shall use a professional plate or notice, the size of which shall be two hundred and fifty millimeters (250mm) by three hundred millimeters (300mm), to indicate his consultation room;
- (2) The professional plate or notice shall be of the colour indicated below:
 - (a) General Practitioner:
Green background with white lettering;
 - (b) Specialist:
Blue background with white lettering.
- (3) Any professional plate or notice as described in paragraph (1) shall be situated as near as possible to the entrance of the consultation room.
- (4) A professional plate or notice shall contain no particulars other than the name of the registered medical practitioner, his registered qualification(s), country of the qualification(s) and the speciality he is practicing;
- (5) A registered medical practitioner may display, in addition to the notice another notice to inform the public about the hours of consultation and his telephone number(s). This notice shall be 400mm by 300mm and should be placed as near as possible to the entrance of the consultation room.
- (6) A registered medical practitioner having a consultation room at the first floor or higher level may display a notice not exceeding 750mm by 150mm on the first floor or higher outside the building. This notice shall contain only the words "Cabinet Médical" or "Consultation Room".
- (7) A registered medical practitioner shall not display more than one professional plate or notice at each entrance to the building in which he has his consulting room, and at each entrance within such building, to his consultation room.
- (8) A registered medical practitioner may make use of a directional sign indicating his consultation room.
- (9) A registered medical practitioner shall not display any professional plate or notice on premises other than those premises, in which the registered medical practitioner resides or has his consultation room.

22. A registered medical practitioner shall not have his consultation room with an entrance through a pharmacy or share his waiting room with that of the pharmacy.

23. (1) Any stationery used by a registered medical practitioner in connection with his practice shall not contain any matter other than –

(i) the name, address(es) and telephone number(s) of the registered medical practitioner;

(ii) his professional qualification(s), the place and country of such qualification(s) and the speciality he is practicing, civil honours and honorary degrees in an abbreviated form; and/or

(iii) his consultation hours.

(2) A registered medical practitioner shall not use any prescription form or envelope which bears the name or address of a pharmacy or any commercial product.

24(1) A registered medical practitioner shall not direct or cause to be directed, a prescription to a specific pharmacy or pharmaceutical chemist.

(2). A registered medical practitioner shall not use any professional plate displaying the name of a commercial product

25. (1) A registered medical practitioner shall not, whether by way of publication of any article or any personal photograph or otherwise, indulge in any form of self-advertisement or publicity.

(2) In particular, he shall not -

(a) publish or cause to be published, in the lay media or any other means of communication device, articles likely to have the effect set out in subparagraph (3) (a) and (b);

(b) give to journalists of the lay media or any other means of communication device, interviews likely to have the effect set out in subparagraph (3) (a) and (b);

(c) allow the publication in the lay media or any other means of

communication device, of his cases, operations, treatment, cures or remedies.

(3) For the purposes of subparagraph (1) a registered medical practitioner shall not be taken to have indulged in self advertisement or publicity unless -

(a) he has invited attention to his professional position, skill, qualification or achievements.

(b) the information in the advertisement or publicity furthers the professional interests of a registered medical practitioner concerned or appears to attract patients to his care.

(4) For the purposes of this paragraph, publication includes -

(a) any newspaper, book, periodical, pamphlet, or other printed matter;

(b) any writing or typescript which has in any manner been duplicated or exhibited or made available to the public or any section of the public.

26. In any interaction a registered medical practitioner shall have with the lay media, it is the responsibility of the registered medical practitioner to ensure the observation of paragraph 20 of this Code of Practice regarding publicity and advertisement.

27 (1) The following practices are not regarded as forms of self-advertisement and publicity

(a) an announcement not exceeding 90mm by 70mm in the press appearing for not more than three days, upon -

(i) starting or resuming practice;

(ii) changing type of practice;

(iii) changing address or telephone number;

(iv) temporary absence or resumption of duty.

(b) participating in a program of health education for the public where no form of publicity is resorted to.

