

CHAPTER 319
THE VETERINARY ACT
[PRINCIPAL LEGISLATION]
ARRANGEMENT OF SECTIONS

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CHAPTER 319

THE VETERINARY ACT

An Act to provide for the registration of veterinarians, enrolment or enlistment of Paraprofessional and Paraprofessional Assistants, and for the establishment of the Veterinary Council and for other matters incidental and connected thereto.

[1st May, 2004]

[GN. No. 159 of 2004]

Acts Nos.
16 of 2003
4 of 2016
1 of 2022

PART I

PRELIMINARY PROVISIONS

- Short title 1. This Act may be cited as the Veterinary Act.
- Interpretation
Act No.
1 of 2022 s. 72 2. In this Act, unless the context otherwise requires-
- “animal” means any vertebrate or invertebrate other than a human being;
 - “Assistant Registrar” means a member of the secretariat appointed to be Assistant Registrar under section 10;
 - “Association” means the Tanzania Veterinary Association or any association responsible for the welfare of veterinarians, paraprofessional and paraprofessional assistants;
 - “Chairman” means the Chairman of the Council;
 - “committees” means the committees established by the Council under section 6;
 - “Council” means the Veterinary Council of Tanzania established under section 3;
 - “Deputy Registrar” means the Deputy Registrar of the Council appointed under section 8;
 - “Director” means the Director responsible for veterinary services in the Ministry responsible for livestock;

- “enlisted” means listed in the List as a paraprofessional assistant;
- “enrolled” means enrolled in the Roll as a paraprofessional;
- “facility” includes any established premise, structure, retail veterinary outlet or ambulatory service where any animal is attended;
- “inspector” means a person appointed to be an inspector under section 11;
- “List” means a List of Paraprofessional Assistants kept by the Registrar in accordance with this Act;
- “livestock” means any domesticated animal and includes cattle, water buffalo, sheep, goats, pigs, dogs, cats, donkeys, horses, camels, rabbits, guinea pigs and poultry;
- “member” means a member of the Council, or committee established under this Act;
- “Minister” means the Minister responsible for livestock;
- “paraprofessional” means any person enrolled as paraprofessional under this Act;
- “paraprofessional assistant” means any person enlisted as paraprofessional assistant under this Act;
- “practice” means in case of veterinary medicine, the diagnoses, prognoses, treatment, administering to, prescribing for, operations on, manipulations of appliances or any apparatus or appliance for any disease, pain, deformity, defect, injury, wound or physical or mental condition of any animal or for the prevention of, or to test for the presence of any disease of any animal and includes acts related to statutory or compliance functions, and of persons representing themselves as engaged in the practice of veterinary medicine or uses of any words, letters or titles in such connection and under such circumstances as to induce the belief that the person using them is engaged in the practice of veterinary medicine in any of its branches as defined by this Act;

- “private practice” means any practice for hire, gain, fee, compensation or reward received, promised, offered, expected, or accepted, directly or indirectly, by the person rendering the service from the person requesting or receiving the service for an animal;
- “Register” means a register for registered veterinarians and veterinary specialists and includes a register for veterinary practice facilities;
- “Registrar” means the Registrar of the Council appointed under section 8 of this Act;
- “Roll” means a Roll of enrolment of Paraprofessionals kept by the Registrar in accordance with this Act;
- “veterinarian” means any person who has been awarded a degree in veterinary medicine or its equivalent from a veterinary institution recognised by the Council;
- “veterinary drugs” means drugs intended for use in the diagnosis, cure, mitigation, treatment or prevention of diseases in animals;
- “veterinary outlets” means a shop where veterinary medicinal drugs are prepared and sold; and
- “veterinary specialist” means a veterinarian who has received a postgraduate or specialised qualifications and with exceptionally high level of skill that is well above that of a practitioner in the discipline of specialisation.

PART II

ESTABLISHMENT OF THE COUNCIL

Establishment of
Council

- 3.-(1)** There is hereby established a Council to be known as the Veterinary Council of Tanzania.
- (2) The Council shall be a body corporate and shall-
- (a) have perpetual succession and a common seal;
 - (b) in its corporate name be capable of purchase, acquire, transfer and lease movable or immovable property;
 - (c) sue and be sued and have all the rights and privileges of a natural person;

- (d) collect, spend and invest funds;
- (e) enter into contracts and agreements; and
- (f) have power to borrow such sums as it may require for its purpose.

Composition of Council

4.-(1) The Schedule to this Act shall have effect as to appointment of members of the Council, constitution, procedures and other matters relating to the Council.

(2) The Minister may on the advice of the Council and by an order published in the *Gazette*, amend, vary or replace all or any of the provisions of the Schedule.

Functions and powers of Council

5.-(1) The Council shall be the sole authority for-

- (a) effecting registration, enrolment and enlistment under this Act; and
- (b) monitoring the performance of veterinarians, veterinary specialists, paraprofessionals and paraprofessional assistants.

