



**THE MEDICAL PRACTITIONERS AND DENTISTS  
ACT, 1999**

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ACT NO. 12 OF 1999

I ASSENT

*Salmin Amour*

DR. SALMIN AMOUR  
PRESIDENT OF ZANZIBAR  
AND  
CHAIRMAN OF THE REVOLUTIONARY COUNCIL

*28th Feb.*....., 2000

AN ACT TO REPEAL THE MEDICAL PRACTITIONERS AND  
DENTISTS DECREE AND RE-ENACT THE MEDICAL  
PRACTITIONERS AND DENTISTS ACT AND  
PROVIDES BETTER PROVISION RELATED THERETO  
AND CONNECTED THEREWITH

ENACTED by the House of Representative of Zanzibar

**PART I**  
**PRELIMINARY**

- Short title. and Commencement      1. This Act may be cited as The Medical Practitioners and Dentists Act, 1999 and shall come into operation immediately upon being assented to by the President.
- Interpretation.      2. In this Act, unless the context otherwise requires:-
- “Code of conduct or Ethical code of conduct” means ethical code of conduct for medical profession;
- “Council” means the medical council established under provision of section 3 of this Act;
- “Degree in medicine” means a degree granted in respect of medicine, surgery and dentistry or any of



them or any branch of medicine or surgery by any university recognised by the council;

“Dentist” means any person professing to practise dentistry of or holding himself out as ready and willing to give dental treatment to patients;

“Doctor” means any person who has graduated and conferred with first degree in medicine from any university recognised by the council and has the capacity to use his or her expertise to offer medical, surgical treatment or dentistry in accordance with the provision of this Act;

“Licence” means a licence issued in accordance with the provision of section 10 of this Act;

“Medical Practitioner” means any person professing to practise medicine or surgery, or holding himself out as ready and willing to give medical or surgical treatment to patients.

“Minister” means the Minister responsible for matters relating to health services;

“President” means the President of Zanzibar and Chairman of the Revolutionary Council;

“Register” means the register established by section 9 of this Act for the registration of doctors;

“Registrar” means the registrar of Medical practitioners and Dentist appointed under section 8 of this Act;

“Services” means the health and medical services offered to human being;

“Treatment” means the medical treatment services against disease given to human being. midwifery dentistry and others;





**PART II**  
**ESTABLISHMENT OF THE COUNCIL ITS**  
**COMPOSITION AND FUNCTION, APPOINTMENT OF**  
**THE REGISTRAR AND FUNCTIONS**

3.(1) There is hereby established a Council to be known as the Zanzibar Medical Council.

(2) There shall be an emblem for the council as may be approved by the council.

Establishment  
of the Council.

4. The Council shall consist of the following members:-

(a) Director of medical services shall be the Chairperson;

(b) State Attorney appointed by the Minister in Consultation with the Attorney General of Zanzibar;

Composition  
of the Council.

(c) Not less than five members appointed by the Minister amongst them four shall be specialists who have had experience of, and shown capacity in medical science in any of its branches and a dentist registered under the provision of this Act;

(d) The appointment made under this section shall be gazetted in the Official Gazette.

Functions and  
Powers of  
the Council.

5. The Council shall have the following functions and powers:

(a) to register doctors;

(b) to set up terms and conditions for the recognition of degrees;

(c) to prescribe fees for an application form, registration of doctors and issue of licence, renewals thereof whether permanent or temporary;



- (d) to supervise and ensure the adherence of doctors to medical ethics;
- (e) to prescribe procedures for investigation and hearing under this Act;
- (f) to impose penalty for breach of medical ethics;
- (g) to supervise and ensure the implementation of any penalty imposed for any breach of medical ethics;
- (h) to cause the register to be kept and prescribe particulars to be entered thereto;
- (i) to strike the registration registered or cancel any licence issued under this Act;

Tenure.

6.(1) The members of the Council appointed under paragraph (c) of section 4 of this Act shall hold office for a period of three years and may upon the expiration of such term be eligible for re-appointment.

