

THE MEDICAL AND DENTAL PRACTITIONERS BILL, 2012

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SCHEDULES

**A Bill
For
An Act to make provisions for registration, and regulation of medical and dental practice, to establish the Medical Council of Tanzania, to repeal the Medical Practitioners and Dentists Act, Cap 152 and to provide for related matters.**

PART I

PRELIMINARY PROVISIONS

- Short title 1. This Act may be cited as the Medical and Dental Practitioners Act, 2012, and shall come into operation on such date as the Minister may, by notice published in the *Gazette*, appoint.
- Application 2. This Act shall apply to -
- (a) medical and dental practitioners;
- (b) allied medical and dental practitioners.
- Interpretation 3. In this Act, unless the context otherwise requires:-
- “*ad hoc* Committee” means a Committee established by the Council under section 6(l);
- “allied medical or dental practitioner” means a person who has undergone medical or dental training in an institution recognized by the Council and is capable of rendering services as assistant medical officer, assistant dental officer, clinical officer, dental therapist or clinical assistant.;
- “certificate” means a document issued to a person certifying that such person has undergone a course of study leading to award of a degree, diploma, and may include any other document indicating the level of knowledge and skill acquired;
- “Council” means the Medical Council of Tanzania established under section 4.
- “dental practitioner” means a person professing to practice dentistry and is holding a recognized qualification from a learning institution, recognized by Council, and include a dental surgeon Assistant, Dental Officer, and Dental Therapist;
- “dental practice” means the act of giving or offering oral health services inclusive of dental preventive, surgical, restorative and rehabilitative care or advice to an individual, group of persons or organization;
- “Doctor” means a person who has undergone training in medicine or dentistry, in a recognized institution and has been awarded a degree by that institution.

“health facility” means a hospital, health centre, dispensary, medical clinic, dental clinic, maternity home, nursing home, pharmacy, health laboratory and diagnostic centre;

“Internship” means the prescribed period of supervised practice from the time a practitioner obtain the first degree to the time of satisfying the supervisor that the practitioner is competent.

“Practicing Licence” means a permit issued under this Act authorizing a person to practice as medical or dental practitioner;

“List A” means register kept by the Registrar in which the names and particulars of clinical Officers and dental therapists are entered;

“List B” means register kept by the Registrar in which the names and particulars of clinical Assistants are entered;

“Letter of Authorization” means a registration grants to any person intending to practice for a period not exceeding six months from the date of registration and issuance of it shall be deemed as a registration as specified under S.20.

“Medical Practitioner” means a person professing to practice medicine, surgery and midwifery and include a Medical Doctor, an assistant Medical Officer, Clinical Officer and assistant Clinical Officer is holding a recognized qualification from a learning institution recognized by the Council;

“Minister” means the Minister responsible for health matters

“medical practice” means the act of giving or offering medical, surgical or obstetric and gynaecology, paediatric and child health care or advice to an individual, group of persons or organization;

“Register” means a Register of registered doctors and allied Medical and Dental Practitioners.

“Registrar” means the Registrar of the Council appointed under section 9(1);

“Roll” means register of Assistant Medical Officers and Assistant Dental Officers kept by the Registrar in which the names and particulars of persons enrolled are entered;

“Professional Misconduct” means a conduct connected with the medical or dental practice in which, by reason of commission or omission the practitioner has fallen short of standard of conduct expected among the members of the profession, and such falling short is considered to be unacceptable or dishonorable to the profession.

PART II

ESTABLISHMENT OF THE COUNCIL

Establishment of the Council:

4. (1) There is established a Council to be known as the Medical Council of Tanzania.

(2) The Council shall-

- (a) be a body corporate with perpetual succession and a common seal;
- (b) in its corporate name be capable of suing and be sued;
- (c) be capable of holding, purchasing, otherwise acquiring and disposing movable or immovable property;
- (d) enter into contract or other transactions and do any other acts which a body corporate may lawfully do;
- (e) have powers to borrow sum of money as it may require for its purpose;
- (f) have powers to hire number of persons for purposes of discharging duties of the council, on terms as may deem appropriate;
- (g) exercise the powers and perform functions conferred under this Act.

Composition
of Council

5. (1) The Council shall consist of -

- (a) a Chairperson who shall be appointed by the Minister from among prominent medical or dental practitioners;
- (b) the Chief Medical Officer;
- (c) A State Attorney nominated from the Attorney General's Office;
- (d) One person appointed by the Minister each from the following institutions;
 - (i) Medical Association or Dental Association
 - (ii) Association of Private Health Facilities
 - (iii) Deputy Vice Chancellor of a Medical or Dental University
 - (iv) Director of a Zonal National Hospital
 - (v) A Regional Medical Officer or Dental Officer
 - (vi) District Medical Officer or Dental Officer
- (e) One outstanding member of the Community

(2) The First Schedule to this Act shall have effect as to the procedure and conduct of the meetings of the Council.

Standing
Committees
of
the
Council

6. (1) There shall be Standing Committees of the Council;

(2) The Standing Committees of Council shall consists of:-

- a) Training and Registration Committee;
- b) Committee on Ethics and Professional conduct; and
- c) any other Committee as Council deems necessary

- (3) The functions of the Training and Registration Committee shall be to:-
- (a) scrutinize and recommend on the curricula for the training of Medical and Dental practitioners or allied Medical and Dental Practitioners in collaboration with other training regulatory authorities
 - (b) determine and advise on the assessment of medical or dental practitioners prior to registration, enrolment, and enlisting;
 - (c) inspect medical or dental institutions to ascertain compliance with quality standards;
 - (d) prescribe and evaluate qualification for registration, enrolment, enlisting and licensing and to make recommendations to Council;
 - (e) scrutinize applications submitted to Council and advise on whether or not approval should be granted;
 - (f) any other activity as may be directed by the Council.

