

The Laws of Zambia

REPUBLIC OF ZAMBIA

THE MEDICAL AND ALLIED PROFESSIONS ACT

CHAPTER 297 OF THE LAWS OF ZAMBIA

CHAPTER 297 THE MEDICAL AND ALLIED PROFESSIONS ACT

THE MEDICAL AND ALLIED PROFESSIONS ACT

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CHAPTER 297

MEDICAL AND ALLIED PROFESSIONS

22 of 1977
13 of 1994

An Act to provide for the regulation of medical, paramedical, dental and allied professions; and to provide for matters connected with or incidental to the foregoing.

[1st March, 1978]

PART I

PRELIMINARY

1. This Act may be cited as the Medical and Allied Professions Act.

Short title

2. (1) In this Act, unless the context otherwise requires-

Interpretation

"additional qualification" means a degree, diploma or certificate prescribed under section *twenty-one* as an additional qualification for the purposes of any particular register;

"Chairman" means the Chairman of the Council;

"Council" means the Medical Council of Zambia established by section *three*;

"Executive Committee", "Examinations Committee", "Disciplinary Committee" and "Paramedical Professions Committee" mean respectively the Executive Committee, Examinations Committee, Disciplinary Committee and Paramedical Professions Committee of the Council;

"party", in relation to proceedings before the Disciplinary Committee, means any person to whose registration the proceedings relate or any person on whose complaint the proceedings are brought, or the advocate of the Council;

"paramedical profession" means any profession the members whereof are required to be registered in any register maintained under subsection (2) or (3) of section *sixteen*;

"primary qualification" means a degree, diploma or certificate prescribed under section *seventeen* as a primary qualification for the purposes of registration on any particular register of fully registered persons;

"profession" includes calling;

"registered" means a register maintained under this Act;

"registered" means registered under this Act;

"registrar" means the registrar to the Council;

"registration certificate" means a registration certificate issued under subsection (2) of section *twenty-two*;

"Vice-Chairman" means the Vice-Chairman of the Council.

(2) Any reference in this Act to the erasure from or the restoration to a register of the name of a person shall be construed as including a reference to the erasure from or the restoration to that register of any other registrable particulars relating to that person.

PART II

MEDICAL COUNCIL OF ZAMBIA

3. There is hereby established a council to be styled the Medical Council of Zambia, which shall be a body corporate having perpetual succession and a common seal and shall, under that name, be capable of suing and being sued and of purchasing or otherwise acquiring, holding and alienating movable or immovable property and, subject to the provisions of this Act, of performing all such acts as bodies corporate may by law perform.

Establishment of
Medical Council of
Zambia

4. (1) The Council shall consist of seventeen members and shall be composed of-

Composition of
Council

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- (a) the Director of Medical Services;
- (b) the Dean of the School of Medicine at the University of Zambia;
- (c) the Chief Nursing Officer;
- (d) eleven representative members, of whom-
 - (i) four shall be fully registered medical practitioners appointed by the Minister after consultation with the medical profession;
 - (ii) two shall be fully registered dental surgeons appointed by the Minister after consultation with the dental profession;
 - (iii) two shall be fully registered pharmacists appointed by the Minister after consultation with the pharmaceutical profession;
 - (iv) three shall be fully registered members of the paramedical professions appointed by the Minister after consultation with the paramedical professions;
- (e) one legal member appointed by the Minister who shall be an advocate of the High Court; and
- (f) two other members appointed by the Minister from amongst members of the public who have distinguished themselves in public service.

(2) For the purpose of consulting with a profession concerning the appointment of a representative member of the Council, the Minister shall consult every association of persons representing members of that profession and may, in such manner as he thinks fit, obtain the views of members of the profession not represented by any such association.

- 5.** A person shall not be eligible to be appointed as a member of the Council, if-
- (a) he is, under any written law, adjudged or otherwise declared to be of unsound mind; or
 - (b) he is an undischarged bankrupt, having been adjudged or otherwise declared bankrupt under any enactment in force in Zambia; or
 - (c) he has been convicted by any court in Zambia of an offence under this Act or under any written law relating to medicines, pharmacy, poisons or dangerous drugs.

Disqualification of members of Council

6. A member of the Council appointed by the Minister shall, subject to the provisions of this Act, hold office for a period of three years.

Tenure of office of members of Council

7. (1) The office of a member of the Council appointed by the Minister shall become vacant-

Vacation of office by members of Council and filling of vacancies

- (a) if the holder of the office dies or resigns from his office by notice in writing addressed to the Minister; or
- (b) if any circumstances arise that, if the holder of the office were not a member of the Council, would disqualify him for appointment as such; or
- (c) if the holder of the office is disqualified under this Act from practising his profession; or
- (d) if the holder of the office is, without the leave of the Council, absent from three consecutive meetings of the Council.

(2) Whenever the office of a member of the Council becomes vacant in accordance with the provisions of subsection (1), the Minister shall appoint a person to fill the vacancy in the same way as the member whose office has become vacant was appointed and that person shall, subject to the provisions of this Act, hold office for the remainder of the period during which the member whose place he fills would, but for his office becoming vacant, have continued in office.

(3) If a member of the Council appointed by the Minister is granted leave of absence by the Council, the Council may, if it thinks fit, fill the vacancy during his absence by co-opting to the Council a person who is a member of the same profession, if any, as the member whose place he fills.

8. (1) There shall be a Chairman and a Vice-Chairman of the Council, who shall be elected by the Council from amongst the members of the Council, whenever the office of Chairman or Vice-Chairman, as the case may be, is vacant.

Chairman and Vice-Chairman

(2) The Chairman and the Vice-Chairman shall, subject to the provisions of this section, hold office for a period of three years.

(3) The office of the Chairman or the Vice-Chairman shall become vacant-

- (a) if the holder of the office dies or resigns from his office by notice in writing addressed to the registrar; or
- (b) if the holder of the office ceases to be a member of the Council; or

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- (c) in the case of the office of Vice-Chairman, if the holder of the office is elected to the office of Chairman.

(4) Whenever the office of Chairman is vacant or the Chairman is absent or is for any other cause prevented from or incapable of discharging the functions of his office, the Vice-Chairman shall discharge the functions of the Chairman.

9. (1) Subject to the other provisions of this Act, the Council shall meet for the despatch of business and adjourn, close and otherwise regulate its meetings and proceedings as it thinks fit: Meetings and proceedings of Council

Provided that the Council shall meet not less than once in each year.

(2) The Chairman may cause a special meeting of the Council to be convened at any time and shall cause such a meeting to be convened if not less than five members of the Council sign a request in writing for such special meeting and such written request states clearly the purposes for which the meeting is to be convened.

(3) At any meeting of the Council, eight members of whom-

- (a) not less than two shall be medical practitioners;
- (b) not less than one shall be a pharmacist or a dental surgeon; and
- (c) not less than one shall be a member of the paramedical profession;

shall form a quorum.

(4) There shall preside at any meeting of the Council-

- (a) the Chairman; or
- (b) in the absence of the Chairman, the Vice-Chairman; or
- (c) in the absence of both the Chairman and the Vice-Chairman, such other member of the Council as the Council may elect for that meeting.

(5) Any question proposed for decision by the Council shall be determined by a majority of the votes of the members present and voting at a meeting of the Council.

(6) At all meetings of the Council, each member present shall have one vote on a question proposed for decision by the Council and, in the event of an equality of votes, the person presiding at the meeting shall have, in addition to a deliberative vote, a casting vote.

(7) The Council shall cause minutes to be kept of the proceedings at every meeting of the Council and such minutes shall, except in so far as the Council otherwise determines, be open to inspection at all reasonable times at the office of the Council by any registered person.

10. (1) There shall be standing committees of the Council styled the Executive Committee, the Paramedical Professions Committee and the Examinations Committee.

Establishment and proceedings of committees

(2) The Executive Committee shall consist of-

- (a) the Chairman, who shall be the chairman of the committee;
- (b) the Vice-Chairman, who shall be the vice-chairman of the committee;
- (c) the legal member of the Council; and
- (d) five other members of the Council appointed by the Council, of whom two shall be medical practitioners, one a dental surgeon, one a pharmacist, and one a member of the paramedical professions.

(3) The Paramedical Professions Committee shall consist of-

- (a) the three members of the Council who are members of the paramedical professions; and
- (b) one member to represent each paramedical profession, who shall be appointed by the Council after consultation with such profession.

(4) The Examinations Committee shall consist of a chairman and such number of other members appointed by the Council as the Council may determine, being persons who are members of the Council or fully registered persons.

(5) The Council may establish such occasional committees of the Council as it thinks fit, consisting of a chairman and such number of other members appointed by the Council as the Council may determine, being persons who are members of the Council or fully registered persons, and may abolish any such committee.

(6) A person shall cease to be a member of a committee established by or under this section-

- (a) if any circumstances arise that, if he were not a member of the committee, would disqualify him from appointment as such;
- (b) in the case of a person who is a member of the committee by virtue of his office, if he ceases to hold such office;
- (c) in the case of a person who is a member of the committee by virtue of his appointment by the Council-
 - (i) if he resigns from the committee by notice in writing addressed to the Chairman; or
 - (ii) if his appointment is revoked by the Council.

(7) Meetings of a committee established by or under this section shall be held as required and may be adjourned from time to time and from place to place:

Provided that meetings of the Executive Committee shall be held not less than once in every three months.

(8) At any meeting of the Executive Committee, four members, of whom two shall be medical practitioners, shall form a quorum; and at any meeting of any other committee established by or under this section, a majority by number of members shall form a quorum.

(9) There shall preside at any meeting of a committee established by or under this section-

- (a) the chairman of the committee; or
- (b) in the absence of the chairman of the committee, the vice-chairman of the committee, or if there is no vice-chairman or the vice-chairman is absent, such other member of the committee as the committee may elect for that meeting.

(10) Any question proposed for decision by a committee established by or under this section shall be determined by the votes of the members present and voting at a meeting of the committee.

(11) At all meetings of a committee established by or under this section, each member present shall have one vote on a question proposed for decision by the committee and, in the event of an equality of votes, the person presiding at the meeting shall have, in addition to a deliberative vote, a casting vote.

11. (1) The Executive Committee shall discharge-

Functions of committees

- (a) such of the functions of the Council as may be delegated to it under this section; and
- (b) such functions as may be assigned to it under section *fifty-nine*.

(2) The Paramedical Professions Committee may, if it thinks fit, report to the Council on any matters relating to the paramedical professions and professions which may be included in the paramedical professions, and shall report to the Council on any such matters as may be referred to it by the Council.

(3) The Examinations Committee shall-

- (a) discharge such functions as may be assigned to it under section *thirty-three*;
- (b) report to the Council on such matters with respect to which rules may be made under section *thirty-three* as may be referred to it by the Council.

(4) Any occasional committee established under subsection (5) of section *ten* shall report to the Council on such matters as may be referred to it by the Council.

(5) The Council may delegate, either absolutely or conditionally, to the Executive Committee the power to discharge on behalf of the Council any function of the Council other than the power of-

- (a) appointing members of the Executive Committee; or
- (b) making rules or concurring in making regulations under this Act.

(6) The Council may withdraw or alter any delegation to the Executive Committee, but no such withdrawal or alteration shall affect anything done in pursuance of a decision lawfully made by the Executive Committee.

(7) A delegation by the Council shall not prevent the discharge by the Council of any function.

12. (1) There shall be a registrar to the Council, who shall be appointed by the Council.

Registrar and staff of Council

(2) The registrar shall, in addition to his other functions under this Act, be the secretary to the Council and to all committees thereof and shall, on the instructions of the Chairman or chairman of any committee, convene and keep minutes of the proceedings at all meetings of the Council and of such committee, as the case may be.

(3) The Council may, whenever the registrar is absent or is for any other cause prevented from or incapable of discharging the functions of his office, appoint an acting registrar to discharge those functions and may appoint such other employees of the Council as it thinks fit.

(4) The registrar, any acting registrar or other employee of the Council shall hold office on such conditions as the Council, with the approval of the Minister, may determine.

13. The office of the Council shall be at Lusaka, but this provision shall not prevent the holding of meetings of the Council or of any committee thereof at any other place.

Office of Council

14. The funds of the Council shall consist of-

Funds of Council

- (a) all fees and other moneys payable to the Council in pursuance of this Act;
- (b) such moneys as may be payable to the Council out of moneys appropriated by Parliament; and
- (c) such other moneys and assets as may vest in or accrue to the Council, whether in the course of the discharge of its functions or otherwise.

(2) There shall be paid from the funds of the Council-

- (a) the remuneration and allowances of the registrar and of any other employees of the Council; and
- (b) such reasonable travelling, transport and subsistence expenses of members of the Council when engaged on the business of the Council as the Council may determine; and

- (c) any other expenses incurred by the Council in the discharge of its functions.

15. (1) The financial year of the Council shall be the period of twelve months ending on the 31st December in each year. Accounts and audit

(2) The Council shall cause proper accounts to be kept of its income and expenditure for each financial year.

(3) The accounts of the Council for each financial year shall be audited by the Auditor-General and, for that purpose, the Auditor-General and any other officer authorised by him shall have access to all books and other records relating to the accounts of the Council.

(4) The Auditor-General shall, not later than twelve months after the end of each financial year, submit a report on the accounts of the Council for that financial year to the Council and to the Minister and the Minister shall, not later than seven days after the first sitting of the National Assembly next after the receipt of such report, lay it before the National Assembly.

(5) In the exercise of his functions under this section, the Auditor-General shall not be subject to the direction or control of any other person or authority.

PART II

REGISTRATION

16. (1) The Council shall cause to be prepared and maintained registers of- Establishment of registers

- (a) fully registered medical practitioners, dental surgeons and pharmacists;
- (b) provisionally registered medical practitioners;
- (c) temporarily registered medical practitioners, dental surgeons and pharmacists.

(2) The Council shall cause to be prepared and maintained registers of fully registered and temporarily registered-

- (a) health inspectors;

- (b) opticians, optometrists and dispensing opticians;
- (c) physiotherapists;
- (d) occupational therapists;
- (e) radiographers;
- (f) medical laboratory technicians;
- (g) medical laboratory assistants;
- (h) dental technicians;
- (i) medical assistants;
- (j) dental auxiliaries;
- (k) health assistants;
- (l) X-ray assistants; and
- (m) pharmacy technicians.

(3) The Council may, with the approval of the Minister, establish and cause to be prepared and maintained registers for full as well as temporary registration of any other classes of persons who have acquired special training and knowledge in matters relating to the treatment or prevention of physical or mental defects or diseases in man.

(4) In a register there shall be entered the name, address, qualifications and such other particulars, if any, relating to a registered person as may be prescribed under section *twenty-nine*.

17. The Minister may, after consultation with the Council, by statutory instrument, make regulations prescribing the degrees, diplomas or certificates granted after examination by the University of Zambia or any medical school, dental school, pharmaceutical society or other examining authority in Zambia, which when held singly or jointly with any other degree, diploma or certificate and after compliance by the holder with such other requirements, if any, as may be prescribed, shall be primary qualifications for the purposes of registration on any particular register of fully registered persons.

Regulations
prescribing primary
qualifications

18. (1) A person who has obtained from the University of Zambia or any medical school in Zambia a degree, diploma or certificate qualifying him to practise medicine or any medical qualifications from a University or other institution outside Zambia declared by the Council to be registrable qualifications shall, on showing to the satisfaction of the registrar that he has been selected for such employment in Zambia as is mentioned in subsection (1) (a) of section *twenty*, be entitled to be registered on the register of provisionally registered medical practitioners.

Provisional
registrational of
medical practitioners

(2) A person registered on the register of provisionally registered medical practitioners shall be deemed to be a registered medical practitioner so far as is necessary-

- (a) to enable him to be engaged in such employment in Zambia as is mentioned in subsection (1) (a) of section *twenty*; and
- (b) for the purposes of such provisions of any written law, or such other purposes, as the Minister may by order prescribe;

but not further.

(3) No person shall continue to be registered on the register of provisionally registered medical practitioners for a period of more than two years or for more than three months after he has ceased to be engaged in such employment as is mentioned in subsection (1) (a) of section *twenty*.

19. (1) Subject to the other provisions of this Act and any regulations made thereunder, any person who does not hold primary qualifications for registration on a particular register of fully registered persons may be registered on the appropriate register of temporarily registered persons-

Temporary registration

- (a) if he holds such qualifications as are declared by the Council or by any authority designated by the Council to be registrable qualifications with reference to that register;
- (b) if he shows to the satisfaction of the prescribed authority by producing the most recent certificate of completion of internship or training or other testimonials, as may be applicable, granted by the competent authorities in the country in which he completed his internship or training or last practised his profession, or duly certified copies thereof, that he is entitled to practise such profession in that country; and
- (c) if he shows to the satisfaction of the prescribed authority that he possesses sufficient knowledge of the English language so as to be able conveniently to discharge the obligations of his profession in Zambia.

(2) No person shall remain registered on a register of temporarily registered persons for more than two years.

(3) Where the services of any such persons as are required to be registered under this Act are obtained under an international agreement or by arrangement with the government of any other country, the Minister may, notwithstanding the provisions of subsection (1), direct that such persons shall be registered on the appropriate registers of temporarily registered persons.

20. (1) Subject to the other provisions of this Act and any regulations made thereunder, a person who is registered on the register of provisionally registered medical practitioners shall be entitled to be registered on the register of fully registered medical practitioners, if he- Full registration

- (a) has been engaged for a period of not less than twelve months in the capacity of a resident medical officer in one or more hospitals or institutions in Zambia approved by the Council for that purpose, and produces to the prescribed authority a certificate to that effect by the medical officer-in-charge of such hospital or institution; and
- (b) shows to the satisfaction of the prescribed authority that he is of good character.

(2) Subject to the other provisions of this Act and any regulations made thereunder, a person who is registered on any register of temporarily registered persons shall be entitled to be registered on the corresponding register of fully registered persons, if he-

- (a) has served for a period of not less than twelve months in one or more hospitals, institutions or consulting rooms in Zambia approved by the Council for that purpose; and
- (b) produces to the prescribed authority in the case of a private medical practitioner a certificate from the Director of Medical Services, and in other cases, a certificate from the officer-in-charge of such hospital, institution or consulting room or such other authority thereof as the Council may determine that he is a fit and proper person to be registered on the corresponding register of fully registered persons.

(3) Subject to the other provisions of this Act and any regulations made thereunder, a person who holds primary qualifications for registration on a particular register of fully registered persons, other than the register of fully registered medical practitioners, shall be entitled to be registered on that register, if he shows to the satisfaction of the prescribed authority that he-

- (a) has complied with such other requirements as may be prescribed; and
- (b) is of good character.

21. (1) The Minister may, after consultation with the Council, by statutory instrument, make regulations prescribing the degrees, diplomas or certificates which shall be additional qualifications for the purposes of any particular register.

Additional qualifications and additional primary qualifications

(2) A person holding a degree, diploma or certificate prescribed under subsection (1) as an additional qualification for the purposes of a register shall, if registered on that register, or on becoming so registered, be entitled to have the degree, diploma or certificate entered on that register in addition to any primary qualification so entered.

(3) A person registered on any register who has acquired a primary qualification in addition to the primary qualification by virtue of which he was so registered shall be entitled to have it entered on that register in addition thereto.

(4) Save as provided by this section, no person shall be entitled to have any qualification other than the primary qualification by virtue of which he is registered entered on any register.

22. (1) Any right to registration conferred by or under this Act shall be conditional on-

Procedure of registration

(a) the making of an application to the registrar in the manner and form, and supported by the information and documents, prescribed under section *twenty-nine*; and

(b) the payment of the registration fees required by section *twenty-four*.

(2) On the registration of a person on any register, the registrar shall issue to the registered person a registration certificate in the form prescribed under section *twenty-nine*.

23. (1) If a person seeking registration on any register is refused such registration, the registrar shall, if required to do so, state in writing the reason for the refusal and the person refused registration may appeal to the High Court.

Appeal against refusal of registration

(2) On any appeal under this section, the Council shall be the respondent.

(3) The High Court may, on any appeal under this section-

(a) dismiss the appeal;

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- (b) direct that the appellant is to be treated as having proved or shown any of the matters in question;
- (c) remit the case to the registrar for further consideration;
- (d) make such other order as to costs or otherwise as may to it seem just.

(4) The Chief Justice may, by statutory instrument, make rules regulating appeals to the High Court under this section.

24. (1) There shall be payable to the Council by any person-

Prescribed fees

- (a) on becoming registered on any register;
- (b) on having an additional qualification (not being a primary qualification) entered on any register;

such registration fees as the Council may, with the consent of the Minister, prescribe.

(2) On or before the 31st December in each year, there shall be payable to the Council by any person who on the preceding 1st July was registered on any register of fully registered persons, such annual fees as the Council may, with the consent of the Minister, prescribe.

25. (1) The registrar may, by letter sent by registered post addressed to any registered person at his address on the register, inquire whether he has ceased to practise or has changed his address; and if no answer is returned to any such letter within the period of six months from its being sent, the name of the said person may be erased from the register.

Erasures from registers

(2) If any fully registered person fails to pay to the Council the amount of any annual fee payable by him under section *twenty-four*, his name may be erased from the register.

(3) The Council may, at the request of a registered person and on being satisfied that no disciplinary or criminal proceedings are or are likely to be taken against him, direct the erasure of his name from the register.

(4) A person may be registered in pursuance of any provision of this Act notwithstanding that his name has been erased from a register under this section.

26. (1) The registers shall be kept in the custody of the registrar at the office of the Council.

Custody and keeping of registers

(2) It shall be the duty of the registrar to prepare and maintain the registers correctly and in accordance with the provisions of this Act and any directions given under this Act, to erase the names of persons who have died, and from time to time to make the necessary alterations in the addresses, qualifications or other particulars relating to registered persons.

(3) For the purposes of subsection (2), it shall be the duty of every registered person who changes his address to notify the fact to the registrar within one month after the change.

Publication of registers

27. (1) The registrar shall from time to time, under the authority of the Council, cause copies of the registers or of supplementary lists showing all alterations, additions or erasures made since the last publication of the complete registers, to be printed and published.

(2) Copies of the registers shall be printed and published in such form as the Council may direct.

28. (1) Subject to the provisions of subsection (2), a copy of the last published issue of a copy of a register or of any supplementary list purporting to be printed and published under the authority of the Council shall be *prima facie* evidence in all legal proceedings of the facts therein recorded, and the absence of the name of any person from such copy shall be *prima facie* evidence that such person is not registered in accordance with the provisions of this Act.

Registers to be evidence

(2) Where a person has been registered on a register after the date of the last published issue of a copy of that register, a copy of the entries on the register relating to that person, certified under the hand of the register, shall be evidence that such person is registered in accordance with the provisions of this Act.

29. (1) The Council may, by statutory instrument, make rules for regulating the registers and, in particular, as to-

Rules relating to registration

- (a) the manner and form in which applications for registration shall be made, and the information and documents to be submitted in support of such applications;
- (b) the form of the registers and the particulars to be entered therein;
- (c) the form of the certificate of registration;

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- (d) the issue of duplicates and certified copies of certificates of registration, the issue of certified copies of entries on the registers, the issue of certificates by the registrar, and the fees payable to the Council therefor;
- (e) the erasure from a register of provisionally or temporarily registered persons of the names of persons who become registered on a register of fully registered persons or who cease to be entitled to be registered on the register of provisionally or temporarily registered persons.

(2) Rules under this section may make different provision with respect to different registers.

30. Any person who-

Offences relating to registration

- (a) makes or causes to be made an unauthorised entry, alteration or erasure in a register or in a certified copy of an entry on a register or in a certificate under the hand of the registrar; or
- (b) procures or attempts to procure for himself or any other person registration of any matter by means of fraud, a false representation or the concealment of a material fact; or
- (c) forges or utters, knowing the same to be forged, any document purporting to be a registration certificate, a certified copy of an entry on a register or a certificate under the hand of the registrar; or
- (d) impersonates a registered person;

shall be guilty of an offence and liable on conviction to a fine not exceeding fifteen thousand penalty units.