(2) Notwithstanding the provision of sub-section (1) of this section where a member of the council:-

- (a) is unable to perform the functions of a member by reason of absence from Zanzibar or by reason of any infirmity of body or mind for a period of twelve months;
- (b) ceases to be such a member by resignation or death;
- (c) absents himself from three consecutive meetings of the Council without reasonable excuse, the Council shall advise the Minister on that fact and the Minister may, if he deems fit terminate the appointment or appoint another member;
- (d) is unable to perform his function for a period of six months by reason of body or mental infirmity or absence from Zanzibar and the Minister is of the opinion that the absence or infirmity of any member is



of temporary nature he may in writing if he deems fit appoint a temporary member in replacement and the member so appointed shall hold office for the remainder of the terms or on the resumption of office by the substantive member the temporary member shall cease to hold office.

Meeting  
Proceedings.

7.(1) The meetings of the Council shall be presided by the chairperson.

(2) Where at any meeting of the Council, the chairperson is absent the members shall appoint one amongst themselves to preside the meeting.

(3) At any meeting of the Council not less than one half of the members present shall constitute a quorum.

(4) At any meeting of the Council any decision shall be made by simple majority vote and in the event of any equality of votes, the chairperson shall have a casting vote in addition to the deliberate vote.

(5) Subject to the provision of this section the council may regulate its own proceedings.

Appointment  
of Registrar.

8.(1) There shall be the Registrar to be known as the Registrar of Medical Practitioners and Dentists.

(2) The Minister shall in consultation with the Chairperson of the Council appoint any doctor who is a member of the Council to be the Registrar.

(3) The Registrar shall be the secretary to the Council.

Functions  
and power  
of the  
Registrar.

9.(1) The Registrar shall have the following functions and powers:-

- (a) to record the proceedings of the Council;
- (b) to keep the minutes of the meeting;
- (c) to keep the register;





- (d) to enter particulars of the registered doctors;
- (e) to update the register ;
- (f) to publish in the official Gazette the names of these doctors who have been registered with their address and qualifications;
- (g) to cause the publication in the official Gazette of the up to date list of names, addresses and qualifications of the registered doctors;
- (h) to coordinate the activities of the Council;
- (i) to supervise the implementation of the Councils decisions and directives;
- (j) to cancel the registration of registered doctors who have died or left Zanzibar;
- (k) to cancel the registration of registered doctors obtained by false representation, false document or found guilty of any offence related to medical practice if so directed by the Council;
- (l) to communicate with other similar, Councils for the purpose of strengthening relationship with those Councils.
- (m) subject to the provisions of this Act to exercise any function in relation to this Act as may be directed by the Council.

(2) The Registrar may in the exercise of his or her function or upon direction of the Council require more information from a registered doctor in relation to his or her practice, place of business and employers if any.

(3) It shall be the duty of the registered doctor to give information requested by the Registrar under sub-section (2) of this section.



**PART III**  
**REGISTRATION AND REGISTRATION**  
**PROCEDURES**

Application for  
Registration and  
grant of licence.

10.(1) Any person who qualify to practice medicine, surgery or dentistry in Zanzibar shall apply to the Council for registration and grant of a licence.

(2) The Council shall scrutinize the applications made under sub-section (1) of this section and shall register the applicant if such applicant meet the required qualifications to practice medicine, surgery and dentistry.

(3) The Council shall, on payment of a prescribed fee and after being satisfied that the applicant meet the required qualifications to enable him / her to practice medicine, surgery or dentistry grant a practising licence in that field.

(4) Notwithstanding any provision of this Act, the Council is not bound to register and issue licence to any person who has been removed from the medical register of Tanzania Mainland or of any other country.

(5) The licence granted by the Council after the registration may be a temporary or permanent one.

(6) The Council may refuse any application made under this section. Provided that the Council shall inform the applicant the reason for such refusal.

(7) Any person aggrieved by a decision of the Council under this part may appeal against such decision to the High Court of Zanzibar.

