

Guideline on Registration

as a

Medical or Dental Practitioner in Nigeria

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FOREWORD

The medical and dental professions are strictly regulated in all countries. This is because of the delicate nature of the practice of the professions which determines the survival or otherwise of persons who are subject to it, so long as the condition under management is within human competence. It is also because the professions are prone to abuse and/or infiltration by charlatans which if not checked, will certainly have tragic consequences for the public.

The Medical and Dental Practitioners Act of 1963 which set up the Medical and Dental Council of Nigeria (at the time, '*Nigerian Medical Council*' now CAP M8 LFN 2004, stipulated that all persons desirous of practising medicine or dentistry within the Federal Republic of Nigeria must obtain appropriate registration from the Council before they could legally Practice it also stated that any person not so registered who practises the professions in Nigeria had committed a criminal offence which was punishable in the manner stipulated in the Act.

The Medical and Dental Practitioners Act, CAP M8 which replaced the 1963 Act, apart from stipulating the registration of medical and dental practitioners, also required them to pay an annual practising fee which, ipso facto, meant the obtaining of an annual practicing licence.

The Council had on many plenary sessions between 1963 and 2007 set out guidelines and requirements, based on the enabling laws, for the registration and licensing of medical and dental practitioners in Nigeria.

Now renewal of annual practicing licence must be with evidence of acquisition of 20 credit units of continuing professional development (CPD).

Unfortunately, many medical and dental graduates and post-graduate specialists have continued to demonstrate ignorance of these laws and regulations.

In as much as "ignorantia legis non excusat", I have nevertheless deemed it necessary to collate and clarify all guidelines and regulations guiding registration of medical and dental practitioners in Nigeria to assist all persons desirous of practising within the territory of the Federal Republic of Nigeria to do so within the provisions of the Law.

I have no doubt that all new medical and dental graduates, new specialists, Nigerian doctors returning from abroad, expatriate doctors wishing to work in Nigeria, and academic staff in medical training institutions and post-graduate medical colleges will find this an invaluable publication. Organisations desirous of employing medical doctors or dental surgeons will also find this booklet a useful guide in ensuring that persons they employ are legally competent to practise in Nigeria.

I sincerely recommend it to all concerned.



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INTRODUCTION

The Medical and Dental Practitioners Act, Cap M8, 2004 Laws of the Federal Republic of Nigeria, 1990 (herein after referred to as “The Law”), at Section 1, subsection 2, assigns to the Medical and Dental Council of Nigeria, (hereinafter referred to as “The Council”), the responsibility, inter alia, of

- (A) “determining the standards of knowledge and skill to be attained by persons seeking to become members of the Medical or Dental profession and reviewing these standards from time to time as circumstances may permit;
- (B) “securing in accordance with the provisions of the Law the establishment and maintenance of registers of persons entitled to practise as members of the medical or dental profession and the publication from time to time of lists of those persons;
- (C) “reviewing and preparing from time to time, a statement as to the code of conduct which the Council considers desirable for practice of the professions in Nigeria”.

The Council has subsequently issued regulations and guidelines on the basis of the enabling Law, with the view to the satisfactory execution of its assigned duties.

Registration and licensure of Medical and Dental Practitioners in Nigeria are among the duties deriving from the Council’s assigned responsibilities, and the guidelines contained in this publication are intended to enlighten persons wishing to practise in Nigeria as to the requirements for their registration and licensure and the privileges and responsibilities appertaining thereto.

The Medical and Dental Practitioners Act requires that all persons wishing to practise Medicine or Dentistry in Nigeria must be registered in a specific category out of three possible categories and must in addition be licensed to carry on with practice in the registered category. It also requires that a

registered practitioner who desires to practise as a specialist in any specialized area of Medicine or Dentistry must be registered as such a specialist by the Council.

The following sections outline the necessary requirements for registration and licensing of practitioners in the different categories as required by law.

The Medical and Dental Practitioners Act stipulates at section 18, subsection 1 that:

“A person shall not hold an appointment or practise as a medical practitioner or dental surgeon in Nigeria unless he is registered with the Council under the provisions of this Law”.

Section 17 declares it an offence to contravene the foregoing section and prescribes the appropriate penalties for such contravention.

PROVISIONAL REGISTRATION

1 Introduction

The first category of registration is the Provisional Registration. This is the registration required by a fresh medical or dental graduate to enable him or her undertake internship training and qualify for Full Registration.

The Medical and Dental Practitioners Act, at section 12, stipulates as follows:

- (1) “A person who has obtained an approved medical or dental qualification and satisfies the Registrar that he is of good character and he is about to be employed as mentioned in paragraph (a) of subsection (2) of Section 17 of this Law shall, subject to the provisions of Section 15 and of rules made under Section 6 of this Law, be entitled to be provisionally registered as a medical practitioner or dental surgeon”.
- (2) “A person who is provisionally registered shall, for the purpose of his employment at any recognized institution with a view to obtaining a certificate of experience, but not for any other purpose, be deemed to be fully registered”.

For a medical or dental graduate to be eligible to apply for provisional registration, the authorities of his institution of training must, as required by Law, inform the Council formally of his having satisfactorily completed his medical or dental training. To this end the Law stipulates at Section 18, Sub-section 5 as follows:

“It shall be the duty of the person in charge of the Medical School of a University or similar institution in Nigeria at which there is held a course of training intended for persons who are seeking to become members of the medical or dental profession to furnish to the Registrar, a list of successful candidates immediately after the publication of the pass list”.