(As amended by Act No. 13 of 1994)

PART IV

TRAINING

31. (1) The Council may consider and, if it thinks fit, report to the Minister upon all matters relating to professional and technical training and other qualifications required for admission to the profession of any class of persons for whom a register is maintained under this Act or for whom the Council is empowered to establish a register under this Act, and the conditions of practice after registration.

Power of Council to consider matters relating to training

(2) The Minister may require the Council to advise him on any matter referred to in subsection (1).

32. (1) The Council may institute diplomas and certificates of competency for any class of persons (other than medical practitioners, dental surgeons or pharmacists) for whom a register is maintained under this Act.

Diplomas and certificates of competency

(2) The Council may issue diplomas or certificates instituted under this section to persons who have qualified therefor in accordance with rules made under section *thirty-three*.

(3) The registrar shall keep lists of all persons to whom a diploma or certificate instituted under this section has been issued.

(4) A diploma or certificate instituted under this section may be prescribed under section *seventeen* as a primary qualification for the purposes of registration on a register of fully registered persons.

33. The Council may, by statutory instrument, make rules as to-

Rules relating to training

- (a) the form of diplomas and certificates of competency instituted by the Council;
- (b) the issue of duplicates and certified copies of diplomas and certificates of competency issued by the Council and the fees payable to the Council therefor;
- (c) the requirements to be fulfilled by persons as a condition of the issue of a diploma or certificate of competency to them, including the training and courses of instruction to be undergone and the examinations to be passed, and exemptions from the fulfilment of such requirements;
- (d) the institutions and other places at which the training and courses of instruction referred to in paragraph (c) shall be undergone, the age and standards of education and character required to qualify persons to undergo such training and courses of instruction and the supervision of persons undergoing such training and courses of instruction;
- (e) the holding of examinations referred to in paragraph (c) including-
 - (i) the appointment and remuneration of examiners, moderators and invigilators;
 - (ii) the entry and disqualification of candidates for examination;
 - (iii) the fees payable to the Council by candidates for examination; and
 - (iv) the publication of the results of examinations;
- (f) the functions of the Examinations Committee; and
- (g) any other matters of administration not requiring approval of the Minister.

PART V

PRIVILEGES OF REGISTERED PERSONS AND OFFENCES BY UNREGISTERED PERSONS

34. No remuneration shall be recoverable by legal proceedings in respect of any act pertaining to the profession of a registered person when performed by a person who is prohibited from performing such act for gain. Recovery of fees

35. Repealed by S.I. no. 120 of 1988.

36. A certificate required by any written law from a medical practitioner or dental surgeon shall not be valid unless the person signing it is a registered medical practitioner or registered dental surgeon, as the case may be. Certificates invalid if given by unregistered persons

37. (1) Subject to the other provisions of this Act, no person, not being registered on the appropriate register, shall be entitled to hold any appointment in the public service or in any public or private establishment, consulting room, nursing home, body or institution, if the holding of such appointment involves the performance by him in Zambia of any act which it is unlawful for any person not so registered to perform for gain. Appointments not to be held by unregistered persons

(2) Nothing in this section or in any other provisions of this Part shall prevent a person holding an appointment referred to in subsection (1) while he is undergoing training for the purpose of becoming qualified for registration under this Act under the supervision of persons who are registered on the appropriate register.

38. Subject to the other provisions of this Act, any person, not being a registered medical practitioner, who- Prohibition of practising as medical practitioner when unregistered

- (a) for gain, practices as a medical practitioner or performs any act specially pertaining to the profession of a medical practitioner; or
- (b) pretends, or by any means whatsoever holds himself out, to be a medical practitioner, or uses the name of medical practitioner, or any name, title, description or symbol indicating or calculated to lead persons to infer that he possesses a qualification as a medical practitioner or that he is a registered medical practitioner;

shall be guilty of an offence and liable on conviction to a fine not exceeding one thousand penalty units.

(As amended by Act No. 13 of 1994)

39. (1) Subject to the other provisions of this Act, any person, not being a registered dental surgeon, who- Prohibition of practising as dental surgeon when unregistered

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- (a) for gain, practises as a dental surgeon or performs or undertakes to perform any act specially pertaining to the practice of dental surgery; or
- (b) pretends, or by any means whatsoever holds himself out, to be a dental surgeon or to be entitled to practise dental surgery or to perform any act specially pertaining to the practice of dental surgery or uses the name of dental surgeon or dentist or any name, title, description or symbol indicating or calculated to lead persons to infer that he possesses a qualification as a dental surgeon or that he is a registered dental surgeon;

shall be guilty of an offence and liable on conviction to a fine not exceeding three thousand penalty units:

Provided that nothing in this section shall prevent a registered dental assistant or dental technician from performing the duties normally performed by him.

(2) For the purposes of this Act, the practice of dental surgery means the performance of any such operation or any such treatment, advice or attendance as is usually performed or given by a dental surgeon, or any operation, treatment, advice or attendance preparatory to or for the purpose of or in connection with the fitting, insertion or fixing of artificial dentures or other similar dental appliances.

(3) Nothing in this section shall prevent-

- (a) the carrying on by a body corporate of the business of dental surgery if-
 - (i) it carries on no business other than dental surgery or some business ancillary to the business of dental surgery; and
 - (ii) a majority of the directors and all the operating staff thereof are registered dental surgeons; or
- (b) the practice of dental surgery by a registered medical practitioner in the ordinary course of his practice or in any case where the services of a registered dental surgeon are not available; or
- (c) the extraction of a tooth by any person where the case is urgent and the services of a registered medical practitioner or registered dental surgeon are not available; or
- (d) the making, repairing or alteration for gain of artificial dentures, restorative dental appliances or other similar dental appliances by a technician if such work is performed by the dental technician in collaboration with and on the instructions of a registered dental surgeon and does not involve the performance by any person other than a registered dental surgeon of any operation in the mouth of a person.

(As amended by Act No. 13 of 1994)

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40. Any person who, not being a registered pharmacist, pretends, or by any means whatsoever holds himself out, to be a pharmacist, or uses any name, title, description or symbol indicating or calculated to lead persons to infer that he possesses a qualification as a pharmacist or that he is a registered pharmacist, shall be guilty of an offence and liable on conviction to a fine not exceeding three thousand penalty units.

Prohibition of falsely professing to be registered pharmacist

(As amended by Act No. 13 of 1994)

41. Any person, not being registered on any register established under subsection (2) or (3) of section *sixteen*, who holds himself out to be so registered or uses any name, title, description or symbol indicating or calculated to lead persons to infer that he is so registered, shall be guilty of an offence and liable on conviction to a fine not exceeding seven hundred and fifty penalty units.

Prohibition of falsely professing to be registered person

(As amended by Act No. 13 of 1994)

42. The Council may, with the consent of the Minister, by statutory instrument, make regulations specifying distinctive uniforms, badges or tokens which may be worn or used only by any class of persons registered under section *sixteen*, and prescribing the penalty for the wearing or use of such uniforms, badges or tokens or any colourable imitation thereof by persons not qualified to wear or use them.

Uniforms, badges, etc., for registered persons

43. (1) If a medical practitioner or dental surgeon who is not resident in Zambia or registered under this Act-

Exemptions

- (a) is called in as consultant by a registered medical practitioner or a registered dental surgeon; or
- (b) is called in at the *bona fide* request of a patient; or
- (c) is appointed under this Act to conduct an examination for a diploma or certificate of competency;

he shall be exempt from the registration requirements of this Act in respect of his attendance upon the patient with respect to whom he has been called in or in respect of his duties in connection with the conduct of the examination, as the case may be.

(2) Where a person satisfies the Council that he is or intends to be in Zambia temporarily for the purpose of engaging in medical, dental or pharmaceutical research, the Council may, if it thinks fit, exempt him from the registration requirements of this Act for such period and subject to such conditions as the Council may specify.

PART VI

CONSULTING ROOMS

44. (1) No consulting room shall be established or conducted unless it is registered under this Act.

Registration of
consulting rooms

(2) An application for registration of a consulting room shall be made to the Council in the prescribed form.

(3) Subject to the other provisions of this Act, the Council shall, on receipt of an application for the registration of a consulting room, register the consulting room and issue to the applicant a certificate of registration in respect thereof:

Provided that the Council may refuse to register a consulting room, if it is satisfied-

- (a) that the proprietor thereof or any person registrable under this Act employed thereat is not a fit person to carry on, or be employed at a consulting room of such description as the one in respect of which the application has been made; or
- (b) that having regard to the situation, premises, construction, accommodation, equipment, medical and other staff and other requirements of this Act or any regulations made thereunder, the consulting room is not fit to be used as such; or
- (c) that the person in charge of the consulting room is not or will not be a registered medical practitioner or dental surgeon.

(4) A certificate of registration issued under subsection (3) shall be in the prescribed form and, unless earlier cancelled, shall be valid up to the 31st December in the year in which it is issued.

(5) An application for the renewal of registration of a consulting room shall be made to the Council in the prescribed form, prior to the 31st October in the year preceding the year for which the renewal is applied for:

Provided that the Council may consider an application for renewal submitted on or after the said date, if it is satisfied that special circumstances prevented the submission of the application in time.

(6) The certificate of registration of a consulting room shall be affixed in a conspicuous place in the consulting room and in default thereof the person in charge of the consulting room shall be guilty of an offence and shall be liable on conviction to a fine not exceeding three hundred and seventy five penalty units

(7) An application for the registration of a consulting room shall be made, in the case of a consulting room existing before the commencement of this Act, within three months of such commencement, and in any other case, within thirty days of its being opened for consultation, and any person who runs, or, being a person registered under this Act, serves at a consulting room in respect of which such application has not been made within the aforesaid time or has been rejected or registration whereof has been cancelled shall be guilty of an offence and shall on conviction be liable to a fine not exceeding seven thousand five hundred penalty units or to imprisonment for six months, or to both.

(As amended by Act No. 13 of 1994)

45. Subject to the other provisions of this Act, the Council may cancel the registration of a consulting room-

Cancellation of registration

- (a) if the proprietor or person in charge of the consulting room has been convicted of an offence under this Act; or
- (b) if any such circumstances arise as would constitute a ground for refusing to register the consulting room, had an application for its registration been then made.

46. (1) Where the Council decides to refuse an application for registration or to cancel registration of a consulting room, the Council shall, subject to the provisions of subsection (2), make an order to that effect and shall send a copy of the order by registered post to the applicant or, as the case may be, to the proprietor of the consulting room.

Procedure, etc., regarding refusal or cancellation of registration

(2) Before making an order under subsection (1), the Council shall give the applicant or, as the case may be, the proprietor of the consulting room, not less than fourteen days' notice of its intention to make such order; and any such notice shall state the grounds on which the Council intends to make the order and shall contain an intimation that if within fourteen days of receiving the notice the applicant or, as the case may be, the proprietor of the consulting room informs the Council in writing that he desires to show cause why such order should not be made, the Council shall, before making the order, give him an opportunity so to show cause, either in person or by a representative.

(3) Any person aggrieved by an order made under subsection (1) may, within twenty-eight days of receiving a copy of the order, appeal to the High Court, and the provisions of section *twenty-three* shall, *mutatis mutandis*, apply to such an appeal.

(4) Any order made under subsection (1) shall not come into force until the expiry of fourteen days from the date on which it was made or, where notice of appeal is given, until the appeal has been determined.

47. (1) A person authorised by the Council under the hand of the registrar may, at all reasonable times, enter and inspect any premises which are being used, or which such person has reasonable cause to believe are being used, for purposes of a consulting room, and inspect the registration of the medical and paramedical staff and other records required to be kept under this Act:

Entry and inspection

Provided that-

- (i) such person shall, before entering any premises, show to the person in charge of the premises documents in support of his identity and authorisation; and
- (ii) nothing in this section shall be deemed to authorise any such person to inspect any medical records relating to a patient.

(2) Any person who refuses to allow a person authorised under subsection (1) to enter and inspect any such premises or to inspect any such records or obstructs him in such entry or inspection, shall be guilty of an offence and shall on conviction be liable to a fine not exceeding three hundred and seventy five penalty units.

(As amended by Act No. 13 of 1994)

48. (1) Subject to the provisions of subsections (2) and (3), the Council may, where circumstances so warrant, exempt any consulting room from all or any of the provisions of this Act, and any such exemption may be withdrawn at any time.

Power to grant exemption

(2) Any exemption granted under subsection (1) shall continue to be in force until the 31st December in the year in which it is granted, but without prejudice to the power of the Council to grant any further exemption.

(3) Any person aggrieved by a refusal to grant, or the withdrawal of, an exemption under subsection (1) may appeal to the Minister, and the Minister may make such order thereon as he thinks fit.

49. (1) Subject to the provisions of subsection (2), no consultation, advice, treatment or diagnosis shall be offered or given at any consulting room except by or under the personal super-vision or authority of a registered medical practitioner or dental surgeon.

Treatment, etc., only by registered medical practitioner and dental surgeon.

(2) The provisions of subsection (1) shall not apply to the administration of first aid or to the continuation of treatment previously prescribed by a registered medical practitioner or dental surgeon.

50. Where an offence under this Part is committed by a company, the chairman and every director of the company and every officer of the company concerned in the management thereof shall be guilty of the offence, unless he proves that the offence was committed without his knowledge or consent.

Offence by company

51. The registrar shall from time to time cause copies of the registers or supplementary lists of the consulting rooms to be published in the *Gazette*.

Publication of copies of registers, etc.

52. (1) The Council may, by statutory instrument, make rules relating to the registration of consulting rooms and, in particular, provide for-

Rules relating to registration of consulting rooms

- (a) the manner and form in which applications for registration shall be made, and the information and documents to be submitted in support of such applications;
- (b) the form of the registers and the particulars to be entered therein;
- (c) the form of the certificate of registration.

(2) Rules made under this section may make different provision with respect to different descriptions or classes of consulting rooms.

PART VII

DISCIPLINE

53. (1) There shall be a committee of the Council styled the Disciplinary Committee, which shall consist of-

Constitution of Disciplinary Committee

- (a) the Chairman; and
- (b) not more than four and not less than two other members of the Council, who shall be appointed by the Chairman for the purposes of any particular proceedings of the Disciplinary Committee.

(2) The members of the Disciplinary Committee appointed by the Chairman shall, so far as circumstances permit, be members of the same profession as that to which the person to whom the proceedings before the Committee relate belongs.

(3) For the purpose of advising the Disciplinary Committee on questions of law arising in proceedings before it, there shall in all such proceedings be an assessor to the Disciplinary Committee, who shall be the legal member of the Council.

54. (1) At any meeting of the Disciplinary Committee, three members shall form a quorum.

Proceedings of Disciplinary Committee

(2) The Chairman shall preside at any meeting of the Disciplinary Committee.

(3) Any question proposed for decision by the Disciplinary Committee shall be determined by the vote of the members present and voting at a meeting of the Committee.

(4) At all meetings of the Disciplinary Committee, each member present shall have one vote on a question proposed for decision by the Committee and, in the event of an equality of votes, the Chairman shall have, in addition to a deliberative vote, a casting vote.

(5) For the purposes of any inquiry by it, the Disciplinary Committee may hear and receive evidence and may, under the hand of the Chairman or registrar, summon witnesses and require the production of any book, record, document or thing and may through the Chairman administer an oath to any witness.

(6) Any person summoned to attend before the Disciplinary Committee who, without sufficient cause-

- (a) refuses or fails to attend at the time and place specified in the summons; or
- (b) having attended, refuses to be sworn; or
- (c) having been sworn-
 - (i) refuses to answer, or to answer fully and satisfactorily to the best of his knowledge and belief, any question lawfully put to him; or
 - (ii) refuses to produce any book, record, document or thing which he has been required by summons to produce; or
 - (iii) gives false evidence, knowing it to be false or not knowing or believing it to be true;

shall be guilty of an offence and shall be liable on conviction, for every such refusal, failure or false evidence, to a fine not exceeding five hundred penalty units:

Provided that no such person shall be compelled to answer any question or produce any book, record, document or thing which he could not be compelled to answer or produce on the trial of an action in the High Court.

(As amended by Act No. 13 of 1994)

55. (1) If any registered person is, after due inquiry, judged by the Disciplinary Committee to have been guilty of infamous conduct in any professional respect, the Disciplinary Committee may, if it thinks fit, impose one or more of the following penalties:

Inquiries by
Disciplinary
Committee

- (a) direct the erasure of his name from the register;

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- (b) censure him;
- (c) caution him and postpone for a period not exceeding one year any further action against him on one or more conditions as to his conduct during that period;
- (d) order him to pay to the Council any costs of and incidental to the proceedings incurred by the Council.

(2) If any registered person is, after due inquiry, judged by the Disciplinary Committee to have become mentally or physically disabled to the extent that the continued practising by such person of his profession is contrary to the public welfare, the Disciplinary Committee shall direct the erasure of his name from the register.

(3) In any inquiry under this section, any finding of fact which is shown to have been made in-

- (a) any criminal proceedings in a court in Zambia; or
- (b) any matrimonial proceedings in the High Court or the Supreme Court;

shall be conclusive evidence of the fact found.

(4) If any university, medical or dental school, pharmaceutical society or other examining authority, having granted to any person a qualification upon the faith of which that person was registered under this Act, exercise any power conferred by law of striking off the name of that person and notify to the Council the fact of the striking off, then-

- (a) the registrar shall make a note of the fact in the register; and
- (b) if the said university, medical or dental school, pharmaceutical society or other examining authority notify to the Council the findings of fact on which the decision to strike off the name was based, the findings may, if the Disciplinary Committee thinks fit, be treated, for the purposes of any inquiry whether that person has been guilty of infamous conduct in any professional respect, as conclusive of the facts found.

(5) If, after due inquiry, the Disciplinary Committee is satisfied that during the period of any postponement under paragraph (c) of subsection (1) a person has not complied with the conditions imposed thereunder, the Disciplinary Committee may, if it thinks fit, impose any one or more of the penalties mentioned in paragraphs (a), (b) or (d) of that subsection.

(6) A certificate under the hand of the Chairman that any costs have been ordered to be paid by a person under this section shall be conclusive evidence thereof.

56. (1) Where the name of a person has been erased from a register in pursuance of a direction given under section *fifty-five*, the Disciplinary Committee may, if it thinks fit, at any time direct the restoration of his name to the register:

Restoration of registration

Provided that an application for the restoration of a name to a register shall not be made to the Disciplinary Committee-

- (i) before the expiration of six months from the date of erasure; or
- (ii) in any period of six months in which such application has already been made by or on behalf of the person whose name has been erased.

(2) There shall be payable to the Council by any person on the restoration of his name to a register in pursuance of a direction given under this section the like fees as would be payable by that person on first becoming registered on that register.

57. (1) If it is proved to the satisfaction of the Disciplinary Committee that any entry made in a register has been fraudulently or incorrectly made, the Disciplinary Committee may direct that the entry shall be erased from the register.

Erasures from registers on grounds of fraud or error

(2) A person may be registered in pursuance of any provision of this Act, notwithstanding that his name has been erased in pursuance of a direction given under subsection (1), but if it was so erased on the ground of fraud, he shall not be registered except on an application in that behalf to the Disciplinary Committee; and on any such application the Disciplinary Committee may, if it thinks fit, direct that he shall not be registered or shall not be registered until the expiration of such period as may be specified in the direction.

58. (1) Where the Disciplinary Committee-

Appeals to High Court

- (a) makes a finding and imposes a penalty on a registered person under section *fifty-five*; or
- (b) rejects an application for the restoration of a name to a register under section *fifty-six*; or
- (c) directs the erasure of an entry from a register under section *fifty-seven*;

the registrar shall give the person to whom the proceedings relate notice in writing thereof and such person may, within ninety days of the date on which the notice was given, appeal to the High Court.

(2) On any appeal under this section, the Council shall be the respondent.

(3) No direction for the erasure of the name of a registered person from a register under section *fifty-five* or *fifty-seven* shall take effect until the expiration of the time for appealing or, if an appeal is brought, until such time as the appeal is disposed of, withdrawn or struck out for want of prosecution, as the case may be.

(4) The High Court may, on any appeal under this section-

- (a) confirm, vary or set aside any finding of, penalty imposed or direction given by, the Disciplinary Committee;
- (b) confirm the rejection by the Disciplinary Committee of the application for restoration or direct the restoration of the name to the register;
- (c) remit the matter to the Disciplinary Committee for further consideration;
- (d) make such other order as to costs or otherwise as may to it seem just:

Provided that no proceedings of the Disciplinary Committee shall be set aside by reason only of any informality in those proceedings which did not embarrass or prejudice the appellant.

(5) The Chief Justice may, by statutory instrument, make rules regulating appeals to the High Court under this section.

59. (1) The Council may, by statutory instrument, make rules as to-

Rules relating to disciplinary proceedings

- (a) the acts or omissions on the part of a person registered on any particular register which shall constitute infamous conduct in a professional respect;
- (b) the times and places of the meetings of the Disciplinary Committee and the mode of summoning the members;
- (c) the form and manner of service of a summons requiring the attendance of a witness before the Disciplinary Committee and the production of any book, record, document or thing;
- (d) the procedure to be followed and rules of evidence to be observed in proceedings before the Disciplinary Committee;

- (e) the functions of the assessor to the Disciplinary Committee.

(2) Rules made under this section may, in particular, provide-

- (a) for requiring that before any matters are referred to the Disciplinary Committee they shall, in such manner as may be provided by the rules, have been brought before and investigated by the Executive Committee;
- (b) for securing that notice that the proceedings are to be brought shall be given, at such time and in such manner as may be specified in the rules, to the person to whose registration the proceedings relate;
- (c) for securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Disciplinary Committee;
- (d) for enabling any party to the proceedings to be represented by a legal practitioner, or (if the rules so provide and the party so elects) by a person of such other description as may be specified in the rules;
- (e) for the admission to, or the exclusion from, proceedings before the Disciplinary Committee of members of the public;
- (f) for requiring that where, in a case in which it is alleged that a person has been guilty of infamous conduct in any professional respect, the Disciplinary Committee judges that the allegation has not been proved, it shall record a finding that the said person is not guilty of such conduct in respect to the matters to which the allegation relates.

(3) Nothing in any rules made under subsection (1) (a) shall be construed as precluding the Disciplinary Committee from exercising its powers in relation to any person judged by it to be guilty of infamous conduct in a professional respect, notwithstanding that such conduct is not prescribed by the rules.

60. Save as is provided by this Act, no civil or criminal proceedings shall lie against the Council or any member or employee of the Council in respect of any act or duty in good faith done or performed in accordance with this Part.

