

*Bill Supplement to the Zanzibar Government Gazette
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NOTICE

The Bill hereunder shall be presented before the House of Representatives for the first reading which will start its session on 23rd November, of 2022 and is gazetted together with its objects and reasons for public notice.

ZANZIBAR
18th November, 2022

(Eng. Zena Ahmed Said)
***Secretary to the Revolutionary
Council and Chief Secretary***

A BILL

for

**AN ACT TO ESTABLISH THE ZANZIBAR HEALTH
SERVICES FUND AND OTHER MATTERS
RELATED THERETO**

ENACTED by the House of Representatives Zanzibar

**PART ONE
PRELIMINARY PROVISIONS**

Short title
and commencing.

1. This Act may be cited as the Zanzibar Health Service Fund Act, 2022 and shall come into operation after being assented to by the President and published in the Gazette.

Application.

2.-(1) This Act shall apply to:

- (a) workers in a public and private sector;
- (b) workers in informal sector;
- (c) foreigners living in Zanzibar where their residence exceeding six months;
- (d) retirees;
- (e) students studying in colleges or institutions of higher education in Zanzibar, except for those who shall be dependents of the Fund in accordance with provisions of this Act; and
- (f) all residents of Zanzibar.

(2) The implementation of this Act shall commence with the group prescribed under subsection (1)(a) of this section, which shall register and become the member of the Fund immediately after this Act comes into force.

(3) Without prejudice the provisions of subsection (1) of this section, implementation for the groups stipulated under subsection (1) (b), (c), (d), (e) and (f) shall be done as prescribed by the Minister by a notice published in the Gazette.

(4) The Minister may, after consultation with the Board and by a notice published in the Gazette, add or remove any group to be a member of the Fund as he may deems fit.

Interpretation.

3. In this Act, unless the context otherwise requires:

- “Accreditation” means a process of accrediting the service providers so as to provide the health services;
- “Actuary” means any expert qualified to conduct an actuarial valuation of the Fund;
- “Beneficiary” means a dependent of the member entitled to get health services under this Act;
- “Benefit package” means the health services which are provided under the provisions of this Act;
- “Board” means the Board of Directors of the Fund established under the provisions of this Act;
- “Blood relationship” means the close relationship resulting from birth or generation;
- “Child” means a child who is under the age of eighteen or under the age of twenty one years if continuing his education who is unmarried and has no employment;
- “Contribution” means an amount payable by the member or employer to the Fund in accordance with the provisions of this Act;
- “Director General” means Director General appointed in accordance with the provisions of this Act;
- “Dependent” means a biological or adopted child, an orphan child with blood relationship with a member and parent of the member;
- “Employee” means any person who is employed under any contract of service or apprenticeship with an employer, and who is receiving or is entitled to receive any remuneration;
- “Employer” means any person who has entered in to the contract of services with an employee for payment of salary;
- “Formal sector” means sector which encompasses all jobs with normal hours and regular wages, and are recognized as income sources on which income taxes must be paid;

- “Foreigner” means any person who enters in Zanzibar from anywhere outside the United Republic of Tanzania for visit, tourism, business and staying in Zanzibar for specified time;
- “Fund” means the Zanzibar Health Service Fund established under the provisions of this Act;
- “Government” means the Revolutionary Government of Zanzibar;
- “Health service provider” means any health facility licensed to provide the health services and accredited and accredited by the Fund;
- “Informal sector” means a sector which includes those workers who are self-employed, or who work for those who are self-employed who are not on payrolls and have regular working hours;
- “Inpatient services” means health services relating with staying at a hospital for the patient or any other related health services facility for health services for at least one day or more;
- “member” means any person who is registered under the Fund in accordance with the provisions of this Act;
- “Membership Card” means a membership card of the Fund issued under the provisions of this Act;
- “Minister” means the Minister responsible for the Fund;
- “Ministry” means the Ministry responsible for Health;
- “President” means the President of Zanzibar and Chairman of the Revolutionary Council;
- “Quality assurance” means the review and assessment of the quality of services provided by the service providers;

“Residents of Zanzibar” means all persons living in Zanzibar without considering their nationality who have complied with the residency requirements in Zanzibar in accordance with the relevant laws;

“Retiree” means any member of the Fund who has retired from the services according with the relevant laws;

“Salary” means the gross salary payable according to the contract of service; and

“Special Groups” includes poor people, orphans, trainees in the Institute for Education of Offenders and any other group declared by the Minister.