Thus a person may not apply to the Council for provisional registration unless the head of his institution of training has sent the required list of successful candidates to the Registrar and his name appears on such a list.

For avoidance of doubts, the person in charge of a medical training institution as recognised by Council is, in the case of a college, the Provost, and in the case of a faculty, the Dean.

2 Requirements to be met for Provisional Registration

- (a) The applicant must have, as required by the law at section 8, attended a course of training for the period approved by the Council at a medical school accredited by the Council for such a training, passed all qualifying examinations and obtained the approved basic medical or dental degrees.
- (b) The head of the medical school must have sent to the Council, as required by the Law at section 18(5), a list of successful candidates at the Final examination and the applicant's name must have appeared on that list.
- (c) A Nigerian applicant who is a graduate of a foreign medical training institution which is not accredited or recognized by the Council for the purposes of registration, but which is so recognized by the regulatory body of the Country in which it is situated, must show a satisfactory evidence of having sat and passed the Council's assessment examination, as required by the Law at section 9(3).
- (d) A non-Nigerian applicant who is a graduate of any non- Nigerian University and holding only the basic medical or dental qualification must have sat and passed the Council's Assessment Examination, as required by the Law at Section 9(3).
- (e) The applicant must have obtained from the Council and completed as required, a form of application for Provisional Registration and must have submitted to the Registrar, or his designated agent, the completed form with all necessary supporting documents as stipulated on the form or through other publications or notices from the Council. These essential supporting documents include copies of the birth certificate, West African School Certificate or its equivalent, other academic credentials on the basis of which admission to study medicine or dentistry was secured, original individual statement of result of the

final medical or dental degree examination duly signed by the Head of the Medical training institution, and any other relevant documents.

- (f) The applicant must have paid all necessary fees as stipulated by the Law or as specified in the regulations which the Council, backed by the Law, puts out from time to time.
- (g) The applicant must have fully participated in an induction Ceremony (Sponsio Academica) for new medical or dental graduates conducted by the Registrar of the Council for the purpose of accepting new medical graduates into the profession.
- (h) The applicant must have satisfied the Registrar that he is of good character and is a fit person to be entered in the register of Medical and Dental Practitioners in Nigeria, as required by the Law at Section 12(1).

Once an applicant has met all the foregoing conditions he becomes eligible for provisional registration.

3 Privileges and Duties of a Practitioner on the Provisional Register

The Law, at section 12(2), states as follows:

“A person who is provisionally registered shall, for the purpose of his employment at any recognized institution with a view to obtaining a certificate of experience, but not for any other purpose, be deemed to be fully registered”.

(a) Recognition and Limitations

The implication of this provision is that a medical or dental graduate who has obtained the Council’s provisional registration is recognized as a fully registered doctor within the employment in a recognized institution where he is undergoing internship training, subject only to the limitations imposed by his status as an intern (or “a house officer”).

The limitation imposed by this status is that he must, during this period of internship, perform under the supervision and guidance of registered

consultants or supervising doctors recognized by the Council, and only in a hospital approved by the Council for internship training.

A provisionally registered doctor cannot set up or run a hospital or clinic on his own. Such an act would be a contravention of the Code of Medical Ethics.

(b) Duty to make the best of the Internship Period

By current regulations, the mandatory period of internship is twelve months, during which the intern must do an uninterrupted posting of twelve weeks in each of four departments as specified in section 2 under “FULL REGISTRATION) (see page 10). An intern who does not complete a posting to the satisfaction of the supervising consultant or whose posting is interrupted for whatever reason may be required to repeat the posting or may have the posting extended for a period deemed appropriate.

A provisionally registered doctor is duty-bound to acquire as much as he can from his supervisors, knowledge and skills that will enhance his functional capacity as a fully registered doctor. He must demonstrate a satisfactory level of competence and ability during his internship to deserve certification (signing off) by his supervising consultants or supervising doctors.

He must engage in activities that broaden his academic knowledge and practising skills such as reading of his books and current journals, participation in workshops, continuing medical education programmes and seminars, clinical demonstrations, ward rounds, operation theatre and laboratory sessions, and such other endeavours.

4 Validity of Provisional Registration

By current Council regulation, the Provisional registration of a doctor is valid for a maximum period of twenty-four months. This period is intended to give enough time for the doctor to secure a place to undergo the mandatory twelve months internship training.

Thus a medical or dental graduate is required by regulation to complete his internship and achieve eligibility for full registration within twenty four months of graduation from a Medical training institution.

An applicant who has failed to meet this requirement shall be required to sit and pass the Council's assessment examination unless he can convince the Council that:

- (i) He could not for a satisfactory reason have completed his internship within the stipulated period, and that without being subjected to such an assessment.
- (ii) He is still academically and, in disposition and level of skill, adequately competent to undertake internship training.

It is important for all new medical and dental graduates to take due notice of this provision as the Council would not normally be inclined to grant a waiver for any person who has fallen foul of the regulation.

All provisionally registered doctors must also note that the registration lapses automatically as soon as the last supervising consultant signs off an intern, whether or not there is time still left within the twenty-four months validity inscribed on the certificate. A post-internship doctor cannot continue to practise without obtaining full registration.

Penalty For Late Registration

A medical or dental graduate who, without a satisfactory reason, fails to obtain provisional registration within twelve weeks of passing his final medical or dental examinations will become liable for penalty for late registration the nature of which depends on the current regulations of Council.