(2) Without prejudice to the generality of subsection (1), the functions of the Council shall include to-

- (a) register veterinarians, veterinary specialists and veterinary practice facilities, enroll paraprofessionals and enlist paraprofessional assistants pursuant to this Act;
- (b) advise and make recommendations to the Minister on any matters relating to veterinary practice;
- (c) regulate veterinary practice;
- (d) recognise qualifications, training facilities, training institutions and colleges;
- (e) collaborate with other relevant institutions or bodies in accrediting courses of training *curriculum* which provide qualification for registrations of veterinarians, veterinary specialists, enrolment of paraprofessional and enlistment of paraprofessional assistants;
- (f) determine the minimum standards for-
 - (i) veterinary practice facilities under this Act;

- (ii) conduct scope of practice activities by veterinarians, veterinary specialists, paraprofessionals and paraprofessional assistants under this Act; and
- (iii) training proficiency required for degree, diploma, certificates or any other award entitling the holders thereof to practice;
- (g) exercise effective disciplinary control over the professional ethics and conduct of veterinary practice;
- (h) promote and encourage educational advancement with regard to the practice of the veterinary profession;
- (i) provide information and education as regards to the veterinary profession;
- (j) facilitate collaborations among persons and organisations relating to veterinary practice in order to enhance dignity and integrity of the veterinary profession;
- (k) initiate and provide advice to the body responsible for regulating the use of veterinary pharmaceutical drugs and poisons;
- (l) arrange and conduct qualifying examinations to establish competence in veterinary education and practice; and
- (m) perform such other functions as may be required under this Act.

Establishment of
committees

6.-(1) The Council may, for the purpose of performing its functions, establish such number of committees to perform specific functions as may be determined by the Council.

(2) The committees of the Council to be established under subsection (1) shall include but not limited to-

- (a) Registration and Examination Committee;
- (b) Disciplinary Committee;
- (c) Practice and Facilities Monitoring Committee; and
- (d) Pharmaceuticals and Biologicals Advisory Committee.

(3) Each Committee established by the Council under this section shall be composed of a Chairman and not more than five other members to be appointed by the Council.

(4) The Council shall, by guidelines, determine terms and conditions for committees and regulate procedures to be observed by the committees in the performance of their respective functions.

Secretariat of
Council

7.-(1) There shall be a Secretariat of the Council which shall consist of the Registrar, Deputy Registrar, Assistant Registrars, technical personnel and such other staff as may be determined by the Council.

(2) Members of the Secretariat and other staff of the Council shall be employees of the Government appointed to perform the functions of the Council.

(3) The Council may co-opt members from the private practice facility to perform the functions of the Council under this section.

Appointment of
Registrar and
Deputy Registrar

8. The Minister shall, after consultation with the Council, appoint from amongst veterinarians in the public service, the Registrar and Deputy Registrar of the Council.

Functions of
Registrar and
Deputy Registrar

9.-(1) The Registrar shall-

- (a) be the Secretary to the Council and Head of the Secretariat;
- (b) keep and maintain-
 - (i) registers in respect of veterinarians, veterinary specialists and veterinary practice facilities;
 - (ii) rolls in respect of paraprofessionals; and
 - (iii) lists in respect of paraprofessional assistants, as may be directed by the Council;
- (c) be responsible to the Council for the administration and management of its affairs; and
- (d) perform such other duties as may be directed by the Council.

(2) Where the Registrar is absent or unable to carry out any of his functions under this Act, the Deputy Registrar shall exercise such functions.

(3) The Deputy Registrar shall assist the Registrar of the Council and shall perform such other duties as may be directed by the Council or the Registrar.

(4) Where the Registrar and Deputy Registrar are both absent, any other officer of the Council shall carry out the functions of the Registrar in his behalf as the Chairman of the Council may in writing designate.

Appointment
and functions
of Assistant
Registrar
Act No.
1 of 2022 s. 73

10. The Council shall, for better implementation of the provisions of this Act, designate zones and shall, for each zone, appoint a registered veterinarian to be an Assistant Registrar who shall perform specific duties as may be delegated to him by the Registrar.

Appointment,
duties and powers
of inspectors

11.-(1) The Minister shall, upon recommendation of the Council and by notice published in the *Gazette*, appoint from amongst registered veterinarians such number of persons to be inspectors under this Act.

(2) Duties of an inspector appointed under subsection (1) shall include-

- (a) to inspect veterinary practice facility or facilities in his area of operation;
- (b) to examine or inspect any certificate of registration, enrolment or enlistment, licences, books, electronic information, storage system or other related document in the premises and he may take extracts from documents which may be necessary to effect the examination or inspection;
- (c) to provide advice to occupiers or operators of the facility on the management of the veterinary practice facility;
- (d) to prepare inspection reports for submission to the Council; and
- (e) to do such other things as may be required or directed by the Council.

(3) The inspector shall in the performance of his duties under subsection (2) have powers-

- (a) to enter and inspect any premises suspected to be used as a veterinary practice facility;
- (b) to require the owner or operator of the veterinary practice facility or premises to observe and maintain good condition or established standards of the veterinary practice facility;
- (c) to issue prohibition notice to owners or operators of veterinary practice facilities who operate in contravention of prescribed procedures or standards;
- (d) to seize and detain any drugs, equipment, records or any other thing which appears to him to constitute or contain evidence in contravention of this Act; and
- (e) to inquire into any matter regarding animal disease or animal health within his area of jurisdiction.