(4) The functions of the Committee on Ethics and Professional Conduct shall be to:-

- (a) educate and advice on professional ethics and conduct of Medical and Dental Practitioners or allied Medical and Dental Practitioners
 - (b) scrutinize complaints or allegations in relation to the conduct of medical or dental practitioner submitted or known to the Council.
 - (c) conduct preliminary inquiry into any complaint or allegation levelled against a medical or dental practitioner or allied Medical and Dental Practitioner and report the decision to Council;
 - (d) any other activity as may be directed by Council
- (5) Notwithstanding provisions of subsection (2),the Council may appoint *ad-hoc* Committees as may be necessary for the purpose of the performance of the functions of the Council.
- (6) The Standing Committees shall regulate their own procedures in relation to the conduct of meetings and make the decisions.

Functions of the council

7. The functions of the Council shall be to carry out the provision of this Act and in particular:-
- (a) to keep and maintain the Register of registered, enrolled and enlisted, Medical and Dental Practitioners or allied Medical and Dental Practitioners;
 - (b) to publish in the *Gazette* the names, addresses and qualifications of all newly registered medical or dental practitioners, at interval of one year or as may be determined by Council;

(c) to publish in the *Gazette*, at annual intervals, register, roll or list containing the names, qualifications and addresses of all medical or dental practitioners or allied medical and dental practitioners on the Register as remaining at the close of the previous year;

(d) to restore into the Register, Roll or List the names of persons previously erased;

(e) to caution, censure, charge fines suspend from practice, erase from the Register, Roll and List of names of practitioners, after being found guilty and convicted of an offence of professional misconduct by the Council ;

(f) to register, enroll or enlist persons who fulfill the requirements set out in the Regulations under this Act;

(g) to evaluate and determine the kind of training that imparts the requisite knowledge and skill for the efficient practice of medicine and dentistry;

(h) to inspect and accredit hospitals for internship training, and prescribe regulations for that purpose;

(i) to inspect and recognise medical or dental training institutions for the purpose of ascertaining quality of the training offered;

(j) To monitor and exercise general supervision over maintenance of professional Medical and dental education standards, including continuing Professional Education.

(k) to review, scrutinize, and recommend curricula for the medical or dental training for purposes of determining suitability for registration of the graduates.

(l) to exercise disciplinary control over medical or dental practitioner or allied medical and dental practitioner through conduct of inquiries in relation to professional conduct.

(m) to promote the maintenance and enforce adherence of professional Medical and Dental ethics;

(n) to protect society from abuse of medical or dental care and research on human beings;

(o) to advise the Minister on matters pertaining to practice and training of medical and dental practitioners;

(p) to exercise general supervision of Medical and Dental Practice at all levels

(q) to perform any other function or act relating to medical and dental practice authorized or required by this Act or any other law or as the Minister

may direct;

Powers of the Council

8. (1) Subject to Section 7 (e) Council shall have powers to caution, censure, suspend from practice or erase from the Register, Roll or List a medical and dental practitioner or allied medical and dental practitioner who:-
- (a) has been convicted of professional misconduct ;
 - (b) has been convicted of a serious criminal offence as specified in the schedule; and
 - (c) has done any thing that has lowered the esteem and integrity of the medical and dental profession.
- (2) The Council shall have powers to inspect and scrutinize the curricula, and monitor the conduct of the medical and dental training institutions and approve or refuse to approve recognition.
- (3) The Council shall have powers to inspect any health facility in which a registered, enrolled or enlisted practitioner renders services to ascertain quality and standards of practice.
- (4) The Council may, by resolution, delegate to any person, organ, body or Institution, the authority to discharge any of the functions as it may deem appropriate from time to time.

PART III

MANAGEMENT AND STAFF OF THE COUNCIL

Reinstatement in the register

9. (1) The Council may on its own motion or on the application of medical or dental practitioner or allied Medical or dental practitioners, whose name has been de-registered or erased from the Register, Roll or List reinstate the name of that person in the Register, Roll or List.
- (2) Where the name of a person is reinstated in accordance with sub-section (1), the Council may restore the registration, license, enrolment or enlistment of that person and may impose a period of supervision or any other conditions as may be necessary.

Communications of decisions

10. (1) Any decision of the Council with respect to registration, licensing, enrolment, enlistment or de-registration, re-enrolment or re-enlistment shall be stated categorically and the reasons explained to enable a person in respect of whom a decision has been made to understand the nature of the decision.
- (2) A decision of the Council shall be notified or communicated to the person concerned in writing.

11. (1) There shall be a Registrar of the Council who shall be a public officer appointed by the Minister.
- (2) The Registrar shall be the Chief Executive Officer and Secretary to the Council.
- (3) The Minister may terminate the appointment of the Registrar for the following reasons:-
- (a) misconduct;
 - (b) failure or inability to perform the functions of his office arising from infirmity of body or mind;
 - (c) being convicted of criminal offence;
 - (d) incompetence to discharge duties;
 - (e) death; and
 - (f) any other reasons the Minister may deem necessary.

12. (1) The functions of the Registrar shall be to:-
- (a) keep and maintain, on behalf of the Council, the Register, Roll and List of medical and dental Practitioners;
 - (b) make necessary alterations and corrections in the Register, Roll and List in relation to any entry as may be directed by the Council;
 - (c) remove from the Register, Roll or List;
 - (i) the name of any person ordered to be removed in accordance with the provisions of this Act;
 - (ii) the name of a deceased medical or dental practitioner or allied medical and dental practitioner;
 - (iii) any entry which might have been incorrectly or fraudulently entered; and
 - (iv) the name of a person who ceases to be medical or dental practitioner or allied medical and dental practitioner.
 - (d) reinstate any name removed from the Register, Roll or List as may be directed by the Council;
 - (e) enter into any health facility for purposes of inspection as may be directed by the Council ;
 - (f) record minutes of Council and its Committees and to keep properly records and documents of the Council;
 - (g) be the custodian for the Seal of Council; and
 - (h) carry out any other function that may be assigned to him by Council.

Other staff of the Council 13. The Council may employ upon such terms and conditions as may deem fit such persons as may be required for the proper and efficient discharge of the Council's functions.

PART IV

REGISTRATION

Categories of Registers 14. The Council shall provide five categories of registers namely, Provisional, Temporary, Full, Roll and list for the registration of Medical or Dental practitioners or allied medical and dental practitioners.

