

# **The Medical Practice and Private Clinics and Laboratories (Regulation) Ordinance, 1982**

( Ordinance NO. IV OF 1982 )

**An Ordinance to regulate medical practice and functioning of private clinics and laboratories.**

WHEREAS it is expedient to regulate medical practice and functioning of private clinics and laboratories;

NOW, THEREFORE, in pursuance of the Proclamation of the 24th March, 1982, and in exercise of all powers enabling him in that behalf, the Chief Martial Law Administrator is pleased to make and promulgate the following Ordinance:-

## **Short title**

1. This Ordinance may be called the Medical Practice and Private Clinics and Laboratories (Regulation) Ordinance, 1982.

## **Definitions**

2. In this Ordinance, unless there is anything repugnant in the subject or context,-

(a) “Director-General” means the Director-General of Health Services, Government of the People's Republic of Bangladesh;

(b) “medical practice” includes <sup>1</sup>[\* \* \*] surgical operation, conduction of labour, pathological or radiological examination and any other medical examination or service;

(c) “prescribed” means prescribed by rules made under this Ordinance;

(d) “private clinic” means a clinic, hospital or nursing home, by whatever name called, owned by any person, other than the Government, where patients are admitted and kept for treatment;

(e) “private laboratory” means a laboratory or clinic, by whatever name called, owned by any person, other than the Government, where tests,

investigations or examinations, including X-ray and electrocardiogram, are held for diagnosis or clinical purposes;

(f) “recognised additional medical qualification” means any medical qualification included in the Third Schedule to the Medical and Dental Council Act, 1980 (XVI of 1980);

(g) “registered medical practitioner” means a person registered or provisionally registered as such under the Medical and Dental Council Act, 1980 (XVI of 1980);

(h) “Schedule” means a Schedule to this Ordinance.

**Charges and fees in private clinics**

2[3. The maximum charges and fees that may be demanded in a private clinic or private laboratory for surgical operations, conduction of labour, electrocardiogram, pathological or radiological examinations and other medical examinations or services, as the case may be, shall be such as are specified in Schedule 1A:

Provided that these charges and fees shall not apply in the case of patients who are not Bangladeshis.]

**Prohibition of private medical practice during office hours**

4. No registered medical practitioner in the service of the Republic shall carry on private medical practice during office hours.

**Maintenance of Chambers**

5. Every registered medical practitioner carrying on private medical practice shall maintain a chamber in a hygienically sound condition with necessary facilities for the examination of patients and a room for the waiting of patients and their attendants.

**Maintenance of registers, etc.**

6. (1) Every registered medical practitioner carrying on private medical practice and every private clinic and private laboratory shall maintain a register showing the names and addresses of the patients.

(2) Every registered medical practitioner carrying on private medical practice and every private clinic and private laboratory shall issue receipts

in printed form for the charges and fees realised from the patients and preserve the counterfoils of such receipts for inspection.

**Display of charges and fees**

7. Every registered medical practitioner carrying on private medical practice and every private clinic and private laboratory shall prominently display in the chamber, clinic or laboratory, as the case may be, a list of charges and fees that may be <sup>3</sup>[demanded by him or it.]

**Licence to establish private clinic**

8. No person shall establish a private clinic without a licence under this Ordinance.

**Conditions for licence**

9. No licence for establishing a private clinic shall be issued unless the following conditions are fulfilled, namely:-

- (a) there is proper accommodation with hygienic environment for the patients;
- (b) there is at least eighty square feet of floor space for each patient;
- (c) there is an air-conditioned operation theatre;
- (d) there are such essential equipments as are specified in Schedule B;
- (e) there are adequate supply of life-saving and essential medicines;
- (f) there are such number of full-time registered medical practitioners, nurses and other staff as are specified in Schedule C;
- (g) there are specialists for the operation, treatment and supervision of patients.

**Application for licence**

10. (1) Any person intending to establish a private clinic shall apply in the prescribed form to the Director-General for a licence.

(2) The owner of a private clinic already in existence shall, on or before the 30th June, 1982, apply in the prescribed form to the Director-General for a licence.

(3) The Director-General may, on receipt of an application under sub-section (1) or (2), make such enquiries as he considers necessary, and