FULL REGISTRATION

1. Introduction

The second category of registration is the Full Registration. This is the registration granted to:

- (a) a Nigerian medical graduate who, having been provisionally registered, has satisfactorily completed his internship training in a hospital recognized for that purpose by the Council; or
- (b) a non-Nigeria who, being a graduate of an accredited Medical School in Nigeria, has satisfactorily completed his internship in a hospital recognized for internship training by the Council.

The Law at section 8(1) stipulate that

“Subject to section 16 and to rules made under section 6(4) of the Law. a person shall be entitled to be fully registered as a medical practitioner or a dental surgeon if -

- (a) he has attended a course of training approved by the Council under section 9 of the Law as respects the medical or dental profession, as the case may be;
- (b) the course was conducted at an institution so approved, or partly at one such institution and partly at another or others;
- (c) he holds a qualification so approved; and
- (d) he holds a certificate of experience issued in pursuance of section 11 of The Law”.

With regard to the certificate of experience referred to in paragraph (d) of section 8(1) cited above, The Law at Section 11 stipulates as follows:

1. A person, who after obtaining an approved medical or dental qualification, satisfied the conditions specified in subsection 92) of this section shall be entitled to receive free of charge a certificate of experience in the prescribed form.

2. The conditions which a person must satisfy under subsection (1) of this section are:
 - (A) he must have been employed for the prescribed period at a recognized institution in Nigeria with a view to obtaining a certificate of experience and have resided throughout that period either in the institution or near to it in accordance with the requirements in that behalf specified in the terms of his employment.
 - (B) he must have acquired during his employment practical experience under the personal supervision and guidance of one or more fully registered medical consultants in the practice of surgery, midwifery, medicine or dental surgery, as the case may be, for such periods as may be prescribed in relation to each of those subjects respectively; and
 - (C) the manner in which he carried out the duties of his employment and his conduct during the period of his employment must have been satisfactory.
3. Any period spent under subsection (2) of this section by a person during his employment in acquiring experience of the techniques for safeguarding and improving the health of children or public health or of the activities carried on in a recognized health centre shall be calculated for the purposes of that subsection as periods in the practice of medicine.
4. It shall be the duty of the person in charge of a recognized institution at which a person is employed with a view to obtaining a certificate of experience to ensure that that person is afforded proper opportunities of acquiring the practical experience required for the purpose of subsection (2) of this section.
5. The Council may make regulations to provide for the issuance of certificate of experience in respect of employment at institutions outside Nigeria”.

2. Requirements to be met for Full Registration

Deriving from the foregoing, an applicant for Full Registration must meet the following requirements:

- (a) He must have attended a course of training for the period approved by the Council at a medical school accredited by the Council for such a training, passed all qualifying examinations and obtained the approved basic medical or dental degrees.
- (b) If a non-Nigerian, he must have obtained his basic medical or dental degree from an accredited medical school in Nigeria.
- (c) He must have been provisionally registered by the Council.
- (d) (i) He must have completed satisfactorily the required period of internship training in a hospital recognized by the Council for such training. It is the duty of a medical or dental graduate seeking an internship post to ensure that the hospital where he is taking up house job is currently recognized by the Council for internship training. A failure to take this precaution may create difficulties with the graduate's full registration in due course.

(ii) A satisfactory completion of internship training implies that the applicant must have done the internship under one of two options, namely:
 1. Twelve weeks of uninterrupted posting under the supervision of recognized consultants or practitioners of adequate seniority and experience, severally in every one of the following departments:

For medical graduates,
 - (a) Medicine
 - (b) Surgery
 - (c) Paediatrics
 - (d) Obstetrics & Gynaecology

with postings in medical Specialties being part of the medical postings, postings in surgical specialties being part of the surgical posting and postings in Primary Health Care and Public Health being part of the Paediatrics postings, where these apply.

For dental graduates.

- (a) Oral Surgery and Oral Pathology
- (b) Restorative Dentistry
- (c) Orthodontics / Paedodontics
- (d) Periodontology

with postings in dental public health and other sub-specialties being appropriately assigned.

2. Sixteen weeks of uninterrupted posting under the supervision of recognized consultants or practitioners of adequate seniority and experience, severally in every one of the following department:

For Medical Graduates:

- (a) Medicine
- (b) Paediatrics
- (c) Surgery
- (d) Obstetrics & Gynaecology.

For Dental Graduates:

- (a) Oral Surgery and Oral Pathology
- (b) Restorative Dentistry
- (c) Orthodontics/Paedodontics and Periodontology

In this sixteen-week option, medical, surgical and dental sub-specialties are to be appropriately assigned.

- (iii) The supervising Consultant or supervising doctor of adequate seniority and experience is required to certify that the intern under his supervision has satisfactorily performed all duties and

assignments during the period. This is an important responsibility which must be taken seriously by all supervising doctors.

Every supervising consultant or doctor must complete for his house officer the approved skill acquisition record/pro forma, which must be submitted to the Council as part of the supporting documents for an application for full registration.

No responsible Consultant or supervising doctor should sign off an intern who did not perform satisfactorily, or fail, for reasons that are not relevant to the internship posting, to sign off an intern who has satisfactorily performed his duties and assignments.

A supervising doctor who fails in his duties in this regard is liable to proceedings being commenced against him at the Medical and Dental Practitioners Disciplinary Tribunal if his misdeed in the matter is brought to the notice of the Council.

An intern who feels that the certificate of experience due to him for a satisfactory completion of his internship has been denied him wrongfully may have recourse to the remedies provided by section 11 (5) of the Law by petitioning the Council for redress. The council would investigate the matter and take appropriate action.