Qualifications for Provisional registration of Medical and Dental Practitioner 15. (1) A person holding any of the following minimum qualifications shall be eligible for provisional registration as medical or dental practitioner for Internship training in a hospital accredited by Council.

(a) a degree of Doctor of Medicine or Doctor of Dental Surgery or its equivalent granted by a university established in Tanzania or;

(b) an equivalent medical or dental qualification obtained outside Tanzania and recognized by the Council for purposes of registration.

Starting Internship 16. (1) Any person who intend to undergo internship may apply to the Council for provisional Registration and Licence to practice as an intern.

(2) The duration of internship shall be twelve consecutive months or any other period of time as may be determined by the Council.

(3) The internship training any doctor shall start within three months after successful completion of undergraduate training, and failure of which shall be good ground for the Council to refuse grant of registration.

Full Registration as Medical and Dental Practitioner 17. A person who has completed internship, shall upon application to the Council, be entitled to full registration as medical or dental practitioner.

Temporary registration for non citizens 18. Any person who is not a citizen of Tanzania shall, upon application to the Council be eligible for temporary registration.

Letter of Authorization 19. Notwithstanding the provision of Subsection(1) any person who intends to practice medicine or dentistry for a period not exceeding six(6)months , shall upon application to the Council be eligible for Letter of Authorization.

Reciprocal recognition 20. There shall be reciprocal recognition for persons registered as medical or dental practitioners in other countries upon mutual agreements between member States.

Registration of persons qualified outside Tanzania	21. Any medical or dental graduate shall be subjected by the Council to an evaluation of his knowledge and skills before being considered for registration for which he is applying.*
Enrolment and Enlistment of Allied medical and dental practitioners	<p>22. (1) There shall be three categories of Registers for the Registration of allied Medical and Dental practitioners namely Roll, List “A” and list “B”.</p> <p>(2) Any person holding advanced diploma in Clinical Medicine or Dentistry, from a recognized training institution, shall upon making an application to the Council be enrolled to practice as Medical Assistant or Dental Assistant as the case may be, and his records shall be entered in the Roll.</p> <p>(3) Any person holding diploma in clinical medicine or dental therapeutic from a recognized health training institution may upon application to the Council be Enrolled to practice as Clinical Officer or Dental Therapist and his records shall be entered in the List “A”</p> <p>(4) Any person holding a certificate in clinical medicine from a recognized health training institution may upon application to the Council be enlisted and his records shall be entered in the List “B”</p>
Additional Qualification	23. Any person holding a degree or equivalent qualifications, additional to the qualification in respect of which a person has been registered, may, upon application to the Council for recognition of such qualification insert respective qualification in the register as additional qualification.
Registrar may call for further Information	24. The Registrar may, on his own motion or on the instruction from the Council, request any practitioner, to furnish him with necessary information regarding his qualifications
Registration fees	25. Any person applying for registration, enrolment, enlisting or licence to practice under this act, or seeking any other services from the Council shall pay such amount of fees as prescribed in 3 rd Schedule.
Annual list of registered practitioners	26. The Registrar shall in January of every year publish in the Gazette and any local Media the names, address, dates of registration and qualifications of all registered, enrolled and enlisted Medical or Dental practitioners
Evidence of Registration	<p>27. (1) A copy of the list published in accordance with Section 24 shall be evidence in all proceedings that the persons listed therein are registered under this Act.</p> <p>(2) The Absence of the name of any person from any copy of the list published under Section 24 shall be evidence, unless the contrary is shown, that he is not registered under this Act.</p>
Proof of Register	28. All registers and all copies thereof or extract therefrom certified under the hand of the Registrar shall be received as evidence in any Court.
Application for review to the Council	29. (1) Any person who is aggrieved by a decision of the Registrar regarding registration, enrolling or enlisting may within thirty days from the date of notification of the decision, may apply for review to the Council.

(2) The Council may after hearing the Registrar and the practitioner, issue to the Registrar such directives as it considers just.

(3) The Council may make rules for regulating the hearing applications for review.

Removal of names from the register for persons who left the Country

30. The Registrar shall remove from the register the name of any medical and dental practitioner or allied medical and dental practitioner whom has reason to believe has left Tanzania and does not intend to return thereto.

Practitioner to notify Registrar of change of address

31. Every registered practitioner shall notify the Registrar in writing of any change or alteration in his address as soon as such change or alteration occurs.

Removal of names from the Register

32.(1) The Registrar may recommend to the Council the removal from any of the registers of the names of any practitioner who for a period of one year or more have continuously failed to respond or answer any written communication addressed to him by the Registrar at his respective address as listed in the Register under sections 27.

(2) The Council may direct the Registrar to remove from any of the registers the names of any Medical and Dental practitioner or allied medical and dental practitioner as regards whom a recommendation is made under subsection (1)

(3) Any Medical or Dental practitioner or allied medical and dental practitioner whose name has been removed from any register pursuant to subsection (2) may have his name restored to the register if;

(a) He applies to the Registrar and

(b) Complies with the requirement of registration of this Act.

Renewal of registration, licencing, enrolling and enlisting

33 (1) A person whose name is entered into the Register, Roll or List subsequent to being registered, enrolled, enlisted or who is granted a permit in pursuance to the provisions of this part, shall be issued with renewable practicing licence, in the manner set out in the Regulations.

(2) A practicing licence issued under Sub Section (1), shall not be renewed unless the Applicant shows proof that he has undergone continuing professional development, CPD in the manner set out in the Regulations.

(3) A person whose name is entered into the Register, Roll or List subsequent to being registered, enrolled, enlisted or who is granted a permit in pursuance to the provisions of this Act, but does not wish to engage into practice, shall inform the Council of his decision and the Council shall order removal or erasure of his name from the register, or order for retention of his name upon payment of prescribed fees.

