
THE UNITED REPUBLIC OF TANZANIA

BILL SUPPLIMENT

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THE HIV AND AIDS (PREVENTION AND CONTROL) ACT, 2007

NOTICE

The following Bill to be submitted to the National Assembly is published for general information to the public together with a statement of its objects and reasons.

Dar es Salaam,
20th September, 2007

PHILLEMONT L. LUHANJO
Chief Secretary

A BILL

for

An Act to provide for prevention, care and control of HIV and AIDS and for promotion of public health to persons living with HIV and AIDS; for appropriate treatment, where resources allow, counselling and care for persons living with or at risk of HIV and AIDS and for related matters.

OBJECTS AND REASONS

The Bill is intended to enact a comprehensive law providing for prevention and control of HIV/AIDS. It proposes to use and combine public health, human rights and criminal law approaches to fight the same, and in provision of counseling and care for persons living with, or at risk of HIV/AIDS.

The Bill is divided into twelve major parts.

Part I provides for preliminary provisions, which include the title and scope of the proposed law. It also contains definitions of certain terms, designations and words used frequently in the Bill.

Part II proposes provisions relating to general principles regarding designing and implementation of HIV/AIDS strategic plans, and encouraging FBOs to make deliberate efforts in prevention and controlling of HIV/AIDS and provision of care services in their daily activities. In so doing players shall be required to liaise with TACAIDS in order to avoid concentration of resources in one or few areas.

Part III deals with public education and programmes on HIV/AIDS. The Part covers provision of public education and programmes on prohibition of stigma and discrimination, taking care of patients, prevention of STIs and making of protracted campaigns against HIV / AIDS in schools, higher learning institutions and work places.

Part IV deals with Matters relating to testing of blood and human organs donors, pregnant women and counseling of donors. It also encourages health practitioners, Traditional and Alternative Health Practitioners, Traditional Birth Attendants and any other person attending HIV/AIDS patients to under go HIV/AIDS testing.

Part V makes provisions on confidentiality on any information, medical records, file, data and test results of HIV/AIDS. However, the confidentiality can be waived due to reasons provided under the proposed Act.

Part VI deals with health and support services to PLHAs and orphans provided by Ministry, local government authorities, NGOS, CBOs and FBOs.

Part VII makes provisions relating to prohibition of stigma and discrimination to PLHAs and orphans. It also prohibits such behaviour and conducts in schools, employment, working places and in any other places.

Part VIII makes provisions for rights and obligations of Persons Living with HIV/AIDS. It is also proposed that local government authorities should design, formulate and co-ordinate strategic plans to ensure that most vulnerable children are given access to education and basic health care services. These include right to mental and physical health in highest attainable standard.

Part IX of the Bill deals with research on HIV/AIDS. It establishes a National Research Fellowship Committee. It also provides for functions and composition of the Committee.

Part X proposes provisions relating to monitoring and evaluation of certain issues provided for under the proposed Act.

Part XI deals with matters relating to offences and penalties which may be as a result of contravention of certain provisions of the proposed Act.

Part XII provides for miscellaneous provisions which include powers of the Minister to make regulations, prohibition of compulsion and power of the Minister to amend Schedules set out in the proposed Act.