

ORDINANCE SUPPLEMENT

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Local Governments (Kampala City Council) (Traditional
Ordinance 10 Healers and Herbalists) Ordinance 2006

THE LOCAL GOVERNMENTS (KAMPALA CITY COUNCIL)
(TRADITIONAL HEALERS AND HERBALISTS) ORDINANCE, 2006

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Local Governments (Kampala City Council) (Traditional
Ordinance 10 *Healers and Herbalists) Ordinance* **2006**

THE LOCAL GOVERNMENTS (KAMPALA CITY COUNCIL) (TRADITIONAL HEALERS AND HERBALISTS) ORDINANCE, 2006

(Under sections 38,40 and 41 and paragraph 26 of Part 3 of the Second Schedule of the Local Governments Act, Cap 243)

An Ordinance to regulate traditional healers and herbalists and to provide for other connected matters.

BE IT ORDAINED by the Council of the City of Kampala as follows:

1. This Ordinance may be cited as the Local Governments (Kampala City Council) (Traditional Healers and Herbalists) Ordinance, 2006.

Citation

2. This Ordinance applies to traditional healers and herbalists operating within the jurisdiction of the Council.

Application.

3. In this Ordinance, unless the context otherwise requires—

Inter-pretation.

“Act” means the Local Governments Act;

“authorised officer” means any person appointed by the Council and charged with the administration of this Ordinance;

“City” means the Kampala city;

“Council” means the City Council of Kampala;

“currency point” means the value assigned to it in the First Schedule to this Ordinance;

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“healer” means any person engaged in *bona fide* spirit worship or the *bona fide* manufacture, supply or sale of traditional medicines;

“herbalist” means a person who grows, sells or uses herbs for medical purposes;

“medical officer of health” has the meaning assigned to it in the Public Health Act.

Permit to operate.

4. A person shall not operate a business of a healer in the City without a permit issued by the Council.

Application for permit.

5. (1) An application for a permit under this Ordinance shall be in the form specified in the Second Schedule to this Ordinance.

(2) The Council may, before issuing a permit, require the applicant to furnish it with such further particulars as the Council deems fit, including clearance from a medical officer of health.

Power to deal with application.

6. (1) Subject to the provisions of this Ordinance, the Council may issue a permit to a healer subject to such conditions as the Council may determine.

(2) The Council may reject an application not in the proper form or in respect of which the applicant has been required to furnish further particulars and has failed or neglected to do so.

Exhibition of permit.

7. Every holder of a permit issued under this Ordinance shall keep that permit exhibited in a conspicuous place at his or her business premises.

Duration of permit.

8. A permit granted under this Ordinance in respect of any year shall expire on the 31st day of December of that year except for permits that are revoked, which expire upon the revocation.

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Inspection
of permit.

9. (1) An administrative officer, police officer or any person authorised in writing by the Council may at all reasonable times enter—

- (a) premises in respect of which a permit has been issued for the purpose of inspecting the premises and permit to satisfy himself or herself that the provisions of this Ordinance are being complied with; or
- (b) premises in respect of which a permit has not been granted under this Ordinance but he or she has reasonable grounds to believe that on the premises there is business being carried on for which a permit is required under this Ordinance,

and may require the owner of the premises to furnish him or her with such information as the officer may deem necessary.

(2) The owner of any premises to which the provisions of subparagraph (1) apply shall provide all the necessary information as the administrative officer, police officer or any other officer may require in the discharge of his or her duties.

(3) Any person who obstructs or hinders or knowingly makes a false declaration or gives false information to an officer under subparagraph (1), commits an offence

10. The Council shall not issue a permit to any person—

Dis-
qualification
for holding
permit.

- (a) who has not attained the age of eighteen years unless the person undertakes, to the satisfaction of the Council, to conduct his or her business as healer in partnership with one or more persons who have attained the age of eighteen; or
- (b) if the granting of the permit contravenes any provision of any other law.

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Prescription
of manu-
factured
medicines.

11. (1) No healer shall prescribe or administer manufactured or non-traditional medicine to a person.

(2) A healer who contravenes the provisions of subparagraph (2) of this paragraph, commits an offence.

Conflicting
business
etc.

12. A healer shall not carry or engage in any trade or business in which his or her interests in that trade or business shall be in conflict with the proper discharge of his or her professional duties.

Disclosure
of
information.

13. A healer shall not disclose any information acquired in the exercise of his or her professional duties to any person other than the client to whom the information relates without the consent of the client.

Indecent
language.

14. (1) A healer shall not use any language, sign or display any picture on his or her premises which is obscene, vulgar or indecent or which arouses suspicion that it is obscene, vulgar or suggests indecency or is damaging to public morals.

(2) A healer who contravenes the provisions of subparagraph (1) of this paragraph, commits an offence.

(3) The court convicting a healer under this paragraph may, in addition to any penalty it may impose, order for the cancellation of his or her permit issued under this Ordinance, the closure of his or her premises or order the destruction of the offending any sign, picture or material.

Confiscation
of materials.

15. (1) Subject to the provisions of this Ordinance, the Council may confiscate any sign, picture or material found in the possession of a healer if, in the Council's opinion, the picture, sign or material is offensive.

(2) The Council shall, after confiscation of any sign, picture or material under subparagraph (1) direct the healer upon whose premises the sign, picture or material was found to show cause why the sign, picture or material should not be destroyed.

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(3) The Council or any authorised officer of the Council shall not be liable for any compensation or damage of whatever nature arising from confiscation, removal or destruction of any sign, picture or material under this paragraph.

16. A person who contravenes any provision of this Ordinance is liable on conviction, to a fine not exceeding two currency points or to a term of imprisonment not exceeding six months or both.

Offences
and
penalties.

SCHEDULES.

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FIRST SCHEDULE

paragraphs 3 and 16

CURRENCY POINT

One currency point is equivalent to twenty thousand Ugandan shillings.

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 SECOND SCHEDULE

paragraph 5(1)

The Republic of Uganda

APPLICATION FOR TRADITIONAL HEALER’S PERMIT

*(The Local Governments (Kampala City Council) (Traditional
 Healers and Herbalists) Ordinance, 2006)*

1. (i) address or location of the applicant .. (ii) Name of Planning Area ..	
2. Full name, postal address and telephone number of person wishing to practice as healer (in block letters) ..	
3. Full name, postal address and telephone number of person applying on behalf of person referred to in 2 above (if any).	
4. State the Division/Zone within which the practice is proposed.	

I/We hereby certify that to the best of my/our knowledge the information contained in this application is correct.

Signed:

Date:

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PASSED by the City Council of Kampala on 3rd day of May, 2004.

I HEREBY signify my hand this 10th day of May, 2005.

Cross References

Local Governments Act, Cap. 243

Public Health Act, Cap. 281

JOHN SSEBAANA KIZITO,
Mayor, Kampala City Council.