PART TWO

ESTABLISHMENT OF ZANZIBAR HEALTH SERVICE FUND

4.-(1) There is established the Fund to be known as the Zanzibar Health Services Fund.

Establishment
of Zanzibar
Health
Services
Fund.

(2) The Fund shall be a body corporate with perpetual succession and common seal and shall in its own name be capable of:

- (a) suing and being sued;
- (b) acquiring, holding, purchasing or disposing any movable or immovable property;
- (c) entering in to agreement, partnership; business transactions in accordance with provisions of this Act;
- (d) borrowing money from any financial institution in accordance with the provisions of Public Finance Management Act; and
- (e) performing or doing any act which the body corporate may, by law, be entitled to perform or do.

5.-(1) There shall be a common seal and logo of the Fund in a shape and size as may be determined by the Board.

Seal and
logo of the
Fund.

(2) The application of the seal and logo of the Fund on any document shall be authenticated by the signature of the Director General or any other officer of the Fund authorised by Director General.

(3) Any document purporting to be an instrument issued by the Fund shall be sealed with a seal of the Fund and authenticated in accordance with the provisions of subsection (2) of this section.

Objectives
of the Fund.

6. The Objectives of the Fund shall be, to:

- (a) achieve access to the best health services for all, reliable, and sustainable for all citizens and residents of Zanzibar; and
- (b) achieve the accessibility of sufficient and sustainable financial resources to cover health services.

Functions
of the Fund.

7. The Functions of the Fund shall be, to:

- (a) register members of the Fund and service providers;
- (b) collect, maintain and manage contributions and funds payable to the Fund in compliance with the provisions of the Public Finance Management Act;
- (c) pay the health services for members and their dependants;
- (d) protect the interest of the members;
- (e) conduct inspection to the health service providers and those applying to be accredited to provide the health services;
- (f) keep and maintain records or information for each member relating to payments of contributions and services received from the Fund;
- (g) prepare the internal guidelines for the proper implantation of the functions of the Fund;
- (h) invest surplus funds of the Fund collected from various sources in legal business transactions in accordance

with investment guidelines of the Fund as the Board deems fit;

- (i) receive service from any person or public or private institution for the implementation of specific function;
- (j) ensure the accounts of the Fund are closed and audited timely in accordance with the provision of the relevant law;
- (k) conduct or cause to be conducted an actuarial valuation of the Fund and different researches on the financial soundness of the Fund after every three years; and
- (l) perform any other act which may lead to the proper implementation of the provisions of this Act.

PART THREE

ADMINISTRATION AND MANAGEMENT OF THE FUND

8.-(1) There shall be a Board of Directors of the Fund which shall be composed of:

Establishment and Composition of the Board.

- (a) Chairperson who shall be appointed by the President;
- (b) Director General;
- (c) one member from:
 - (i) Ministry responsible for Health;
 - (ii) Ministry responsible for Finance;
 - (iii) Zanzibar Trade Union Congress;
 - (iv) Zanzibar Association of Employers; and
 - (v) Association of Health Services Provider from private sector.

(2) The members mentioned under subsection (1) (c) of this section, shall be appointed by the Minister in consultation with respective institution if the persons have:

- (a) at least first degree in the field of health, public health, economy, insurance, finance, business, or any other related fields from the institution recognized by the Government;
- (b) working experience of at least three years; and
- (c) high level of integrity.

Qualifications of the Chairperson.