Funds and
resources of
Council

12.-(1) Funds and resources of the Council shall include-

- (a) such sums as may be apportioned by the National Assembly for the purpose of the Council;
- (b) all fees payable under this Act;
- (c) such donations, grants, bequeaths and loans as the Council may receive from any person or institution;
- (d) proceeds derived from sale of Council's property; and
- (e) any other source of income identified by the Minister or Council and legally obtained.

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

(3) The Council shall-

- (a) keep proper accounts and other records relating the funds and resources;
- (b) within three months after the end of each financial year, cause such accounts to be audited by a recognised auditing authority appointed for such purposes by the Council; and

(c) prepare and publish an annual report which shall contain-

- (i) estimates of income and expenditure of the Council for the year stated in the report;
- (ii) an account of operations of the Council during the year for which the report was prepared;
- (iii) audited accounts; and
- (iv) such other information or matters as may be required.

(4) The audited financial statements of the Council and the auditor reports, shall be forwarded to the Minister, who shall as soon as may be practicable lay the reports before the National Assembly.

Remuneration

13. Members of the Council, committees, the Secretariat and other staff of the Council shall be paid allowances from the funds of the Council at such rates as may be determined by the Council upon the approval of the Minister.

Protection of
members of
Council

14. A matter or thing done by any member of the Council or Committee or any other person empowered to perform any function under this Act, done in good faith, in the execution or purported execution of his functions under this Act, shall not render the member or any other authorised person personally liable for the matter or thing done.

PART III

REGISTRATION OF VETERINARIANS AND VETERINARY SPECIALISTS

Qualifications
for registration
of veterinarian
or veterinary
specialist
Acts Nos.
4 of 2016 s. 57
1 of 2022 s. 74

15.-(1) A person shall be required to register with the Council upon payment of prescribed fee before practicing as a veterinarian or veterinary specialist if-

- (a) in the case of a veterinarian, the person has been awarded a veterinary degree recognised by the Council; or

(b) in the case of a veterinary specialist the person holds qualifications which entitles him to be recognised as a veterinary specialist, under this Act.

(2) The Council shall prescribe the manner and procedure in which a qualified veterinary specialist shall be ascertained before being registered under this Act.

(3) A person shall not be registered as a veterinarian or veterinary specialist unless that person, in addition to the qualification stipulated under subsection (1), has undergone internship training for a period of not less than one year.

Disqualification
for registration
Act No.
1 of 2022 s. 75

16. A person may not qualify for registration if-

- (a) the applicant has been found guilty of an offence and where the ability or credibility of the applicant to practice is likely to be affected;
- (b) in the opinion of the Council, the applicant is unfit to be registered because of mental impairment which significantly impairs ability to practice;
- (c) the Council proves that the degree or document presented for registration has been obtained by fraud or misrepresentation;
- (d) the qualifications upon which the applicant relied for registration have been withdrawn by the Council; or
- (e) the academic certificate has been nullified or withdrawn by the issuing Institution.

Procedure for
registration

17.-(1) A person who wishes to obtain registration under this Part, shall submit an application in the prescribed form to the Registrar.

(2) An application under subsection (1) shall be accompanied by-

- (a) a certified copy or copies of certificates for academic qualifications of the applicant; and
- (b) an application fee as may be prescribed in the regulations.

(3) The Registrar shall, after receiving an application, refer the application together with the recommendations to the Council for consideration and determination.

(4) The Council may, after consideration of the matter-

- (a) approve the application and direct the Registrar to register the applicant; or
- (b) reject an application and direct the Registrar to inform the applicant accordingly, stating the reasons for the Council's decision.

Certificate of registration

18.-(1) The Registrar shall, immediately after effecting registration under this Act, issue to every registered veterinarian or veterinary specialist a certificate of registration upon payment of the prescribed fee.

(2) The certificate of registration shall contain-

- (a) full names and address of the applicant;
- (b) his academic qualifications and title; and
- (c) such terms and conditions in respect of which a certificate is issued.

Privileges and use of titles

19.-(1) A person registered under this Act as a veterinarian or veterinary specialist shall be entitled-

- (a) to take or use the title and description of veterinary profession according to the title indicated on the certificate of registration and shall not be allowed to take or use or affix to or use in connection with his facility any title or description other than that of registration; and
- (b) to practice a veterinary profession and demand, sue for and recover in any court of law reasonable charges for professional services, aid, advice and visits, and the value of any medicine, or veterinary appliance supplied by him and sign certificates or prescriptions or other documents required to be signed by a duly qualified veterinarian or veterinary specialist.

(2) A person shall not be entitled to recover therefore any charges for veterinary professional advice given or visit made, or for the value of any medicine or appliance supplied pursuant

to this Act, if at the time when such service or advice was given or visit made or such medicine or appliance was supplied, the person was not duly registered.

Registration for veterinarians or veterinary specialist qualified outside Tanzania

20.—(1) Foreigners and Tanzanian citizens who qualified as veterinarians or veterinary specialists outside Tanzania shall, upon payment of prescribed fees, sit for and pass an examination before their registration by the Council.

(2) The Council may, if the applicant fails the examination under subsection (1), provide the last opportunity for the applicant to re-sit the examination.

Temporary registration Act No. 1 of 2022 s. 76

21. The Council shall have power to grant temporary registration to a foreign veterinarian or veterinary specialist who holds qualifications allowing him to practice for a specific period and perform specific functions as may be determined by the Council.