- (a) A person who having obtained a basic medical or dental degree from a foreign medical school of which the basic medical or dental degree is not recognized by the Council and who would therefore need to sit and pass the Assessment Examination before being eligible for registration, but who not having been registered by the Council proceeds to obtain a postgraduate qualification not recognized as the equivalent of the Fellowship of the National postgraduate Medical College, would be eligible to apply for registration only if he can provide satisfactory evidence that he has been registered and allowed to practise in the Country of his qualification. Otherwise, he will still need to sit and pass the Assessment examination of the Council.

- (b) A Nigerian citizen who obtained medical training abroad and has been fully registered to practise in the country of his or her training may be considered for full registration on application.
- (c) The applicant must have obtained from the Council and completed as required, a form of application for Full Registration, and must have submitted to the Registrar, or his designated agent, the completed form with all necessary supporting documents as stipulated on the Form or through other publications or notices from the Council. It is necessary to emphasize that no application for Full Registration may be processed if the applicant has failed to submit with the application, copies of his basic Medical or Dental degree certificate and the internship signing-off papers (certificates of internship experience). The Council shall not waive this requirement for any applicant.
- (d) The applicant must have paid all necessary fees as stipulated by the law or as specified in the regulations which the Council, backed by the law, shall put out from time to time.
- (e) The applicant must have satisfied the Registrar that he is of good character, of sound mind and is a fit person to be entered in the Register of Medical and Dental Practitioners in Nigeria as required by the law at section12(1).

Once an applicant has met all the foregoing conditions he becomes eligible for Full Registration and a Full Registration certificate shall be issued to him as soon as all aspects of the foregoing that require verification have been satisfactorily verified.

A medical or dental graduate who has reason to undertake internship outside Nigeria must ensure that he does his postings according to our regulations if he would wish to obtain full registration from the Medical and Dental Council of Nigeria.

3. Privileges and Duties of a Practitioner on the Full Register

The Law at Section 18 states as follows:

- (1) A person shall not hold an appointment or practise as a medical practitioner or dental surgeon in Nigeria unless he is registered with the Council under the provisions of the Law.
- (2) A fully registered medical practitioner or dental surgeon shall be entitled to practise as a medical practitioner or dental surgeon. as the case may be. throughout Nigeria.
- (3) A document which is required by any law for the time being in force in Nigeria or any part thereof to be issued or signed by a medical practitioner or a dental surgeon of a particular description shall not, if issued or signed, after the Law comes into force, be valid unless it is issued or signed, as the case may be, by a fully registered medical practitioner or dental surgeon.
- (4) Without prejudice to the rule of law whereby a contract may be void if it is inconsistent with the provisions of an enactment, no person other than a fully registered medical practitioner or dental surgeon shall be entitled to bring any proceedings in any court of law for the purpose of recovering any fee or other consideration whatsoever payable in respect of services rendered or facilities or things supplied by him when purporting to act as a medical practitioner or as a dental surgeon”.

At Section 17, the Law also states the functions that can be performed only by registered medical practitioners or dental surgeons and by nobody else.

(a) Recognition and limitations

The implication of the provisions of the law in sections 17 and 18 is that only a doctor who has been fully registered by the Council has the legal basis to practise medicine or dentistry on his own in any part of Nigeria without any encumbrance.

Only a fully registered medical practitioner or dental surgeon may sign or issue documents required by law to be signed by a

registered doctor. Such documents include medical certificates, sick leaves, death certificate, certificate of invalidation from service on medical grounds, certificates of mental status to determine criminal liability for actions taken by persons, testimonies in court as expert witness in matters concerning medicine or dentistry et cetera.

Only fully registered medical practitioners or dental surgeons may sue in a court of law for recovery of fees due to them for medical or dental services rendered to patients.

Only a fully registered medical practitioner or dental surgeon can set up and run a hospital or clinic. It is to be emphasized that while a non- doctor, (a person who is not a medical practitioner or a dental surgeon), who has the financial means may set up a hospital or clinic facility, only a fully registered medical practitioner or dental surgeon, as the case may be, can practise medicine or dentistry in such a facility and it is that practitioner who shall be held responsible for the professional practice in such a facility. All fully registered practitioners are to recognize the full implications of this point when they chose to associate with non- doctors in such ventures. A fully registered medical practitioner or dental surgeon who allows a non-professional to practise medicine or dentistry through his auspices under the c i r c u m s t a n c e s j u s t described, is liable to disciplinary proceedings being brought against him once the act is brought to the attention of the Council.

A fully registered medical practitioner or dental surgeon must not over see a nursing home (set up by a registered nurse) or a maternity home (set up by a registered midwife) or a dental hygienist office (set up by a dental hygienist or dental therapist) and should not provide a cover for illegal practice of medicine or dentistry by persons who have not been registered by the Council to do so.

A fully registered practitioner should know his limitation as to what procedures he can undertake in the course of practice. However, it is an ethical imperative for every fully registered practitioner

to recognize, whenever he is undertaking the management of a case, any limitations that may arise from his level of knowledge; experience, skill or adequacy of facilities and hence be able to refer the case to a colleague who has the privilege of better knowledge, greater experience or skill, or better facilities in the particular case.

A good doctor is the one who knows and appreciates his limitations and is able to refer the case to a more knowledgeable, more skilled or better equipped colleague in good time. Such an ability to recognize limitations enhances, rather than diminishes the reputation of a doctor and offers the best possible service to the patient.