PART V

RIGHTS AND DUTIES OF MEDICAL AND DENTAL PRACTITIONERS

- Right practice to 34. A Medical or Dental practitioner registered, enrolled or enlisted under this, has the right to practice in accordance with his level of competence upon having a valid practicing licence.
- Duties of medical or dental practitioners to patients 35. A medical or dental practitioner or allied medical and dental practitioner who is registered, enrolled or enlisted under this Act shall have the duty to attend, and treat his patient with the required knowledge, skills and attitude.
- Observance of Code of Ethics 36. (1) There shall be a Code of Ethics for Professional Conduct for Medical and Dental Practitioners or allied medical and dental Practitioner, which shall be known as the “Code of Ethics”.
- (2) A Medical and Dental practitioner or allied medical and dental practitioner registered, enrolled or listed under this Act, shall observe the Code of Ethics and, a breach of any of the provisions of this Act shall amount and be treated as misconduct in professional respect and may attract disciplinary action.

PART VI

DISCIPLINARY PROVISIONS

- Format of a complaint 37. Any complaint lodged to the Council shall be in the manner prescribed in the fourth schedule.
- If convicted name may be erased from register or practitioner may be cautioned or suspended. 38. Any medical or dental practitioner or allied medical and dental practitioner who has committed any act amounting to professional misconduct or convicted of any serious criminal offence shall, after due inquiry conducted by the Council, be sentenced to any of the following penalties:-
- (a) caution or censure ;
 - (b) fine as prescribed under the regulation or
 - (c) suspension from practice for a period of time as the Council may deems fit ;
 - (d) erasure of the name of such medical or dental practitioner or allied medical and dental practitioner from register;
- Procedure for inquiry 39. (1) Upon an inquiry held by Council under the provision of section 37, a person whose conduct is being inquired shall be entitled to appear, and to be heard in person or to be represented by an advocate.
- (2) For the purpose of proceedings at any inquiry held by the Council, the Chairman may administer oaths on behalf of the Council.
- (3) For the purposes of any inquiry held by the Council, the Council shall

have power to make any order as to the payment by any party of any costs or witness expenses as it may think fit, and any such order shall be enforceable to the same extent and in the same manner as an order for costs made by the High Court.

(4) Subject to the preceding at any inquiry held under this section or any rules, made there under the Council shall have power, to regulate its own procedure.

Notification and publication of decision of the Council

40. (1) As soon as practicable, after the conclusion of an inquiry by the Council, the Registrar shall serve notice of the determination of the Council on the medical practitioner or dental practitioner or allied medical practitioner or allied dental practitioner in respect of whom an inquiry was held.

(2) The Council may direct the publication, in the official *gazette* and in any other local news media of a report in relation to the determination of the Council.

Appeal against decision of the Council

41. (1) A person who is aggrieved by the decision of the Council may appeal to the Minister within thirty days from the date of decision.

(2) A person who is aggrieved by the decision of the Minister may appeal to the High Court within thirty days from the date of the decision.

(3) Procedures governing Civil appeals in the High Court shall apply in respect of this part.

PART VII

OFFENCES AND PENALTIES

Offence for illegal practicing

42. (1) A person who wilfully and falsely:-

(a) practices as medical and dental practitioner or allied medical and dental practitioner knowing that he is not qualified as such commits an offence and shall upon conviction be liable to a fine not less than five millions shillings and imprisonment of not less than five years.

(b) practices as medical or dental practitioner or allied medical and dental practitioner without being registered, enrolled or enlisted, as the case may be, under this Act commits an offence and shall upon conviction be liable to a fine of not less than five millions shillings or six months imprisonment.

(c) practices as medical or dental practitioner or allied medical and dental practitioner without valid practicing License; commits an offence and shall upon conviction be liable to a fine of not less than one million.

(2) In addition to the penalty imposed in pursuance of subsection (1), the trial court or Council as the case may be, may order that any drugs, poisons, medicines, needles, surgical, medical, dental or diagnostic instruments or appliances used by or belonging to or found in possession of a person convicted, be forfeited, destroyed or otherwise disposed of .

Offence for
illegal
registration

43. A person who-

- (a) procures or attempts to procure registration, licence, enrolment or enlistment or practicing License by -
 - (i) making or causing to be made any false statement;
 - (ii) producing any false or fraudulent documents;
- (b) deliberately makes or causes to be made any falsification in any matter relating to the Register, Licence, Roll, or List ;
- (c) assists or aids any person to commit any of the acts proscribed under this section,

Commits an offence and on conviction shall be liable to a fine of not less than five million shillings or to imprisonment for a term of four years or to both.

General penalty
against certain
offences

44. Any person who-

- (a) having been summoned by the Council fails to attend without reasonable excuse or fails to produce any document which he is required to produce;
- (b) refuses, without lawful excuse, to answer any question put to him in the cause of the proceedings before the Council;

commits an offence and on conviction shall be liable to a fine of one million shillings or to imprisonment for a term not exceeding six months or to both.

Penalty for
giving false,
uttering
information or
forged
documents

45. Any person who-

- (a) wilfully and falsely uses any name or title or description implying a qualification to practice as Medical practitioner or Dental practitioner or allied medical and dental practitioner or
- (b) receive any payment for practicing medicine or dentistry, without being Registered, enrolled or enlisted, or valid practicing license;
- (c) breaches any other provisions of this Act;

commits an offence and on conviction shall be liable, to a fine of one million shillings or to imprisonment for a term of two years or to both.

Penalty for
employing
persons
without valid
licence

46. Any person who knowingly employs any person to practice medicine or dentistry in a capacity of a registered, enrolled or enlisted medical or dental practitioner or allied medical and dental practitioner without valid licence, commits an offence and shall upon conviction, be liable to a fine of not less than five million shillings or to imprisonment for a period not exceeding one year or to both.

PART VIII

FINANCIAL PROVISION

Funds of the Council

47. (1) The funds and resources of the Council shall consist of:-

- (a) the sums of money as may be appropriated by the Parliament as block grant;
- (b) all fees payable under this Act;
- (c) proceeds derived from sale of the Council's property;
- (d) such donations, grants, bequeaths or loans as the Council may receive from any person or organization; and
- (e) any other income identified by the Council and legally obtained.