Register for veterinarians, veterinary specialists

22.—(1) The Council shall cause to be kept and maintained a Register of all veterinarians and veterinary specialists to whom the Council has granted registration under this Act.

(2) The Register shall contain-

- (a) full names and address of veterinarians or veterinary specialists;
- (b) particulars of registration including-
 - (i) date of registration and number of certificate issued;
 - (ii) academic qualifications;
 - (iii) name of institution where qualification was obtained;
 - (iv) date of obtaining the qualification; and
 - (v) any other personal particulars, as may be determined by the Council.

(3) The Council may, upon payment of prescribed fee, make any alteration or correction in relation to any change in the contents of the Register, regarding particulars of a registered person.

(4) The changes in the Register, under subsection (3) may include-

- (a) removal of the name of a deceased person;
- (b) change of a name that has been legally changed through marriage or otherwise;
- (c) change of particulars of registration of a person;
- (d) removal therefrom any entry which has been incorrectly or fraudulently made;
- (e) consent of the person concerned or the opinion of the Council to remove the name of a person who has ceased to or never commenced to practice in Tanzania as a veterinarian or veterinary specialist;
- (f) removal of the name of any person or veterinary practice facility, which has ceased to retain the registration for a period of one year; and
- (g) any other change as may be required.

Retention in
Register

23.-(1) A registered veterinarian or veterinary specialist shall retain his registration through annual renewal.

(2) An application for renewal for retention of registration shall be made to the Council in a prescribed manner before expiration of existing certificate and shall be accompanied by a prescribed renewal fee.

(3) Where a registered veterinarian or veterinary specialist fails to apply for retention before the expiration of the existing certificate of registration, the Council may renew the registration if the application is made within six months after the end of the expiry period.

(4) Where at the end of that period of six months, a registered veterinarian or veterinary specialist has not renewed his registration, the Council shall suspend the registration for one year, and if after the year the veterinary or veterinary specialist fails to renew the registration, then the Council shall, subject to section 25 cancel the registration and remove person's name from the Register.

Publication of
veterinarians
and veterinary
specialists

24. The Minister shall, on the advice of the Council and by notice in the *Gazette*, publish the names, academic qualifications and address of all veterinarians and veterinary specialists registered under this Act.

Cancellation or
suspension of
certificates

25. The Council may, subject to section 26 and if it is satisfied that the terms and conditions of registration have been violated-

- (a) cancel or suspend the certificate of registration; and
- (b) direct the Registrar-
 - (i) to notify the veterinarian or veterinary specialist whose certificate has been cancelled requiring him to stop practising; and
 - (ii) to remove the name of the veterinarian or veterinary specialist whose certificate has been cancelled from the Register.

Procedure for
cancellation or
suspension

26.-(1) Where the veterinarian or veterinary specialist is in violation of the terms and conditions of his registration, the Registrar shall, on the direction of the Council, serve on the veterinarian or veterinary specialist a notice in writing specifying the nature of default.

(2) Upon receipt of the notice under subsection (1), the veterinarian or veterinary specialist shall make representation in writing to the Registrar on the rectification of the default.

(3) Where the veterinarian or veterinary specialist fails to rectify the default within the time specified in the notice or fails to make representation satisfactory to the Registrar, the Registrar shall recommend to the Council for cancellation or suspension of the certificate of registration.

(4) The Council shall, if it is satisfied with the recommendations made under subsection (3), direct the Registrar to cancel or suspend the certificate of registration.

Re-registration
of veterinarians
or veterinary
specialists

27.-(1) A veterinarian or a veterinary specialist whose certificate of registration has been cancelled or suspended shall be required to apply for re-registration to the Registrar

within the period of two years from the date of cancellation or suspension.

(2) Where the veterinarian or veterinary specialist fails without good cause to submit an application for re-registration within the period of two years, the Council may direct that such veterinarian or veterinary specialist be reinstated in the register after passing an examination or paying a penalty fee as may be determined by the Council.

PART IV

ENROLMENT OF PARAPROFESSIONALS AND ENLISTMENT OF PARAPROFESSIONAL ASSISTANTS

Requirement for
enrolment and
enlistment

28. A person who wishes to practice as a paraprofessional or paraprofessional assistant shall, before practicing as such, be required to enroll or to enlist with the Council.

Qualification for
enrolment and
enlistment
Act No.
1 of 2022 s. 77

29.—(1) A person shall

- (a) enroll with the Council to practice as a paraprofessional if the person has been awarded a diploma in animal health recognised by the Council after undergone internship training for a period of not less than six months; or
- (b) enlist with the Council to practice as the paraprofessional assistant if the person has been awarded an animal health certificate recognised by the Council.

(2) The Minister may, on the recommendation of the Council and by notice published in the *Gazette*, specify other certificates or qualifications which shall entitle the holders thereof for enrolment and enlistment under this Act.

Procedure for
enrolment or
enlistment

30.—(1) A person who desires to enroll as the paraprofessional or to enlist as the paraprofessional assistant shall submit his application in the prescribed form to the Registrar.

(2) An application form under subsection (1) shall contain such particulars as may be determined by the Council and shall be accompanied by-

- (a) a certified copy or copies of certificate for academic qualifications of the applicant; and
- (b) enrolment or enlistment fee as may be prescribed.