(b) Duties and Responsibilities

The duties and responsibilities as well as privileges of the Fully registered medical practitioner or dental surgeon are amply set out in the Rules of Professional Conduct for Medical and Dental Practitioners in Nigeria and all registered practitioners are enjoined to obtain copies of this pamphlet and carefully go through it.

It is necessary to stress particularly that it is incumbent on a fully registered practitioner to regularly update his knowledge and skill in order to remain relevant and current in medical and dental practice. By Council's regulation, adequate participation in continuing Professional Education programmes is a mandatory requirement for continued licensing of a practitioner.

4. Validity of Full Registration

By current regulation, Full registration is in perpetuity subject only to the annual renewal of practising licence and provided that there is no subsisting order of the Medical and Dental Practitioners Disciplinary Tribunal for a suspension of registration for a determined period, limited erasure from the register (for a stipulated period) or permanent erasure (in which registration is permanently revoked and such a person can no longer ever practise legally in Nigeria).

A registered practitioner who suffers deprivation of registration, partially or fully, as a consequence of disciplinary action by the Tribunal, has a right of appeal to the Federal Court of Appeal.

It is important for all fully registered practitioners to recognize the enormous responsibility attached to the status and to ensure that they do nothing to detract from the honour and respect due to the profession and to themselves as practitioners. They are to do nothing to betray the trust and confidence which the society has reposed in the profession and its practitioners.

5. Penalty for Late Registration

A doctor who fails to apply for full registration within twelve weeks of completion of his internship incurs a liability for penalty for late registration, the nature of which penalty depends on the existing regulations of the Council at the time.

LIMITED (TEMPORARY) REGISTRATION

1. Introduction

The third category of registration is the Limited Registration which is also referred to as Temporary Registration. This is the registration for which expatriates wishing to practise in Nigeria are eligible. However, foreigners who are graduates of Medical Schools in Nigeria are eligible for Full registration provided that they meet all the other requirements for that category of registration.

The Law at section 13 states as follows:

(1) Where a person satisfies the Council

- (a) that he has been selected for employment for a specified period in an approved hospital or as the case may be, in any other approved institution in Nigeria in the capacity of a practitioner of medicine, surgery or dental surgery and that he is or intends to be in Nigeria for a limited period for the purposes of serving for that period in the employment in question; and
 - (b) that he has passed the assessment examination, if any, of the Council following some qualifications granted outside Nigeria which is for the time being accepted by the Council for the purposes of this section as respect the capacity in which, if employed, he is to serve, the Council may, if it thinks fit, give a direction that he shall be registered for a limited period as a medical practitioner or as a dental surgeon, as the case may be.
- (2) The registration of a person for a limited period shall continue only while he is in such employment as is mentioned in subsection (1)(a) of this section and shall cease
- (a) on the termination of the period of employment specified to the Council under that subsection; or
 - (b) on the termination of the said employment before the end of that period whichever first occurs.

- (3) Nothing in subsection (2) of this Section shall preclude the Council from giving a further direction under subsection (1) of this section in respect of a specified period whose commencement coincides with the termination of another such period.
- (4) A person registered by the provisions of this section shall, in relation to his employment as mentioned in subsection (1) (a) of this section, and to things done or omitted to be done in the course of that employment, be deemed to be fully registered. but in relation to all other matters he shall be treated as not so registered.
- (5) No person with limited registration shall be allowed to either open or manage on his own a private health institution.
- (6) In case of doubt as to whether a person's employment has been terminated. the decision of the Council shall be conclusive for the purpose of subsection (2) of this section.

The Law further states at section 9. subsection (3) as follows:

“The Council may institute an assessment examination for holders of foreign medical or dental qualifications recognized by the governments of the countries from where such qualifications were obtained”.

and at section 18, subsection (1)

“A person shall not hold an appointment or practise as a medical practitioner or dental surgeon in Nigeria unless he is registered with the Council under the provision of The Law”.

Relying on the powers conferred on it by sections 2, 6(4), and 8(1), the Council has issued the regulation that expatriate graduates of foreign institutions, who apart from the basic medical or dental qualifications possess additional specialist qualifications recognized by the Council as registrable, shall not be required to sit and pass the Council's assessment examination before becoming eligible to apply for limited registration.

2. Requirements to be met for Limited Registration

Deriving from the foregoing, a foreigner wishing to practise medicine or dentistry in Nigeria shall be required to obtain Limited registration, (also referred to as Temporary registration), from the Council and to be able to do this he shall meet the following requirements:

- (a) He must have attended a course of training in a 'medical school recognized by the government of the country in which the school is situated and for the period approved by the relevant authorities of that Country, passing all qualifying examinations and obtaining the approved basic medical or dental qualifications of that institution.
- (b) He must possess a professional postgraduate qualification recognized by the Medical and Dental Council of Nigeria as a registrable postgraduate specialist qualification, or failing which, he must have sat and passed the Assessment Examination of the Council.
- (c) He must produce a satisfactory evidence of a firm offer of employment in a recognized hospital in Nigeria.
- (d) He must provide a satisfactory evidence of his having been granted a resident permit and work permit in Nigeria by the relevant agents of the government of the Federal Republic of Nigeria.
- (e) He must have obtained from the Council and completed as required, a form of application for Limited Registration and must have submitted to the Registrar, or his designated agent, the completed form with all necessary supporting documents as stipulated in the form or through other publication or notices from the Council. These supporting documents shall include, inter alia, copies of all his academic and professional qualifications, and the items mentioned in (c) and (d) above
- (f) An applicant for Limited registration shall be required to present evidence of having been previously registered by the Councils under whose jurisdictions he had worked previously and shall also be required to secure a letter of good standing from the latest of those jurisdictions. Such a letter of good standing must be caused by him to be mailed

directly to the Registrar of the Council from the Council under whose jurisdiction he had worked. A personal delivery by him of such a letter of good standing shall be unacceptable.