28. A registered medical practitioner shall not run a shop dispensing prescriptions or selling medicine and medical or surgical appliances.

29. A registered medical practitioner has a duty to ensure that his equipment and furnishings are adequate to maintain a high standard of service.

30. A registered medical practitioner should refrain from being a member of a Medical Board which has been set up to assess the medical condition of one of his parents. However, he may be solicited to give any clarification on the medical condition of the patient.

31 A registered medical practitioner shall not share his consultation room with any other person who is not a registered medical practitioner

32. In his patient's interest, a registered medical practitioner shall request a second opinion or expert advice where necessary and refer to a suitably qualified colleague any case which requires advice and treatment which the registered medical practitioner considers to be beyond his competence. In such a case, he shall with a view to giving all relevant information either –

- (a) accompany the patient; or
- (b) phone his colleague; or
- (c) write a proper referral letter to his colleague.

33. A registered medical practitioner to whom a patient has been referred by another registered medical practitioner, whether in the private practice or in a government hospital shall address to the referring registered medical practitioner a communication on the case.

34 A registered medical practitioner should take all appropriate precautions possible to protect his patient and his staff from the risk of cross infection.

35. Every registered medical practitioner shall inform the patient or in the case of a minor the responsible party, of the professional fees expected for the proposed consultation and medical treatment.

36. A registered medical practitioner shall behave towards his colleagues in a manner consistent with his professional calling.

37 A registered medical practitioner shall not refer disparagingly to the services or opinion of a colleague in the presence of a patient or in public generally.

38 Any conflict arising in the exercise of their calling between two or more registered medical practitioners shall be professionally dealt with among themselves or if necessary with the help of the Medical Council.

39. Every registered medical practitioner shall report in full confidence to the Council any case of any breach of the Code of Practice, incompetence, negligence, corruption, dishonesty, unethical conduct or ill-health on the part of any other registered medical practitioner.

40 Registered medical practitioners shall assist each other professionally.

41 A registered medical practitioner shall not enter into any arrangement whereby patients are directed to his practice.

42. Every registered medical practitioner shall –

(a) ascertain the identity of any person in respect of whom a medical certificate, report or other document, is issued;

(b) exercise the utmost care and diligence in issuing any such document;

(c) keep a record of the issue of any such document.

43(1) A registered medical practitioner shall not give discounts to individuals or organizations with a view to attracting more patients.

(2) Subparagraph (1) does not prevent a registered medical practitioner from providing his services free of charge.

44(1) Subject to subparagraph (2), no registered medical practitioner shall permit his name to be -

(a) used in connection with the advertisement of medical or dental instruments, appliances, dressings, drugs, foodstuffs, beverages or dietary preparations; or

(b) used as part of the title of any medical practice carried on by a person who is not a registered medical practitioner.

(2) A registered medical practitioner may use or cause his name to be used in connection with any medical or dental instrument or appliance which he has invented.

45(1) Any arrangement between a registered medical practitioner and another registered medical practitioner or dental surgeon for fee splitting shall be unethical.

(2) For the purposes of subparagraph (1) "fee splitting" shall include any arrangement whereby one registered medical practitioner (first registered medical practitioner) agrees with another registered medical practitioner (second registered medical practitioner) to refer to the second registered medical practitioner a patient on the understanding that the second registered medical practitioner shall pay to the first registered medical practitioner part of the fee by way of commission due to the second registered medical practitioner.

46 A registered medical practitioner shall not pay to any person, company or organization, any commission in relation to his professional services.

47 A registered medical practitioner shall not receive from, any person, company or organization, any commission in relation to his professional services over and above his professional fee.

48. A registered medical practitioner, on succeeding to the practice, due to the death or retirement of a medical practitioner, may retain the professional plate or notice of such practice for a period not exceeding six months. However, the professional plate or notice shall indicate that the registered medical practitioner is the successor to such practice.