Issuance of
certificate of
enrolment or
enlistment

31.-(1) The Registrar shall, on the directive of the Council and upon payment of prescribed fee, issue to every enrolled paraprofessional and enlisted paraprofessional assistant a certificate of enrolment or enlistment as may be prescribed.

(2) A certificate to be issued under subsection (1) shall be signed by the Chairman and the Registrar, and shall on production thereof in any way be admissible as *prima facie* evidence of enrolment or enlistment under this Act.

(3) The Council shall, in granting a certificate of enrolment or enlistment to the paraprofessional or paraprofessional assistant under this Act, impose specific or general conditions to be observed by the holder of the certificate.

(4) Where an application for enrolment or enlistment is not granted, the Council shall direct the Registrar to notify the applicant in writing stating the reasons for the Council decision.

Restriction
in veterinary
practice

32. A paraprofessional or paraprofessional assistant enrolled or enlisted pursuant to this Act shall at all times practice under the supervision of a registered veterinarian or veterinary specialist.

Maintenance of
rolls and lists

33.-(1) The Council shall cause to be kept and maintained a roll of paraprofessionals and a list of a paraprofessional assistants to whom the Council has granted enrolment or as the case may be enlistment under this Act and the roll or list shall contain the following particulars-

- (a) full name and address; and
- (b) particulars of enlistment including-
 - (i) date of enlistment;
 - (ii) academic qualification;

- (iii) the place where qualification was obtained;
- (iv) date of obtaining the qualification; and
- (v) such other particulars as may be determined by the Council.

(2) The Council shall, upon payment of prescribed fee, make any alteration or correction in relation to any change in the contents of the roll or list, regarding particulars of enrolled or enlisted persons.

(3) The changes in the roll or list under subsection (2) may include-

- (a) removal of the name of a deceased person;
- (b) change of a name that has been legally changed through marriage or otherwise;
- (c) change of particulars of enrolment or enlistment of a person;
- (d) removal of any entry which has been incorrectly or fraudulently made;
- (e) removal of the name of a person who has ceased to or never commenced to practice in the United Republic as paraprofessional or paraprofessional assistant;
- (f) removal of the name of any person who has ceased to retain the enrolment or enlistment for a period of one year; or
- (g) any other change as may be required.

Cancellation or suspension of certificates of enrolment or enlistment

34.-(1) Where the holder of the certificate of enrolment or enlistment fails to observe the imposed conditions as required, the Council may cancel or suspend the certificate of enrolment or enlistment granted to him under section 31.

(2) The provisions of section 26 shall apply *mutatis mutandis* in relation to the procedure for cancellation or suspension of the certificate for enrolment or enlistment under this section.

Re-enrolment and re-enlistment

35.-(1) Where a certificate for enrolment and enlistment has been cancelled or suspended under this section, a person whose certificate is cancelled or suspended shall be required to apply

to the Registrar for reinstatement of enrolment or enlistment within a period of two years from the date of cancellation or suspension of his certificate.

(2) Where a paraprofessional or paraprofessional assistant fails to submit an application for reinstatement of enrolment or enlistment within the period of two years as required under subsection (1), the Council may order that such a person be reinstated in the roll or list after passing an examination or paying a penalty fee as may be determined by the Council.

Publication of
paraprofessional
and
paraprofessional
assistants

36. The Registrar shall, not later than 31st March of every year and at such other times as may be determined by the Council, cause publication of names of enrolled or enlisted person under this Act in the official *Gazette*, and in other media.

Retention in roll
or list

37.-(1) Every enrolled paraprofessional or enlisted paraprofessional assistant shall retain enrolment or enlistment through annual renewal whereby an application for renewal of retention of enrolment or enlistment shall be made to the Council in a prescribed manner before expiration of existing certificate of enrolment or enlistment and shall be accompanied by a renewal fee as may be determined by the Council.

(2) Where the enrolled or enlisted person fails to apply for retention before the end of the existing enrolment or enlistment period, the Council may renew that enrolment or enlistment if the application is made within six months after the end of the expiry period.

(3) Where at the end of the period of six months, the enrolled or enlisted person has not renewed his certificate of enrolment or enlistment, the Council shall suspend the enrolment or enlistment for one year and, if after the period of one year a paraprofessional or paraprofessional assistant fails to renew the enrolment or enlistment then, the Council shall subject to section 34, cancel the enrolment or enlistment and order the removal of the relevant person's name in the roll or list.

PART V

REGISTRATION OF VETERINARY PRACTICE FACILITIES

Registration
of veterinary
practice facilities
Act No.
1 of 2022 s. 78

38.—(1) A person who owns a veterinary practice facility shall, before operating the facility, be required to register the facility with the Council and to fulfil requirements of the prescribed standards upon which the certificate of registration in respect of the facility shall be issued.

(2) A holder of certificate of registration issued under subsection (1) shall be entitled to operate the facility specified on the certificate of registration after obtaining an operating permit from the Council.

(3) The certificate of registration and the operating permit issued under this section shall be in the form as may be prescribed.

(4) A registered veterinary practice facility shall be run by a registered veterinarian or veterinary specialists who shall be obliged to observe the code of conduct for veterinary practice as may be prescribed in the regulations to be made under this Act.

(5) Technical support staff working in a facility shall be paraprofessionals or paraprofessionals assistant.