(2) The funds and resources of the Council shall be used for purposes for which the Council is established and in accordance with the directions of Council.

(3) The Council shall have powers to invest its funds in any investment which is authorised by Council, subject to the conditions prescribed by the Trustees Investment Act, (Cap. 53).

(4) The Council shall at the end of each financial year keep proper audited account reports and other records relating to or in respect of the funds and resources of the Council and submit such reports to the Minister.

Financial year of the Council

48. The financial year of Council shall be, in respect of the first accounting period, the period starting from the date of commencement of this Act and ending on 30th day of June the following year, and in respect of subsequent accounting period, twelve months ending on 30th day of June.

Estimates

49. (1) The Registrar shall, prepare and submit to Council for approval estimates of income and expenditure of Council for the next financial year.

(2) Upon approval of estimates, the Council, shall forward the estimates to the Minister.

(3) The Minister shall as soon as practicable after receiving the copy of statement cause to be laid to the National Assembly.

(4) No expenditure shall be made unless it has been approved by Council.

Management of Council's funds

50. The management of Council's funds shall be in accordance with the Financial Management Manual approved by Council.

Remuneration of the members of the Council

51. The Members of the Council and the Secretariat shall be paid from the funds of the Council such allowances or salaries as Council may determine and approved by the Minister.

PART IX

GENERAL PROVISIONS

Liabilities of members of the Council, Committees Registrar and other staff

52. No act done or omitted to be done by the Council, its committees, Registrar or any other person empowered to perform any function under this Act shall, if done or omitted to be done in good faith in a course of performance of his duties under this Act, shall not render such person personally liable for the matter or thing concerned.

Seal of the Council

53. (1) The Council shall have a Seal to be kept under safe custody of the Registrar.

(2) The affixing of the Seal of the Council on any document shall be authenticated by the signature of the Chairman and the Registrar.

(3) A document purporting to be an instrument issued by the Council and authenticated in the manner provided under sub section (2) shall be deemed to be a valid instrument.

Power to make Regulations

54.(1) The Minister may, after consultation with the Council, make regulations generally for the better carrying out the provisions and purposes of this Act.

(2) Without prejudice to the generality of subsection (1) the regulations may—

(a) prescribe the conduct of Standing and *ad-hoc* Committees;

(b) prescribe qualifications, which shall be recognized as entitling the holder to registration, licensing, enrolment or enlisting under this Act;

(c) prescribe rules regulating the standards of professional conduct of medical practitioners, dental practitioners, allied medical practitioners and allied dental practitioners;

(d) make standard guidelines for inspection and recognition of medical and dental training institutions;

(e) make standard guidelines for inspection and accreditation of centres of internship;

(f) make standard guidelines for internship training;

(h) make provisions for annual registration of medical or dental practitioners registered under this Act;

(i) make provisions for matters in respect of which fees and amount shall be payable under this Act;

(j) prescribe registration forms to be used under this Act;

(k) provide for matters connected with appeals under this Act;

(l) prescribe anything, which, in the opinion of the Council, is incidental or conducive to the exercise of its functions and powers under this Act;

(3) Notwithstanding provisions of subsection (2), the Minister may amend any Schedule to this Act.

Repeal of Cap.
152

55. The Medical Practitioners and Dentists Act Cap. 152, is repealed.

Transition
and Savings

56. (1) Notwithstanding the repeal under Section 44 any thing done or any action taken or purported to have been done or taken under the repealed Act shall be treated as if they have been done or taken under this Act;

(2) All subsidiary legislations made under the repealed Act shall be deemed to have been made or given under the provisions of this Act shall remain in force until they are revoked.

SCHEDULES

FIRST SCHEDULE

Conduct of Meetings of the Council

Appointment
of Vice
Chairman

1. Members shall elect one of the members to be the Vice-Chairman of the Council and a member elected Vice-Chairman shall, subject to his continuing to be a member, hold office for a term of three years.

Tenure
of
office

2. (1) A member shall, unless the appointing authority terminates his appointment, or ceases in any other way to be a member, hold office for a period of three years but shall be eligible for reappointment.

(2) Members appointed by virtue of their office shall cease to be member upon ceasing to hold the office entitling appointment to the Council.

Meeting
of
the Council

3. (1) The Council shall ordinarily meet at such times and places as it deems necessary for transaction of its business, but shall meet at least once every three months.

(2) The Chairman or in his absence, the Vice-Chairman, may at any time call a special meeting of the Council, upon request by a majority of the members in office.

(3) The Chairman, or in his absence the Vice-Chairman, shall preside at every meeting of the Council and in the absence of both the Chairman and the Vice-Chairman, the members present shall appoint a member from amongst themselves to preside over the meeting.

4. A member of the council who fails to attend at least three consecutive meetings without giving any reason shall cease to be a member.

- Quorum 5. The quorum at any meeting of the Council shall be half the members in office.
- Decision of the Council 6. (1) Subject to sub-paragraph (2), matters proposed at a meeting of the Council shall be decided by a majority of the votes of the members present and voting and in the event of an equality of votes, the person presiding over the meeting shall have a casting vote in addition to his deliberative vote.
- (2) A decision may be made by the Council without a meeting by circulation of the relevant papers among the members and the expression of the views of the members in writing, but any member may require that the decision be deferred and the subject and the matter be considered at a meeting of the Council.
- Minutes of meetings 7. The Registrar shall record and keep minutes of all business conducted or transacted at the meeting and the minutes of each meeting of the Council shall be read and confirmed or amended and confirmed at the next meeting of the Council and signed by the person presiding over the meeting and the Secretary.
- absence, etc., not to invalidate proceedings 8. The validity of any act or proceedings of the Council shall not be affected by any absence among its members or by any defect in the appointment of any one of them.
- Council may regulate its own proceedings 9. Subject to the provisions of this Schedule, the Council may regulate its own proceedings.
- Orders and documents 10. All orders, directions, notes or other documents issued on behalf of the Council shall be signed by the:-
- a) Chairman; or
- b) Registrar of the Council authorised in writing in that behalf by the Council.
11. Council may co-opt any other skilled staff or Consultants when necessary.