- (g) The applicant must have paid all necessary fees as stipulated by the Law or as specified in the regulations which the Council, backed by the Law, shall put out from time to time.
- (h) The applicant must satisfy the Registrar that he is of good character and sound mind, has the appropriate disposition towards Nigeria and her citizens and is indeed a fit person to be entered in the Register of Medical and Dental Practitioners in Nigeria, as required by the Law at section 12 (1).

Once an applicant has met all the foregoing requirements, he becomes eligible to be granted Limited Registration to practise in Nigeria within the employment specified in his application and a Certificate of limited registration shall be issued to him as soon as all aspects of his application and supporting documents which require verification have been satisfactorily verified.

No foreigner may practise in this Country even for one second under any circumstances without having obtained his Limited registration. Dire consequences attend any contravention of this Law.

It is common knowledge that certain institutions augment their professional staff by inviting foreign specialists to render care to their patients for a very short period of time. It is therefore necessary to emphasize that the Law requires that such invited foreign specialists and practitioners be duly registered under this sect before they can lawfully render any medical service in Nigeria. A foreigner who offers medical or dental services to any person within the territory of the Federal Republic of Nigeria while not registered and licensed by the Medical and Dental Council of Nigeria commits a crime which is punishable under the law.

3. Privileges and Duties of a Practitioner on the Limited Register

The relevant sections of the Law have already been cited above and the following derives from the Law.

Recognition and Limitations

Within the employment for which he is registered, a doctor on the Limited Register has all the rights and privileges of a fully registered medical practitioner. Where the doctor is on the Limited Register for the purposes of undergoing internship training, he shall have the rights and privileges of a doctor on the Provisional Register.

A doctor on the Limited Register has the status of a guest to the Country and must behave in all respects as a good guest in order to enjoy the benefits of that status. It is his duty to comply with all the Laws of the Federal Republic of Nigeria as any breach of our Laws is fraught with dire consequences for him.

It is his duty to treat all Nigerian citizens with due respect and courtesy under all circumstances, and to take due cognizance of their sensibilities in all his conduct and utterances to assure himself of a pleasant stay and a rewarding professional experience. Derogatory remarks about Nigeria or her citizens shall attract severe consequences.

Where he feels inappropriately treated by his Nigerian colleagues, he has the right to report to the Council for investigation of the matter and appropriate redress.

The professional activities of a doctor on the Limited Register is confined to the employment for which he is registered. If he changes employment, the registration lapses automatically and he would need to process a new registration for the new employment.

A doctor on the Limited Register cannot set up or run a private health facility on his own anywhere within the Federal Republic of Nigeria.

A doctor on the Limited Register, like other non-Nigerians in other spheres, must not involve himself in the political activities of the Country but must be clearly seen not to be interfering in the internal affairs of the Country. He

may however, participate in the activities of the Nigerian Medical Association and other special interest professional bodies in so far as his participation is only of a professional nature.

A doctor on the Limited Register is bound like all other doctors in Nigeria by the Rules of Professional Conduct for Medical and Dental Practitioners in Nigeria as put out from time to time by the Council and this code in Nigeria takes precedence over whatever other code that may exist in his own Country for in all matters requiring the arbitration of the Disciplinary Organs of the Council in which he is involved. He shall be evaluated on the basis of the Nigerian Code of Professional Conduct.

4. Validity of Limited Registration

The maximum period of Limited Registration is twenty-four months. after which the registration must be renewed if the practitioner desires to continue practice in Nigeria.

Where the appointment for which the registration is granted terminates before the duration of the registration, the registration terminates automatically and if the doctor desires to take up a new employment, he must process a new registration for the new appointment or he must leave Nigeria immediately.

Where the employment for which registration is desired has a duration of less than twenty-four months, the registration shall be granted for the appropriate period.

A registration on the Limited Register does not entitle the holder to practise as a specialist without compliance with the appropriate regulation on specialist qualifications as set out below. It only confers the status of a fully registered doctor within the employment for which registration has been obtained.

5. Penalty For Late Renewal of Limited Registration

A failure to renew limited registration within four weeks of its lapse, while the doctor still desires to practise in Nigeria, attracts sanctions as determined by the existing regulations of the council at the time. Therefore. every doctor on the Limited Register must ensure prompt renewal of his registration.

REGISTRATION OF ADDITIONAL QUALIFICATIONS

1. Introduction

The Law at section 8 subsection (2) states as follows

“Subject as aforesaid, a person shall be entitled to register any postgraduate qualification if the qualification is approved by the Council in a specialized branch of medicine or dental surgery”.

and at section 9 subsection (1) further states,

“Subject to subsection (2) of this Section, the Council may approve for the purposes of The Law.

- (a) any course of training which is intended for persons who are seeking to become, or are already members of the Medical or Dental Profession and which the Council considers is designed to confer on persons completing it sufficient knowledge and skill for the practice of that profession or for practice as members of a specialized branch of that profession”.
- (b) any qualification which, as a result of an examination taken in conjunction with a course of training approved by the Council under this section is granted to candidates reaching a standard at the examination indicating, in the opinion of the Council, that they have sufficient knowledge and skill to practise the profession in question or to practise as members of a specialized branch of that profession”.