9. A person shall qualify to be appointed as the Chairperson of the Board if that person:

- (a) has at least first degree in the field of health, public health, economy, insurance, finance, administration, business, social security, law or any other related fields from the institution recognized by the Government;
- (b) has working experience of at least five years; and
- (c) has high level of integrity.

Secretary of the Board.

10.-(1) The Board shall appoint a qualified employee of the Fund to be a Secretary of the Board.

(2) A person shall qualify to be a Secretary of the Board if that person:

- (a) has at least first degree in the field of law; or qualified corporate secretary from the institution recognized by the Government;
- (b) has working experience of not less than five years in the public services; and
- (c) high level of integrity.

(3) The Secretary of the Board shall be accountable to the Board, and shall:

- (a) take the accurate minutes of the meetings of the Board;
- (b) maintain the correct and sufficient records of the Board;

- (c) give proper notification of the meetings of the Board to the members; and
- (d) perform any other function as directed by the Board.

11. The functions of the Board shall be, to:

Functions of
the Board.

- (a) supervise the general administration of the Fund;
- (b) review and approve guidelines, plans and budget of the Fund;
- (c) ensure the Fund pays the money for services provided by the service providers timely;
- (d) approve the benefit package;
- (e) issue guidelines on implementation of the strategic plan and budget of the Fund annually;
- (f) issue and supervise the internal staff's guidelines;
- (g) advise the Minister on all matters related to strengthening and development of the Fund;
- (h) accredit the health service providers;
- (i) ensure collections and debts including unpaid contributions, are properly resolved;
- (j) submit to the Minister quarterly report and annual report which shall contain the information on the status of the Fund; and
- (k) perform any other function that will be necessary for the proper implementation of the provisions of this Act.

12. The Board shall have the power to:

Powers of
the Board.

- (a) establish committee of the Board and delegate some of its power to those committees or to any employee of the Fund, when deems necessary;

- (b) employ the staff of the Fund;
- (c) prepare the staff regulations and financial regulations;
- (d) supervise the disciplinary matters for the staff of the Fund;
- (e) establish branch offices of the Fund when it deems necessary; and
- (f) set standards of services provided.

Vice-Chairperson of the Board.

13. The members of the Board shall elect one among them to be a Vice-Chairperson of the Board.

Allowance of members.

14. The Chairperson and other members of a Board shall be entitled to be paid such allowance in accordance with Public Service Act and other relevant laws.

Proceedings of the Board.

15. The provisions relating to the proceedings of the Board shall be prescribed in the First Schedule of this Act.

Appointment of the Director General.

16.-(1) There shall be a Director General of the Fund who shall be appointed by the President.

(2) A person shall qualify to be appointed as the Director General, if that person:

- (a) has at least first degree in the field of public health, health, insurance, economics, finance, business, social security, law or any other related field from the institution recognized by the Government;
- (b) has the working experience of not less than five years; and
- (c) has high level of integrity.

Functions of the Director General.

17.-(1) The Director General shall be the Chief Executive Officer of the Fund and shall be responsible for day to day activities of the Fund and shall be responsible to the Board.

(2) Without prejudice the generality of provisions of subsection (1) of this section, the Director General shall:

- (a) supervise implementation of the objectives of the Fund;
- (b) collect and supervise contributions, funds, resources and other payment of the Fund;
- (c) be accountable for all income and expenditure of the Fund;
- (d) negotiate and enter in to agreement with the health service providers after approval of the Board;
- (e) establish and maintain register of members, health service providers and employers;
- (f) protect and promote the interest of members in accordance with the provisions of this Act;
- (g) prepare short-term and long-term plan and annual budget;
- (h) take disciplinary measures to the staff of the Fund after the approval from the Board and in accordance with the provisions of the Public Services Act;
- (i) submit the performance and financial reports to the Board; and
- (j) perform all functions directed by the Board for purpose of implementation of the provisions of this Act.

18.-(1) For proper implementation of the functions of the Fund, the Board may establish departments, divisions or units in accordance with the provisions of Public Services Act.

Departments,
divisions and
units of the
Fund.