SECOND SCHEDULE

MEDICAL COUNCIL OF TANZANIA

**THE MEDICAL AND DENTAL PRACTITIONERS
ACT, 2011**

THE REGISTER OF REGISTERED MEDICAL PRACTITIONER

NO.	FULL NAME	ADDRESS	GENDER	DUTY STATION	REGISTERED QUALIFICATION WITH DATE OBTAINED INSTITUTION AND ITS ADDRESS/ COUNTRY OBTAINED	DATE OF REGISTRATION	ADDITIONAL QUALIFICATION AND DATE OBTAINED

MEDICAL COUNCIL OF TANZANIA

**THE MEDICAL AND DENTAL PRACTITIONERS
ACT, 2011**

REGISTER OF REGISTERED DENTAL PRACTITIONERS

NO.	FULL NAME	ADDRESS	GENDER	DUTY STATION	REGISTERED QUALIFICATION WITH DATE OBTAINED INSTITUTION AND ITS ADDRESS/ COUNTRY OBTAINED	DATE OF REGISTRATION	ADDITIONAL QUALIFICATION AND DATE OBTAINED

MEDICAL COUNCIL OF TANZANIA

**THE MEDICAL AND DENTAL PRACTITIONERS
ACT, 2011**

REGISTER OF PROVISIONALLY REGISTERED MEDICAL PRACTITIONER

NO.	FULL NAME	ADDRESS	GENDER	DUTY STATION	REGISTERED QUALIFICATION WITH DATE OBTAINED INSTITUTION AND ITS ADDRESS/ COUNTRY OBTAINED	DATE OF REGISTRATION	EXPIRY DATE OF REGISTRATION.

MEDICAL COUNCIL OF TANZANIA

(cream white)

PROVISIONAL REGISTRATION CERTIFICATE

Date:

.....

Issued under Section 16 of the Medical Practitioners and Dentists Act.

It is hereby certified that

Dr..... MD. (Year)

From:(University)

Has this day been provisionally registered as a Medical Practitioner in the Register maintained by me pursuant to the provision of Section 16 of the Medical Practitioners and Dentists Act, and that she/he is deemed to be registered so as necessary to enable her/him to be employed in a supervised medical capacity at

..... Hospital,

P. O. Box

.....

Registration No.

REGISTRAR
MEDICAL COUNCIL OF TANZANIA

Note: This certificate is not evidence of the identity of its holder with the person named above and must not be used as such.

THIS CERTIFICATE IS VALID FOR ONE YEAR ONLY FROM THE DATE OF ISSUE.

MEDICAL COUNCIL OF TANZANIA

(Cream White)

PROVISIONAL REGISTRATION CERTIFICATE

Date:

.....

Issued under Section 16 of the Medical Practitioners and Dentists Act.

It is hereby certified that

Dr. DDS. (Year)

From:University

Has this day been provisionally registered as a Dental Practitioner in the Register maintained by me pursuant to the provision of Section 16 of the Medical Practitioners Dentists Act, and that she/he is deemed to be registered so as necessary to enable her/him to be employed in a supervised medical capacity at

..... Hospital,

P.O. Box

.....

Registration No.

REGISTRAR
MEDICAL COUNCIL OF TANZANIA

Note: This certificate is not evidence of the identity of its holder with the person named above and must not be used as such.

THIS CERTIFICATE IS VALID FOR ONE YEAR ONLY FROM THE DATE OF ISSUE.

(Green)

MEDICAL COUNCIL OF TANZANIA

Certificate of Full Registration as a Medical /Dental Practitioner

Description of Certificate: Fully Registered Medical Practitioner

Practitioner's Name:

MCT Registration Number:

Date of Issue:

Date of Full Registration:

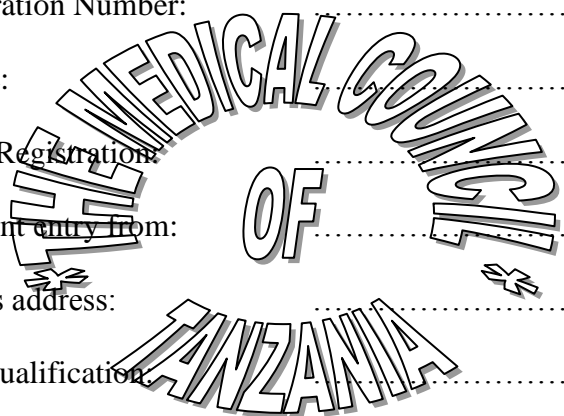
Date of current entry from:

Practitioner's address:

Registered Qualification:

Entry in the Specialist Register:

Date of Entry:



.....
REGISTRAR
MEDICAL COUNCIL OF TANZANIA

(Yellow)

MEDICAL COUNCIL OF TANZANIA

Certificate of Full Registration with additional qualification

Practitioner's Name:

Description of Certificate:

Registration Number:

Date of Issue:

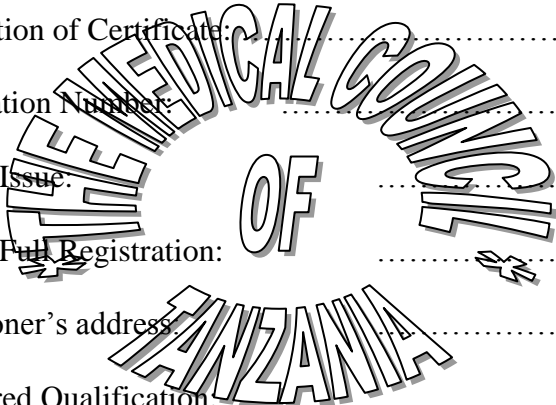
Date of Full Registration:

Practitioner's address:

Registered Qualification:

Entry in the Specialist Register:

Date of Entry:



.....
REGISTRAR
MEDICAL COUNCIL OF TANZANIA

MEDICAL COUNCIL OF TANZANIA

(Pink)