Procedure for
registration

39.—(1) A person who seeks registration of veterinary practice facility under this Act shall submit an application in the prescribed form together with prescribed application fee to the Registrar.

(2) The Council shall, before granting registration of the veterinary practice facility, cause the facility to be inspected by the inspection committee of the Council.

(3) The inspection committee shall inspect the premises of the veterinary facility and prepare a brief report in respect of inspected facility to be submitted to the Council.

(4) The Council may—

(a) if after due consideration of the report is satisfied that the applicant has fulfilled all requirements, grant

registration of the veterinary practice facility and issue a certificate of the registration in respect of registered facility; and

- (b) reject an application and direct the Registrar to notify the applicant in writing stating the reasons for the decision of the Council.

Register of
veterinary
practice facilities
Act No.
1 of 2022 s. 79

40.—(1) There shall be kept and maintained a Register for registered veterinary practice facilities under this Act.

(2) The Register shall contain-

- (a) the name and full address of the veterinary practice facility;
- (b) name of the owner or operator of the facility;
- (c) the location and type of the facility;
- (d) registration number of the facility; and
- (e) such other particulars as may be determined by the Council.

Cancellation
of certificate of
registration

41.—(1) The Council shall, where a registered veterinary practice facility is not managed or operated in accordance with prescribed standards and procedures-

- (a) cancel or suspend the certificate of registration in respect of that facility; and
- (b) direct the Registrar to notify the operator or owner of the facility requiring him to stop operating the facility.

(2) The provisions of section 26 shall apply *mutatis mutandis* in relation to procedures for cancellation and suspension of certificate of registration under this section.

PART VI

GENERAL PROVISIONS ON VETERINARY PRACTICE AND COMPLAINTS

Practice, ethics
and conduct

42. Every registered veterinarian, veterinary specialist, enrolled paraprofessional and enlisted paraprofessional assistant shall have the obligation to conduct affairs of the profession with the highest degree of honesty, skill and integrity and shall be

required to observe the code of conduct and ethics prescribed under this Act.

Prohibition
of practice by
unauthorised
person

43. A person shall not, practice, whether directly or by implication, as a veterinarian or veterinary specialist or paraprofessional or paraprofessional assistant unless he has obtained registration or enrolment or enlistment under this Act.

Exemptions

44.—(1) The Minister may, by regulations and upon advice by the Council—

(a) exempt any person or category of persons from the requirements of section 43; and

(b) prescribe the procedure and manner in which the exempted person or category of persons shall practice.

(2) Without prejudice to subsection (1), exemption from the requirement of section 43 shall be granted in respect of—

(a) any treatment given to an animal by the owner thereof, by any other member of the household of which the owner is a member, or by a person in the regular employment of the owner or of any other member of such household;

(b) anything done, otherwise than for reward, by a person engaged or employed in farming, to an animal owned whether by himself or another person for the purpose of livestock management practice;

(c) anything done, in the rendering of first aid for the purpose of saving life or relieving pain; and

(d) the performance of all or any of the following operations:

(i) bloodless castration;

(ii) the tailing of a lamb;

(iii) the docking of the tail of a dog before its eyes are open;

(iv) the disbudding of a calf under the age of four weeks;

(v) earmarking an animal raised for human consumption; or

(vi) any minor treatment, test or operation as may be specified by the Council.

Investigations of
complaints

45.—(1) Where a complaint is lodged to the Council against any veterinarian, veterinary specialist, or paraprofessional or paraprofessional assistant, the Council shall cause an investigation to be conducted into such complaint by a Disciplinary Committee of the Council.

(2) The Disciplinary Committee shall conduct a preliminary investigation in a manner it sees fit and submit to the Council the investigation report.

(3) The Disciplinary Committee may, in the process of investigation, invite any person to provide expertise as may be required.

Decision of
Council

46.—(1) The Council may, upon receiving a report of preliminary investigation—

- (a) direct that the matter shall not proceed further;
- (b) that an Inquiry Committee be appointed for conducting inquiry into the matter; or
- (c) determine the means to deal with the complaint without necessarily carrying out any detailed formal investigation or inquiry.

(2) The Council shall, where it has decided to appoint an Inquiry Committee to enquire into a complaint—

- (a) serve a written notice by registered post on the veterinarian or veterinary specialist or paraprofessional or paraprofessional assistant concerned notifying him of the date, time and place for the inquiry and nature of the complaint; and
- (b) appoint an Inquiry Committee consisting of not more than four persons being—
 - (i) one veterinarian or paraprofessional or paraprofessional assistant;
 - (ii) one veterinary specialist in the area of investigation;
 - (iii) one lawyer; and
 - (iv) one person as may be determined by the Council.

(3) Where the Inquiry Committee finds that the veterinarian, or veterinary specialist or paraprofessional or paraprofessional

assistant has engaged in any professional misconduct, it shall submit a report to the Council with recommendations.

(4) The Council shall, after consideration of the inquiry report and the recommendations thereof, determine the matter and may direct that a person against whom the complaint was made-

- (a) be reprimanded or fined;
- (b) be suspended; or
- (c) be removed from the Register, Roll or List.

(5) Notwithstanding the foregoing subsections, the Council shall have the power to conduct an informal hearing into the professional misconduct of a veterinarian, veterinary specialist, paraprofessional or paraprofessional assistant without appointing an Inquiry Committee.