(8) The Chief Justice of Zanzibar shall make regulation to provide for appeal procedures against the decision of the Council.

Qualifications  
for registration.

11. Any person shall be entitled to be registered and licenced to practice medicine, surgery and dentistry if he or she has the following qualifications:-



- (a) has a university degree conferred by a university recognised by the council which certifies that the holder of such degree has passed the required examination and the Council is satisfied that such person has the expertise in medicine, surgery and dentistry or other field in medicine; and
- (b) has fulfilled the condition for the completion of internship training in the field of medicine, surgery, dentistry and any other field of training in medical profession according to the regulations made by the Minister in consultation with the council.

Registration of  
Assistant  
Medical  
Officers and  
Medical  
Assistants.

12.(1) The Council shall provide for regulation and conditions for the registration of Assistant Medical Officer and Medical Assistants and the issuance of licence which allows them to offer services at a level which conforms with their educational standard and experience in medical field.

(2) The Council shall set up term for the recognition of certificates issued to Assistant Medical Officers and Medical Assistants after the completion of their training.

(3) Any person who contravene the terms attached to the licence issued under the provision of subsection (1) of this section commits an offence and shall on conviction be liable to fine of One Million Shillings or to an imprisonment for a term of not exceeding five years or both such fine and imprisonment.

(4) The Council shall provide for disciplinary offences and prescribe procedures for the hearing.

Temporary  
Registration.

13.(1) The Council may register and issue temporary licence to any person who made his or her application before the Council and

- (a) has met the requirement of section 11 of this Act; and
- (b) intends to practice in Zanzibar whether in government or private hospital.





(2) The council shall provide for terms and conditions and the period of such licence.

(3) Any licence issued under this section shall be valid for the period provided under sub section (2).

Registration of existing doctors.

14. Any doctor who prior to the commencement of this Act allowed to practice or is practicing in Zanzibar and has a degree in medicine shall be deemed to be registered under this Act.

Licensing person who have retired from service.

15. The Council may, in its discretion, register and licence any person who has been employed in the service as a medical practitioner or dentist and who has retired from the service if :

- (a) he or she has been in continuous service for at least ten years; and
- (b) the council is satisfied from a review of his or her conduct and professional ability while in the service he or she was a skillful practitioner.

Registration of Foreign doctors.

16. Subject to the provision of this Act the Council may if satisfied that any person intends to practice in Zanzibar and

- (a) has the required qualification under this Act to practice medicine, surgery, dentistry and other branches of medicine and
- (b) has sufficient experience in that field the council may on such terms and condition issue a licence to that person.

Use of title and signing of Medical certificates.

17.(1) No person shall in official capacity use the title of Doctor unless he or she is registered under this Act.

(2) No certificate or other document required by law to be signed by a medical practitioner shall be valid unless signed by a medical practitioner registered or licenced as such under this Act.

Investigation by the Council.

18.(1) The council may initiate investigation, in relation to the registration and the licence granted to any person if it has reasonable grounds that:-





- (a) such person has obtained the registration and the licence by false representation or by making or producing or cause to be produced any false declaration or documents to the council to obtain registration and licence; or
- (b) such person has breached the ethical code of conduct.

(2) The council may in the cause of investigation suspend any person alleged to have obtained the registration and the licence by false representation or by making or producing or cause to be produced any false declaration or documents to the council to obtain registration and licence or has breached medical code of ethics from practice.

(3) No investigation, shall be made under sub section (1) of this section without giving such person notice of an allegation against him or her and given an opportunity to appear and right to be heard.

(4) The council shall laydown procedures for the hearing referred to in this section.

Consequence of Conviction.

19.(1) Any doctor surgeon or dentist registered or licenced under this Act who is convicted of any crime related to medical profession or is after an inquiry by the Council is found guilty of any breach of ethical code of conduct or false representation, the registrar shall if the council so directs, strike out the name of such a person from the register and or cancel his licence.