Protection of Council

PART VIII

MISCELLANEOUS

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- 61.** No rules made by the Council under this Act shall have the force of law until they have been approved by the Minister. Approval of rules
- 62.** The Council may by action in a competent court recover any costs ordered to be paid to the Council under section *fifty-five* or any fee which is payable to the Council under this Act. Recovery by Council of fees, etc.
- 63.** In any criminal proceedings against any person upon a charge of having performed any act which constitutes an offence if performed by an unregistered person, the person charged shall be deemed to be unregistered unless he proves the contrary. Burden of proof
- 64.** If the Registrar-General of Births and Deaths receives notice of a death showing that the deceased belonged to a profession in respect of which a register is maintained under this Act, he shall forthwith notify the registrar of such death. Notification of deaths of registered persons
- 65.** Whenever, in the course of any proceedings before any court in Zambia, it appears to the court that there is *prima facie* evidence that a registered person has been guilty of infamous conduct in any professional respect, the court shall cause a copy of the record of such proceedings, or of such portion thereof as is material to the issue, to be transmitted to the registrar. Notification of *prima facie* evidence of infamous conduct in professional respect
- 66.** In any written law other than this Act, unless the context otherwise requires-
- (a) a reference to a medical practitioner, registered medical practitioner or duly qualified medical practitioner shall be construed as a reference to a person for the time being registered on the register of fully or temporarily registered medical practitioners and, so far as is mentioned in subsection (2) of section *eighteen*, but not further, as including a reference to a person for the time being registered on the register of provisionally registered medical practitioners;
 - (b) a reference to a dental surgeon, dentist, registered dentist or duly qualified dentist shall be construed as a reference to a person for the time being registered on the register of fully or temporarily registered dental surgeons;
 - (c) a reference to a pharmacist, registered pharmacist or duly qualified pharmacist shall be construed as a reference to a person for the time being registered on the register of fully or temporarily registered pharmacists;
 - (d) a reference to any other class of persons for whom a register under subsection (2) or (3) of section *sixteen* is maintained shall be construed as a reference to a person for the time being registered on the register of fully or temporarily registered persons of that class.
- 67.** The Minister may, after consultation with the Council, by statutory instrument make regulations for the better carrying into effect of this Act. Regulations
- 68.** (1) The Medical and Allied Professions Act, Chapter 544 of the Revised Edition, is hereby repealed. Savings

(2) Notwithstanding the repeal of the said Act, or anything to the contrary contained in this Act-

- (a) the Medical Council of Zambia existing immediately before the commencement of this Act shall, until a Council is constituted under this Act, be deemed to be the Council for the purposes of this Act;
- (b) the person holding the office of registrar immediately before the commencement of this Act shall be deemed to be the registrar appointed under this Act;
- (c) any register maintained under the repealed Act and subsisting immediately before the commencement of this Act shall, until replaced, be deemed to be a register maintained under this Act;
- (d) any person whose registration under the repealed Act subsisted immediately before the commencement of this Act and who is duly qualified to be registered under this Act shall be deemed to be registered on the appropriate register maintained under this Act.

69. Notwithstanding anything to the contrary contained in this Act or any other written law, all assets and liabilities of the Medical Council of Zambia subsisting immediately before the commencement of this Act shall, without further transfer, assignment or conveyance, devolve upon the Medical Council of Zambia constituted or deemed to have been constituted under this Act.

Devolution of assets
and liabilities

SUBSIDIARY LEGISLATION

SECTION 17-THE MEDICAL AND ALLIED PROFESSIONS (PRIMARY QUALIFICATIONS) REGULATIONS

Regulations by the Minister after consultation with the Medical Council of Zambia

Statutory Instruments

271 of 1966
135 of 1970
161 of 1970
242 of 1970
210 of 1971
225 of 1971
237 of 1971
13 of 1972
101 of 1972

1. These Regulations may be cited as the Medical and Allied Professions (Primary Qualifications) Regulations.

Title

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2. The degrees, diplomas and certificates specified in the First Schedule shall be primary qualifications for the purposes of registration on the register of fully registered medical practitioners if-

Primary qualifications
of fully registered
medical practitioners

- (a) the degrees, diplomas or certificates show, either singly or conjointly, that the holders have passed qualifying examinations in medicine, surgery and midwifery; and
- (b) the courses of study in professional subjects with respect to which the degrees, diplomas or certificates were granted covered a period of not less than five academic years.

3. The degrees, diplomas and certificates specified in the Second Schedule shall be primary qualifications for the purposes of registration on the register of fully registered dental surgeons if the courses of study in professional subjects with respect to which the degrees, diplomas or certificates were granted covered a period of not less than four academic years.

Primary qualifications
of fully registered
dental surgeons

4. The degrees, diplomas and certificates specified in the Third Schedule shall be primary qualifications for the purposes of registration on the register of fully registered pharmacists.

Primary qualifications
of fully registered
pharmacists

FIRST SCHEDULE

(Regulation 2)

MEDICAL PRACTITIONERS

PART I

QUALIFICATIONS GRANTED IN THE COMMONWEALTH OR THE REPUBLIC OF IRELAND

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<i>Examining Authority</i>	<i>Qualification</i>	<i>Abbreviation</i>
University of Birmingham	Bachelor of Medicine and Bachelor of Surgery.	M.B., CH.B. (BIRM.)
University of Bristol	Bachelor of Medicine and Bachelor of Surgery.	M.B., CH.B. (BRIST.)
University of Cambridge	Bachelor of Medicine and Bachelor of Surgery.	M.B., B.CHIR. (CANTAB.)
University of Durham	Bachelor of Medicine and Bachelor of Surgery.	M.B., B.S. (DURH.)
University of Leeds	Bachelor of Medicine and Bachelor of Surgery.	M.B., CH.B. (LEEDS)
University of Liverpool	Bachelor of Medicine and Bachelor of Surgery	M.B., CH.B. (LIV.)
University of London	Bachelor of Medicine and Bachelor of Surgery.	M.B., B.S. (LOND.)
University of Manchester (Victoria University).	Bachelor of Medicine and Bachelor of Surgery.	M.B., CH.B. (MANC.)
University of Oxford	Bachelor of Medicine and Bachelor of Surgery.	B.M., B.CH. (OXON.)
University of Sheffield	Bachelor of Medicine and Bachelor of Surgery.	M.B., CH.B. (SHEFF.)
University of Wales	Bachelor in Medicine and Bachelor in Surgery.	M.B., B.CH. (WALES)
University of Aberdeen	Bachelor of Medicine and Bachelor of Surgery.	M.B., CH.B. (ABERD.)
University of Edinburgh	Bachelor of Medicine and Bachelor of Surgery.	M.B., CH.B. (EDIN.)
University of Glasgow	Bachelor of Medicine and Bachelor of Surgery.	M.B., CH.B. (GLASG.)
University of St. Andrews	Bachelor of Medicine and Bachelor of Surgery.	M.B., CH.B. (ST. AND.)
Queen's University of Belfast	Bachelor of Medicine and Bachelor of Surgery.	M.B., B.CH. (BELF.)
University of Dublin	Bachelor in Medicine and Bachelor in Surgery.	M.B., B.CH. (DUBL.)
	Licentiate in Medicine and Licentiate in Surgery.	L.MED., L.CH. (DUBL.)
National University of Ireland	Bachelor of Medicine and Bachelor of Surgery.	M.B., B.CH. (IREL.)
Royal College of Physicians of London	Licentiate	L.R.C.P. (LOND.)
Royal College of Surgeons of England	Member	M.R.C.S. (ENG.)
Society of Apothecaries of London	Licentiate Licentiate in Medicine, Surgery and Midwifery	L.S.A. (LOND.) L.M.S.S.A. (LOND.)
Royal College of Physicians of Edinburgh	Licentiate	L.R.C.P. (EDIN.)
Royal College of Surgeons of Edinburgh	Licentiate	L.R.C.S. (EDIN.)
Royal Faculty of Physicians Belfast	Licentiate	L.R.F.P.S. (GLASG.)
Apothecaries' Hall of Dublin.	Licentiate	L.A.H. (DUBL.)
Royal College of Physicians of Ireland	Licentiate	L.R.C.P. (IREL.)
Royal College of Surgeons of Ireland	Licentiate	L.R.C.S. (IREL.)
University of Adelaide	Bachelor of Medicine and Bachelor of Surgery	M.B., B.S. (ADEL.)
University of Melbourne	Bachelor of Medicine and Bachelor of Surgery	M.B., B.S. (MELB.)

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PART II

QUALIFICATIONS GRANTED ELSEWHERE

<i>Examining Authority</i>	<i>Qualification</i>	<i>Abbreviation</i>
University of Cape Town	Bachelor of Medicine and Bachelor of Surgery	M.B., CH.B. (CAPE TOWN)
University of Natal	Bachelor of Medicine and Bachelor of Surgery	M.B., CH.B. (NATAL)
University of Pretoria	Bachelor of Medicine and Bachelor of Surgery	M.B., CH.B (PRET)
University of Stellenbosch	Bachelor of Medicine and Bachelor of Surgery	M.B., CH.B (STELL.)
University of the Witwatersrand	Bachelor of Medicine and Bachelor of Surgery	M.B., B.CH. (RAND)
Leningrad Medical Institute for Paediatrics	Doctor of Medicine	M.D. (Paediatrics)
University of Ljubljana (Yugoslavia)	Diploma in Medicine	M.D.
Medical Examination Committee of the University of Cologne	Bachelor of Medicine and Bachelor of Surgery	M.B., B.C.H.
State Examination Commission of Lvov State Medical Institute	Diploma in General Medicine	M.D.
State Examination Council, (USSR)	Doctor of Medicine	M.D.
State Examination Commission (USSR)	Doctor of Medicine	M.D.
State Examination Commission (Yugoslavia)	Doctor of Medicine	M.D.
State Examination Commission (West Germany)	Doctor of Medicine	M.D.
State Examination Commission (East Germany)	Doctor of Medicine	M.D.
State Examination Commission (Poland)	Doctor of Medicine	M.D.
University of Geneva	Doctor of Medicine	M.D.
University of Padua	Doctor of Medicine	M.D.
University of Cairo	Doctor of Medicine	M.B., CH.B.
Copenhagen University	Candidatus Medicinae et Chirurgiae	M.B., CH.B.
University of Amsterdam	Doctor of Medicine	ARTS (U. AMSTERDAM)
Free University of Amsterdam	Doctor of Medicine	ARTS (FREE U. AMSTERDAM)
State University of Groningen	Doctor of Medicine	ARTS (STATE U. GRONINGEN)
State University of Leiden	Doctor of Medicine	ARTS (STATE U. LEIDEN)
Roman Catholic University of Nijmegen	Doctor of Medicine	ARTS (ROMAN-CATHOLIC U. NIJMEGEN)
State University of Utrecht	Doctor of Medicine	ARTS (STATE U. UTRECHT)
University of Rome	Doctor of Medicine	M.D.
University of Rotterdam	Doctor of Medicine	ARTS (ROTTERDAM)
University of Khartoum	Bachelor of Medicine and Bachelor of Surgery	M.B., CH.B.
Komensky University, Bratislava, Czechoslovakia	Medicinae Universae Doctor. (Latin) or Doctor of General Medicine	M.U.D.R. OR M.D.

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SECOND SCHEDULE

(Regulation 3)

DENTAL SURGEONS

PART I

QUALIFICATIONS GRANTED IN THE COMMONWEALTH OR THE REPUBLIC OF IRELAND

The Laws of Zambia

<i>Examining Authority</i>		<i>Qualification</i>	<i>Abbreviation</i>
University of Birmingham	..	Licentiate in Dental Surgery Bachelor of Dental Surgery	L.D.S. (BIRM.) B.D.S. (BIRM.)
University of Bristol	.. ..	Licentiate in Dental Surgery Bachelor of Dental Surgery	L.D.S. (BRIST.) B.D.S. (BRIST.)
University of Durham	.. ..	Licentiate in Dental Surgery Bachelor of Dental Surgery	L.D.S. (DURH.) B.D.S. (DURH.)
University of Leeds	.. ..	Licentiate in Dental Surgery Bachelor of Dental Surgery	L.D.S. (LEEDS) B.CH.D. (LEEDS)
University of Liverpool	.. ..	Licentiate in Dental Surgery Bachelor of Dental Surgery	L.D.S. (LIV.) B.D.S. (LIV.)
University of London	.. ..	Bachelor of Dental Surgery	B.D.S. (LOND.)
University of Manchester (Victoria University)	.. ..	Licentiate in Dental Surgery Bachelor of Dental Surgery	L.D.S. (MANC.) B.D.S. (MANC.)
University of Sheffield	.. ..	Licentiate in Dental Surgery Bachelor of Dental Surgery	L.D.S. (SHEFF.) B.D.S. (SHEFF.)
University of Edinburgh	.. ..	Bachelor of Dental Surgery	B.D.S. (EDIN.)
University of Glasgow	.. ..	Bachelor of Dental Surgery	B.D.S. (GLASG.)
University of St. Andrews	.. ..	Licentiate in Dental Surgery Bachelor of Dental Surgery	L.D.S. (ST. AND.) B.D.S. (ST. AND.)
Queen's University of Belfast.	.. ..	Licentiate in Dental Surgery Bachelor of Dental Surgery	L.D.S. (BELF.) B.D.S. (BELF.)
University of Dublin	.. ..	Bachelor in Dental Science	B.DENT.SC. (DUBL.)
National University of Ireland	.. ..	Bachelor of Dental Surgery	B.D.S. (IREL.)
Royal College of Surgeons of England	.. ..	Licentiate in Dental Surgery	L.D.S. (R.C.S. ENG.)
Royal College of Surgeons of Edinburgh.	.. ..	Licentiate in Dental Surgery	L.D.S. (R.C.S. EDIN.)
Royal Faculty of Physicians and Surgeons of Glasgow	.. ..	Licentiate in Dental Surgery	L.D.S. (R.F.P.S. GLASG.)
Royal College of Surgeons in Ireland.	.. ..	Licentiate in Dental Surgery	L.D.S. (R.C.S. IREL.)
University of Adelaide	.. ..	Bachelor of Dental Surgery	B.D.S. (ADEL.)
University of Melbourne	.. ..	Bachelor of Dental Science	B.D.SC. (MELB.)
University of Queensland	.. ..	Bachelor of Dental Science	B.D.SC. (Q'LD.)
University of Sydney	.. ..	Bachelor of Dental Surgery	B.D.S. (SYD.)
University of Victoria, Australia	.. ..	Licentiate in Dental Surgery	L.D.S. (VICT.)
University of Western, Australia	.. ..	Bachelor of Dental Science	B.D.SC. (W. AUST.)
University of New Zealand	.. ..	Bachelor in Dental Surgery	B.D.S. N.Z.)
University of Alberta	.. ..	Doctor of Dental Surgery	D.D.S. (ALTA.)
Dalhousie University	.. ..	Doctor of Dental Surgery	D.D.S. (DAL.)
University of Manitoba	.. ..	Doctor of Dental Medicine	D.M.D. (MAN.)
McGill University	.. ..	Doctor of Dental Surgery	D.D.S. (MCGILL)
University of Montreal	.. ..	Doctor of Dental Surgery	D.D.S. (MONTR.)
University of Toronto	.. ..	Doctor of Dental Surgery	D.D.S. (TOR.)

PART II

QUALIFICATIONS GRANTED ELSEWHERE

The Laws of Zambia

<i>Examining Authority</i>	<i>Qualification</i>	<i>Abbreviation</i>
University of Pretoria	Bachelor of Dental Surgery	B.CH.D. (PRET.)
University of the Witwatersrand	Bachelor of Dental Surgery	B.D.S. (RAND.)

THIRD SCHEDULE

(Regulation 4)

PHARMACISTS

PART I

QUALIFICATIONS GRANTED IN THE COMMONWEALTH OR THE REPUBLIC OF IRELAND

<i>Examining Authority</i>	<i>Qualification</i>	<i>Abbreviation</i>
University of Leeds	Bachelor of Science (Pharmacy)	B.SC. (PHARM.) (LEEDS)
	<i>(if granted after the 1st June, 1962)</i>	
University of London	Bachelor of Pharmacy.	B.PHARM. (LOND.)
	<i>(if granted after the 1st June, 1961)</i>	
University of Manchester (Victoria University)	Bachelor of Science (Pharmacy)	B.SC.(PHARM.) (MANC.)
	<i>(if granted after the 1st June, 1962)</i>	
University of Nottingham	Bachelor of Pharmacy. . . .	B.PHARM. (NOTT.)
	<i>(if granted after the 1st June, 1962)</i>	
University of Glasgow	Bachelor of Science (Pharmacy)	B.SC. (PHARM) (GLASG.)
	<i>(if granted after the 1st June, 1961)</i>	
Pharmaceutical Society of Great Britain	Pharmaceutical Chemist Fellow	PH.C. (GT. BRIT.) F.P.S.(GT.BRIT.)
Pharmaceutical Society of Northern Ireland	Pharmaceutical Chemist	PH.C.(N.IREL.)
Pharmaceutical Society of Ireland.	Pharmaceutical Chemist	PH.C (IREL.)

PART II

QUALIFICATIONS GRANTED ELSEWHERE

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<i>Examining Authority</i>	<i>Qualification</i>	<i>Abbreviation</i>
University of Potchefstroom. . .	Bachelor of Science . . . (Pharmacy)	B.SC (PHARM.) (POTCH.)
Rhodes University . . .	Bachelor of Science . . . (Pharmacy)	B.SC. (PHAR.) (RHODES)
South African Pharmacy Board	Diploma in Pharmacy. . .	DIP. PHARM. (S.A.)

SECTION 17-THE MEDICAL AND ALLIED PROFESSIONS (PRIMARY QUALIFICATIONS) (NO. 2) REGULATIONS

Statutory Instrument
6 of 1967

Regulations by the Minister after consultation with the Medical Council of Zambia

1. These Regulations may be cited as the Medical and Allied Professions (Primary Qualifications) (No. 2) Regulations. Title

2. The degrees, diplomas and certificates specified in the Schedule shall, in addition to those degrees, diplomas and certificates included in the First Schedule to the Medical and Allied Professions (Primary Qualifications) Regulations, be primary qualifications for the purposes of registration on the register of fully registered medical practitioners if-

Primary qualifications
of fully registered
medical practitioners

- (a) the degrees, diplomas or certificates show, either singly or conjointly, that the holders have passed qualifying examinations in medicine, surgery and midwifery; and
- (b) the courses of study in professional subjects with respect to which the degrees, diplomas or certificates were granted covered a period of not less than five academic years.

SCHEDULE

(Regulation 2)

MEDICAL PRACTITIONERS

<i>Examining Authority</i>	<i>Qualification</i>
University of Ceylon Medical School in Colombo.	Bachelor of Medicine and Bachelor of Surgery
Ceylon Medical College	Licentiate in Medicine and Surgery
University of Hong Kong	Bachelor of Medicine and Bachelor of Surgery
All-India Institute of Medical Sciences, New Delhi	Bachelor of Medicine and Bachelor of Surgery
University of Agra Sarojini Naidu Medical College, Agra. Gajra Raja Medical College, Gwalior. Mahatma Gandhi Memorial Medical College, Indore.	Bachelor of Medicine and Bachelor of Surgery
University of Andhra Andhra Medical College, Visakhapatnam. Guntur Medical College, Guntur.	Bachelor of Medicine and Bachelor of Surgery
University of Baroda Medical College, Baroda.	Bachelor of Medicine and Bachelor of Surgery
University of Bihar Darbhanga Medical College, Laheriasarai.	Bachelor of Medicine and Bachelor of Surgery
University of Bombay Grant Medical College, Bombay. Seth G.S. Medical College, Bombay. Topiwala National Medical College, Bombay. B. J. Medical College, Ahmedabad. B.J. Medical College, Poona.	Bachelor of Medicine and Bachelor of Surgery
University of Calcutta Medical College, Calcutta. R. G. Kar (formerly Carmichael) Medical College, Calcutta. Nil Ratan Sarkar (formerly Campbell) Medical College, Calcutta. National Medical Institute, Calcutta. Lake Medical College, Calcutta.	Bachelor of Medicine and Bachelor of Surgery
University of Delhi. Lady Hardinge Medical College, New Delhi.	Bachelor of Medicine and Bachelor of Surgery
University of Gauhati Assam Medical College, Dibrugarh.	Bachelor of Medicine and Bachelor of Surgery
University of Gujarat B.J. Medical College, Ahmedabad.	Bachelor of Medicine and Bachelor of Surgery

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Karnatak University	Bachelor of Medicine and Bachelor of Surgery
Kasturba Medical College.	
University of Kerala	
Travancore University}	Bachelor of Medicine and Bachelor of Surgery
Travandrum Medical College.	
University of Lucknow	Bachelor of Medicine and Bachelor of Surgery
King George' Medical College, Lucknow.	
University of Madras	Bachelor of Medicine and Bachelor of Surgery
Madras Medical College.	
Stanley Medical College, Madras.	
Madurai Medical College.	
Christian Medical College, Vellore.	
University of Mysore	Bachelor of Medicine and Bachelor of Surgery
Mysore Medical College.	
Bangalore Medical College.	
University of Nagpur	Bachelor of Medicine and Bachelor of Surgery
Medical College, Nagpur.	
Osmania University	Bachelor of Medicine and Bachelor of Surgery
Gandhi Medical College, Hyderabad.	
Osmania Medical College, Hyderabad.	
University of the Punjab	
University of East Punjab}	Bachelor of Medicine and Bachelor of Surgery
Amritsar Medical College.	
Christian Medical College, Ludhiana.	
Government Medical College, Patiala.	
Lady Hardinge Medical College, Delhi.	
University of Poona	Bachelor of Medicine and Bachelor of Surgery
B. J. Medical College, Poona.	
University of Patna	Bachelor of Medicine and Bachelor of Surgery
Prince of Wales Medical College, Patna.	
Darbhanga Medical College, Laheriasarai.	
Punjabi University	Bachelor of Medicine and Bachelor of Surgery
Government Medical College, Patiala.	
University of Rajasthan	Bachelor of Medicine and Bachelor of Surgery
University of Rajputana}.	Bachelor of Medicine and Bachelor of Surgery
Sawai Man Singh Medical College, Jaipur	
University of Utkal	Bachelor of Medicine and Bachelor of Surgery
S.C.B. Medical College, Cuttack.	
Vikram University	Bachelor of Medicine and Bachelor of Surgery
Gajra Raja Medical College, Gwalior.	
Mahatma Gandhi Memorial Medical College, Indore.	
College of Physicians and Surgeons of Bombay	Member
Medical Colleges shown under the University of Bombay.	
State Medical Faculty of West Bengal	Member
Medical Colleges shown under the University of Calcutta.	
University of Singapore	Bachelor of Medicine and Bachelor of Surgery
University of Malaya	Bachelor of Medicine and Bachelor of Surgery
King Edward VII College of Medicine, Singapore	Licentiate in Medicine and Surgery
University of Dacca	Bachelor of Medicine and Bachelor of Surgery
Dacca Medical College.	
University of Karachi	Bachelor of Medicine and Bachelor of Surgery
Dow Medical College, Karachi.	
University of Peshawar	Bachelor of Medicine and Bachelor of Surgery
University of Punjab	Bachelor of Medicine and Bachelor of Surgery
King Edward Medical College, Lahore.	
Fatima Jinnah Medical College for Women, Lahore.	
Nishtar Medical College, Multan.	
Lady Hardinge Medical College, Delhi.	
University of Sind	Bachelor of Medicine and Bachelor of Surgery
Liaquat Medical College, Hyderabad.	
Dow Medical College, Karachi.	
University of Rangoon	Bachelor of Medicine and Bachelor of Surgery
Rangoon Medical College.	
Makerere University	Bachelor of Medicine and Bachelor of Surgery
University of Otago	Bachelor of Medicine and Bachelor of Surgery
University of Newcastle upon Tyne	Bachelor of Medicine and Bachelor of Surgery

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SECTION 17-THE MEDICAL AND ALLIED PROFESSIONS (PRIMARY QUALIFICATIONS) (NO. 3) REGULATIONS

Statutory Instrument
51 of 1968

Regulations by the Minister after consultation with the Medical Council of Zambia

1. These Regulations may be cited as the Medical and Allied Professions (Primary Qualifications) (No. 3) Regulations. Title

2. The degrees, diplomas and certificates specified in the Schedule shall, in addition to those degrees, diplomas and certificates included in the First Schedule to the Medical and Allied Professions (Primary Qualifications) Regulations and the Schedule to the Medical and Allied Professions (Primary Qualifications) (No. 2) Regulations, be primary qualifications for the purposes of registration on the register of fully registered medical practitioners if the degrees, diplomas or certificates show, either singly or conjointly, that the holders have passed qualifying examinations in medicine, surgery and midwifery.