PART VII

MISCELLANEOUS PROVISIONS

Appeals

47.-(1) A person who is aggrieved by any decision of the Council under this Act, may, at any time within three months after receiving the notice of the decision of the Council, appeal to the Minister.

(2) Where a decision of the Council for an offence makes it unlawful for a person to practice or use any veterinary practice facility for purposes of practicing, the person shall stop practising and shall not use the facility for that purpose, and if any appeal is lodged, until the appeal is finally determined.

Offences related
to unauthorised
practice

48.-(1) A person who carries out any act that requires the services of a registered veterinarian or veterinary specialist or enrolled paraprofessional or enlisted paraprofessional assistant, or practices the veterinary profession, without obtaining registration, enrolment or enlistment under this Act, commits an offence and on conviction shall be liable to a fine of not less than five hundred thousand shillings and not more than one million shillings or to imprisonment for a term not exceeding one year or to both.

(2) A person, who operates a veterinary practice facility which is not registered under this Act, commits an offence and on conviction shall be liable to a fine not exceeding five hundred thousand shillings or to imprisonment for a term not exceeding one year.

Offences related
to professional
misconduct

49.—(1) A person, being a registered veterinarian or veterinary specialist, enrolled paraprofessional or enlisted paraprofessional assistant, who—

- (a) makes an advertisement that is, false, fraudulent, deceptive or misleading and refers to secret methods of treatment and violates by-law of advertisement;
- (b) makes untruthful or deceitful or misleading statements or acts;
- (c) conducts himself dishonestly or unfairly;
- (d) uses unregistered, substandard, expired or counterfeit drugs;
- (e) commits any acts tantamount to misconduct or misdemeanor; or
- (f) unethically signs or validates a certificate without actually or physically inspecting the animal,

commits an offence of professional misconduct and may, upon directions of the Council, be reprimanded or suspended or his name struck off from the Register, Roll or, as the case may be, List.

(2) Where the Council gives a direction under subsection (1), the Council shall cause notice of the direction to be signed by the Chairman and served on the person to whom it relates.

Offences related
to fraud

50. A person who—

- (a) makes false or misleading statement, whether verbally or in writing, procures for himself or any other person registration or any certificate, receipt, approval or other document issued under this Act;
- (b) makes any unauthorised entry or addition or alteration in or removal from a Register, which is kept in terms

of this Act, or an extract therefrom, or other document issued under this Act;

- (c) destroys or damages or renders illegible any entry in a Register kept in terms of this Act or, without the permission of the holder thereof, a certificate, receipt, approval or other document issued under this Act;
- (d) forges or, knowing it to be forged, utters any document purporting to be a certificate, receipt, approval or other document issued in terms of this Act;
- (e) impersonates any person registered or deemed to be registered in terms of this Act;
- (f) refuses or fails without lawful cause to be sworn having appeared as a witness at an inquiry by the Council, or refuses to make an affirmation or to answer any question or to produce any book, document or record which he may lawfully be required to answer or to produce;
- (g) refuses or fails without lawful cause to appear, having been duly summoned to appear, at an inquiry by the Council under this Act;
- (h) refuses or fails to comply with any condition or restriction imposed by the Council under this Act;
- (i) refuses or fails without lawful cause to make any statement or give any explanation, which may lawfully be demanded, from him in the application of this Act;
- (j) makes or gives a false statement or explanation knowing it to be false; or
- (k) obstructs or hinders a member of the Council or of the Disciplinary Committee or of any other Committee of the Council in the exercise of his powers or the performance of his functions under this Act,

commits an offence of fraud and on conviction shall be liable to a fine or to imprisonment for a term as prescribed by the Penal Code.

Cap. 16

General penalty
Act No.
1 of 2022 s. 80

51. A person who contravenes any provision of this Act or subsidiary legislation made hereunder to which no specific penalty is provided commits an offence and on conviction,

shall be liable to a fine not exceeding five hundred thousand shillings or to imprisonment for a term not exceeding six months or to both.

[s. 50A]

Repeal and
transition
Ord. No.
20 of 1956

52.—(1) [Repeals the Veterinary Surgeons Ordinance.]

(2) Notwithstanding the repeal of the Veterinary Surgeons Ordinance, any right, assets, liabilities and obligations of the Board immediately before its abolition shall become the right, assets, liabilities and obligations of the Council including contracts, agreements, or arrangements or amendments made by or against or in relation to the Board.

(3) A person who was registered as a veterinary surgeon under the Ordinance immediately before the commencement of this Act, shall be deemed to have been registered under this Act except that such registration shall expire on the 31st December of the year in which the Act comes into operation.

(4) Rules or regulations made by or under the authority of the former Board for the purpose of regulating functions and discipline amongst veterinarians shall remain in force and shall continue in force until revoked or replaced by regulations made under this Act.