(2) Any doctor or dentist whose licence has been cancelled or his appeal has not been allowed under this section shall not be allowed to practice from the date of such cancellation.

(3) Any person whose name has been removed from the register or whose licence has been cancelled may appeal to the High Court.



**PART IV**  
**MISCELLANEOUS PROVISIONS**

Funds of the  
Councils.

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

- (a) Such sums as may be approved by the House of Representative of Zanzibar;
- (b) Grants and donations;
- (c) Fees and charges levied under this Act.

(2) The funds of the Council shall be spent in carrying out the functions of the Council.

(3) The Council shall in consultation with the Ministry of finance collect fees and authorise the expenditure thereof in accordance with the Treasury Instructions.

(4) The Council shall cause to be kept proper accounts and shall cause such accounts to be audited every financial year by auditors in accordance with standard accounting procedures approved by the Government.

Offence of  
Procuring  
Registration  
Or licence  
By false  
Representation.

21. No person shall be entitled to recover any charge in any court for any medical, surgical or obstetric advice or attendance or for the performance of any operation as a medical practitioner or dentist or for any medicine which he has prescribed and supplied within Zanzibar after the commencement of this Act, unless he was at the time registered or licensed under this Act.

Offences of  
Implying  
Qualification  
and of  
practising  
when  
unregistered.

22.(1) No person shall practice medicine, Surgery or dentistry in Zanzibar unless is duly registered and licenced under the provision of this Act.

(2) Any person who contravenes the provision of subsection (1) of this section commits an offence and shall on conviction be liable to a fine not exceeding one million shillings or to such imprisonment for a term not exceeding five years or to both such fine and imprisonment.



(3) The Court shall in addition to the penalty imposed under this part order any drugs, poisons, medicines, needles, syringes and surgical, medical, dental and diagnostic instruments and appliances used by, belonging to, or found in the possession of, the person convicted, to be forfeited, or to be destroyed, or otherwise disposed of.

(4) For the propose of this Act duly registered and licensed means having valid registration and licence under this Act.

Offences of procuring registration or licence by false representation.

23. Any person who willfully procures or attempts to procure himself to be registered or licensed under this Act by making or producing or causing to be made or produced any false or fraudulent representation or declaration, either verbally or in writing, and any person aiding or assisting him therein, commits an offence and shall on conviction be liable to a fine not exceeding one million Tanzanian shillings or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

Offences of falsely implying qualification and of practicing when unregistered.

24. Any person who -

- (a) willfully and falsely takes or uses any name, title or addition, implying a qualification to practise medicine, surgery, or dentistry ; or
- (b) not being registered or licensed under the provisions of this Decree as a medical practitioner or dentist, whichever is appropriate, practises or professes to practise or publishes his name as practising medicine, surgery, or dentistry, commits an offence and shall on conviction be liable to a fine not exceeding three hundred thousand shillings or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

Offence of using the title of doctor.

25. Any person who is not registered under this Act and in official capacity uses the title of a doctor or signs any certificate or document which is otherwise signed by a medical practitioner commits an offence and shall on conviction be liable to a fine of





not less than three hundred thousand shilling or to imprisonment for a term of not exceeding three years or to both such fine and imprisonment.

Regulations.

26. The Minister may in consultation with the Council make regulation for the better carrying out of the provision of this Act.

Repeal and saving.

27.(1) The Medical Practitioners and Dentist Decree Chapter 77 of Laws of Zanzibar is hereby repealed.

(2) Notwithstanding the repeal made under Sub Section (1) of this Section any lawful act done under the provisions of the repealed decree shall be deemed to have been done under the provision of this Act.

(3) Notwithstanding the repeal made under subsection (1) of this section any subsidiary legislation made under the repealed Decree shall be come valid until the subsidiary legislation is repealed or new regulations are made.

Passed in the House of Representatives on the 4th day of January, 2000.

**KHAMIS JUMA CHANDE**  
**CLERK OF THE HOUSE OF REPRESENTATIVES**