Primary qualifications
of fully registered
medical practitioners

SCHEDULE

(Regulation 2)

MEDICAL PRACTITIONERS

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Medical College of Alabama, Birmingham.
University of Arkansas School of Medicine, Little Rock.
Loma Linda University School of Medicine, Loma Linda, Los Angeles.
University of California School of Medicine, Los Angeles.
University of Southern California School of Medicine, Los Angeles.
Stanford University School of Medicine, Palo Alto.
University of California School of Medicine, San Francisco.
University of Colorado School of Medicine, Denver.
Yale University School of Medicine, New Haven.
Georgetown University School of Medicine, Washington, D.C.
George Washington University School of Medicine, Washington, D.C.
Howard University College of Medicine, Washington, D.C.
University of Miami School of Medicine, Coral Gables.
University of Florida College of Medicine, Gainesville.
Emory University School of Medicine, Atlanta.
Medical College of Georgia, Augusta.
Chicago Medical School, Chicago.
Northwestern University Medical School, Chicago.
Stritch School of Medicine of Loyola University, Chicago.
University of Chicago School of Medicine, Chicago.
University of Illinois College of Medicine, Chicago.
Indiana University School of Medicine, Indianapolis.
University of Iowa College of Medicine, Iowa City.
University of Kansas School of Medicine, Kansas City.
University of Kentucky College of Medicine, Lexington.
University of Louisville School of Medicine, Louisville.
Louisiana State University School of Medicine, New Orleans.
Tulane University School of Medicine, New Orleans.
Johns Hopkins University School of Medicine, Baltimore.
University of Maryland School of Medicine, Baltimore.
Boston University School of Medicine, Boston.
Harvard Medical School, Boston.
Tufts University School of Medicine, Boston.
University of Michigan Medical School, Ann Arbor.
Wayne State University School of Medicine, Detroit.
University of Minnesota Medical School, Minneapolis.
University of Mississippi School of Medicine, Jackson.
University of Missouri School of Medicine, Columbia.
Saint Louis University School of Medicine, St. Louis.
Washington University School of Medicine, St. Louis.
Creighton University School of Medicine, Omaha.
University of Nebraska College of Medicine, Omaha.
Albany Medical College of Union University, Albany.
New Jersey College of Medicine and Dentistry, Jersey City.
Columbia University College of Physicians and Surgeons, New York.
Cornell University Medical College, New York.
Albert Einstein College of Medicine of Yeshiva University, New York.
New York Medical College, New York.
New York University School of Medicine, New York.
State University of New York College of Medicine, Downstate Medical Center, Brooklyn.
University of Rochester School of Medicine and Dentistry, Rochester.

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SECTION 17-THE MEDICAL AND ALLIED PROFESSIONS (PRIMARY QUALIFICATIONS) (NO. 4) REGULATIONS

*Statutory Instrument
424 of 1969*

Regulations by the Minister after consultation with the Medical Council of Zambia

1. These Regulations may be cited as the Medical and Allied Professions (Primary Qualifications) (No. 4) Regulations. Title

2. The degrees, diplomas and certificates specified in the Schedule shall, in addition to those degrees, diplomas and certificates included in the Third Schedule to the Medical and Allied Professions (Primary Qualifications) Regulations, be primary qualifications for the purposes of registration on the register of fully registered pharmacists. Primary qualifications of fully registered pharmacists

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SCHEDULE

(Regulation 2)

PHARMACISTS

<i>Examining Authority</i>										
The School of Pharmacy, Robert Gordon's Technical College, Aberdeen	*Bachelor of Science
Bath University	Bachelor of Pharmacy
Queen' University of Belfast	Bachelor of Science
University of Aston, Birmingham	Bachelor of Science
Department of Pharmacy, Bradford Institute of Technology	Bachelor of Science
The School of Pharmacy, Brighton College of Technology	Bachelor of Science
University of Wales, Cardiff	Bachelor of Pharmacy
Chelsea School of Pharmacy, Chelsea College of Science and Technology	Bachelor of Pharmacy
Department of Pharmacy, Heriot Watt Technical College, Edinburgh	Bachelor of Science
School of Pharmacy, Leicester College of Technology	*Bachelor of Science
Liverpool Regional College of Pharmacy	*Bachelor of Science
Portsmouth College of Technology	*Bachelor of Science
Sunderland Technical College	*Bachelor of Science (external degree)
*Granted by C.N.A.A., the Council for National Academic Awards										
Faculty of Pharmacy, University of Alberta, Edmonton	Bachelor of Science
College of Pharmacy, Faculty of Health Professions, Dalhousie University, Halifax	Bachelor of Science
Facult,e de Pharmacie, Universit,e de Montr,eal	Bachelor of Science
Ecole de Pharmacie, Universit,e Laval, Quebec	Bachelor of Science
College of Pharmacy, University of Saskatchewan, Saskatoon	Bachelor of Science
Faculty of Pharmacy, University of Toronto	Bachelor of Science
Faculty of Pharmacy, University of British Columbia	Bachelor of Science
School of Pharmacy, University of Manitoba	Bachelor of Science
School of Pharmacy, Faculty of Medicine, University of Otago	Bachelor of Pharmacy
New Zealand School of Pharmacy, Petone	Diploma in Pharmacy
University of Adelaide	Bachelor of Pharmacy
University of Queensland	Bachelor of Pharmacy
University of Sydney	Bachelor of Pharmacy
School of Pharmacy, Hobart Technical College	Diploma in Pharmacy
Victoria College of Pharmacy	Diploma in Pharmacy
Perth Technical College, Department of Pharmacy	Diploma in Pharmacy

THE PARA-MEDICAL PROFESSIONS (PRIMARY QUALIFICATIONS, TRAINING AND REGISTRATION) RULES

ARRANGEMENT OF RULES

Rule

1. Title and application
2. Interpretation
3. Certificate of competency and register
4. Training institutions
5. Training to be at training institution
6. Admission to training institution
7. Period of training
8. Instruction of students
9. Practical work record
10. Institution of examinations
11. Entry to examinations
12. Tests comprising examinations
13. Percentage of marks required
14. Publication of examination results
15. Registration

FIRST SCHEDULE-Primary qualifications

SECOND SCHEDULE-Requirements for recognition of a training institution

THIRD SCHEDULE-Recognised training institutions

FOURTH SCHEDULE-Requirements for admission to training institutions

FIFTH SCHEDULE-Certificate; examination entry form; conditions of entry to examination; Final Examination

SIXTH SCHEDULE-Period of training, curriculum, examination, etc.

SEVENTH SCHEDULE-Examination fee

SECTIONS 16, 17, 32 AND 33-THE PARA-MEDICAL PROFESSIONS (PRIMARY QUALIFICATIONS, TRAINING AND REGISTRATION) RULES

Rules by the Medical Council of Zambia with the approval of the Minister

*Statutory Instrument
135 of 1973
51 of 1984
Act No.
13 of 1994*

1. These Rules may be cited as the Para-Medical Professions (Primary Qualifications, Training and Registration) Rules, and shall apply to the classes of persons specified in rule 3 (3).

Title and application

2. In these Rules, unless the context otherwise requires-

Interpretation

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"approved" means approved by the Council;

"student" means a person undergoing any training under the provisions of these Rules;

"training period" means the period prescribed under these Rules for the course of training of a student of any of the classes of persons mentioned in rule 3 (3).

3. (1) For the purpose of enabling persons to become qualified to carry out the functions of any of the classes of persons specified in rule 3 (3), the Council may itself grant a certificate of competency to such persons as have qualified under these Rules for the grant thereof or may recognise a certificate granted by a training institution recognised by the Council under rule 4 (3).

Certificate of
competency and
register

(2) A certificate of competency shall be in Form 1 specified in the Fifth Schedule with such adaptations as may in any particular case be necessary.

(3) The classes of persons to whom these Rules shall apply are-

- (a) Dental Assistant;
- (b) Dental Technician;
- (c) Medical Laboratory Assistant.

(4) For the purposes of section *seventeen* of the Act, the diplomas or certificates relating to the classes of persons specified in rule 3 (3) which are set out in column 2 of the First Schedule, or such other diploma or certificate as the registrar deems equivalent to any of the aforesaid diplomas or certificates, shall be primary qualifications for the purpose of full registration of a person as belonging to a class of persons specified in column 1 of the First Schedule, and the Council shall establish a register for fully registered persons of each class of persons specified in column 1 of the First Schedule, and may establish a register for temporarily registered persons of each such class.

(5) The Council may in its absolute discretion give a direction to the registrar to register on a register of temporarily registered persons a person holding any diploma or certificate which the Council deems to be equivalent to a diploma or certificate set out in column 2 of the First Schedule referred to in sub-rule (4).

(6) No person shall be registered on a register of temporarily registered persons for a period of more than three years.

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(7) The Council may, if it thinks fit, give a direction to the registrar that any person who has been registered on a register of temporarily registered persons for not less than one year shall be registered on the register of fully registered persons of the same class of persons.

(8) The Council may in its absolute discretion at any time withdraw any direction given to the registrar under sub-rule (5) or (7), and in that case the person in whose respect the direction is withdrawn shall cease to be entitled to be registered pursuant to sub-rule (5) or (7), as the case may be.

4. (1) Subject to the provisions of this rule, the Council may recognise any training institution as a training institution for a particular class of persons if, in the opinion of the Council, it provides the facilities necessary for the training of any class of persons specified in rule 3 (3).

Training institutions

(2) The Council shall not recognise an institution as a training institution for the purposes of these Rules unless the requirements specified in the Second Schedule are, in the opinion of the Council, substantially complied with.

(3) The institutions set out in column 1 of the Third Schedule shall be deemed to have been recognised by the Council for the training of classes of persons set out in column 2 of the said Schedule.

5. Every person wishing to qualify for a certificate of competency to be granted under these Rules shall undergo the course of training prescribed for him by these Rules at one or more training institutions:

Training to be at training institution

Provided that if any person had commenced his period of training prior to the ^{**}(1) commencement of these Rules and at that date had satisfactorily completed a portion of his training, such portion shall, unless the Council for good reason otherwise decides, be deemed to be training under these Rules, and the person shall be in all respects deemed to be a student under these Rules.

* 13th July 1973.

6. Subject to the provisions of rule 7, a person shall be eligible for admission to a training institution for the purpose of undergoing a course of training in the class set out in column 1 of the Fourth Schedule if he possesses the minimum educational standards specified in column 2 of the said Schedule.

Admission to training institution

*13th July 1973.

7. (1) Subject to the provisions of rule 5 and to sub-rule (4) of this rule, the period of the course of training for a student in any class prescribed in rule 3 (3) shall be the period prescribed in the Sixth Schedule relating to such class, inclusive of-

Period of training

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- (a) periods of vacation leave not exceeding four weeks per year; and
- (b) periods of sick leave not exceeding three weeks during each year of the course of training.

(2) Save for the periods of vacation leave or sick leave specified in sub-rule (1) or any period recognised by the Council under sub-rule (3), the training of a student shall be continuous throughout the whole period of the course of training and, on any interruption thereof, no recognition shall be accorded to the student in respect of any period of the course of training undergone prior to such interruption.

(3) Where the course of training of a student is interrupted for a period not exceeding two years and the Council considers that the reasons for such interruption are sufficient, having regard to all circumstances of the case, it may recognise the whole or any part of the period of training undergone by the student prior to such interruption as counting towards the period of training prescribed under sub-rule (1).

(4) The Council may allow a person to enter training at any stage of the training course if the Council is satisfied that he has sufficient previous training or experience to merit his exemption from the requirements of rule 6.

8. (1) During his course of training, a student shall receive theoretical and practical instruction in every subject prescribed for the class in which he is a student by or under these Rules.

Instructions of students

(2) Without derogation from the generality of the provisions of sub-rule (1), a student shall be instructed according to the syllabus from time to time approved by the Council and the curriculum set out in the Sixth Schedule relating to the class in which he is a student.

(3) Every lecture given to a student on a subject prescribed by these Rules for an examination shall be delivered by the teaching staff of the training institution whereat the student is undergoing his training. The teaching staff of a training institution shall be appointed by the body responsible for administration of that institution, who shall inform the Council of any appointments so made.

(4) The instruction of every student shall, except where the Council may for good reason declare in writing otherwise, be generally supervised by a fully registered medical practitioner or dental surgeon, as the case may be.

9. (1) Every student shall, at the commencement of his training, be furnished with a practical work record in a form approved by the Council, on which the teaching of techniques specified in the appropriate syllabus from time to time approved under rule 8 (2) shall be recorded in the manner prescribed in the practical work record by the person in charge of that part of the training.

Practical work record

(2) The practical work record shall be produced to the examiner whenever the student undergoes an examination held under these Rules.

10. For the purposes of these Rules, the examinations specified in the Sixth Schedule relating to each of the classes of persons described in rule 3 (3) shall be held from time to time as directed by the Council. Institution of examinations

11. A student shall be eligible to be entered for an examination to be held under these Rules for the class in which he is a student- Entry to examinations

- (a) if he has fulfilled the requirements set out in the Sixth Schedule for the class in which he is a student, or has been exempted therefrom by the Council; and
- (b) if he has sent to the registrar an entry form completed by the student and the head of the training institution as set out in Form 2 in the Fifth Schedule accompanied by the appropriate examination fee prescribed by these Rules in the Seventh Schedule; and
- (c) in the case of a Final Examination, if he has obtained-

- (i) a certificate to the effect that his conduct during his training period has been satisfactory;
- (ii) a certificate of eligibility as set out in Form 4 in the Fifth Schedule from the head of his training institution; and
- (iii) a certificate issued by a fully registered medical practitioner stating that he has medically examined him and declaring that his health is such that no danger to his patients would be involved by his carrying out his functions.

Tests comprising examinations

12. (1) The examinations shall consist of such written, oral and practical tests as are prescribed for each class of persons in the Sixth Schedule.

(2) A practical and oral test shall be supervised by one or more registered medical practitioners or dental surgeons, as the case may be, appointed or approved by the Council, who need not be drawn from those appointed to set and mark the written part of the examination.

(3) Unless the Council for good reason in any particular case decides otherwise, no student may sit for the same examination more than three times.

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13. (1) To satisfy the examiners in the examinations, it shall be necessary for a candidate to obtain fifty per centum in each of the written papers and the practical and oral tests of the examination. Percentage of marks required

(2) No candidate shall be credited with passing a Final Examination unless on the same occasion he has satisfied the examiners in all the papers and tests of the examinations.

14. The list of successful candidates in an examination held under these Rules shall be published in alphabetical order, classified into two divisions, to be designated "the Honours Division" and "the Pass Division". Publication of examination results

15. A person who has- Registration

- (a) obtained a certificate or diploma prescribed under these Rules for the class of persons in which he was a student or such other certificate or diploma as the registrar deems equivalent to the aforesaid certificate or diploma;
- (b) completed the forms required by the Medical and Allied Professions (Registration) Rules; and
- (c) paid the fee prescribed under the Act;

shall be qualified for and shall be entitled to registration on the register kept by the Council for that class in which he obtained the diploma or certificate.

APPENDIX I

(Rule 3

FIRST SCHEDULE

(Rule 3 (4))

PRIMARY QUALIFICATIONS

<i>Column 1</i>	<i>Column 2</i>
<i>Class of Persons</i>	<i>Certificate or Diploma</i>
Dental Assistant	Dental Assistant's Certificate issued by the Medical Council of Zambia. Abbreviation: ZDA
Dental Technician	Dental Technician's Certificate issued by the Medical Council of Zambia. Abbreviation: ZDT
Medical Laboratory Assistant	Medical Laboratory Assistant's Certificate issued by the Medical Council of Zambia. Abbreviation: ZMLA

(As amended by S.I. No. 51 of 1984)

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APPENDIX II

(Rule 4)

SECOND SCHEDULE

(Rule 4 (2))

REQUIREMENTS FOR RECOGNITION OF A TRAINING INSTITUTION

1. All training institutions shall comply with the following provisions:

- (a) possess adequate space, equipment and accommodation for teaching and training;
- (b) possess, where the institution is residential, adequate residential and hostel accommodation and facilities;
- (c) have suitable and adequately qualified supervisory and teaching staff;
- (d) have adequate clinical experience for the purpose of training;
- (e) have an Education Committee where in the opinion of the Council it is practicable.

2. In addition to paragraph 1 the training institution for the class of persons set out in column 1 shall comply with the provisions set out respectively in column 2.

<i>Column 1</i> <i>Class of Persons</i>	<i>Column 2</i> <i>Requirements</i>
Dental Assistant	The minimum overall ratio of suitably trained teachers to students shall be one to twenty.
Dental Technician	The minimum overall ratio of suitably trained teachers to students shall be one to ten.
Medical Laboratory Assistant	(1) A laboratory at a hospital which has- (a) at least 120 beds; (b) medical, surgical and obstetric care facilities. (2) At least one laboratory technician tutor to every twenty students. all departments, (b) adequate standards of hospital care with due emphasis on preventive work.

(As amended by S.I. no. 51 of 1984)

APPENDIX III

(Rule 5)

THIRD SCHEDULE

(Rule 4 (3))

RECOGNISED TRAINING INSTITUTIONS

The Laws of Zambia

<i>Column 1</i> <i>Institutions</i>	<i>Column 2</i> <i>Class of Persons</i>
Dental Assistants Training School, Lusaka; University Teaching Hospital, Lusaka	Dental Assistant
Dental Technicians Training School, Kabwe	Dental Technician
Ndola Central Hospital, Kitwe Central Hospital, Chikankata Hospital, Monze Hospital	Medical Laboratory Assistant

APPENDIX IV

(Rule 6)

FOURTH SCHEDULE

(Rule 6)

REQUIREMENTS FOR ADMISSION TO TRAINING INSTITUTIONS

<i>Column 1</i> <i>Class of Persons</i>	<i>Column 2</i> <i>Minimum Requirements</i>
Dental Assistant	Full Junior School Certificate
Dental Technician	From V Certificate, GCE 'O' level with passes in Mathematics, English and an acceptable Science subject.
Medical Laboratory Assistant	Full Junior School Certificate.

(As amended by S.I. No. 51 of 1984)

FIFTH SCHEDULE

(Rules 3 (2) and 11)

CERTIFICATE

This is to certify that
has completed the course of training prescribed by the Para-Medical Professions (Primary Qualifications, Training and Registration) Rules to the satisfaction of the Medical Council of Zambia and has passed the prescribed examination held on 19....., at

The said is hereby granted the (state class: rule 3 (3)) Certificate.

Date

Lusaka
Zambia

*Registrar,
Medical Council of Zambia*

EXAMINATION ENTRY FORM

....., 19.....

Candidates for examination are asked to enter all details requested below and return the form immediately to the Medical Council of Zambia, P.O. Box 2554, Lusaka, together with the examination fee.

Surname (in BLOCK CAPITALS

Other names

Age day month year

place of birth

Permanent address

Training School

Class (rule 3 (3))

Date of commencement of training

To the best of my knowledge this is a true statement.

Fee: K..... Cheque/money order/postal order.

Date

Candidate

CERTIFICATE OF ELIGIBILITY FOR EXAMINATIONz

Name of Applicant.....

I hereby certify that the applicant has fulfilled the conditions of entry to the examination as mentioned in rule 11 of the Para-Medical Professions (Primary Qualifications, Training and Registration) Rules for
(state class: rule 3 (3)) and he is eligible to be entered for the examination.

Date

.....

Head of Training Institution

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FORM 4

CERTIFICATE OF ELIGIBILITY FOR FINAL EXAMINATION

The student passed Internal Assessment on

The student passed the Intermediate Examination on

I certify that the candidate has satisfactorily undergone the full course of training as prescribed in the Rules and set out in the syllabus and that the candidate is suitable in every way to practise. The Student Practical Work Record is available for perusal by the Examiners.

Date
.....
Head of Training Institution

(A) *Dental Assistant*

Period: the course shall extend over a period of not less than two years.

Curriculum: the training shall comprise both theoretical and practical instruction in the Dental Assistants' role with children's health service in conservative dentistry, simple extractions, health education and Schools Dental Inspection.

Examinations: Internal Assessment-student shall be eligible to sit for the Internal Assessment which shall be conducted by the staff of the training institution if, by the date fixed for the Internal Assessment, he will have satisfactorily completed not less than three months of his training period.

Final Examination: a Final Examination shall be held at the end of the training period and shall comprise a written test in-

- (a) anatomy, physiology, biology; and
- (b) sterilisation drugs, conservation and extraction; practical and oral tests in the practical aspects of the syllabus.

(B) *Dental Technician*

Period: the course of training shall extend over a period of not less than three years.

Curriculum: the training shall comprise both theoretical and practical instruction in the preparation of dental appliances, the anatomy of the human mouth and teeth and the use and behaviour of materials.

Examinations: Internal Assessment- a student shall be eligible to sit for the Internal Assessment which shall be conducted by the staff of the training institution if, by the date fixed for the Internal Assessment, he will have satisfactorily completed not less than twelve months of his training period.

Intermediate Examination: an Intermediate Examination shall be held after the completion of twenty-four months of training and shall comprise written tests in anatomy and orthodontics; and practical and oral tests in the practical aspects of the syllabus.

Final Examination: a Final Examination shall be held at the end of the training period and shall comprise written tests in orthodontics and materials and a practical and oral test in the practical aspects of the syllabus.

(C) *Medical Laboratory Assistant*

Period: the course of training shall extend over a period of not less than two years.

Curriculum: the training will provide instruction in the theory and a thorough practice of the following fields: parasitology, bacteriology, biochemistry, elementary anatomy, physiology, haematology, including blood group serology.

Examinations: Internal Assessment-a student shall be eligible to sit for the Internal Assessment which shall be conducted by the staff of the training institution if, by the date fixed for the Internal Assessment, he will have satisfactorily completed not less than six months of his training period.

Final Examination: a Final Examination shall be held after completion of two year's training and shall comprise a written examination and practical and oral tests in the practical aspects of the syllabus.

(As amended by S.I. No. 51 of 1984)

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SEVENTH SCHEDULE

(Rule 11)

EXAMINATION FEE	Fee units
Examination fees for all subjects (any class)	10
Re-sit examination fee	10

(As amended by Act No. 13 of 1994)

SECTION 17-THE PARA-MEDICAL PROFESSIONS (PRIMARY QUALIFICATIONS) REGULATIONS *Statutory Instrument
134 of 1973*

Regulations by the Minister after consultation with the Medical Council of Zambia

1. These Regulations may be cited as the Para-Medical Professions (Primary Qualifications) Regulations. Title

2. The diplomas and certificates relating to the classes of persons in column 1 of the Schedule shall, in addition to the diplomas and certificates included in the First Schedule to the Para-Medical Professions (Primary Qualifications, Training and Registration) Rules, be primary qualifications for the purpose of full registration of a person belonging to a class of persons specified in column 2 of the Schedule. Primary qualifications

SCHEDULE

(Regulation 2)

PRIMARY QUALIFICATIONS

<i>Column 1</i>	<i>Column 2</i>
Diploma granted for Pharmacy Technician by the Department of Technical Education and Vocational Training of the Ministry of Education and Culture, Zambia.	Pharmacy Technician
Diploma granted for Laboratory Technician by the Department of Technical Education and Vocational Training of the Ministry of Education and Culture, Zambia	Laboratory Technician
Diploma granted for Radiographer by the Department of Technical Education and Vocational Training of the Ministry of Education and Culture, Zambia	Radiographer
Diploma granted for Physiotherapist by the Department of Technical Education and Vocational Training of the Ministry of Education and Culture, Zambia	Physiotherapist

SECTION 58-THE MEDICAL AND ALLIED PROFESSIONS ACT,
THE MEDICAL AND ALLIED PROFESSIONS (APPEAL) RULES

Rules by the chief Justice

PART I

PRELIMINARY

1. These Rules may be cited as the Medical and Allied Professions (Appeal) Rules.

2. In these Rules, unless the context otherwise requires-

"registrar" means the registrar to the Council;

"typewritten" includes reproduction by type, lithography, stencil, duplication or photography.