[s. 51]

Power to make
regulations
Act No.
1 of 2022 s. 81

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

(2) Without prejudice to the generality of subsection (1), the Minister may make regulations prescribing-

- (a) the procedure for registration, enrolment and enlistment under this Act;
- (b) various forms to be used under this Act;
- (c) the procedure for inspection of veterinary practice facilities by inspectors and supervision of veterinary practice, paraprofessionals and paraprofessional assistants;

- (d) fees and other charges to be paid or charged under this Act;
 - (e) procedure for conducting inquiry under this Act;
 - (f) types of establishment and constitution of colleges for veterinary specialists under this Act;
 - (g) training standards and range of interventions for paraprofessional and paraprofessional assistants;
 - (h) procedures for nominations, elections and appointment of certain members of the Council;
 - (i) procedures for appointment of examiners, their duties and remuneration;
 - (j) the manner and procedures for management of complaints and appeals under this Act;
 - (k) operation of retail veterinary outlets and storage, distribution and dispensing of veterinary drugs;
 - (l) code of conduct for veterinary practice to be observed by veterinarians, veterinary specialists, paraprofessional or paraprofessional assistants; and
 - (m) anything which needs to be prescribed under this Act.
- (3) The regulations made under this section shall be published in the *Gazette*.

[s. 52]

SCHEDULE

(Made under section 4 (1))

PROVISIONS RELATING TO THE COUNCIL

Composition of
Council
Act No.
1 of 2022 s. 82

1. The Council shall consist of nine members who shall be appointed by the Minister, as follows:

- (a) the Chairman who shall be a veterinarian of outstanding experience in veterinary matters;
- (b) two representatives from veterinary department;
- (c) representative from a collage, schools of faculty veterinary medicine;
- (d) a representative from registered private veterinarians who shall be nominated from amongst registered veterinarians in private practice;
- (e) a representative of the Tanzania Veterinary Association;

- (f) a representative of paraprofessionals nominated from amongst themselves;
- (g) a registered veterinarian who is a representative of the veterinary pharmaceutical industry; and
- (h) a law officer employed in the Office of the Attorney General to be nominated by the Attorney General.

Tenure of office of members

2.-(1) A member of the Council appointed under paragraph 1 other than the Chairman, the Vice Chairman and a representative of Attorney General shall, unless the appointment is earlier cancelled by the Minister, hold office for three years and shall be eligible for re-appointment for one more term.

(2) The Chairman shall be appointed to serve for four years and shall be eligible for re-appointment for one more term.

(3) The Vice Chairman shall be elected at the first meeting of the term by members of the Council from amongst themselves and the member so elected shall hold office for three consecutive years.

(4) A representative from the Office of the Attorney General shall hold office for such period or periods as the Attorney General may determine.

Termination of member

3.-(1) Notwithstanding the provisions of subparagraph (1), of paragraph 2, any member of the Council, other than the Chairman or a person holding an office of emolument under the United Republic, may at any time resign from membership of Council by notice in writing addressed to the appointing authority, who shall forthwith cause it to be forwarded to the Council, and from the date of the receipt by the Council of such notice, such member shall cease to be a member of the Council.

(2) The appointment, termination and resignation of members of the Council shall be published in the *Gazette* for general information.

Meetings of Council

4.-(1) The Council shall meet not less than four times in a year and at such times as may be necessary or expedient for the transaction of its business and such meetings shall be held at such places and times and dates as may be determined by the Chairman.

(2) The Secretary of the Council shall give notice of a meeting to each member not less than fourteen days before the date of meeting.

(3) The Chairman shall preside at all meetings of the Council, and in the case of his absence the Vice Chairman shall preside, and in the case of the absence of both the Chairman and Vice Chairman, members present and constituting a quorum shall elect from among themselves a temporary Chairman who shall preside at that meeting.

(4) The decisions of the Council shall be by a majority of votes and the Chairman of the meeting shall have a casting vote in addition to his deliberative vote and if any member fails or refuses to vote the vote shall be counted in the negative.

(5) A decision may be made by the Council without a meeting by circulation of the relevant papers amongst the members and the expression of the views of the majority of the members in writing be honoured but any member may require that the decision be deferred and the subject matter be considered at a meeting of the Council

Quorum

5.—(1) A quorum of the Council shall be two thirds of the total number of members including a member of the Council from the Office of the Attorney General.

(2) The powers of the Council shall not be affected by any vacancy in the membership thereof, nor by the fact that it is afterwards discovered that there was some defect in the appointment or qualifications of a person purporting to be a member of the Council.

Co-opted members

6. The Council shall have powers to invite a person to its meeting or meetings of its Committees for the purpose of providing expertise during deliberations on specific matters but such person shall not have the right to vote.

Minutes of meetings

7. Minutes of each meeting shall be kept by the Registrar in proper form and shall be approved by the Chairman not later than fourteen days from the date of the meeting and confirmed at a subsequent meeting of the Council.

Orders, direction of Council

8. All orders, directions, notices or other documents made or issued on behalf of the Council shall be signed by the Chairman or as the case may be the Vice Chairman or the Registrar.

Seal of Council

9. The seal of the Council shall not be affixed to any instrument except in the presence of the Chairman or the Vice Chairman or the Registrar.

Council to regulate its own proceedings

10. Subject to the provisions of this Schedule, the Council may regulate its own proceedings.

Cessation of membership

11. A member shall cease to be a member of the Council if the person—

- (a) is absent from three consecutive meetings of the Council without good cause;
- (b) ceases to hold the office or position for which he was appointed;
- (c) tenders a resignation in writing to appointing Authority;
- (d) dies; or
- (e) is suffering from mental disorder or illness.