Relying on the powers conferred on it by section 1 subsection 2 of the Law the Council has, in the Code of Conduct for Medical and Dental Practitioners in Nigeria at Section A subsection 7, issued the regulation that:

“No medical or dental practitioner shall practise as a specialist or pass himself off as a specialist without having a specialist qualification which is registrable with the Medical and Dental Council of Nigeria. Every practitioner who is a specialist should know that it is a contravention of the regulation for him to practise as a specialist without having been registered as a specialist by the Council”.

It is thus clear from the foregoing that there is a legal requirement for all persons who have acquired professional postgraduate qualifications to register them with the Council before they can pass themselves off as specialists in any specialized area of medicine or dentistry, and they would be breaching our code of professional conduct and the Law if they should practise as specialists without such a registration.

It is pertinent to emphasize that just as the possession of the basic medical or dental qualification confers the eligibility to become recognized as a medical practitioner or dental surgeon but such a person shall not practise as a medical practitioner or dental surgeon until he is appropriately registered by the Council, so also does the possession of a professional postgraduate qualification confer on its holder the eligibility to become recognized as a specialist, but such a recognition within the Federal Republic of Nigeria can only legally occur when the person is registered by the Council as a specialist and not just by the mere possession of the Fellowship certificate or other equivalent qualification.

2. Requirements to be met for Registration of Additional Qualifications

Deriving from the relevant sections of the Law, every practitioner of medicine or dentistry in Nigeria who wishes to be recognized and legally practise as a specialist in any specialized area is required to be registered as a specialist by the Council and must meet the following requirements before he could become eligible for such registration:

- (a) He must possess a professional qualification obtained after the basic medical or dental qualification, which the Council accepts as being one of the following:
 - (i) A Fellowship of the National Postgraduate Medical College of Nigeria or a qualification equivalent to it in content, duration and status.
 - (ii) A sub-fellowship qualification or any other qualification, not being equivalent to the qualifications in (i) above, but nevertheless having the potentiality of conferring a specialist status on its

holder after a determined period of acceptable practice in the specialty.

(iii) A qualification not being equivalent to either of (i) or (ii) above, but definitely demonstrating that the holder has acquired further skill and knowledge in a special area, subsequent to his basic medical or dental degree.

(iv) A post-graduate qualification in the Basic medical or clinical sciences at the level of a doctorate degree obtained after the basic medical or dental qualification.

The qualifications listed above shall be recognized in four categories namely A, B, C and D and the privileges and responsibilities appertaining to each category shall be clearly indicated on the certificate of registration.

(b) A practitioner who has obtained medical or dental degrees which are ordinarily not registrable by the Council without his passing the Assessment Examination, and who not having obtained the Full Registration of the Council proceeds to obtain an additional qualification that is not deemed equivalent to the Fellowship of the National Postgraduate Medical College of Nigeria, shall be required to present a satisfactory evidence of having been registered to practise in the Country of his qualification before the Council can decide on his eligibility for registration as a practitioner in Nigeria and a holder of additional qualification in the appropriate category

(c) He must have obtained from the Council and completed as required, a form of application for registration of Additional qualifications, and must have submitted to the Registrar, or his designated agent, the

completed form with all necessary supporting documents as stipulated on the Form or through other publications or notices from the Council. These supporting documents shall include, inter alia, copies of the certificates of all his professional and academic qualifications and the certificates of his previous registrations with the Council, if any.

- (d) The applicant must have paid all necessary fees as stipulated by the Law or as specified in the regulations which the Council, backed by the Law, shall put out from time to time.
- (e) The applicant must satisfy the Registrar that he is of good character and sound mind, and is a fit person to be entered in the Register of Medical Dental Practitioners in Nigeria as a specialist in any specialized area or as one who has acquired further knowledge and skill in a specialized area after his basic qualification.

Once an applicant has fulfilled the necessary conditions as listed above, he becomes eligible for registration in the appropriate additional qualification category and the appropriate certificate of registration shall be issued to him as soon as all aspects of his application and supporting documents which require verification have been satisfactorily verified.

3. Privileges and Duties of a Practitioner who has been Registered by the Council as Possessing Additional Qualifications

(a) Recognition and Limitations

- (i) A practitioner who possesses additional qualifications registered under category A, is a recognized specialist at the highest level and is immediately eligible for consideration for appointment to the post of a consultant in the appropriate specialty in any health services institution or set up.

He can set up and run specialist clinics or head specialist hospitals, departments or units.

He is qualified to head medical training institutions and/ or clinical departments thereof which are appropriate to his area of specialization and supervise and sign off interns in his specialty.

He is qualified to supervise residents in training in his specialty.

His limitations are as constrained by the facilities available to him or what he perceives as his skills limitation.

- (b) A practitioner who possesses additional qualifications registered under category B, is eligible for recognition as a specialist after a pre-determined period of practice in the specialty, subsequent to which he may or may not have been elected to or awarded a qualification that is equivalent to the qualifications in category A.

Such a practitioner shall not be immediately eligible to be considered for appointment as a consultant but shall in due course become eligible after spending the specified period in the specialty. Such specified periods which are based on the guidelines provided by the Faculty Boards of the National Postgraduate Medical College, are usually not less than three years and may in some cases stretch to as much as eight to ten years. Such a practitioner may under appropriate circumstances and being of adequate seniority be permitted to supervise and sign off interns, particularly in institutions accredited for straight internship.