PART II

APPEALS AGAINST THE REFUSAL OF REGISTRATION BY THE REGISTRAR OR AGAINST
THE REJECTION BY THE DISCIPLINARY COMMITTEE OF AN APPLICATION FOR
RESTORATION TO THE REGISTER

3. Any person wishing to appeal against the refusal of registration by the registrar or against the rejection by the Disciplinary Committee of an application for restoration of his name to the register shall, within ninety days of the notification to him by the registrar of the reasons for the refusal of registration or of the rejection of his application for the restoration of his name to the register, as the case may be, lodge a notice of appeal with the Registrar of the High Court together with an affidavit setting out therein the grounds of appeal. The affidavit shall exhibit all relevant documents supporting his application for registration.

SECTION 29-THE MEDICAL AND ALLIED PROFESSIONS (REGISTRATION) RULES

Rules by the Medical Council of Zambia with the approval of the Minister

*Statutory Instrument
272 of 1966
Act No.
13 of 1994*

1. These Rules may be cited as the Medical and Allied Professions (Registration) Rules. Title

2. (1) An application for registration on any register shall be made in Form 1 prescribed in the First Schedule and shall be signed by the applicant. Applications for registration

(2) There shall be submitted in support of any application for registration-

- (a) a statutory declaration made by the applicant in Form 2 prescribed in the First Schedule;
- (b) any degrees, diplomas or certificates on which the applicant relies as qualifications for registration;
- (c) where the degrees, diplomas or certificates on which the applicant relies as qualifications for registration were granted in a country or state in which English is not an official language, a certificate issued by the authority before whom the statutory declaration referred to in paragraph (a) was made, stating whether the applicant's knowledge of the English language is excellent, good, fair or poor;
- (d) in the case of an applicant for registration on the register of fully registered medical practitioners, either-
 - (i) a certificate issued by a competent authority in the country or state in which his primary qualification was granted, stating that the applicant has, after passing a qualifying examination, completed such course of training or had such experience as is required by law in that country or state to entitle him to full registration as a medical practitioner in that country or state; or
 - (ii) a certificate issued by the medical superintendent of a hospital or institution in Zambia approved by the Council for the purposes of section *eighteen* of the Act, stating the period or periods during which the applicant has been engaged in employment at that hospital or institution in a resident medical capacity;
- (e) in the case of an applicant for registration on the register of provisionally registered medical practitioners, a certificate issued by the medical superintendent of a hospital or institution in Zambia approved by the Council for the purposes of section *eighteen* of the Act, stating that the applicant has been selected for employment in a resident medical capacity at that hospital or institution;
- (f) in the case of an applicant for registration whose name has changed since the grant of his qualification, the marriage certificate or other document which provides evidence of such change of name.

(3) Where any document referred to in paragraph (b), (d) or (f) of sub-rule (2) is in a language other than English, there shall be submitted with that document a translation of the document into the English language properly certified as a true translation by a person competent to do so.

(4) Unless the registrar otherwise requires in any particular case, a duplicate or properly certified copy of an original document referred to in paragraph (b), (d) or (f) of sub-rule (2) may be submitted in lieu of the original document.

(5) Nothing in this rule shall preclude-

- (a) the registrar from requiring an applicant for registration to produce such further documents as he may deem necessary for the purpose of satisfying himself as to any matter related to the application which is required by the Act to be shown to his satisfaction; or
- (b) the Council from requiring an applicant for registration on a register of temporarily registered persons to produce such further documents as the Council may deem necessary for the proper consideration of the application.

3. (1) A registration certificate issued by the registrar under subsection (2) of section *twenty-two* of the Act shall be in the form prescribed in the Second Schedule. Registration certificate

(2) The registrar shall, on application by a registered person and on payment of the prescribed fee, issue a duplicate of the original registration certificate issued to him.

4. There shall be payable to the Council for the services mentioned in the Third Schedule the fees respectively prescribed in the second column thereof. Prescribed fees

5. (1) Each register shall be kept in the form of a loose-leaf volume, one page of which shall be set aside for the entries relating to each registered person; and any alteration in the registered particulars relating to that person shall be endorsed by the registrar on the page so set aside. Form of registers

(2) Where the name of a person is erased from any register, the registrar shall, after endorsing on the page containing the entries relating to that person the circumstances in which and the date on which the erasure was made, remove the page from the register and retain it in a separate file.

6. (1) There shall be erased from the register of provisionally registered medical practitioners the name of any person- Erasures from provisional or temporary registers

- (a) who becomes registered on the register of fully registered medical practitioners; or

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- (b) who, for a period of three months, has ceased to be engaged in employment in a resident medical capacity in a hospital or institution approved by the Council for the purposes of section *eighteen* of the Act.

(2) There shall be erased from a register of temporarily registered persons the name of any person-

- (a) who becomes registered on the corresponding register of fully registered persons; or
- (b) who has been registered on the register of temporarily registered persons for two years; or
- (c) in relation to whom the Council withdraws the direction given by it entitling him to registration on the register of temporarily registered persons.

FIRST SCHEDULE

PRESCRIBED FORMS

REPUBLIC OF ZAMBIA

THE MEDICAL AND ALLIED PROFESSIONS ACT

THE MEDICAL AND ALLIED PROFESSIONS (REGISTRATION) RULES

APPLICATION FOR REGISTRATION

THE REGISTRAR,
MEDICAL COUNCIL OF ZAMBIA,
P.O. Box 2554,
LUSAKA.

1. Full Names of Applicant: Mr./Mrs./Miss/Dr
2. Address of Applicant
3. Nationality and Citizenship of Applicant.
4. Profession in respect of which Application for Registration is made:
5. Category of Registration applied for (insert Full Registration, Provisional Registration or Temporary Registration, as the case may be):

I, the above-named applicant, hereby apply for registration on the aforementioned register kept by the Medical Council of Zambia under the Medical and Allied Professions Act and submit herewith-

(a) the prescribed registration fee of K ; and

(b) the following documents in support of my application:

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

Date

.....
Signature of Applicant

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FORM 2

REPUBLIC OF ZAMBIA

THE MEDICAL AND ALLIED PROFESSIONS ACT

THE MEDICAL AND ALLIED PROFESSIONS (REGISTRATION) RULES

STATUTORY DECLARATION

The Laws of Zambia

I,, do solemnly and sincerely declare as follows:

1. THAT I am the holder of the following degrees, diplomas or certificates granted to me after examination by a university, medical or dental school pharmaceutical society or other examining authority, namely:

<i>Examining Authority</i>	<i>Degree, Diploma or Certificate</i>
.....
.....
.....

2. THAT the courses of study in professional subjects with respect to which the degrees, diplomas or certificates referred to in paragraph 1 were granted covered the following periods, namely:

<i>Degree, Diploma or Certificate</i>	<i>Period</i>	
	<i>From</i>	<i>To</i>
.....
.....
.....

3. THAT I have completed the following additional courses of training and had the following experience in the practice of my profession, namely:

<i>Description of Training or Experience</i>	<i>Period</i>	
	<i>From</i>	<i>To</i>
.....
.....
.....

*4. THAT I would, so far as professional qualifications are concerned, be entitled to practise my profession in the country or state in which the professional qualifications were granted.

5. THAT-

- (a) I have never been debarred from practising my profession on the grounds of professional misconduct; and
- (b) my name has never been removed from any register of members of my profession kept in accordance with the laws of any country or state in which I have practised my profession; and
- (c) no inquiry is pending which may result in the action being taken which is referred to in sub-paragraph (a) or (b).

AND I make this solemn declaration, conscientiously believing the same to be true.

DECLARED at this day of 19.....
Before me

Signature

Signature of Attesting Authority

Capacity of Attesting Authority

(e.g. Notary Public, Commissioner for Oaths, British Consul)

* This paragraph may be omitted if the application is not for temporary registration.

NOTE.-This declaration, if made-

- (a) in Zambia, must be made under the British Act known as the Statutory Declarations Act, 1835;
- (b) in the Commonwealth, elsewhere than in Zambia, must be made before a notary public, commissioner for oaths or other person having authority therein under any law for the time being in force to take or receive a declaration;
- (c) in any other place, must be made before a British consul or vice-consul or before any person having authority under any Act of Parliament of the United Kingdom for the time being in force to take or receive a declaration.

SECOND SCHEDULE

(Rule 3)

REPUBLIC OF ZAMBIA

The Laws of Zambia

THE MEDICAL AND ALLIED PROFESSIONS ACT

REGISTRATION CERTIFICATE

No.

THIS IS TO CERTIFY that-

.....
is registered on the register of-

.....
kept by the Medical Council of Zambia in accordance with the provisions of the Medical and Allied Professions Act.

.....
Registrar, Medical Council of Zambia

Date

THIRD SCHEDULE

(Rule 4)

PRESCRIBED FEES

Fee units

- | | |
|---|---|
| 1. For the issue of a duplicate of a registration certificate | 5 |
| 2. For the issue of a certified copy of the entries on a register relating to a registered person | 5 |

(As amended by Act No. 13 of 1994)

SECTION 21-THE MEDICAL AND ALLIED PROFESSIONS (QUALIFICATIONS FOR SPECIALIST REGISTER) REGULATIONS

*Statutory Instrument
168 of 1996*

Regulations by the Minister

1. These Regulations may be cited as the Medical and Allied Professions (Qualifications for Specialist Register) Regulations. Title

2. In these Regulations unless the context otherwise requires- Interpretation

"specialist register" means the register on which a person with specialist qualifications is registered and specialist registration shall be construed accordingly.

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3. For the purposes of section *twenty-one* of the Act, a person shall be registered on the specialist register if that person-

Specialist
qualifications

- (a) holds a first degrees or diploma from a recognised university or institution; and
- (b) has completed post-graduate training in the relevant field.

4. (1) The following qualifications or their equivalent shall be the recognised qualifications for the purposes of regulation 3:

Recognised
qualifications

- (a) a Master of Medicine from the University of Zambia or from a reconised college or university; or
- (b) post-graduate qualifications in the relevant field from a reconised university or college.

(2) For the purposes of section *twenty-one* of the Act, a-

(a) Medical Practitioner shall qualify to be registered on the specialist register if that person holds-

- (i) a Master of Medicine from the University of Zambia or its equivalent from a recognised university or college;
- (ii) a Master of Public Health from the University of Zambia or its equivalent from a recognised university or college;
- (iii) a Doctor of Philosophy (Ph.D.) from a recognised university or college; or
- (iv) a post-graduate dipolma from a recognised university or college.

(b) A Dental Surgeon shall qualify to be registered on the specialist register if that person holds-

- (i) a Masters of Science Degree (M.Sc.) in dentistry from a recognised university or college; or
- (ii) a Doctor of Philosophy (Ph.D.) in dentistry from a recognised university or college; and

(c) a Pharmacist shall qualify to be registered on the specialist register if that person holds-

- (i) a Master of Science Degree (M.Sc.) in pharmacy from a recognised university or college;
- (ii) a Master of Philosophy (M.Phil.) from a recognised university or college; or
- (iii) A Dcotor of Philosophy (Ph.D.) in pharmacy from a recognised university or college.

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5. A person apply for registration on the specialist register shall fill in the form set out in the Schedule to these Regulations. Forms for registration

6. The Medical and Allied Professions (Qualifications for Specialist Register) Regulations, 1994 are hereby repealed. Repeal of S.I. No. 87 of 1994

SCHEDULE

(Section 5)

MEDICAL COUNCIL OF ZAMBIA

Affix
Passport Size
Photo Here

Form MCZ/7
P.O. Box 32554
Lusaka
Tel: 228434 Fax: 28435
239317
239318

APPLICATION FOR SPECIALIST REGISTRATION

(Under the Medical and Allied Professions Act No. 22 of 1977 of the Laws of Zambia)

PART I

The Laws of Zambia

(To be completed by applicant in Duplicate)

- 1. Surname of Applicant: Dr/Mr/Mrs/Miss:.....
- 2. Other names:.....
- 3. Date of Birth:.....
- 4. Nationality:.....
- 5. National Registration Card or Passport No.:.....
- 6. Residential Address:.....
.....
- 7. Postal Address:.....
.....
- 8. Address of employer or prospective employer (if applicable):.....
.....
- 9. Specialist qualification:.....
.....
- 10. Subspecialist qualification(s) (if any):.....
.....

I hereby apply for specialist registration with the Medical Council of Zambia.

Date:.....

.....
Signature of applicant

N.B. This application must be accompanied by the appropriate fee of:

PART II

STATUTORY DECLARATION

I,.....do solemnly declare as follows: that I attended regular training and attained the specialist qualifications stated below:

1. Specialist Training

Training institution	Specialist Specialist training pursued	Duration of training	qualification attained

that I have worked in the following places since qulifying as a specialist:

Institution	Dates	
	From	To

2. Subspecialist Training

			Specialist
--	--	--	------------

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Training institution	Specialist training pursued	Duration of training	qualification attained

3. that the attached certified copies of documents relating to my specialist and subspecialist training (degree certificate, diplomas, etc.) are true copies of the originals.

Documents relating to specialist qualifications:

1.
2.
3.

Documents relating to subspecialist qualifications:

1.
2.
3.

4. That the address stated below is the current and proper address of the registration body where I am/have been previously registered as a specialist.

.....

5. that-

- (a) I have never been debarred from practising my profession on the ground of professional misconduct;
- (b) my name has never been removed from any register of members of my profession kept in accordance with the laws of any country or state in which I have practised my profession; and
- (c) no inquiry is pending which may result in the action being taken which is referred to in sub-paragraphs (a) and (b) above and I make this solemn declaration, conscientiously believing the same to be true and I am aware that false declaration could lead to disciplinary action being taken against me.

.....
Signature

Declared at this day
 of19..... before

Signature of attesting Authority

.....
 (Capacity of Attesting Authority (Notary Public or Commissioner of Oaths))

Note:

1. This declaration, if made in Zambia, must be under the Commissioner for Oaths Act Cap. 46. But if made outside Zambia, must be made before a Notary Public, Commissioner for Oaths or any other person having statutory authority under the appropriate law in that Country governing the administration of Oaths for the time being, in force to take or receive a declaration.

Comments of Specialist Committee:

- (a) Recommended
- (b) Not recommended for the following reasons:

.....

Signed: Date:

Chairman of Specialist Committee.....

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MEDICAL COUNCIL OF ZAMBIA

(Medical and Allied Professions Act, Act No. 22 of 1977)

Specialist Register Certificate No.:
This is to certify that
Full Registration Certificate No.:
has been on the full register kept by the Medical Council of Zambia since:
.....
from Year.....
and is a Specialist in As of (Date)
Date:

Registrar

Chairman

THE MEDICAL AND ALLIED PROFESSIONS ACT

THE MEDICAL AND ALLIED PROFESSIONS (DISCIPLINARY PROCEEDINGS) RULES

ARRANGEMENT OF RULES

PART I

PRELIMINARY

Rule

1. Title
2. Interpretation
3. Reference of matters to Executive Committee

PART II

PROCEEDINGS RELATING TO INFAMOUS CONDUCT IN A PROFESSIONAL RESPECT

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4. Functions of Chairman in relation to complaints or information
5. Functions of Executive Committee in relation to complaints or information
6. Notice of inquiry
7. Access to documents
8. Postponement of inquiry
9. Cancellation of inquiry
10. Amendment of notice of inquiry or charge
11. Opening of inquiry
12. Proof of charges
13. Powers of Disciplinary Committee
14. Procedure for non-compliance with conditions
15. Inquiries into charges against two or more practitioners

PART III

PROCEEDINGS RELATING TO MENTAL OR PHYSICAL DISABLEMENT

16. Functions of Chairman in relation to complaints or information
17. Functions of Executive Committee in relation to complaints or information
18. Notice of inquiry
19. Application of rules 8 and 9
20. Proceedings at inquiry
21. Determination by Disciplinary Committee

PART IV

PROCEEDINGS RELATING TO FRAUDULENT AND INCORRECT ENTRIES IN A REGISTER

Rule

22. Functions of Chairman in relation to complaints or information
23. Functions of Executive Committee in relation to complaints or information
24. Notice of inquiry
25. Application of rules 8 and 9
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MEDICAL AND ALLIED PROFESSIONS (DISCIPLINARY PROCEEDINGS) RULES

Statutory Instrument
1 of 1982

Rules by the Medical Council

PART I

PRELIMINARY

1. These Rules may be cited as the Medical and Allied Professions (Disciplinary Proceedings) Rules. Title

2. In these Rules, unless the context otherwise requires- Interpretation

The Laws of Zambia

"complainant" means a body or person by whom a complaint has been made to the Council;

"practitioner" means a registered person, and references to the practitioner, in relation to any complaint, information or proceedings, are references to the practitioner whose conduct or condition has been called into question.

3. Except as otherwise expressly stated, before any matters are referred to the Disciplinary Committee they shall in such manner as is provided by these Rules, be brought before and investigated by the Executive Committee.

Reference of matters to Executive Committee

PART II

PROCEEDINGS RELATING TO INFAMOUS CONDUCT IN A PROFESSIONAL RESPECT

4. (1) Where a complaint in writing, or information in writing, is received by the registrar from any body or person, and it appears to him that a question arises whether conduct of a practitioner constitutes infamous conduct in a professional respect, the registrar shall submit the matter to the Chairman.

Functions of Chairman in relation to complaints or information

(2) Before the matter proceeds further, the Chairman may, if he thinks fit, require one or more statutory declarations to be furnished to his satisfaction in support of the complaint or information, and every such statutory declaration shall state the address and description of the declarant and the grounds for his belief in the truth of any fact declared which is within his personal knowledge.

(3) Unless it appears to the Chairman that the matter need not proceed further, the Chairman shall direct the registrar to write to the practitioner-

- (a) notifying him of the receipt of the complaint or information, and indicating the matters which appear to raise a question whether the practitioner has committed a conduct infamous in a professional respect;
- (b) forwarding a copy of any statutory declaration furnished under sub-rule (2);
- (c) informing the practitioner of the date of the next meeting of the Executive Committee; and
- (d) inviting the practitioner to submit to the Council any explanation which he may have to offer.

(4) Subject to the foregoing provisions of this rule, the Chairman may direct the registrar to refer the case to the Executive Committee, together with any statutory declaration or explanation furnished under sub-rules (2) and (3).

Functions of Executive Committee in relation to complaint or information

5. (1) Where a case has been referred to the Executive Committee, that committee shall, having regard to any statutory declaration or explanation furnished as aforesaid, consider the case and, subject to the provisions of this rule, determine either-

- (a) that no inquiry shall be held in the case by the Disciplinary Committee; or
- (b) that the matter in question shall, in whole or in part, be referred to the Disciplinary Committee for inquiry.

(2) Where the Executive Committee determines that no inquiry shall be held in a case by the Disciplinary Committee, the registrar shall inform the complainant, if any, and the practitioner of the decision of the Executive Committee in such terms as the Executive Committee may direct.

(3) Before coming to a determination, the Executive Committee may, if it thinks fit, cause to be made such further investigations, or obtain such advice or assistance from the solicitor or any legal practitioner instructed by it, as it may consider necessary.

(4) Where the Executive Committee is of opinion that such further investigations as aforesaid are desirable, or where at the time when the Executive Committee is considering the case no explanation has yet been received from the practitioner, the Executive Committee may, if it thinks fit, make a provisional determination that the matter in question shall in whole or in part be referred to the Disciplinary Committee as mentioned in paragraph (b) of sub-rule (1), and where it makes such a determination-

- (a) the Chairman may, after causing the members of the Executive Committee to be informed of the result of the further investigations or to be supplied with copies of any explanation subsequently furnished by the practitioner, and after consultation with the members of the Executive Committee and in accordance with the opinion of the majority of them, direct either that no inquiry shall be held or that the matter shall be referred as aforesaid;
- (b) if the Chairman directs that no inquiry shall be held, the registrar shall notify the members of the Executive Committee and shall inform the complainant, if any, and the practitioner in such terms as the Chairman may direct.

6. (1) As soon as may be after a case has been referred to the Disciplinary Committee for inquiry, the registrar shall send to the practitioner a notice of inquiry which shall-

Notice of inquiry

The Laws of Zambia

- (a) specify, in the form of a charge or charges, the matters into which the inquiry is to be held; and
- (b) state the date, time and place at which the inquiry is proposed to be held.

(2) Except with the agreement of the practitioner, the inquiry shall not be fixed for any date earlier than twenty-eight days after the date of the notice of inquiry.

(3) A notice of inquiry shall be in the form prescribed in the First Schedule, with such variations as circumstances may require.

(4) A notice of inquiry shall be delivered to the practitioner or sent to him by post in a registered letter addressed to him at his address on the register or at his last known address if that address differs from his address on the register and it appears to the registrar that such service will be more effective.

(5) There shall be sent with any notice of inquiry a copy of these Rules.

(6) In any case where there is a complainant, a copy of the notice of inquiry shall be sent to him.

7. (1) Without prejudice to the provisions of sub-rule (3) of rule 4, the registrar shall on the request of any party to any inquiry send to him copies of any statutory declaration, explanation, answer, admission or other statement or communication sent to the Council by a party to the inquiry:

Access to documents

Provided that nothing in this sub-rule shall compel the registrar to produce copies of any written advice sent to the Council which would be privileged from discovery in any legal proceedings to which the Council was a party.

(2) Any party to any inquiry may at any time give to any other party notice to produce any document alleged to be in the possession of that party.

8. (1) The Chairman may, if he thinks fit, postpone the holding of an inquiry to such later date as he may determine.

Postponement of inquiry

(2) Where the holding of an inquiry is postponed-

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- (a) the registrar shall as soon as may be give notice of the postponement to every party; and
- (b) on the determination of the date on which the inquiry is to be held, the registrar shall give notice thereof to every party.

9. (1) Where, after a complaint or information has been referred to the Disciplinary Committee for inquiry, it appears to the Chairman that the inquiry should not be held, he may, if he thinks fit, after consultation with the members of the Executive Committee and in accordance with the opinion of the majority of them, direct that the inquiry shall not be held, and where the Chairman so directs and at the time of the direction no notice of inquiry has been sent, rule 6 shall not have effect:

Cancellation of inquiry

Provided that in any case where there is a complainant the Chairman shall not direct that an inquiry shall not be held except after communicating or endeavouring to communicate with the complainant.

(2) As soon as may be after giving such direction referred to in sub-rule (1), the registrar shall give notice thereof to the complainant, if any, and to the practitioner.

10. (1) Where before the hearing it appears to the Chairman or, at any stage of the hearing it appears to the Disciplinary Committee, that a notice of inquiry or charge is defective, the Chairman or the Disciplinary Committee, as the case may be, shall give such directions for the amendment of the notice or charge as he or it may think necessary to meet the circumstances of the case, unless, having regard to the merits of the case, the required amendments cannot be made without injustice.

Amendment of notice of inquiry or charge

(2) Where in the opinion of the Chairman or the Disciplinary Committee it is expedient, in consequence of the exercise by him or it of the powers conferred by sub-rule (1), that the inquiry should be postponed or adjourned, the Chairman or the Disciplinary Committee shall give such directions in that behalf as appear necessary.

(3) The registrar shall as soon as may be give notice in writing to the complainant, if any, and to the practitioner of any exercise by the Chairman of his powers under this rule.

11. (1) Where the practitioner does not appear, the Chairman shall call upon the registrar to satisfy the Disciplinary Committee that the notice of inquiry has been received by the practitioner, and where it does not appear to have been so received, the Disciplinary Committee may nevertheless proceed with the inquiry, if it thinks fit, on being satisfied that all reasonable efforts have been made to serve the notice of inquiry on the practitioner.

Opening of inquiry

(2) Where the practitioner appears or, in cases where he does not appear and the Disciplinary Committee proceeds with the inquiry, the charge or charges shall first be read to the Disciplinary Committee.

