

Tanzania

Local Government (District Authorities) Act, 1982

Kondoa District Council (Community Health Fund) By-laws, 2001 Government Notice 36 of 2002

Legislation as at 11 January 2002

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Kondoa District Council (Community Health Fund) By-laws, 2001 (Government Notice 36 of 2002)
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Local Government (District Authorities) Act, 1982

Kondoa District Council (Community Health Fund) By-laws, 2001

Government Notice 36 of 2002

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[Made under section 148]

1. Citation

These By-laws may be cited as the Kondoa District Council (Community Health Fund) By-laws, 2001 and shall be deemed to have come into operation on the date of its publication in the *Government Gazette*.

2. Application

These By-laws shall apply throughout the area of jurisdiction of the Kondoa District Council (including the area of the Township Authority).

3. Interpretation

In these By-laws unless the context otherwise requires—

"**Board**" means a Council Health Service Board established in accordance with the provision of section 86A of the Act;

"**card**" means a Community Health Fund card;

"**Council**" means the Kondoa District Council which also includes the Township Authority;

"**contribution**" means an annual voluntary contribution to the Fund;

"**District Medical Officer**" means a Medical Officer in-charge of Kondoa District Council Health Services;

"**Health care facility**" means government or private health care facility and includes any other facility established or organized for purposes of delivering health services;

"**household**" means—

- (a) a mother, father, and children under the age of eighteen years; or
- (b) a member who has attained the age of eighteen years or more with or without children under the age of eighteen years; or
- (c) an institution

"**institution**" means a registered school, college, or any other body as may be approved by the Board;

"**member**" means a contributing household to the Community Health Fund;

"**user fee**" means a fee charged by a health care facility for services rendered.

[Act No. 7 of 1982]

4. Establishment of a Community Health Fund

- (1) There shall be a Community Health Fund which is a voluntary community based financing scheme whereby households pay contributions to finance part of their basic health care services to complement the Government health care financing efforts.
- (2) Every household shall contribute TShs. 5,000/= per annum towards the Community Health Fund.
- (3) The Fund shall be managed by the Board in accordance with the provisions of these By-laws.

5. Objectives of the Fund

- (a) The objectives of the Fund shall be to mobilize financial resources from the community for provision of health care services to its members;
- (b) to provide quality and affordable health care services through a sustainable financial mechanism; and
- (c) to improve health care services management in the communities through decentralization by empowering the communities in making decisions and by contributing on matters effecting their health.

6. Functions of the Board

- (1) In achieving its overall objectives the Board shall have the following functions—
 - (a) to provide district health services and monitor Community Health Fund operations and activities;
 - (b) to work in consultation with the Council Health Management Team to ensure quality health care and professionalism;
 - (c) to mobilize and administer funds for Community Health Fund;
 - (d) to set exemption criteria for users of the health care services provided by the Fund;
 - (e) to set targets for the Funds;
 - (f) to review reports from Ward Health Committees or any other source;
 - (g) to monitor and make verification on collection, expenditure and control of funds; and
 - (h) to design an annual health plan for approval by the Council.

7. Sources of revenue of the Fund

The sources of revenue of the Fund shall be:

- (a) all moneys received in respect of contributions paid by members;
- (b) grants from the Council Central Government and donors;
- (c) donation from individuals who reside within or outside the area of jurisdiction of the Council;
- (d) user charges payable for using health facilities which are under the management of the Council; such levies as may be determined and assigned to the Fund by the Council from time to time;
- (e) any other money lawfully derived by the Fund from any other source not expressly specified in these By-laws.

8. Accounts of the Board

- (1) There shall be kept proper accounts and other records in relation to the resources of the Fund.
- (2) The Board shall open a separate bank account for the purposes of maintaining the revenues of the Fund from which moneys shall be deposited and drawn.
- (3) The signatories to the account of the Fund shall be appointed by the Board and shall constitute of category "A" and "B" and in no case moneys may be drawn from the Fund account without a signature from each of the two categories.
- (4) The signatories of the Fund shall be:—
 - (a) the chairperson of the Board and one member of the Board who shall be in category "A".
 - (b) the secretary of the Board who is a District Medical Officer and the Council Treasurer who shall be in category "B"
- (5) In each financial year of the Council, the Board shall submit before the Council a statement of its accounts in such form and detail as the Council may direct.
- (6) The accounts of the Fund shall be audited by auditors appointed in accordance with existing regulations governing auditing of the Council accounts.

9. Reports of the Fund

The Board shall as soon as practicable after the end of each financial year of the Council, prepare a full report on the performance by it of its functions during the financial year.

10. Planning and budgeting

- (1) Two months before the start of the Council's financial year the Board shall prepare a detailed plan and budget showing the amount expected to be received and disbursed to finance the delivery of health services for such development activities for the better provision of health services within the area of jurisdiction of the Council.
- (2) The Board may whenever circumstances so require, prepare a supplementary plan and budget.
- (3) The plan and budget of the Fund prepared in accordance with the provisions of paragraph (1) and (2) of this By-law shall be submitted to the Council for approval.

11. Composition of the Board

The Board shall be composed of:—

- (a) four community service users of the health facility of whom at least two shall be female;
- (b) one representative, each from a non-profit voluntary agency and a private for profit health care facility, appointed by the Council from amongst health care facilities which have entered into a Service Agreement with the Board;
- (c) the Chairman of the Health, Education and Water Services Committee;
- (d) the Council Planning Officer;
- (e) the District Medical Officer who shall be the Secretary to the Board;
- (f) one representative from the hospital; and
- (g) one representative from the Regional Health Management Team.

12. Qualifications of members of Board

A person shall be qualified to be a member under paragraph (a) of Sect. 11 of these By-laws if:—

- (a) he is a citizen resident of Kondoa;
- (b) he is of the age between 25 to 70 years;
- (c) he has at least completed secondary school education from a registered school;
- (d) has experience and proven abilities in social services; and
- (e) has leadership qualities.

13. Tenure of office of members

- (1) A member of the Board shall hold office for a period of three years from the date of his nomination and may be re-elected for another one term of three years only.
- (2) If any vacancy occurs in the membership of the Board by reason of death, resignation, permanent incapacity or for any other reason, another person may be nominated to fill the vacancy and a person so nominated shall hold office for the unexpired residue period of office of the member in whose place he is nominated.

14. Management of the Fund

- (1) The management and administration of the Fund shall vest—
 - (a) at district level; to the Council, through the Council Health Service Board;
 - (b) at ward level; to the Ward Development Committee, through the Ward Health Committee;
 - (c) at Village level; to the Village Council, through the Village Social Services Committee.
- (2) The Fund shall be under the overall management of the Board which shall be responsible for—
 - (a) coordinating the activities of the Fund;
 - (b) monitoring, controlling and directing the management of the resources of the Fund;
 - (c) ensuring that the Fund is effectively and efficiently used and managed.

15. Application of resources of the Fund

The Board shall apply the resources of the Fund for the payment of the services rendered, and shall be limited to the fulfillment of the objectives of the Fund and in so doing, be governed by principles of efficiency, effectiveness, economy and equity.

16. Membership and issuing of card

- (1) Each member of the Fund shall be issued with a membership card upon paying the annual contribution, which shall be proposed by the Ward Health Committee to the Council through the Board and approved on an annual basis by the Council.
- (2) Subject to the provisions of the community Health Fund Regulations 2001, each exempted person shall be issued with a membership card.

17. Provision of health services

- (1) Each member shall be entitled to receive prepaid medical services from a pre-selected health care facility within the area of jurisdiction of the Council on the following basis—
 - (a) medical service to himself or to herself and his or her spouse and children of age of minority;
 - (b) making proposals on the health care facility of his or her choice which shall be taken into account by the Board;
 - (c) involvement in the overall planning and implementation of health care services delivery in the area of jurisdiction of the Council.