He should be able to appreciate his limitations in the specialty and be able to consult practitioners in category A whenever the need arises. He must never undertake a case that is clearly beyond him.

- (c) A practitioner who possesses additional qualifications registered under category C is recognized as a special grade medical officer, having acquired additional knowledge and skills in a specialized area of medicine or dentistry after his

basic qualifications, although the nature and quality of the knowledge and skill is not adequate to confer a specialist status.

Such a doctor would be useful in the rendering of services in such specialized areas to reduce the consequences of the shortage of highly specialized manpower in these areas in the provision of health services to our people.

This acquisition of additional knowledge and skills enhances the career progression of the holder along the general medical officer cadre as a special grade medical officer.

Such a practitioner, if of adequate seniority, may also be allowed to sign off interns only in hospitals approved for straight internship.

This practitioner must recognize his limitations in the practice of the specialty in which he has now acquired additional knowledge and skill. He must not therefore undertake without appropriate consultation and guidance those cases in which there is a definite need of the services of a recognized specialist.

- (d) A practitioner who possesses additional qualifications registered in Category D is accorded the status of a specialist in the area of Basic Medical or Clinical Sciences and would be entitled to all privileges appertaining to that status. This recognition should encourage such persons to give their best in these important areas in our medical training curriculum.

4. Validity of Registration of Additional Qualification

The validity of registration of any additional qualification is perpetual provided that the Council has not been notified that the Faculty to which the practitioner belongs has withdrawn recognition from him on any legitimate ground including failure to meet all his obligations to that faculty and that his name has not been struck off the Register of Medical and Dental Practitioners under any circumstance.

5. Penalty for Late Registration of Additional Qualification

A doctor who fails to register his additional qualifications with the Council within twelve weeks after obtaining them incurs penalty for late registration, the nature of which depends on the existing Council regulations at the time.

LICENSURE TO PRACTICE IN NIGERIA

1. Introduction

The Law at section 14 stipulates as follows

“(1) Subject to subsection (2) of this section, no medical practitioner or dental surgeon shall practise as a medical practitioner or dental surgeon as the case may be, in any year unless he had paid to the Council in respect of that year the appropriate practising fee...”

“(3) The Council may, with the approval of the Minister from time to time, vary the practising fees prescribed under subsection (1) of this section”.

“(5) Any medical practitioner or dental surgeon who in respect of any year and without paying the prescribed fee practises as such shall be guilty of an offence”.

It is thus obvious that registration of any practitioner in an appropriate category is a NECESSARY, BUT NOT A SUFFICIENT CONDITION, for legal medical or dental practice in Nigeria.

2. Guidelines for Licensure

Deriving from the foregoing sections and relying on other inherent powers conferred on it by The Law, the Council has set out the following guidelines on the implementation of the law on medical and dental licensure:

1. Every registered medical practitioner or dental surgeon is required to pay the appropriate practising fee to renew his licence for the ensuing year before the 31st day of December of the current year.
2. A practitioner wishing to renew his licence is required to obtain, complete properly and submit to the Council the application form for renewal of licences. He must provide all information demanded in the form.
3. With effect from January 1998, a doctor wishing to renew his practicing licence shall be required to provide a satisfactory evidence of having participated in suitable continuing medical or dental education programmes. The details of this requirement are contained in the

Guidelines for Continuing Professional Education for Medical and Dental Practitioners in Nigeria.

4. A doctor who is aged 70 years and above shall not be required to pay annual license fee for the rest of his life provided he is in good standing.
5. A registered medical practitioner or dental surgeon who has failed to pay the practising fee for any year shall not be included in the published Register of Licensed Medical and Dental Practitioners for that year.
6. A practitioner who fails to pay his practising fee within the stipulated period shall be required to pay a 100% surcharge on the fees, without prejudice to any other sanction prescribed for such default in the Law. A doctor who has defaulted for more than two years may in addition be requested to pay a default penalty.
7. A practitioner who has failed to pay his practising fee for any year shall not practise medicine or dentistry anywhere in Nigeria.
8. A practitioner who is in default of the payment of practising fee for any year shall be deemed not to be in good standing and in the event of his needing any certification or reference from the Council, he must in the first place restore himself to good standing by clearing all his outstanding indebtedness.
9. A practitioner who is in default in the payment of his practising fees shall not be entitled to any privileges due to a registered and licensed medical practitioner or dental surgeon, the status of his registration not withstanding.
10. Any employer who engages the services of an unlicensed doctor is liable in law for criminal breach of The Law and may be prosecuted. To this end, it is the responsibility of every employer of medical practitioners or dental surgeons to ascertain and ensure that the persons they employ are registered and licensed by the Council, whether they are Nigerians or Non-Nigerians, and in whatever place of employment within the territory of the Federal Republic of Nigeria.

- 11 A licensed practitioner is by that fact a full fledged member of the Nigeria Medical Association and is expected to participate actively in the activities of that Association in the best interest of the profession.
12. A practitioner is expected to pay for his annual license through the MDCN registration web portal at www.portal.mdcn.gov.ng and print it out from his electronic profile as soon as it is approved.

METHOD OF PAYMENT OF ALL FEES DUE TO THE COUNCIL

All practitioners are advised to make payments to the Council through the MDCN registration Portal (www.portal.mdcn.gov.ng).

No official of the Council is authorized to receive payments on behalf of the Council. Any practitioner who makes payments outside the link (www.portal.mdcn.gov.ng), does so entirely at his/her own risk and the Council will not entertain any complaint arising from such transactions.