(3) After the reading of the charge or charges the practitioner may, if he so desires, object to the charge or to any part thereof on a point of law, and upon any objection any other party may reply thereto.

(4) If any objection is upheld, no further proceedings shall be taken by the Disciplinary Committee in relation to the charge, or that part of the charge, to which the objection relates.

12. (1) In a case where the practitioner appears, the following order of proceedings shall be observed as respects proof of the charge or charges, that is to say- Proof of charges

- (a) if a complainant appears, he shall open the case against the practitioner or subject to any directions given by the Chairman or the Disciplinary Committee, if no complainant appears, the registrar shall present the facts on which the complaint or information is based;
- (b) subject to the provision of paragraph (a), the complainant shall adduce evidence of the facts alleged in the charge or charges, or of such of those facts as he is prepared to prove;
- (c) if as respects any charge no evidence is adduced, the Disciplinary Committee shall record that fact and the Chairman shall announce a finding that the practitioner is not guilty of infamous conduct in a professional respect in relation to the matter to which that charge relates;
- (d) at the close of the case against him, the practitioner, if he so desires, may make either or both of the following submissions as respects any charge as to which evidence has been adduced, namely-
 - (i) that no sufficient evidence has been adduced upon which the Disciplinary Committee could find that the facts alleged in the charge have been proved;
 - (ii) that the facts alleged in the charge are not such as to constitute infamous conduct in a professional respect;

and where such a submission is made, any other party may reply thereto;

- (e) if a submission is made under paragraph (d), the Disciplinary Committee shall consider and determine whether the submission should be upheld, and if the Disciplinary Committee determines to uphold such a submission as respects any charge, it shall record, and the Chairman shall announce, a finding that the practitioner is not guilty of infamous conduct in a professional respect in relation to the matters to which that charge relates;
- (f) as respects any charge to which evidence has been adduced, the practitioner may adduce evidence in answer to the charge and, whether he adduces evidence or not, may address the Disciplinary Committee;

- (g) at the close of the case for the practitioner, the complainant or the registrar, as the case may be, may, with the leave of the Disciplinary Committee, adduce evidence to rebut any evidence adduced by the practitioner; and if he does so, the practitioner may again address the Disciplinary Committee;
- (h) the complainant or the registrar, as the case may be, may address the Disciplinary Committee by way of reply to the practitioner's case-
 - (i) if oral evidence, not being evidence as to character, other than that of the practitioner himself has been given on the practitioner's behalf; or
 - (ii) with the leave of the Disciplinary Committee, where no such evidence has been given;
- (i) without prejudice to the provisions of paragraph (h), if the practitioner has made a submission to the Disciplinary Committee on a point of law, any other party shall have a right of reply limited to that submission.

(2) In a case where the practitioner does not appear but the Disciplinary Committee has decided to proceed with the inquiry, only paragraphs (a) to (c) of sub-rule (1) shall apply.

13. (1) At the conclusion of the proceedings under rule 12, the Disciplinary Committee shall consider and determine as respects each charge which remains outstanding which, if any, of the facts alleged in the charge have been proved to its satisfaction.

Powers of Disciplinary
Committee

(2) If under sub-rule (1) the Disciplinary Committee determines, as respects any charge, either that none of the facts alleged in the charge has been proved to its satisfaction, or that such facts as have been so proved would be insufficient to support a finding of infamous conduct in any professional respect, the Disciplinary Committee shall record a finding that the practitioner is not guilty of such conduct in respect of the matters to which that charge relates, and the Chairman shall announce the finding of the Disciplinary Committee.

(3) If under the foregoing provisions of this rule the Disciplinary Committee has determined, as respects any charge, that the facts, or some of the facts, alleged in the charge have been proved to its satisfaction, and the Disciplinary Committee has not on those facts recorded a finding of not guilty, the Chairman shall invite the complainant or the solicitor, as the case may be, to address the Disciplinary Committee and to adduce evidence as to the circumstances leading up to the facts in question, and as to the character and antecedents of the practitioner.

(4) The Chairman shall then invite the practitioner, if he appears, to address the Disciplinary Committee by way of mitigation and to adduce evidence as aforesaid.

(5) The Disciplinary Committee shall then consider and determine whether in relation to the facts proved as aforesaid it finds the practitioner to have been guilty of infamous conduct in a professional respect, and if it determines that he has not been so guilty, it shall record a finding to that effect, and the Chairman shall announce the finding in such terms as the Disciplinary Committee may approve.

(6) If the Disciplinary Committee determines that the practitioner has been guilty of infamous conduct in a professional respect, it shall further consider and determine whether to impose any penalty under subsection (1) of section *fifty-five* of the Act, and the Chairman shall announce its determination in such terms as the Disciplinary Committee may approve.

14. (1) Where it appears to the registrar, whether in consequence of a complaint in writing sent to the Council by any body or person, or in consequence of any other information coming to the notice of the registrar, that a question arises whether a practitioner to whom this rule applies has, during the period of any postponement under paragraph (c) of subsection (1) of section *fifty-five* of the Act, not complied with any conditions imposed thereunder, the registrar shall submit the matter to the Chairman.

Procedure for
non-compliance with
conditions

(2) Unless it appears to the Chairman that the matter need not proceed further-

- (a) the Chairman shall direct the registrar to refer the matter to the Disciplinary Committee; and
- (b) the registrar shall send to the practitioner, not later than twenty-eight days before the date fixed for the resumption of the proceedings, a notice which shall-
 - (i) specify the day, time and place at which the proceedings are to be resumed and invite him to appear thereat;
 - (ii) unless the Chairman otherwise directs, invite the practitioner to furnish the registrar with the names and addresses of professional colleagues and other persons of standing to whom the Council will be able to apply for information as to their knowledge of his character or habits and his conduct since the time of the original inquiry; and
 - (iii) invite the practitioner to send to the registrar any statement or statutory declaration, whether made by the practitioner or not, relating to his conduct since the hearing of his case or setting out any material facts which have arisen since that hearing.

(3) The said notice shall be delivered to the practitioner or sent to him by post in a registered letter addressed to him at his address on the register or at his last known address if that address differs from his address on the register and it appears to the registrar that such service will be more effective.

(4) A copy of the notice and of any statement or statutory declaration sent in accordance with the provisions of this rule shall be sent to the complainant, if any, and he may in turn, if he so desires, send to the registrar a statement or statutory declaration, whether made by himself or not, concerning any matter raised by the practitioner.

(5) At the meeting at which the proceedings are resumed, the Chairman shall first invite the registrar to recall, for the information of the Disciplinary Committee, the circumstances in which the penalty mentioned in paragraph (c) of subsection (1) of section *fifty-five* of the Act was imposed on the practitioner and thereafter the Disciplinary Committee may-

- (a) hear any other party to the proceedings; and
- (b) receive such further oral or documentary evidence in relation to the conduct of the practitioner since the previous hearing as it thinks fit.

(6) The validity of any resumed proceedings of the Disciplinary Committee under this rule shall not be called into question by reason only that the Disciplinary Committee is constituted in a different manner to that in which it was constituted at the previous hearing.

15. Nothing in this Part shall be construed as preventing one inquiry being held into charges against two or more practitioners and where such an inquiry is held, the foregoing Rules shall apply with the necessary adaptations and subject to any directions given by the Disciplinary Committee as to the order in which proceedings shall be taken under any of these Rules by or in relation to the several practitioners.

Inquiries into charges against two or more practitioners

PART III

PROCEEDINGS RELATING TO MENTAL OR PHYSICAL DISABLEMENT

16. (1) Where it appears to the registrar (whether in consequence of a complaint in writing sent to the Council by any body or person, or in consequence of any other information coming to the notice of the registrar) that a question arises whether a practitioner has become mentally or physically disabled to the extent that the continued practising by him of his profession is contrary to the public welfare the registrar shall submit the matter to the Chairman.

Functions of Chairman in relation to complaints or information

(2) The Chairman may, upon the submission of the matter to him by the registrar, direct the registrar to write to the practitioner-

- (i) notifying him of the receipt of the complaint or information, and indicating the matters which appear to raise a question whether the practitioner has become mentally or physically disabled to the extent that the continued practising by him of his profession is contrary to the public welfare;

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- (ii) informing him of the date of the next meeting of the Executive Committee; and
- (iii) inviting him to submit to the Council any observations which he may wish to offer.

(3) Subject to the provisions of sub-rule (2), the Chairman may direct the registrar to refer the case to the Executive Committee, together with any observations then furnished by the practitioner.

17. (1) Where under rule 16 a case has been referred to the Executive Committee, the Executive Committee shall, having regard to such observations as aforesaid, determine, subject to the provisions of this rule, either-

Functions of Executive Committee in relation to complaints or information

- (a) that no inquiry shall be held in the case by the Disciplinary Committee; or
- (b) that the case shall be referred to the Disciplinary Committee for inquiry.

(2) Where the Executive Committee determines that no inquiry shall be held, the registrar shall inform the complainant, if any, and the practitioner of the decision of the Executive Committee in such terms as the Executive Committee may direct.

(3) The provisions of sub-rules (3) and (4) of rule 5 shall apply to proceedings under this rule.

18. (1) As soon as may be after a case has been referred to the Disciplinary Committee for inquiry under the foregoing provisions of this Part, the registrar shall send to the practitioner a notice of inquiry which shall-

Notice of inquiry

- (a) specify the matters into which the inquiry is to be held; and
- (b) state the day, time and place at which the inquiry is proposed to be held.

(2) Except with the agreement of the practitioner the inquiry shall not be fixed for any date earlier than twenty-eight days after the date of the notice of inquiry.

(3) A notice of inquiry shall be in such form as the Chairman may determine to be appropriate to the circumstances of the case.

(4) A notice of inquiry shall be delivered to the practitioner or sent to him by post in a registered letter addressed to him at his address on the register or at his last known address if that address differs from his address on the register and it appears to the registrar that such service will be more effective.

(5) There shall be sent with any notice of inquiry a copy of these Rules.

(6) In any case where there is a complainant, a copy of the notice of inquiry shall be sent to him.

19. (1) Rules 8 and 9 shall apply for the purpose of this Part, with the substitution, for the reference in rule 9 to rule 6, of a reference to rule 19.

Application of rules 8 and 9

(2) Where there is a complainant, the registrar shall, on his request, send to him copies of any observations or other communication sent to the Council by the practitioner.

20. (1) Where the practitioner does not appear, the Chairman shall call upon the registrar to satisfy the Disciplinary Committee that the notice of inquiry has been received, the Disciplinary Committee may nevertheless proceed with the inquiry, if it thinks fit, on being satisfied that all reasonable efforts have been made to serve the notice of inquiry on the practitioner.

Proceedings at inquiry

(2) Where the practitioner appears or, in a case where he does not appear and the Disciplinary Committee proceeds with the inquiry, the following order of proceedings shall be observed-

- (a) the complainant or, if no complainant appears, the registrar shall present the facts of the case and adduce evidence;
- (b) the practitioner, if he appears, may then adduce evidence and, whether he adduces evidence or not, may address the Disciplinary Committee;
- (c) the complainant or the registrar, as the case may be, may address the Disciplinary Committee by way of reply to the respondent's case.

21. (1) At the conclusion of the proceedings under rule 20, the Disciplinary Committee shall consider and determine whether it has been proved to its satisfaction that the practitioner has become mentally or physically disabled to the extent that the continued practising by him of his profession is contrary to the public welfare, and if it determines that it has not been so proved, it shall record a finding to that effect, and the Chairman shall announce the finding in such terms as the Disciplinary Committee may approve.

Determination by Disciplinary Committee

(2) If the Disciplinary Committee determines that it has been proved to its satisfaction that the practitioner has become mentally or physically disabled to the extent that the continued practising by him of his profession is contrary to the public welfare, the Disciplinary Committee shall direct the erasure of his name from the register as required by subsection (2) of section *fifty-five* of the Act and shall further consider and determine whether to make any order relating to costs under that subsection and the Chairman shall announce its determination in such terms as the Disciplinary Committee may approve.

PART IV

PROCEEDINGS RELATING TO FRAUDULENT AND INCORRECT ENTRIES IN A REGISTER

22. (1) Where it appears to the registrar (whether in consequence of a complaint in writing sent to the Council by any body or person, or in consequence of any other information coming to the notice of the registrar) that a question arises whether an entry in a register has been fraudulently or incorrectly made, the registrar shall submit the matter to the Chairman who shall, unless it appears to him that the matter need not proceed further, determine what persons, if any, apart from the person to whom the entry purports to relate, ought to be afforded an opportunity of furnish observations on the matter and of taking part in any subsequent inquiry.

Functions of Chairman
in relation to
complaints or
information

(2) The person, if any, to whom the entry relates, and any other person or persons determined by the Chairman as aforesaid, shall then be deemed to be a respondent for the purpose of proceedings under this Part and the Chairman shall direct the registrar to notify the respondent.

23. (1) Where under rule 22 a case has been referred to the Executive Committee, the Executive Committee shall, having regard to any such observations furnished as aforesaid, determine, subject to the provisions of this rule, either-

Functions of Executive
Committee in relation
to complaints or
information

(a) that no inquiry shall be held in the case by the Disciplinary Committee; or

(b) that the case shall be referred to the Disciplinary Committee for inquiry.

(2) Where the Executive Committee determines that no inquiry shall be held, the registrar shall inform the complainant, if any, and the respondent of the decision of the Executive Committee in such terms as the Executive Committee may direct.

(3) The provisions of sub-rules (3) and (4) of rule 5 shall apply to proceedings under this rule.

24. (1) As soon as may be after a case has been referred to the Disciplinary Committee under the foregoing provisions of this Part, the registrar shall send to the respondent a notice of inquiry which shall-

Notice of inquiry

- (a) specify the matters into which the inquiry is to be held;
- (b) state the date, time and place at which the inquiry is proposed to be held; and
- (c) request the respondent to state whether he intends to appear at the inquiry.

(2) Except with the agreement of the respondent, the inquiry shall not be fixed for any date earlier than twenty-eight days after the date of the notice of inquiry.

(3) A notice of inquiry shall be in such form as the Chairman may determine to be appropriate to the circumstances of the case.

(4) A notice of inquiry shall be sent by post-

- (a) to the person to whom the entry purports to relate, in a registered letter addressed to him at his address on the register or at his last known address if that address differs from his address on the register and it appears to the registrar that such service will be more effective;
- (b) to any other person who is the subject of a determination under sub-rule (1) of rule 22, in a registered letter addressed to him at his last known address.

(5) There shall be sent with any notice of inquiry a copy of these Rules.

(6) In any case where there is a complainant, a copy of the notice of inquiry shall be sent to him.

25. (1) Rules 8 and 9 shall apply for the purposes of this Part, with the substitution, for the reference in rule 9 to rule 6, of a reference to rule 24.

Application of rules 8 and 9

(2) Where there is a complainant, the registrar shall, on his request, send to him copies of any observations or other communication sent to the Council by the respondent.

26. (1) Where the respondent does not appear, the Chairman shall call upon the registrar to satisfy the Disciplinary Committee that the notice of inquiry has been received by the respondent, and where it does not appear to have been so received, the Disciplinary Committee may nevertheless proceed with the inquiry, if it thinks fit, on being satisfied that all reasonable efforts have been made to serve the notice of inquiry on the respondent.

Proceedings at inquiry

(2) Where the respondent appears or, in a case where he does not appear and the Disciplinary Committee proceeds with the inquiry, the following order of proceedings shall be observed, that is to say-

- (a) the complainant or, if no complainant appears, the registrar shall present the facts of the case and adduce evidence;
- (b) the respondent, if he appears, may then adduce evidence and, whether he adduces evidence or not, may address the Disciplinary Committee;
- (c) the complainant or the registrar, as the case may be, may address the Disciplinary Committee by way of reply to the respondent's case.

27. (1) At the conclusion of the proceedings under rule 26, the Disciplinary Committee shall consider and determine whether the entry has been proved to its satisfaction to have been made incorrectly; and if it determines that it was so made, the Disciplinary Committee shall further consider and determine whether the entry was made incorrectly but not fraudulently or whether it has been proved to its satisfaction to have been made fraudulently.

Powers of Disciplinary Committee

(2) If the Disciplinary Committee determines that the entry has not been proved to its satisfaction to have been made incorrectly, the Chairman shall announce the determination in such terms as the Disciplinary Committee may approve.

(3) If the Disciplinary Committee determines that the entry has been proved to its satisfaction to have been made incorrectly but not fraudulently, or to have been made fraudulently, the Disciplinary Committee shall then further consider and determine whether it should direct that the entry be erased from the register, and, if it so determines, the Disciplinary Committee shall thereupon give a direction in writing under the hand of the Chairman, that the entry, having been proved to the satisfaction of the Disciplinary Committee to have been made-

- (a) incorrectly but not fraudulently; or
- (b) fraudulently;

shall be erased from the register, and the Chairman shall announce the determination in such terms as the Disciplinary Committee may approve.

(4) If it is proved to the satisfaction of the Disciplinary Committee that the entry was made incorrectly but not fraudulently, the Disciplinary Committee may determine accordingly, notwithstanding that in the notice of inquiry the entry was alleged to have been made fraudulently but the Disciplinary Committee shall not determine that an entry was made fraudulently if it was not alleged to have been so made in the notice of inquiry.

(5) Where an inquiry relates to two or more entries, the Disciplinary Committee may proceed under the foregoing provisions of this rule in respect of those entries either separately or taken together, as the Disciplinary Committee may think fit, and where an inquiry relates to an entry specifying two or more particulars, the Disciplinary Committee may, if it thinks fit, proceed thereunder in respect of so much of the entry as specifies each of those particulars as if it were a separate entry.

28. In a case where the expression "the respondent" relates to more than one person-

Application of rules in relation to more than one respondent

- (a) the provisions of paragraph (c) of rule 22, rule 24 and sub-rule (1) of rule 26 shall all apply separately to each such person;
- (b) the provisions of sub-rule (2) of rule 26 shall apply only if all those persons appear or the Disciplinary Committee has decided under sub-rule (1) of rule 20 to proceed with the inquiry;
- (c) the provisions of paragraphs (b) and (c) of sub-rule (2) of rule 26 shall apply in relation to each of those persons as if he alone were the respondent, and where more than one of those persons appear and wish to adduce evidence or address the Disciplinary Committee, the Disciplinary Committee shall determine the order in which it shall proceed under the said paragraph (b).

PART V

PROCEEDINGS RELATING TO RESTORATION OF REGISTRATION

29. (1) Subject to any directions given by the Chairman in special circumstances, an application for restoration of name to a register shall not be considered by the Disciplinary Committee unless and until it has been supported by a statutory declaration made by the applicant as nearly as possible to the form set out in Part I of the Second Schedule, and by a certificate of identity and good character given by a fully registered practitioner as nearly as possible to the form set out in Part II of the Second Schedule and the applicant may also submit certificates and other documentary evidence as to his conduct since his name was erased from the register.

Proceedings relating to restoration of registration

(2) At the hearing of the application, the Chairman shall first invite the registrar to recall the circumstances in which the applicant's name was erased from the register, and, if he so desires, to address the Disciplinary Committee and to adduce evidence as to the conduct of the applicant since that time.

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(3) The Chairman shall next invite the applicant to address the Disciplinary Committee, and, if he so desires, to adduce evidence as to his conduct since his name was erased from the register.

(4) The Disciplinary Committee may, if it thinks fit, receive observations on the application from the university or other examining authority which granted the qualification by virtue of which the applicant was originally registered.

(5) Subject to the foregoing provisions of this rule, the procedure of the Disciplinary Committee in connection with such applications shall be such as it may determine.

PART VI

GENERAL

30. (1) A meeting of the Disciplinary Committee may be summoned at any time by direction of the Chairman and may be adjourned from time to time as the Disciplinary Committee thinks fit.

Meetings of
Disciplinary
Committee

(2) Meetings of the Disciplinary Committee shall, except in so far as the Chairman may otherwise direct, be held at the offices of the Council.

31. A summons requiring the attendance of a witness before the Disciplinary Committee and the production of any book, record, document or thing shall be as nearly as possible to the form set out in the Third Schedule and shall be served either-

Summons for
attendance of witness
and production of
book, record,
document, etc.

- (a) personally upon such person, any agent of such person authorised to accept service on his behalf, or any adult member of the family of such person; or
- (b) by registered letter addressed to him at his last known address.

32. (1) Subject to the provisions of sub-rule (2), all proceedings before the Disciplinary Committee shall take place in the presence of all parties thereto and shall be held in public.

Admission and
exclusion of public

(2) Where in the interests of justice or for any other special reason it appears to the Disciplinary Committee that the public should be excluded from any proceedings or part thereof, the Disciplinary Committee may direct that the public shall be so excluded, but a direction under this sub-rule shall not apply to the announcement in pursuance of any of these Rules of a determination of the Disciplinary Committee.

The Laws of Zambia

33. (1) Where any practitioner or applicant has supplied to the Disciplinary Committee or to the registrar on behalf of the Disciplinary Committee the name of any person to whom reference may be made confidentially as to his character or conduct, the Disciplinary Committee may consider any information received from such person in consequence of such reference without disclosing the same to the practitioner or applicant. Evidence

(2) The Disciplinary Committee may receive as evidence any such oral, documentary or other matter as, after consultation with the legal assessor, it may think fit:

Provided that, where any matter is tendered as evidence which would not be admissible as such if the proceedings were criminal proceedings in Zambia, the Disciplinary Committee shall not receive it unless, after consultation with the legal assessor, it is satisfied that its duty of making due inquiry into the case before it makes it desirable.

(3) The Disciplinary Committee may cause any person to be called as a witness in any proceedings before it whether or not the parties consent thereto.

(4) Questions may be put to any witness in proceedings before the Disciplinary Committee by any of the parties to the proceedings, by any member of the Disciplinary Committee and by the legal assessor.

34. (1) Any party being a body corporate or an unincorporated body of persons may appear by any officer or member of it duly appointed for the purpose or by a legal practitioner. Appearance of parties

(2) Any party being an individual may appear either in person or by a legal practitioner or by any officer or member of any organisation of which he is a member.

35. Without prejudice to any requirement of these Rules as to the service of documents by registered post, any notice authorised or required by these Rules may be sent by post. Service of documents

36. (1) The Disciplinary Committee shall cause minutes of its proceedings to be kept. Minutes of meetings

(2) Any party to proceedings of the Disciplinary Committee shall, on application to the registrar, be furnished by the registrar with any part of the minutes of the proceedings at which the parties were entitled to be present.

FIRST SCHEDULE

The Laws of Zambia
(Rule 6 (3))

NOTICE OF INQUIRY

(Date)

Sir/Madam.

On behalf of the Medical Council of Zambia notice is hereby given to you that in consequence of (a complaint made against you to the Council) or (information received by the Council) an inquiry is to be held into the following charge (charges) against you:

That, being registered under the Medical and Allied Professions Act, 1977, on the register of fully (provisionally) (temporarily) registered you (set out briefly the facts alleged); and that in relation to the facts alleged you have been guilty of infamous conduct in a professional respect.

(Where there is more than one charge, the charges are to be numbered consecutively.)

Notice is further given to you that on (day of the week), the day of, 19....., a meeting of the Disciplinary Committee will be held at, at hours to consider the above-mentioned charge (charges) against you, and to determine whether or not it should impose any of the penalties mentioned in section 55 (1) of the Medical and Allied Professions Act, 1977.

.....
Registrar to the Medical Council of Zambia

You are hereby invited to answer in writing the above-mentioned charge (charges) and also to appear before the Disciplinary Committee at the place and time specified above, for the purpose of answering it (them). You may appear in person or by a legal practitioner, or by any officer or member of any organisation of which you are a member. The Disciplinary Committee has power, if you do not appear, to hear and decide upon the said charge (charges) in your absence.

Any answer, admission, or other statement or communication, which you may desire to make with respect to the said charge (charges), should be addressed to the Council.