Certificate of Enrolled Assistant Medical /Dental Practitioner

Description of Certificate: Enrolled Assistant Medical Practitioner

Practitioner's Name:

MCT Registration Number:

Date of Issue:

Date of Enrolment/Registration:

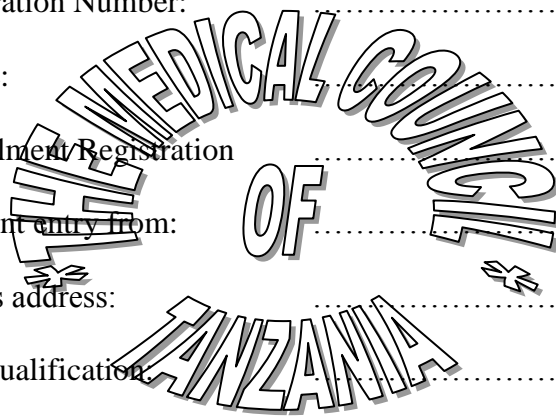
Date of current entry from:

Practitioner's address:

Registered Qualification:

Entry in the Specialist Register:

Date of Entry:



.....
REGISTRAR
MEDICAL COUNCIL OF TANZANIA

MEDICAL COUNCIL OF TANZANIA

(Pink)

Certificate of Enrolled Assistant Medical /Dental Practitioner

Description of Certificate: Enrolled Assistant Dental Practitioner

Practitioner's Name:

MCT Registration Number:

Date of Issue:

Date of Enrolment/Registration:

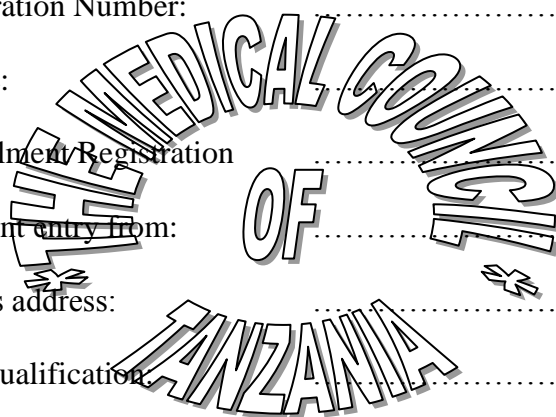
Date of current entry from:

Practitioner's address:

Registered Qualification:

Entry in the Specialist Register:

Date of Entry:



.....
REGISTRAR
MEDICAL COUNCIL OF TANZANIA

(Blue Light)

MEDICAL COUNCIL OF TANZANIA

Certificate of Enlisted Medical/Dental Practitioner

Description of Certificate: Enlisted Medical Practitioner

Practitioner's Name:

MCT Registration Number:

Date of Issue:

Date of enlistment/Registration:

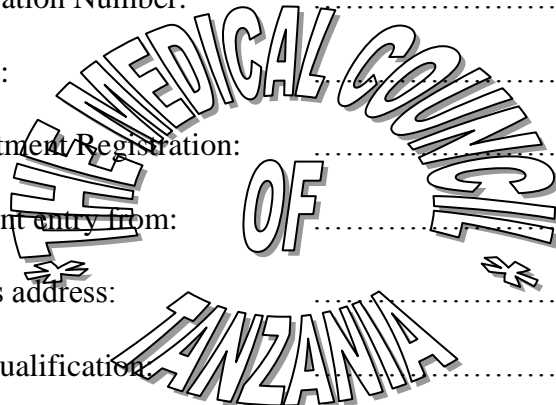
Date of current entry from:

Practitioner's address:

Registered Qualification:

Entry in the Specialist Register:

Date of Entry:



.....
REGISTRAR
MEDICAL COUNCIL OF TANZANIA

(Blue Light)

MEDICAL COUNCIL OF TANZANIA

Certificate of Enlisted Medical/Dental Practitioner

Description of Certificate: Enlisted Dental Practitioner

Practitioner's Name:

MCT Registration Number:

Date of Issue:

Date of enlistment/Registration:

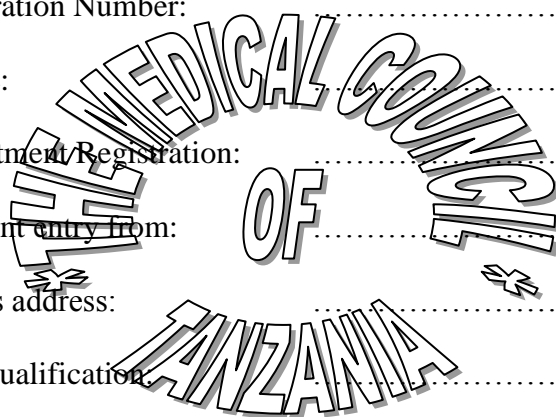
Date of current entry from:

Practitioner's address:

Registered Qualification:

Entry in the Specialist Register:

Date of Entry:



.....
REGISTRAR
MEDICAL COUNCIL OF TANZANIA

(Green)

MEDICAL COUNCIL OF TANZANIA

Communication to be addresses to the Registrar

Tel. 255-051-2120261-7 ext. 308

Fax. 255-051-2110986/139951

Office of the Registrar

P. O. Box. 9083,

AR-ES-SLAAM

Ref. No.....

Date.....

RE: LETTER OF AUTHORIZATION

(Under Section ___ of Medical and Dental Practitioners Act, 2011).

On behalf of the Chairman of the Medical Council of Tanganyika, I hereby authorize the person whose name, qualifications and address appear below, to provide services as a Medical or Dental Practitioner at.....
(name and place of hospital)

This Authorization is valid for a period ofonly from the date of issue.

Name:

Qualification:

Address:

.....
REGISTRAR
MEDICAL COUNCIL OF TANZANIA

THIRD SCHEDULE

REGISTRATION FEES

The various fees prescribed under this schedule shall be paid in respect of the matter set out opposite to such fees.