(2) The heads of departments shall be appointed by the Board based on their related qualifications and experience.

(3) The heads of divisions and units shall be appointed by the Director General based on their related qualifications and experience.

(4) The heads of departments, divisions and units shall be accountable to the Director General.

Staff of the Fund.

19. Subject to the provisions of the Public Services Act, the Board shall employ staffs as it deems appropriate for the proper implementation of the functions of the Fund.

PART FOUR REGISTRATION OF THE MEMBERS AND COLLECTION OF CONTRIBUTIONS

Registration of the Members.

20.-(1) All persons prescribed under section 2(1) of this Act shall register to be the members of the Fund in accordance with the procedure prescribed in the Regulations;

(2) Every employer shall, within thirty days after the commencement of this Act or within thirty days from the date of employing the relevant employee, submit the list of the employees to the Fund for registration.

Membership Card.

21.-(1) There shall be the membership card which shall be issued by the Fund to the member after fulfilment of the registration requirements.

(2) The Membership card shall be used for identification and verification when he needs the services.

Contributions and contribution rate.

22.-(1) Every member shall contribute to the Fund a specific contribution rate prescribed in the Second Schedule of this Act in accordance with the procedure prescribed in the regulations.

(2) The contribution rates from members from the informal sector shall be prescribed and published by the Minister in consultation with the Board in consideration of groups of members prescribed under this Act;

(3) The contributions from public and private sector members shall be submitted to the Fund by the employer within fourteen days after the end of each particular month.

(4) Any employer who fails to comply with the provisions of this section, commits an offence and shall, upon conviction, pay the fines of not less than Tanzanian Shillings Five Million or imprisonment for one year or both.

(5) The Court which convict the person shall, in addition to the penalty prescribed under subsection (4) of this section, compel to pay all contribution debt which such employer has not paid.

PART FIVE HEALTH SERVICES

23.-(1) There shall be the Benefit Package which shall be provided to the members and their dependents. Benefit
Package.

(2) The Benefit Package shall contain all essential health services as prescribed in the Third Schedule of this Act;

(3) For the purpose of better implementation of the provisions of this Act, the Minister may, after consultation with the Board and by a notice published in the Gazette, add, remove or reduce any health services prescribed in the Third Schedule of this Act when he deems fit in consideration of financial soundness of the Fund.

(4) The Minister shall, after consultation with the Board, issue guidelines prescribing the provision of the benefit package according to the groups of members prescribed under section 2(1) of this Act.

24. The member shall have the right to obtain or be given health services through the Fund in accordance with the benefit package prescribed under the Third Schedule of this Act or guidelines issued by the Minister. Rights of the
Members.

25. Without prejudice to the provisions of section 24 of this Act, there shall be a specific waiting period to start getting the health services from the Fund which shall be prescribed in the Regulations for every group of members prescribed under section 2(1) of this Act. Waiting
Period.

Entitlement of health services for retirees.

26.-(1) A member retired from the service who has contributed in accordance with the provisions of this Act, shall be entitled to get the health services and his dependent if he shall continue to contribute the specific amount prescribed by the Fund.

(2) The rate and procedure of contribution for a member retired from formal sector shall be prescribed in the regulations.

(3) The rate and procedure of contribution for a member from informal sector who reaches sixty years shall be prescribed in the regulations.

Health Service Outside Zanzibar.

27.-(1) The Fund shall prepare and prescribe the special procedure and guidelines which will enable its members to acquire the services outside Zanzibar according to the needs and in consideration of financial soundness of the Fund.

(2) The procedure for members to get health services outside Zanzibar shall, by a notice published in the Gazette, be prescribed by the Minister or prescribed in the regulations.

PART SIX HEALTH SERVICE PROVIDERS

Accreditation of health service provider.

28.-(1) There shall be a Health Service Providers who shall be accredited by the Fund for the purpose of providing health services to the members of the Fund.

(2) The health service provider who wants to provide health services to the members shall apply for the accreditation to the Director General in accordance with procedure prescribed in the regulations.

(3) The procedure for application, issuance, renewal, suspension or cancellation of accreditation, restoration, grounds for restoration and deregistration and other matters related to accreditation shall be prescribed in the regulations.

Payment system.

29.-(1) The health service provider shall be paid by the Fund after providing the services and submitting claims for payment in accordance with the services provided.

(2) The Board may set another payment system as it deems appropriate for the implementation of the functions of the Fund.

(3) All money that shall be paid to the health service provider shall be paid directly in the account of the respective health service provider.

30.-(1) Any health service provider shall submit his requests for payment claims to the Fund within the thirty days after providing the services. Submission of payment claims.

(2) The Fund shall make the payment within thirty days after receiving the payment request.

(3) Where the Fund fails to make the payment within the period mentioned under subsection (2) of this section, it shall inform the health service provider concerned together with the reasons for the failure to make the payment.

31. The Fund shall conduct a review of the quality of the services, a review of the use of the service and an evaluation of the technology used in providing the service in accordance with the guidelines issued by the Fund from time to time, with the aim of ensuring that: Quality Assurance.

- (a) the best medical services are provided in accordance with the resources used, the procedure used and the results achieved are in line with the standards set by the Fund in accordance with health values;
- (b) the access to and use of technology and medical equipment are in line with time, real needs and acceptable medical standards; and
- (c) the implementation of medical procedures, management and dispensing of drugs goes in line with acceptable medical standards and values set by the Ministry.

32.-(1) The Fund shall establish an evaluation system that shall be implemented through a contract with service providers and a control system that shall ensure control against: Evaluation system.

- (a) excessive use of services;
- (b) unnecessary diagnostic tests and medical procedures;
and
- (c) Medical referrals that do not follow guidelines.

(2) The Fund may refuse to pay all claims or reduce part of those claims if the service provider has:

- (a) submitted false claims;
- (b) submitted incorrect information; or
- (c) failed to comply with the provisions of this Act, regulations made under this Act or guidelines issued.

PART SEVEN FINANCIAL PROVISIONS

Sources of
funds.

33. The funds and resources of the Fund shall consist of:

- (a) such sums as may be approved by the House of Representatives;
- (b) money received by the Fund for services rendered by the Fund;
- (c) lawful grants, gift, donations, contributions or loans as the Fund may receive from any person or institution;
- (d) income from investments made by the Fund; and
- (e) any such other money that may be legally acquired by the Fund whether in the course of its operations or otherwise.

Expenditure
of funds of
the Fund.

34.-(1) The expenditure of the Fund shall be used for paying claims to the health services providers, operation of the Fund and investments.

(2) The Fund shall invest the surplus of money left in a manner which shall be approved by the Board after taking into account:

- (a) having an adequate level of the funds for the operation of the Fund;
- (b) the availability of investment profits in the intended investment; and
- (c) advice and instructions from the relevant authorities.

35.-(1) The funds deposited in the bank accounts of the Fund established under this Act, shall not be or be considered as funds of the Board but for the purposes of this Act shall be considered as funds under the trustee of the Board as the trust of the members of the Fund.

Funds to be under the trustee of the Board.

(2) The Board shall make payments from the Fund's bank accounts for any work that has been allowed in accordance with provisions of this Act.

36. The expenditure, investment plan, financial disbursement, administration and management of the Fund shall be led by the Board with the conditions that:

Financial administration of the Fund.

- (a) the funds of the Fund shall be used in accordance with the provisions of the Public Finance Management Act and its regulations;
- (b) annual operating costs do not exceed the amount prescribed in the Second Schedule of this Act; and
- (c) any investment of the Fund shall have a short-term guarantee that is profitable, safe and legal in accordance with the provisions of the law as directed in the Fund's investment policy.

37.-(1) The Director General shall, in respect of every financial year, submit to the Board for deliberation and recommendations on detailed estimates of the income and expenditure for the Fund for the next financial year.

Budget of the Fund.

(2) The estimates of the income and expenditure of the Fund shall be prepared subject to the provisions of the Public Finance Management Act and any other directives as may, from time to time, be issued by the Government.

(3) The Director General shall ensure that all payment out of the Fund's funds are correctly made and properly authorized and adequate control is maintained over its property and over the incurring of liabilities by the Fund.

Auditing
report of the
Fund.

38. The Fund shall be audited and reported in accordance with the provisions of the Public Finance Management Act and the Establishment of the Office of Controller and Auditor General Act.

Borrowing
power.

39.-(1) Subject to provisions of the subsection (2) of this section, the Fund may, with approval of the Board, borrow any amount of money which shall be needed for the effective implementation of its functions.

(2) Borrowing of monies shall comply with the provisions of the Public Finance Management Act and after obtaining the written approval of the Minister responsible for finance.

(3) The Fund shall not pledge its assets as collateral for any loan without the written approval of the Board.

Establishment
of Equity
Account.

40.-(1) There shall be an Equity Account which shall receive and deposit funds derived from special taxes from the Government, development agencies, non-governmental institutions, companies or other legal sources.

(2) The funds which are deposited in the Equity Account shall be used to pay for the provision of health services for the underprivileged and special groups.

PART EIGHT OFFENCE AND PENALTIES

Offences and
penalties.

41. Any person who:

- (a) provides incorrect information or documents with the aim of avoiding to contribute or to get ineligible services of the Fund;

- (b) refuses or fails to submit the required exhibits or documents;
- (c) fails to pay the contributions in accordance with conditions prescribed under this Act or regulations;
- (d) obstructs an officer of the Fund from performing his lawful duties conferred under this Act;
- (e) falsifies, cheats, alters or intends to falsify, cheat or alter the member's identity card;
- (f) prevents the member from getting health services as he is entitled to;
- (g) receives any benefit to which he is not entitled under this Act;
- (h) refuses to answer the question asked or answers while he knows that, his answer is incorrect if it is believed that he has that information;
- (i) fails to keep and submit accurate records relating with health services; or
- (j) collaborates with any person to contravenes the provisions of this Act,

commits an offence and shall, upon conviction, be liable to a fine of not less than One Million Tanzania Shilling or imprisonment for a term of not less than six months or both.

42.-(1) Any person who is required to be registered under the provisions of this Act and fails to register as a member of the Fund, commits an offence and shall be liable to pay the contribution rate for the entire period during which he failed to register.

Penalty for failure to register.

(2) Any employer who fails to submit the information of his employees to the Fund for registration under the provisions of this Act, commits an offence and shall, upon conviction, be liable to pay a fine of not less than One Million Tanzania Shilling or imprisonment for a term of not less than six months or both.

(3) In addition to the penalty under subsection (2) of this section, the employer shall pay the contribution rate for the entire period that he failed to submit the information of his employees to the Fund for registration and paying the contribution of his employees.

General penalty.

43. A person who contravenes the provisions of any section under this Act, regulations, guidelines or order made under this Act where no penalty is specific provided, commits an offence and shall, upon conviction, be liable to a fine of not less than One Million Tanzania Shilling or imprisonment for a term of not less than six months or both.

PART NINE MISCLANEOUS PROVISIONS

Actuarial valuation of the Fund.

44.-(1) The Fund shall be evaluated for its sustainability which shall be done by the actuary for every three years or any other period which the Board deems necessary to conduct the evaluation.

(2) The Actuarial Valuation Report of the Fund shall be submitted to the Board and Minister for execution.

Compellability of the health insurance cover.

45.-(1) Any foreigner who wants to come in Zanzibar shall be obliged to have a health insurance cover which is applicable in Zanzibar.

(2) Where the foreigner does not have such a health insurance cover referred under subsection (1) of this section, he shall pay the medical expenses with his own cost to the health service provider.

Portability of health insurance.

46.-(1) The Fund may enter into an agreement with any other Health Insurance Fund within the United Republic of Tanzania or any other country as the Board may determine from time to time to enable the members of the Fund to acquire the health services.