If you desire to make any application that the inquiry should be postponed, you should send the application to the registrar as soon as may be, stating the grounds on which you desire a postponement. Any such application will be considered by the Chairman of the Council in accordance with rule 8 of the Medical and Allied Professions (Disciplinary Proceedings) Rules, 1982.

A copy of the Medical and Allied Professions (Disciplinary Proceedings) Rules, 1982, is sent herewith for your information.

.....
Registrar to the Medical Council of Zambia

SECOND SCHEDULE

(Rule 29 (1))

PART I

STATUTORY DECLARATION BY APPLICANT

The Laws of Zambia

I, now holding the qualifications of do solemnly and sincerely declare as follows:

- 1. THAT I am the person formerly registered on the register of fully (provisionally) (temporarily) registered with the name and with the qualifications of and I hereby apply for the restoration of my name to that register.
2. THAT at an inquiry held on the day of, 19....., the Disciplinary Committee directed the erasure of my name from the said register.
3. THAT since the erasure of my name from the said register I have been residing at and my occupation has been
4. THAT it is my intention if my name is restored to the said register to
5. THAT the grounds of my application are

AND I make this solemn declaration, conscientiously believing the same to be true.

..... Signature of Applicant

Declared at this day of, 19.....

BEFORE ME

..... Commissioner for Oaths

PART II

CERTIFICATE OF IDENTITY AND GOOD CHARACTER

I, of certify as follows:

- 1. THAT I have read the statutory declaration made on the day of, 19....., by
2. THAT the said is the same person as who was formerly registered on the register of fully (provisionally) (temporarily) registered with the following address and qualifications
3. THAT I have been and am well acquainted with the said both before and since his name was erased from the said register, and I believe him to be now a person of good character, and the statements in the said declaration are, to the best of my knowledge and belief, true.

Signature
Registered Address
Registered Qualifications and full Registration Certificate
Number
Date

THIRD SCHEDULE

(Rule 31)

The Laws of Zambia
THE MEDICAL AND ALLIED PROFESSIONS ACT, 1977

THE MEDICAL AND ALLIED PROFESSIONS (DISCIPLINARY PROCEEDINGS)

Rules, 1982

SUMMONS TO APPEAR BEFORE THE DISCIPLINARY COMMITTEE OF THE MEDICAL COUNCIL OF ZAMBIA

To:

(Name of person summoned and his calling and residence)

YOU ARE HEREBY SUMMONED to appear at (place) on (day of the week), the day of, 19....., at hours before the Disciplinary Committee of the Medical Council of Zambia established under the Medical and Allied Professions Act, 1977, to give evidence respecting (if the person summoned is to produce any book, record, document or thing, add) and you are required to bring (Specify the book, record, document or thing required.)

GIVEN under my hand at this day of, 19.....

Chairman, Medical Council of Zambia

THE MEDICAL AND ALLIED PROFESSIONS ACT

*Statutory Instrument
141 of 1990*

SECTION 33-THE MEDICAL AND ALLIED PROFESSIONS (DENTAL CLINICAL OFFICERS)
(TRAINING) RULES

Rules by the Medical Council

1. These Rules may be cited as the Medical and Allied Professions (Dental Clinical Officers) (Training) Rules. Title

2. In these Rules unless the context otherwise requires- Interpretation

"Council" means the Medical Council of Zambia;

"Registrar" means the Registrar of the Council;

The Laws of Zambia

"student" means a person undergoing training at any institution recognised by the Council for the training of dental clinical officers;

"syllabus" means a syllabus approved by the Council for the training of dental clinical officers;

"training institution" means an institution recognised by the Council for the training of dental clinical officers under rule (4);

"training period" means a period of training prescribed by the Council under these Rules.

3. (1) For the purpose of enabling a person to become qualified to carry out the functions of a dental clinical officer, the Council may grant a diploma in dental sciences to any person who has qualified under these Rules for the grant thereof. Grant of diploma dental sciences

(2) The diploma in dental sciences shall be in the form set out in the First Schedule.

4. (1) The training of dental clinical officers shall be conducted at the Dental Training School in Lusaka, or at any other institution the Council may recognise as a training institution for dental clinical officers. Training institution

(2) The Council may recognise any institution as a training institution if it is satisfied that:

- (a) there is adequate space, equipment and accommodation for teaching and training;
- (b) where the training institution is residential, there is adequate residential and hostel accommodation and facilities;
- (c) there are suitably qualified supervisory and teaching staff who have adequate oral health, hygiene and dental clinical experience and knowledge for the purpose of training students;
- (d) where practicable in the opinion of the Council, there is a committee on education.

5. (1) Subject to sub-rule (2) a person shall be eligible for admission to train as a dental clinical officer if he- Eligibility for admission to train as dental clinical officer

The Laws of Zambia

- (a) possesses a minimum of grade 12 level of education with credits in English, Mathematics and Biology or Physical Science;
- (b) has attained the age of at least seventeen years on the last day of the month in which the course commences; and
- (c) is of good health and character.

(2) Notwithstanding sub-rule (1), the Council may admit a person to train as a dental clinical officer at any stage of the course if the Council is satisfied that the person has sufficient experience or training to merit exemption from the requirements of sub-rule (1).

6. (1) Subject to sub-rule (2) of rule (5) the period of training for dental clinical officers shall be three years inclusive of- Period of training

- (a) periods of vacation leave not exceeding eight weeks during each year of the course of training; and
- (b) periods of sick leave not exceeding three weeks during each year of the course of training.

(2) except for the periods of vacation leave or sick leave specified in sub-rule (1) or any period recognised by the Council under sub-rule (3), the training of a student shall be continuous throughout the training period and if there is any interruption, no recognition shall be accorded to a student in respect of any period of training undergone prior to such interruption.

(3) Where the training of a student is interrupted for a period not exceeding two years and the Council is satisfied that the reasons for such interruption are reasonable, having regard to all the circumstances of the case, it may recognise the whole or any part of the training undergone by the student prior to such interruption as counting towards the period of training prescribed under sub-rule (1).

7. (1) During his course of training, a student shall receive theoretical and practical instruction in every subject prescribed for the class in which he is a student under these Rules. Instructions of students

(2) Without prejudice to the provision of sub-rule (1), a student shall be instructed according to the syllabus approved by the Council and the curriculum set out in the Second Schedule.

(3) Every lecture given to a student on a subject prescribed by these Rules for an examination shall be delivered by the teaching staff of the training institution where the student is undergoing his training.

The Laws of Zambia

(4) The teaching staff of a training institution shall be appointed by the body responsible for administration of that institution, which shall inform the Council of any appointments so made.

(5) The instruction of every student shall, except where the Council otherwise declares in writing, be generally supervised by a registered dental surgeon or registered dental clinical officer.

8. (1) Every student shall, at the commencement of his training, be furnished with a practical work record book, in a form approved by the Council, in which the teaching of techniques specified in the appropriate syllabus shall be recorded in the manner prescribed in the practical work record book by the person in charge of that part of the training.

Practical work record book

(2) The practical work record book shall be produced to the examiner whenever the student undergoes an examination under these Rules.

9. Dental clinical officers examinations specified in the Third Schedule shall be held as directed by the Council.

Institution of examinations

10. A student shall be eligible to be entered for an examination held under these Rules-

Entry to examinations

- (a) if he has fulfilled the requirements set out in the Third Schedule, or has been exempted from them by the Council;
- (b) if he has completed an entry form as set out in Form 1 in the Fourth Schedule accompanied by such examination fee as may be determined by the Council and approved by the Minister; and
- (c) if a certificate of eligibility in the form set out in the Fourth Schedule has been obtained from the head of department when the examination is a final examination.

11. (1) The examinations shall consist of such written, oral and practical examinations as are prescribed in the Third Schedule.

Tests comprising examinations

(2) A practical and oral examination shall be supervised by one or more examiners appointed by the Council.

(3) Unless the Council decides otherwise, no student may sit for the same examination more than three times.

The Laws of Zambia

12. (1) To satisfy the examiners in the examination, it shall be necessary for a student to obtain fifty per centum of the total marks in each of the written papers, the practical and the oral examinations. Percentage of marks required

(2) No student shall be declared as having passed a final examination unless he has satisfied the examiners in all the parts of the examinations.

13. (1) The list of successful students in an examination held under these Rules shall be published in alphabetical order, classified into three divisions, known as "Distinction", "Credit" and "Pass". Publication of examination results

(2) To be classified in the Distinction division in the final examination, a student shall obtain seventy-five per centum or over, for Credit division sixty-five to seventy-four per centum and Pass division, fifty to sixty-four per centum.

14. Where any person had commenced his period of training prior to the coming into force of these Rules and at that date has satisfactorily completed a portion of his training, such portion shall, unless the Council otherwise decides, be deemed to be training under these Rules, and the period shall in all respects be deemed to be a student under these Rules. Transitional provision

FIRST SCHEDULE

(Rule 3 [2])

DIPLOMA

This is to certify that has fulfilled examination requirements and is awarded a diploma in dental sciences, approved by the Medical Council of Zambia in terms of the provisions of the Medical and Allied Professions Act, Cap. 544.

Date

.....
Chairman Examination Council

.....
Registrar

SECOND SCHEDULE

(Rule 7[2])

CURRICULUM

The Laws of Zambia

The training of Dental Clinical Officers shall comprise both theoretical and practical instructions in the following courses: Human Biology, Mathematics and Statistics, Physics, Chemistry, Social Anthropology, Psychology, Medicine, Dental Health Services, Public Health Dentistry, Restorative Dentistry, Periodontics, Exodontia, Orthodontics, Dental Radiography, Paedodontics, Dental Equipment, Materials, Legal Aspects and Administration, Patient Management, Referral, Diagnostic Aids, Pharmacology, Therapeutics, Anaesthetics, Study Skills and Dental Practice.

THIRD SCHEDULE

(Rule 9)

EXAMINATIONS

Introductory Courses

The Laws of Zambia

A student shall be eligible to sit for an Introductory Course Examination which shall be conducted by the staff of the training institution if by the date fixed for the Introductory Course Examination, he shall have satisfactorily completed not less than twelve weeks of his training period. The examination shall be conducted in the following subjects:

1. Physics
2. Chemistry
3. Mathematics and Statistics
4. Human Biology
5. Social Anthropology
6. Psychology
7. Study Skills
8. Language of Work

Internal Assessment

A student shall be eligible to sit for the Internal Assessment which shall be conducted by the staff of the training institution, if he has passed the Introductory Examinations, and if by the date fixed for the Internal Assessment he shall have completed not less than 40 working weeks of his training period. The examination shall be conducted in the following subjects:

1. Principles of Dentistry:
 - (a) Public Health Dentistry
 - (b) Dental Health Services
 - (c) Periodontology
 - (d) Exodontia
 - (e) Orthodontics
 - (f) Paedodontics
 - (g) Radiography
2. Pharmacology
 - (a) Pharmacology
 - (b) Therapeutics
 - (c) Anaesthetics
3. Applied Dentistry:
 - (a) Equipment
 - (b) Materials

Intermediate Examination

A student shall be eligible to be entered for the Intermediate Examination if he has passed the Internal Assessment and if by the date fixed for the commencement of the Intermediate Examination he shall have completed not less than 80 working weeks of his training period. The Intermediate Examination shall consist of written, oral and practical examination in the following subjects:

1. Dental Practice:
 - (a) Administration
 - (b) Management
 - (c) Ethics, Law
 - (d) Diagnosis
2. Pharmacology:
 - (a) Anaesthetics
 - (b) Medicine
3. Applied Dentistry:
 - (a) Dental Materials
 - (b) Dental Equipment
 - (c) Diagnostic Aids

Final Examination

A student shall be eligible to be entered for the Final Examination if he has passed the Intermediate Examination and if by the date fixed for the commencement of the Final Examination he has completed not less than 120 working weeks of his training period and has undergone the practical instruction in Government hospitals and training school necessary for the completion of his dental clinical work record.

The Final Examination shall take the form of written papers, practical and oral examination in which the examiners shall assess the student in respect of his ability to practice as a Registered Dental Clinical Officer in the following subjects:

- PAPER I: Human Biology
 Medicine
 Psychology
 Pharmacology

The Laws of Zambia

FOURTH SCHEDULE

(Rule 10 [b])

FORM 1

EXAMINATION ENTRY FORM

..... 19.....
Candidates for examination are asked to enter all details requested below and return the form immediately to the Medical Council of Zambia, P.O. Box 32554, LUSAKA, together with the examination fee.

Surname (in BLOCK LETTERS)

Other names

Age day month year

Place of birth

Permanent address

Training school

Class

Date of commencement of training

To the best of my knowledge this is a true statement.

Fee K..... cheque\money order or postal order.

Date

Signature of Student

(Rule 10 [c])

CERTIFICATE OF ELIGIBILITY TO SIT FOR EXAMINATIONS

Name of student.....

Age of student.....

I hereby certify that the student has fulfilled the conditions of entry to the examination as mentioned in rule 10 of the Medical and Allied Professions (Dental Clinical Officers) (Training) Rules, 1990, for (state class) and he is eligible to be entered for the examination.

Date

Supervisor of Training Institution

Made by the Medical Council of Zambia at Lusaka this day of 1990.

Chairman

Approved by me at Lusaka this day of 1990.

Minister of Health

THE MEDICAL AND ALLIED PROFESSIONS ACT

SECTION 52-THE MEDICAL AND ALLIED PROFESSIONS (ESTABLISHMENT AND
REGISTRATION OF CONSULTING ROOMS) RULES

Statutory Instrument
153 of 1981
Act No.
13 of 1994

Rules by the Medical Council

1. These Rules may be cited as the Medical and Allied Professions (Establishment and Registration of Consulting Rooms) rules. Title

2. In these Rules, unless the context otherwise requires- Interpretation

"consulting room" means premises intended to be used for consultation, advice and treatment of patients provided by a registered practitioner but shall not include-

(a) a consulting room maintained by the Government;

(b) any health institution controlled by-

(i) a church;

(ii) a local authority;

(iii) a mining company in which the Government has controlling shares;

"practitioner" means a person registered with the Council.

3. (1) No consulting room shall be established or conducted unless it is registered under these Rules. Registration of consulting rooms

(2) An application for registration of a consulting room shall be made to the Council in the form prescribed in the First Schedule.

(3) Every application for registration of a consulting room shall be accompanied by-

(a) a certificate of inspection prescribed in the Second Schedule; and

(b) a registration fee of six hundred and twenty five fee units.

(4) A certificate of registration shall be in the form prescribed in the Third Schedule.

(As amended by Act No. 13 of 1994)

4. An application for the renewal of registration of a consulting room shall be made to the Council in the form prescribed in the First Schedule, prior to the 31st day of October in the year preceding the year for which the renewal is applied for and shall be accompanied by a fee of two hundred and fifty fee units.

Renewal of registration

(As amended by Act No. 13 of 1994)

5. (1) Every person wishing to establish or conduct a consulting room must satisfy the Council-

Requirements for registration of consulting room

(a) that the premises intended to be used as a consulting room complies with the requirements for a public place under the Public Health Act and, in addition, has got the following facilities:

- (i) a waiting room;
- (ii) a consulting room;
- (iii) an examination room with adequate privacy and an examination couch;
- (iv) a toilet;
- (v) a treatment room with a resuscitation tray, steriliser and soiled dressing and syringe disposal facilities;
- (vi) adequate running water;
- (vii) suitable storage of poisons, therapeutic, psycho-tropic and dangerous drugs;

(b) that the practitioners, paramedical and nursing staff employed or to be employed thereat are registered with the Council or under the Nurses and Midwives Act, as the case may be.

Cap. 300

6. The Council may refuse to register a consulting room if it is satisfied-

Refusal of registration

- (a) that the proprietor thereof or any person registrable under the Act employed thereat is not a fit person to carry on, or be employed at a consulting room of such description as the one in respect of which the application has been made; or
- (b) having regard to the situation, premises, construction, accommodation, equipment, medical and other staff and other requirements of the Act or of these Rules, the consulting room is not fit to be used as such; or
- (c) that the person in charge of the consulting room is not or will not be a registered medical practitioner or dental surgeon.

7. The Council may, in accordance with the provisions of section *forty-eight* of the Act, exempt any consulting room from all or any of the provisions of these Rules.

The Laws of Zambia

Made by the Medical Council of Zambia this 21st day of December, 1981.

FIRST SCHEDULE

(Rule 3 (1))

THE MEDICAL COUNCIL OF ZAMBIA

THE MEDICAL AND ALLIED PROFESSIONS ACT, 1981

THE ESTABLISHMENT AND REGISTRATION OF CONSULTING ROOMS RULES, 1981

*APPLICATION FOR REGISTRATION/RENEWAL OF REGISTRATION

The Registrar,
Medical Council of Zambia,
P.O. Box 32554,
Lusaka

I hereby apply for *registration/renewal of registration of the Consulting Room, the particulars whereof are given hereunder:

Name of the Consulting Room

Postal Address

Plot No.

Phone No.

Name of the Owner

Postal Address

.....

Dated this day of, 1981

.....

Signature of the Applicant

*Delete whichever is inapplicable.

SECOND SCHEDULE

(Rule 3 (3) (a))

THE MEDICAL COUNCIL OF ZAMBIA

The Laws of Zambia

THE MEDICAL AND ALLIED PROFESSIONS ACT, 1977

THE ESTABLISHMENT AND REGISTRATION OF CONSULTING ROOMS RULES, 1981

INSPECTION CERTIFICATE

Name of Consulting Room

Postal Address

Telephone No.

Plot/Street No.

Name of Practitioner(s)

.....

.....

Practitioners Certificate(s) of Registration No.

.....

List of Director(s) (If a Company)

.....

.....

.....

List of Name(s) of Nursing and other Paramedical Staff

.....

.....

.....

It is hereby certified that the above-mentioned Consulting Rooms have been subjected to an inspection and have/have not been adjudged to comply with the requirements enumerated in the Establishment and Registration of Consulting Rooms Rules, 1981.

Signed by (1)

(2)

(3)

Inspector(s)

THIRD SCHEDULE

(Rule 3 (4))

THE MEDICAL COUNCIL OF ZAMBIA

THE MEDICAL AND ALLIED PROFESSIONS ACT, 1977

THE ESTABLISHMENT AND REGISTRATION OF CONSULTING ROOMS RULES, 1981

REGISTRATION CERTIFICATE

The Laws of Zambia

No.

THIS IS TO CERTIFY that
Consulting Rooms have been registered by the Medical Council of Zambia in accordance with the provisions of the
Establishment and Registration of Consulting Rooms Rules, 1981.

This Certificate is valid up to

.....
Registrar, Medical Council of Zambia

Date:

THE MEDICAL AND ALLIED PROFESSIONS ACT

Rules by the Medical Council with the approval of the Minister

SECTION 33-THE MEDICAL AND ALLIED PROFESSIONS (CLINICAL OFFICERS) (TRAINING)
RULES.

*Statutory Instrument
52 of 1984*

1. These Rules may be cited as the Medical and Allied Professions (Clinical Officers) (Training) Rules, and shall apply to the classes of persons specified in sub-rule (3) of rule 3. Title and application

2. In these Rules, unless the context otherwise requires- Interpretation

"Council" means the Medical Council of Zambia;

"Registrar" means the Registrar of the Council;

"student" means a person undergoing training under the provisions of these Rules;

"training period" means the period prescribed under these Rules for the course of training of a student of the class of persons mentioned in sub-rule (3) of rule 3.

3. (1) For the purpose of enabling persons to become qualified to carry out the functions of the classes of persons specified in sub-rule (3) of rule 3, the Council may grant a diploma in Clinical Medical Sciences to such persons as have qualified under these Rules for the grant thereof or may recognise a certificate granted by a training institution recognised by the Council under sub-rule (3) of rule 4. Diploma in Clinical Medical Sciences

(2) A diploma in Clinical Medical Sciences shall be in Form 1 specified in the Fifth Schedule with such adaptations as may in any particular case be necessary.

(3) The classes of persons to whom these Rules shall apply are-

- (a) Clinical Officer (General);
- (b) Clinical Officer (Psychiatric); and
- (c) Clinical Officer (Anaesthetics).

4. (1) Subject to the provisions of this rule, the Council may recognise any training institution as a training institution for a particular class of persons if, in the opinion of the Council, it provides the facilities necessary for the training of any class of persons specified in sub-rule (3) of rule 3. Training institutions

(2) The Council shall not recognise an institution as a training institution for the purpose of these Rules unless the requirements specified in the Second Schedule are, in the opinion of the Council, substantially complied with.

(3) The institutions set out in column 1 of the Third Schedule shall be deemed to have been recognised by the Council for the training of classes of persons set out in column 2 of the said Schedule.

5. Every person wishing to qualify for a diploma in Clinical Medical Sciences to be granted under these Rules shall undergo the course of training prescribed for him by these Rules at one or more training institutions: Training to be at training institution

Provided that if any person had commenced his period of training prior to the coming into force of these Rules and at that date has satisfactorily completed a portion of his training, such portion shall, unless the Council for good reason otherwise decides, be deemed to be training under these Rules, and the person shall be in all respects deemed to be a student under these Rules.

6. Subject to the provisions of rule 7, a person shall be eligible for admission to a training institution for the purpose of undergoing a course of training in the class set out in Column 1 of the Fourth Schedule if he possesses the minimum educational standards specified in column 2 of the said Schedule. Admission to training institution

7. (1) Subject to the provisions of rule 5 and to sub-rule (4) of this rule, the period of the course of training for a student in any class prescribed in sub-rule (3) of rule 3 shall be the period prescribed in the Sixth Schedule relating to such class, inclusive of- Period of training

- (a) periods of vacation leave not exceeding four weeks per year; and
- (b) periods of sick leave not exceeding three weeks during each year of the course of training.

(2) Save for the periods of vacation leave or sick leave specified in sub-rule (1) or any period recognised by the Council under sub-rule (3), the training of a student shall be continuous throughout the whole period of the course of training and, on any interruption thereof, no recognition shall be accorded to the student in respect of any period of the course of training undergone prior to such interruption.

(3) Where the course of training of a student is interrupted for a period not exceeding two years and the Council considers that the reasons for such interruption are reasonable, having regard to all circumstances of the case, it may recognise the whole or any part of the period of training undergone by the student prior to such interruption as counting towards the period of training prescribed under sub-rule (1).

(4) The Council may allow a person to enter training at any stage of the course if the Council is satisfied that he has sufficient previous training or experience to merit his exemption from the requirements of rule 6.

8. (1) During his course of training, a student shall receive theoretical and practical instruction in every subject prescribed for the class in which he is a student by or under these Rules

Instruction of students

(2) Without derogation from the generality of the provisions of sub-rule (1), a student shall be instructed according to the syllabus from time to time approved by the Council and the curriculum set out in the Sixth Schedule.

(3) Every lecture given to a student on a subject prescribed by these Rules for an examination shall be delivered by the teaching staff of the training institution whereat the student is undergoing his training. The teaching staff of a training institution shall be appointed by the body responsible for administration of that institution, who shall inform the Council of any appointments so made.

(4) The instruction of every student shall, except where the Council may for good reason declare in writing otherwise, be generally supervised by a fully registered medical practitioner or a registered Clinical Officer.

Practical work record

9. (1) Every student shall, at the commencement of his training, be furnished with a practical work record, in a form approved by the Council, on which the teaching of techniques specified in the appropriate syllabus from time to time approved under sub-rule (2) of rule 8 shall be recorded in the manner prescribed in the practical work record by the person in charge of that part of the training.

(2) The practical work record shall be produced to the examiner whenever the student undergoes an examination held under these Rules.