A:- REGISTERED MEDICAL AND DENTAL PRACTITIONERS

S/NO	ITEM	FEE
a)	Provisional Registration	Tshs. 50,000/-
b)	Temporary Registration	Tshs. 50,000/-
c)	Full Registration	Tshs. 150,000/-
d)	Recognition of Additional Qualifications	Tshs. 150,000/-
e)	Certificate of Good Standing	Tshs. 150,000/-
f)	Retention in the Register	Tshs. 100,000/-
g)	Restoration in the Register	Tshs. 500,000/-
h)	Knowledge and skills evaluation	Tshs. 100,000/-
i)	Practicing Licence	Tshs. 100,000/-
j)	Duplicate Certificate	Tshs. 50,000/-
k)	Compensation for Disciplinary inquiry	Half of all expenses incurred by the Council assessed after completion of Inquiry.

B:- (I) ENROLLED AND ENLISTED ALLIED MEDICAL/DENTAL PRACTITIONERS

S/NO	ITEM	FEE
a)	Enrolment	Tshs. 100,000/-
b)	Enlisting	Tshs. 100,000/-
c)	Recognition of Additional Qualifications	- Tshs. 150,000/-
d)	Certificate of Good Standing	- Tshs. 100,000/-
e)	Practicing Licence	Tshs. 100,000/-
f)	Restoration in the Roll	Tshs. 500,000/-
g)	Restoration in the List	Tshs. 500,000/-
h)	Retention in the List or Roll	Tshs. 50,000/-
i)	Knowledge and skills evaluation	Tshs. 100,000/-
j)	Duplicate Certificate	Tshs. 50,000/-
k)	Compensation for Disciplinary Inquiry	Half of all expenses incurred by the Council assessed after completion of Inquiry.

**(II) ENROLLED AND ENLISTED FOREIGN ALLIED
MEDICAL AND DENTAL PRACTITIONERS**

S/NO	ITEM	FEE
a)	Enrolment	USD 100.00
b)	Enrolment Foreign Practitioner	USD 500.00
c)	Enlisting	USD 100.00
d)	Recognition of Additional Qualifications	USD 150.00
e)	Certificate of Good Standing	USD 100.00
f)	Practicing Licence	USD 300.00
g)	Restoration in the Roll	USD 300.00
h)	Restoration in the List	USD 300.00
i)	Retention in the List or Roll	USD 50.00
j)	Knowledge and skills evaluation	USD. 100.00
k)	Duplicate Certificate	USD. 100.00
l)	Compensation for Disciplinary Inquiry	Half of all expenses incurred by the Council assessed after completion of Inquiry.

C:- FOREIGN MEDICAL AND DENTAL PRACTITIONERS

S/NO	ITEM	FEE
a)	Registration for internship purposes:-	
	(i) Provisional Registration	USD \$. 200.00
	(ii) Licence to practice as intern	USD \$. 100.00
b)	Temporary Registration for :-	
	(i) Practitioner from African Union Region	USD \$. 500.00
	(ii) Practitioner from Other Countries	USD \$. 800.00
c)	Recognition of Additional Qualifications	USD \$. 200.00
d)	Certificate of Good Standing	USD \$. 150.00
e)	Retention in the Register	USD \$. 300.00
f)	Restoration in the Register	USD \$.1,000.00
g)	Knowledge and skills evaluation	USD \$. 200.00
h)	Annual Practicing Licence	USD \$. 500.00
i)	Duplicate Certificate	USD \$. 50.00
j)	Compensation for Disciplinary inquiry	Half of all expenses incurred by the Council assessed after completion of Inquiry.

D:- TRAINING INSTITUTIONS

S/NO	ITEM	FEE
a)	Curriculum Evaluation For:	
	(i) Certificate Programs	Tshs. 500,000/-
	(ii) Diploma Programs	Tshs. 1,000,000/-
	(iii) Advanced Diploma Programs	Tshs. 1,500,000/-
	(iv) Degree Programs	Tshs. 2,000,000/-
b)	Approval of short Courses for CPD – Local Institutions	Tshs. 100,000/-
c)	Approval of short Courses for CPD – Foreign Institutions	USD \$ 100.00
d)	Approval of new academic program	Tshs. 1,000,000/-

FOURTH SCHEDULE

MEDICAL COUNCIL OF TANZANIA
(Communications to be addressed to THE REGISTRAR)

Tel. 255-022-2120261-7 Ext.1721
Direct Line: 0736 501541
Fax: 255-0736-501541
Email: mcouncil@moh.go.tz

Office of the Registrar
P. O. Box 9083
DAR ES SALAAM
TANZANIA

COMPLAINT FORM

- Personal Details:
Name:
Address:
Phone number(s):
Fax:
- Are you the patient in the complaint? Yes[] No[]
- Are you complaining on someone else behalf? Yes[] No[]
If 'Yes' what is your relationship to the patient?
Wife[] Husband[] Son[] Daughter[]
Sister[] Brother[]
other(state)
- Details of the Doctor(s)
Full name of the each doctor you are complaining about the address which doctors works at (if you know) or the address where you (or the patient) saw doctor.
(state name and address of the facility which doctors works)
Dr.
Dr.
Dr.

5. Give details of your complaint:

Please describe your complaint, and state exactly what happened and, if possible include: dates, time and place of incident.(described briefly at the end of this paper)

.....
.....
.....
.....
.....
.....

6. Do you have any documents (for example, letters or medical records) which might back up your complaint? If you do, please attach copies of the same at the end of this document.

7. Are there any other people who saw or heard the things you are complaining about?

Yes[] No[]

If 'Yes' please give their names below, and how they were involved with events

- i.
- ii.
- iii.

8. Would those people be prepared to make written statements to us?

Yes[] No[]

9. We try to deal with most complaints through correspondence but, if it becomes necessary,

Are you prepared to be a witness at an inquiry into your complaints?(if any)

Yes[] No[]

10. Have you complained to any other organisation about this matter (example where the doctor works?) if 'Yes', please say which organisation you have complained to.

11. Give us brief details of what happened to your complaint, and sent us copies of any letters between you and organisation

12. Declaration

I hereby certify that the information I have given in this form is complete and accurate, and I solemnly make this declaration, conscientiously believing the same to be true.

Signature;

Date: