

Bismillah ar-Rahman ar-Rahim

Republic of Sudan

Ministry of Justice

[Qur'an aya 58 surat al-nisaa']

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Bismillah ar-Rahman ar-Rahim

Law on the Protection of Doctors, Health Workers and Medical Facilities, 2020

Pursuant to the provisions of the Constitutional Document for the Transitional Period 2019, the Sovereignty Council and the Council of Ministers have issued in their joint meeting, and the Sovereignty Council have signed, a law with the following text:

Part One

Introductory Provisions

Name and Effective Date of the Law

1. This law is named “Law on the Protection of Doctors, Health Workers and Medical Facilities 2020” is effective from the date on which it is signed.

Interpretation

For the purposes of this law, unless context dictates otherwise:

“Doctors”	Refers to doctors of all different specialisations under the provisions of the Law of the Sudanese Medical Council 1993.
“Health workers”	Refers to staff who assist doctors and those registered under the Law of the Council for Medical and Health-related Professions 2010.
“Medical facilities”	Refers to premises equipped to provide medical and health-related services, whether general or specific.
“The Council”	Refers to the Sudanese Medical Council established in accordance with the provisions of the law of the Medical Council 1993.
“The Minister”	Refers to the Minister of Health.

Part Two

Responsibility and Protection of Doctors and Health Workers

- (1) No medical procedure carried out by a doctor or health worker as part of work they are authorised to undertake in line with their role as designated by the Council is to be considered a crime, as long as they take the necessary care and adhere to professional guidelines and standards.
- (2) Doctors and health workers are to show due care, and all their actions performed in line with their medical duties come under tortious liability in accordance with the provisions of the Law for Civil Procedures 1983.
- (3) Tortious liability is attributed to doctors and health workers in accordance with the Law of the Sudanese Medical Council 1993, following a written resolution from the Council upon the recommendation of the committees of which it is composed.
- (4) Doctors and health workers may not be arrested, nor may criminal proceedings be brought against them, except with the permission of the Chairperson of the Council or the Chairperson of the Council of Medical and Health-related Professions, depending on the case in hand, and these proceedings must concern their professional medical activities or be directly linked to them.

Crimes and Punishments

Without contravening any more serious punishment or other law, and without infringing on the Right to Compensation, anyone guilty of the following shall be considered to have committed a crime and shall be punished on conviction with a prison sentence no longer than ten years, or a fine, or both:

- (1) Assaults a doctor or health worker in any way, be it physical or verbal, while the latter is performing their duties, or as a result of these duties;
- (2) Disrupts the work of medical and health facilities without lawful grounds for doing so in any manner;
- (3) Damages property or furniture belonging to medical facilities;
- (4) Disseminates misleading or untrue information which affects the performance of doctors or health workers or medical facilities.

Authority to Issue Regulations

5. The Minister may issue the regulations, guidelines and decrees necessary to fulfil the provisions of this law.

Testimony

I testify that the Sovereignty Council and the ministers present at joint meeting number (6), 29th May 2020, have approved the Law on the Protection of Doctors, Health Workers and Medical Facilities 2020.

[Signed]

Lieutenant-General
Abdul Fattah al-Burhan Abdul Rahman
Chairman of the Sovereignty Council