10. For the purposes of these Rules, the examinations specified in the Sixth Schedule relating to each of the classes of persons described in sub-rule (3) of rule 3 shall be held from time to time as directed by the Council. Institution of examinations

11. A student shall be eligible to be entered for an examination to be held under these Rules- Entry to examinations

- (a) if he has fulfilled the requirements set out in the Sixth Schedule for the class in which he is a student, or has been exempted therefrom by the Council;
- (b) if he has completed an entry form as set out in Form 2 in the Fifth Schedule accompanied by the appropriate examination fee determined by the Council and approved by the Minister from time to time; and
- (c) if the examination is a final examination, a certificate to the effect that his conduct during his training period has been satisfactory, he has obtained a certificate of eligibility in Form 2 set out in the Fifth Schedule from the head of his department and he is the holder of a certificate issued by a fully registered medical practitioner stating that he has medically examined the student and declaring that the student's health is such that no danger to his patients would be involved by his carrying out his functions.

12. (1) The examinations shall consist of such written, oral and practical examinations as are prescribed for each class of persons in the Sixth Schedule. Tests comprising examinations

(2) A practical and oral examination shall be supervised by one or more registered medical practitioners, as the case may be, appointed or approved by the Council.

(3) Unless the Council for good reason in any particular case decides otherwise, no student may sit for the same examination more than three times.

13. (1) To satisfy the examiners in the examinations, it shall be necessary for a candidate to obtain fifty per centum in each of the written papers and the practical and the oral examinations. Percentage of marks required

(2) No candidate shall be declared as having passed a final examination unless on the same occasion he has satisfied the examiners in all the parts of the examinations.

14. (1) The list of successful candidates in an examination held under these Rules shall be published in alphabetical order, classified into two divisions, to be graded as "Credit Division" and "Pass Division". Publication of examination results

The Laws of Zambia

(2) To enter Credit Division in the final examination, a candidate must obtain seventy-five per centum or over; and for Pass Division fifty per centum or over in all parts separately.

Made by the Medical Council of Zambia at Lusaka this 20th day of March, 1984.

FIRST SCHEDULE (*Rule 3 (3)*)

<i>Column 1</i> <i>Class of Persons</i>	<i>Column 2</i> <i>Diploma</i>
Clinical Officer	Diploma in Clinical Medical Sciences Abbreviated: Dip. Clin. Med. Sc.
Clinical Officer (Psychiatric)	Diploma in Clinical Medical Sciences Abbreviated: Dip. Clin. Med. Sc.(Psy)
Clinical Officer	Diploma in Clinical Medical Sciences (Anaesthetics) Abbreviated: Dip. Clin. Med. Sc. (A)

SECOND SCHEDULE

(*Rule 4 (2)*)

REQUIREMENTS FOR RECOGNITION OF TRAINING INSTITUTE

- All Training Institutions shall comply with the following provisions:
 - possess adequate space, equipment and accommodation for teaching and training;
 - possess, where the Institute is residential, adequate residential and hostel accommodation and facilities;
 - have suitably qualified supervisory and teaching staff who have adequate clinical experience and theoretical knowledge for the purpose of training;
 - have an Education Committee where, in the opinion of the Council, it is practicable.
- In addition to paragraph 1 the Training Institutions for the class of persons set out in column 1 shall comply with the provisions set out in column 2.

<i>Column 1</i> <i>Class of Persons</i>	<i>Column 2</i> <i>Requirements</i>
Clinical Officer shall be 1:20;	(a) Minimum overall ratio of teachers to students
Clinical Officer (Psychiatric) Clinical Officer (Anaesthetics)	(b) shall be attached to both Rural and Urban Health Centres. Such services shall, provide adequate standard of patient care, promotive and preventive outreach.

THIRD SCHEDULE

(*Rule 4 (3)*)

RECOGNISED TRAINING INSTITUTIONS

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<i>Column 1</i> <i>Institution</i>	<i>Column 2</i> <i>Class of Persons</i>
Chainama College of Health Sciences	Clinical Officer
Chainama College of Health Sciencesz	Clinical Officer (Psychiatric)
University Teaching Hospital	Clinical Officer (Anaesthetics)

FOURTH SCHEDULE

<i>Column 1</i> <i>Class of Persons</i>	<i>Column 2</i> <i>Minimum Educational Requirements</i>
Clinical Officer and Clinical Officer (Psychiatric)	<p>(Rule 6)</p> <p>A candidate shall be eligible for admission to the college if-</p> <p>(a) the candidate satisfied the following educational requirements: Full Cambridge School Certificate or GCE 'O' Level (5 subjects) including English Language, Physical Science, Mathematics and Biology.</p> <p>(b) The candidate must have attained the age of at least seventeen years on the last day of the month in which the course commences.</p> <p>(c) The candidate must satisfy the Committee as to his aptitude and suitability to undergo Clinical Officer training.</p>
Clinical Officer (Anaesthetics)	Diploma in Clinical Medical Sciences.

FIFTH SCHEDULE

(Rules (2) and 11 (1))

DIPLOMA

This is to certify that
has fulfilled examination requirements and is awarded a Diploma in Clinical Medical Sciences. Approved by the Medical Council of Zambia in terms of the provisions of the Medical and Allied Professions Act, Cap. 544.

Date

.....
Chairman
Examinations Committee

.....
Registrar

EXAMINATION ENTRY FORM

The Laws of Zambia

Section 1

..... 19.....

Candidates for examination are asked to enter all details requested below and return the form immediately to the Head of the Training Institution together with the examination fees determined by the Council and approved by the Minister of Health from time to time.

Surname (in BLOCK LETTERS)

Other Names:

Sex:

Date of Birth:

National Registration Card No.

Training Institution:

Address:

Class (Rule 3 (3)):

Date of commencement of training:

To the best of my knowledge this is a true statement.

Fee: K.....Money Order/Postal Order.

Date.....

.....

Signature of Candidate

Section 2

Name of Applicant:

I hereby certify that the applicant has fulfilled the conditions of entry to the examination as mentioned in Rule 11 of these Rules, for: (state Class: Rule 3 (3)) and he is eligible to be entered for the: Examination.

Date:

.....

Head of Department

SIXTH SCHEDULE

(Rules 7, 8, 10, 11 and 12)

TRAINING PERIOD, CURRICULUM, EXAMINATION, ETC..

The Laws of Zambia

Clinical Officer (General)

Period

The course of training shall extend over a period of not less than three years.

Curriculum

The training shall comprise both theoretical and practical instruction in Clinical Medical Sciences (General) and Community Health at Health Centre level.

Introductory Courses-A student shall be eligible to sit for an Introductory Course Examination which shall be conducted by the staff of the Training Institution if by the date fixed for the Introductory Course Examination, he shall have satisfactorily completed not less than twelve weeks of his training period.

Examination

Internal Assessment-a student shall be eligible to sit for the Internal Assessment which shall be conducted by the staff of the Training Institution if he has passed the Introductory Course Examination if by the date fixed for the Internal Assessment he shall have completed not less than fifty-two weeks of his training period.

Intermediate Examination-a student shall be eligible to be entered for the Intermediate Examination if he has passed the Internal Assessment and by the date fixed for the commencement of the Intermediate Examination he shall have completed not less than twenty-four months of his training period. The Intermediate Examination shall consist of written papers in medicine, surgery, obstetrics and gynaecology, health education and community health and practical and oral examination in medicine, surgery, community health and health education.

Final Examination-a student shall be eligible to be entered for the Final Examination if he has passed the Intermediate Examination and by the date fixed for the commencement of the Final Examination he will have completed not less than three years of his training period and he will have undergone the practical instruction in rural health service necessary for the completion of his Clinical Officers (General) Work Record. The Final Examination shall take the form of a practical and oral examination in which the Examiners shall assess the student in respect of his ability to practise as a Registered Clinical Officer (General) in the following subjects:

Medicine
Paediatrics
Surgery
Obstetrics and Gynaecology
Community Health
Health Education
Medical Laboratory and Administration

The Examiners shall also inspect the Practical Work Record Book.

Clinical Officer (Psychiatric)

Period

The course of training shall extend over a period of not less than three years.

Curriculum

The training shall comprise both theoretical and practical instructions, the nursing, diagnosis, and treatment of psychiatric patients with an emphasis upon the individual as a whole person in a community.

Introductory Course: a student shall be eligible to sit for an Introductory Course Examination which shall be conducted by the staff of the Training Institution if by the date fixed for the Introductory Course Examination, he shall have satisfactorily completed not less than twelve weeks of his training course.

Examination

Internal Assessment: a student shall be eligible to sit for the Internal Assessment which shall be conducted by the staff of the Training Institution if by the date fixed for the Internal Assessment he will have satisfactorily completed not less than fifty-two weeks of his training period.

Intermediate Examination-a student shall be eligible to be entered for the Intermediate Examination if he has passed the Internal Assessment and by the date fixed for the commencement of the Intermediate Examination, he will have completed not less than twenty-four months of his training period.

The Intermediate Examination shall consist of-

- (a) a written test in Human Biology including Medicine, Surgery and First Aid;
- (b) a written test in psychiatry (including the basic behavioural sciences);
- (c) a written test in psychiatric care; and
- (d) a practical and oral test.

Final Examination-a student shall be eligible to be entered for the Final Examination if he has passed the Intermediate Examination and by the date fixed for the commencement of the Final Examination he will have completed not less than three years of his training period; and he will have undergone the practical instruction at such general hospital psychiatric units and other specified units as are stipulated.

The Final Examination shall take the form of a practical and oral examination in which the examiner shall assess the student in respect of his ability-

- (a) to make a diagnosis, including history taking, simple examination and routine ward (laboratory) tests carried

THE MEDICAL AND ALLIED PROFESSIONS ACT

Statutory Instrument
36 of 1985
Act No.
13 of 1994

SECTION 42-THE MEDICAL AND ALLIED PROFESSIONS (PRESCRIBED UNIFORMS AND BADGES) REGULATIONS

Regulations by the Minister

1. These Regulations may be cited as the Medical and Allied Professions (Prescribed Uniforms and Badges) Regulations.

Title
2. The uniforms, badges or tokens specified in the Schedule hereto shall be the uniforms, badges or tokens to be worn or used only by classes of persons registered under section *sixteen* of the Act.

Uniforms, badges, etc., for registered persons
3. Any person who, not being a registered practitioner under section *sixteen* of the Act, wears any prescribed uniform or badge or token indicating or calculated to lead persons to infer that he is so registered, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred and twenty five penalty units.

Prohibition on wearing or use of uniforms or badges by persons not registered

(As amended by Act No. 13 of 1994)
4. Any person who operates a consulting room or having been appointed to take charge of any medical or health institution which employs or to which are seconded registerable medical or paramedical personnel, fails to ensure that registered practitioners at that consulting room or medical or health institution wear their prescribed uniform or badge or token, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred and twenty five penalty units.

Penalty for owners of consulting rooms, etc.

(As amended by Act No. 13 of 1994)

SCHEDULE

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(Regulation 2)

A. For All Professions

Prescribed Badge or Token

1. Compulsory

A plastic badge measuring about 6cm x 1 cm bearing the name of the practitioner inscribed in black letters on a white background, to be worn on the right lapel.

2. Optional

A plastic badge measuring approximately 6cm x 1cm indicating the practitioner's profession inscribed in red letters on a white background prefixed with the words "MCZ Registered Practitioner", worn on the right lapel.

B. For Individual Professions

Prescribed Uniforms

1. Medical Practitioners
Dental Surgeons
Pharmacists

White 3/4 length coat opening at the centre with two side pockets and one top pocket with half or full length sleeves.

2. Dental Assistants

- (i) White drill coat with roundneck fastened on the side, with a broad belt and one top small pocket;
- (ii) navy blue trousers; and
- (iii) black or brown shoes.

3. Dental Technicians

- (i) long white coat in light cotton material with long sleeves gathered at the cuffs with Chinese high collar and press-studs running from centre of collar to the bottom with flap on the chest area and two large pockets with flaps around the hip area;
- (ii) navy blue trousers; and
- (iii) black or brown shoes.

4. Clinical Officers

- (i) white coat;
- (ii) navy blue trousers for men and navy blue skirts for women;
- (iii) white long or short sleeved shirt;
- (iv) terylene stretchable belts; and
- (v) terylene black tie for Principal Clinical Officers, maroon tie for Senior Clinical Officers and navy blue tie for Clinical Officers; and
- (vi) black or brown shoes.

5. Laboratory Technicians

- (i) white long sleeved coat with two lower pockets and one breast pocket;
- (ii) navy blue trousers; and
- (iii) black or brown shoes.

6. Radiographers

- men: white short-sleeved safari shirt with two medium sized breast pockets and two big hip pockets. Black trousers and black or brown shoes.
- ladies: Nurse type white dress with one small breast pocket on the left and two big hip pockets, buttoned in front either from collar line to the midline or up to the bottom, black belt. Black or brown shoes.

7. X-Ray Assistants

As prescribed for Radiographers.

8. Physiotherapists

- (i) white 3/4 length coat with an opening at the centre with one big pocket and small pocket at top. Half or full length sleeve to individual preference. For female practitioners the coat may be lengthened to become a dress with buttons below the waist;
- (ii) navy blue trousers; and
- (ii) black or brown shoes.

9. Pharmacy Technicians

- (i) white dental surgeon type coat with short sleeved hip-length pattern which buttons up from behind with a belt which fastens at the back with a two inch upright collar, and a small pocket on the left hand side of the chest;
- (ii) navy blue trousers; and
- (iii) black or brown shoes.

10. Health Inspectors

- (i) navy blue safari suit with long or short sleeves; and

THE MEDICAL AND ALLIED PROFESSIONS ACT

Statutory Instrument
40 of 1988

SECTION 33-THE MEDICAL AND ALLIED PROFESSIONS (HEALTH ASSISTANTS) (TRAINING)
RULES

Rules by the Medical Council

1. These Rules may be cited as the Medical and Allied Professions (Health Assistants) (Training) Rules. Title

2. In these Rules, unless the context otherwise requires- Interpretation

"Council" means the Medical Council of Zambia;

"examination" means an examination prepared and supervised by the Council;

"examiner" means an examiner appointed by the Council to conduct an examination under these Rules;

"student" means a person undergoing training under the provisions of these Rules;

"training period" means the period prescribed for training under these Rules.

Certificate in Environmental Health and Hygiene

3. (1) For the purpose of enabling a person to become qualified to carry out the functions of a Health Assistant, the Council may grant a certificate in Environmental Health and Hygiene to any person, who has qualified under these Rules for the grant thereof.

(2) A certificate in Environmental Health and Hygiene shall be in the form set out in the First Schedule.

4. (1) The training of Health Assistants shall be conducted at Chainama College of Health Sciences, and at any other institution that the Council may recognise as a training institution for Health Assistants. Training institutions

(2) The Council may recognise any institution as a training institution for Health Assistants if it is satisfied that-

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- (a) there is adequate space, equipment and accommodation for teaching and training;
- (b) where the institution is residential, there is adequate residential and hostel accommodation and facilities;
- (c) there are suitably qualified supervisory and teaching staff with adequate clinical experience and theoretical knowledge of environmental health and hygiene;
- (d) where in the opinion of the Council it is practicable, there is an Education Committee.

5. (1) Subject to sub-rule (2), a person shall be eligible for admission for training as a Health Assistant if he- Admission to training institution

- (a) possesses a full Junior Secondary School Certificate with credits in English language, Mathematics and General Science or Health Science;
- (b) has attained the age of at least seventeen years on the last day of the month in which the course commences;
- (c) is of good health and character.

(2) Notwithstanding sub-rule (1), the Council may allow a person to enter training at any stage of the course if the Council is satisfied that that person has sufficient previous training or experience to merit his exemption from the requirements of sub-rule (1).

6. (1) Subject to sub-rule (2) of rule 5, the period of training for Health Assistants shall be three years inclusive of vacation leave not exceeding eight weeks during each year of the course of training. Period of training

(2) Except for periods of vacation leave specified in sub-rule (1) or sick leave or any period recognised by the Council under sub-rule (3), the training of a student shall be continuous throughout the whole period of the course of training and, on any interruption of it, no recognition shall be accorded to the student in respect of any period of the course of training undergone prior to the interruption.

(3) Where the course of training of a student is interrupted for a period not exceeding two years and the Council considers that the reasons for the interruption are reasonable, having regard to all circumstances of the case, it may recognise the whole or part of the period of training undergone by the student prior to the interruption as counting towards the period of training prescribed under sub-rule (1).

7. (1) During the course of training, a student shall receive theoretical and practical instruction in every subject prescribed for the class in which he is a student by or under these Rules. Instruction to students

(2) Without derogation from the generality of the provisions of sub-rule (1), a student shall be instructed according to the syllabus from time to time approved by the Council, and the curriculum set out in the Second Schedule.

(3) Every lecture given to a student on a subject prescribed by these Rules for an examination shall be delivered by the teaching staff of the training institution at which the student is undergoing his training.

(4) The teaching staff of a training institution shall be appointed by the body responsible for administration of that institution, which shall inform the Council of any appointments so made.

(5) The instruction of every student shall, except where the Council may otherwise for good reason declare in writing, be generally supervised by a fully registered Health Inspector or registered Health Assistant or any other person that the Council may approve.

8. (1) Every student shall at the commencement of his training be furnished with a practical work record book, in a form approved by the Council, in which the teaching of techniques specified in the appropriate syllabus approved under sub-rule (2) of rule 7 shall be recorded in the manner prescribed in the practical work record book by the person in charge of that part of the training. Practical work record book

(2) The practical work record book shall be produced to the examiner whenever the student undergoes an examination under these Rules.

9. Health Assistants examinations specified in the Third Schedule shall be held from time to time as directed by the Council. Institution of examination

10. A student shall be eligible to be entered for an examination to be held under these Rules- Entry to examination

- (a) if he has fulfilled the requirements set out in the Third Schedule, or has been exempted from them by the Council; in the Fourth Schedule accompanied by the appropriate examination fee determined by Council and approved by the Minister of Health from time to time; and
- (c) if the examination is a final examination, he has obtained a certificate of eligibility set out in the Fourth Schedule from the Head of Department, to the effect that his conduct during his training period has been satisfactory.

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11. (1) The examination shall consist of such written, oral and practical examinations as are prescribed in the Third Schedule. Tests comprising examination

(2) A practical and oral examination shall be supervised by one or more examiners.

(3) Unless the Council for good reason in any particular case decides otherwise, no student may sit for the same examination more than three times.

12. (1) To satisfy the examiners in the examination, it shall be necessary for a candidate to obtain fifty per centum in each of the written papers and in the practical and oral examinations. Percentage of marks required

(2) No candidate shall be declared as having passed a final examination unless on the same occasion he has satisfied the examiners in all the parts of the examinations.

13. (1) The list of successful candidates in an examination held under these Rules shall be published in alphabetical order, classified into three divisions, to be graded as "Distinction", "Credit" and "Pass". Publication of examination results

(2) To enter Distinction division in the final examination, a candidate must obtain seventy-five per centum or over; for Credit division sixty-five to seventy-four per centum and for Pass division fifty to sixty-four per centum.

14. Where any person had commenced his period of training prior to the coming into force of these Rules and at that date has satisfactorily completed a portion of his training, that portion shall, unless the Council for good reason otherwise decides, be deemed to be training under these Rules, and that person shall be deemed to be a student under these Rules. Transitional provision

FIRST SCHEDULE

(Rule 3 (2))

CERTIFICATE

This is to certify that has fulfilled examination requirements and is awarded a Certificate in Environmental Health and Hygiene.

.....
Date

.....
Chairman, Examination Committee

.....

.....
Registrar

The Laws of Zambia

SECOND SCHEDULE

(Rule 7 (2))

CURRICULUM

The training of Health Assistants shall comprise both theoretical and practical instructions in Environmental Health and Hygiene in the following courses:

Anatomy and Physiology, Causes of Diseases, Applied Mathematics, First Aid, Water Supply, Housing and Health, Health Services in Zambia, Introduction to Psychology, Sociology (Community Health), Refuse Storage, Collection and Disposal, Rodent Control, Health Education, Applied Physics and Chemistry, Communicable Diseases, Nutrition, Health Education and Primary Health Care, Sanitation, Inspection and Reports, Offensive Trades, Disinfection, Office Organisation and Administration, Vector Control, Building Science and Building Construction, Rodent Infestation and Control, Immunology, Immunisation, Village Planning and Housing, Appropriate Technology (Intermediate Technology), Food Hygiene and Food Hygiene of Food Premises, Health and Health Statistics, Occupational Health and Safety, Some aspects of Maternal and Child Health Services. Parasitology and Microbiology, Disposal of the Dead, Malariology and Malaria Control, Poultry Inspection, Meat Inspection, Fish Inspection and Mental Health.

THIRD SCHEDULE

(Rule 9)

EXAMINATIONS

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Introductory Course-A student shall be eligible to sit for an Introductory Course Examination which shall be conducted by the staff of the Training Institution if by the date fixed for the Introductory Course Examination, he shall have satisfactorily completed not less than twelve weeks of his training period. The examination shall be conducted in the following courses:

1. Anatomy and Physiology
2. Causes of Diseases
3. Applied Mathematics
4. First Aid
5. Water Supply
6. Sanitation
7. Vector Control
8. Housing and Health
9. Health Services in Zambia
10. Nutrition
11. Introduction to Psychology
12. Sociology (Community Health)
13. Parasitology
14. Health Education
15. Personal Health and Hygiene
16. Applied Physics and Chemistry

Internal Assessment-A student shall be eligible to sit for the Internal Assessment which shall be conducted by the staff of the Training Institution if he has passed the Introductory Course Examination if by the date fixed for the Internal Assessment he shall have completed not less than twelve months of his training period. The examination shall be conducted in the following courses-

1. *Environmental Health Studies*

- (a) Building Science
- (b) Sanitation
- (c) Water Supply
- (d) Occupation Health
- (e) Appropriate Technology

2. *Community Health*

- (a) First Aid
- (b) Immunology
- (c) Some aspects of MHC
- (d) Parasitology

3. *Food Hygiene and Nutrition*

- (a) Food hygiene and hygiene of food premises
- (b) Nutrition
- (c) Meat Inspection

4. *Control of Communicable Diseases*

- (a) Communicable Diseases
- (b) Disinfection
- (c) Vector Control
- (d) Malariology

Intermediate Examination-A student shall be eligible to be entered for the Intermediate Examination if he has passed the Internal Assessment and by the date fixed for the commencement of the Intermediate Examination he shall have completed not less than twenty-four months of his training period. The Intermediate Examination shall consist of written, oral and practicals. Written papers to carry one hundred marks each. Orals and practicals to carry one hundred marks. The examinations shall be conducted in the following Courses:

PAPER I-*Public Health Inspection and Administration*

- (a) Inspection and Reports
- (b) Office Administration

PAPER II-*Food Hygiene and Nutrition*

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FOURTH SCHEDULE

(Rule 10 (b) and (c))

FORM 1

EXAMINATION ENTRY FORM

.....19.....
Candidate for examination are asked to enter all details requested below and return the form immediately to the Medical Council of Zambia, P.O. Box 32554, Lusaka, together with the examination fee.

Surname (IN BLOCK LETTERS)

Other names

Age day month year

Place of Birth

Permanent address

Training Schoo

Class

Date of commencement of training

To the best of my knowledge this is a true statement.

Fee K..... Cheque/Money Order or Postal Order.

Date

.....

Signature of Candidate

CERTIFICATE OF ELIGIBILITY TO SIT EXAMINATION

Name of Applicant

Age of Applicant

I hereby certify that the applicant has fulfilled the conditions of entry to the examination as mentioned in rule 10 of the Medical and Allied Professions (Health Assistants) (Training) Rules, 1988 for (state class) and he is eligible to be entered for the Examination.

Date

Supervisor of Training Institution

Made by the Medical Council of Zambia in Lusaka this day of, 1988.

Medical Council of Zambia

Approved by the Minister of Health at Lusaka this 10th day of February, 1988.

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Endnotes

1 (Popup - Popup)

13th July 1973.