(2) In the execution of the agreement, the Board shall make sure that, the sustainability of the Fund and the interest of the members are protected and in any means is not affected by such agreement.

Protection of contributions.

47. The money paid by the member shall be the property of the Fund in accordance with the provisions of this Act and shall not be part of the member's property if he goes bankrupt, it will be used to pay off the debts.

48. The Board shall, within the period of four months after the end of each financial year, prepare and submit to the Minister an annual performance report of the Fund in respect of that financial year.

Annual
report.

49. Notwithstanding the provisions of any other law:

Tax
exemption.

- (a) the income tax shall not be payable on the contributions and benefits under this Act; and
- (b) the stamp duty shall not be payable on any receipt or document given or executed by the Board on behalf of the Fund or executed by any person in respect of the benefit or refund contributions under this Act.

50.-(1) In ensuring the availability and provision of good service, the Fund shall establish and use various electronic systems and information and communication technology.

Application
of
Information
Technology
Systems.

(2) Subject to the provisions of subsection (1) of this section, the Fund shall protect, maintain and enhance members' information in confidentiality at all time.

51. The Minister may make regulations for better implementation of the provisions of this Act.

Regulations.

FIRST SCHEDULE

PROCEEDING OF THE BOARD (Made under section 15)

Tenure of member.	<p>1. Save for ex-officio member, the Chairperson and other members of the Board shall hold office for a term of three years from the date of their appointment and may be eligible for re-appointment for another term only.</p>
Meetings of the Board.	<p>2.-(1) The Chairperson shall preside all meetings of the Board, and on his absence, the members present in the meeting shall appoint a member among themselves to be a Chairperson to preside the meeting.</p> <p>(2) The Board shall ordinarily meet once after every three months and may convene extra ordinary meeting, where a need arises.</p>
Quorum.	<p>3. The quorum of any meeting of the Board shall be more than half of its members.</p>
Decisions of the Board.	<p>4. The decisions of the Board shall be made by consensus, where there is no such consensus, the decision shall be made by majority vote and where there is an equal votes, the Chairperson shall have the casting vote.</p>
Procedures of the meetings.	<p>5. Subject to the provisions of this Act, The Board shall regulate its own procedures of its meetings.</p>
Co-opted member.	<p>6. The Board may co-opt any person to attend in any deliberation of the meeting of the Board as an expert, but the co-opted member shall have no right to vote.</p>

<p>Disclosure of interest.</p>	<p>7.—(1) The member of the Board who has direct or indirect personal interest in a matter being considered or about to be considered by the Board shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at the beginning of the meeting of the Board.</p> <p>(2) A disclosure of interest under subsection (1) of this section, shall be recorded in the minutes of the meeting and the member making such disclosure shall not:</p> <ul style="list-style-type: none"> (a) be present during the deliberations of the Board for the making of the determination; or (b) influence any other member in the making the determination.
<p>Cessation of membership.</p>	<p>8. The member shall cease to hold an office upon the occurrence of the following:</p> <ul style="list-style-type: none"> (a) resignation; (b) if is absent without reasonable excuse for three consecutive meeting of the Board; (c) if he became incapacitated to perform his duties by reasons of physical or mental health; (d) save the Chairperson and Director General, if is terminated by the Minister where he does not meet expectation of the Fund; (e) if he ceases to be representative of the institution which dominated that member; or (f) death.

SECOND SCHEDULE

CONTRIBUTION AND CONTRIBUTION RATE
[Made under section 22(1)]

Rate of contribution to the public and private sectors.	<p>1. The rate of contribution that shall be contributed to the Fund for members from the public and private sectors shall be seven percent of the integrated salary of the relevant employee that will be contributed together between the employer and the employee.</p>
Contribution rate for employers.	<p>2.-(1) Each employer in the public and private sectors shall contribute to the Fund monthly contributions of three and half percent of the employee's monthly salary.</p> <p>(2) Each employee in the public and private sectors shall contribute to the Fund monthly contributions of three and half percent of the employee's monthly salary for every month</p>
Rate of contribution to the informal sector.	<p>3. The rate of contribution for the members from informal sector and other groups of the members as specified in section 2 of this Act shall be published by the Minister through the Gazette after the Minister has classified the relevant group to be the member of the Fund or to declare this Act to come into operation to the relevant group.</p>

THIRD SCHEDULE

BENEFIT PACKAGE OF THE FUND **[Made under section 23(2)]**

1. The benefit package for the members of the Fund shall include:
 - (a) Medical Consultation;
 - (b) Outpatient and inpatient services;
 - (c) Laboratory tests, radiological and other diagnostic services;
 - (d) Medicines and medical supplies and equipment approved by the authorized bodies in Zanzibar;
 - (e) Surgical services;
 - (f) Oral and dental health services;
 - (g) Ophthalmic, dermatology and ENT services;
 - (h) Physiotherapy and rehabilitation services;
 - (i) Dialysis services;
 - (j) Cancer treatment services;
 - (k) Reproductive services;
 - (l) Maternal and child services;
 - (m) Specialist medical services;
 - (n) Mental health services;
 - (o) Emergency services;
 - (p) Intensive care services;
 - (q) Assistive device services for people with disabilities;
 - (r) Orthotics and prosthetic services.

2. The health services provided under the provisions of this Act shall not include the costs for services mentioned hereunder:
 - (a) cosmetics and cosmetic surgeries;

- (b) illegal abortions; and
 - (c) un authorized drugs by medical and medical supplies.
3. Without prejudice to the provisions of item 1 of this Schedule, any member who shall need the CT SCAN, MRI and any other related diagnostic investigation or other treatment with higher cost such cancer, dialysis shall be required to have the prior approval from the Fund before such diagnosis investigation have been conducted except in emergency situation.

OBJECTS AND REASONS

The main purpose of this Bill is to establish the Zanzibar Health Services Fund which shall have the responsibility of ensuring the accessibility of better and sustainable health services to all members of the Fund. The Fund shall have the functions of registering members, collection of contributions from the members, accreditation of the health service providers and paying the health services provided to the members.

This Bill is divided in nine parts and 51 sections

Part One: This part provides for preliminary provisions which includes short title and commencement, application and interpretation.

Part Two: explains about the establishment of the Zanzibar Health Services Fund, seal and logo, objectives and functions of the Fund.

Part Three: This part is about the administration and management of the Fund. Also this part provides the establishment of the Board of Directors of the Zanzibar Health Services Fund, members of the Board, secretary of the Board, functions and powers of the Board, Vice Chairperson, allowances and proceedings of the Board, appointment of Director General of the Fund, functions of the Director General, departments, divisions and units and staffs of the Fund in order to make sure that, the Fund performs its functions more effective, efficiently and timely.

Part Four: This part explains about registration of members, member identification card and collection of contribution. This part leads the Fund to have a register which shall contain all the record of the members and their contributions.

Part Five: This part provides for health services which shall be a benefit package offered to the members of the Fund, right of members, waiting period, entitlement of services to retirees and health services outside Zanzibar.

Part Six: explains about the accreditation of the health service providers, the payment system, submission of claims of payment, quality assurance and evaluation system. This part intends to accredit the services provider so as to get qualified service providers in order to make sure that, the intended objectives of the Fund are achieved.

Part Seven: This part is about financial matters which includes sources of funds, expenditure of funds, financial administration, budget of the Fund, auditing, borrowing power and establishment of equity account.

Part Eight: is about offences and penalties, penalty for failure to register and general penalty.

Part Nine: explains about miscellaneous provisions which includes actuarial valuation of the Fund, compellability of health insurance, portability of health insurance, protection of contribution, annual report, tax exemption, application of information technologies system and regulations.

ZANZIBAR

18th November, 2022.

(NASSOR AHMED MAZRUI)

MINISTER FOR HEALTH

