

ARRANGEMENT OF SECTIONS

Sections

1. Title.
2. Application.
3. Interpretation.
4. Misconduct.
5. Policy Guidelines.
6. Advertising of practice or business.
7. Advertising of professional services.
8. Notices to other members or other health practitioners.
9. Addresses, lectures or exhibitions.
10. Trade or professional advertising.
11. Media announcements.
12. Reminders.
13. Notice to patients.
14. Letterheads and other professionals documents.
15. Publicity at premises.
16. Operation regulations.
17. Conduct of business at premises other than registered premises.
18. Duties of members.
19. Discount.
20. Professional Independence.
21. Conduct of body corporate, company or partnership.
22. Obstruction of Council.

Sections

23. Code of ethics.
24. Shared premises with other health practitioners.
25. Professional indemnity insurance.
26. Disclosure of information.
27. Professional reference in press or electronic media.
28. Continuous professional development.
29. General.
30. Repeals.

FIRST SCHEDULE: Misconduct.

SECOND SCHEDULE: Scope of Practice

IT is hereby notified that the Pharmacists Council of Zimbabwe with the approval of the Minister responsible for Health has, in terms section 145 of the Health Professions Act [*Chapter 27:19*] made the following regulations:—

Title

1. These regulations may be cited as the Pharmacists Council (Professional Conduct) Regulations, 2025.

Application

2. These regulations shall apply to all members registered with the Pharmacists Council of Zimbabwe.

Interpretation

3. In these regulations—

“Act” means Health Professions Act [*Chapter 27:19*];

“advertisement” includes any advertisement contained in a publication or any advertisement broadcast on radio or television or transmitted through the electronic media or brought to the attention of the public by any other means;

“community pharmacy” means a pharmacy which is solely engaged in retail trade;

“Council” means the Pharmacists’ Council of Zimbabwe established in terms of section 45 of the Health Professions Act [*Chapter 27:19*];

“member” means health practitioners registered in terms of Part V of the First Schedule to the Act;

“pharmacist” means a person registered as such in terms of section 44 of Health Professions Act [*Chapter 27:19*];

“premises” means any place wherein or from which any service specially pertaining to the scope of practice of a registered member is provided;

“publication” includes any newspaper, book, periodical, pamphlet, poster, calendar or information otherwise printed or transmitted through the electronic media.

Misconduct

4. (1) Any contravention of these regulations as set out in the First Schedule pertaining to the practice of a member shall constitute misconduct.

(2) A member who contravenes these regulations shall be guilty of misconduct.

Policy Guidelines

5. The Council may issue from time-to-time practice directives which shall be read in conjunction with these regulations, and which shall provide additional detail and examples pertaining to any section of these regulations for the purpose of defining what are regarded as appropriate or acceptable by the Council.

Advertising of practice or business

6. (1) Subject to the provisions of these regulations, no member shall advertise or give publicity to his or her practice or business.

(2) Any advertising undertaken by a member, and which is permitted under these regulations, shall be factual and not misleading, dignified and restraint in character and free from any reference to the efficiency of the member or the facilities offered by other members.

Advertising of professional services

7. A member may—

- (a) use, in connection with his or her practice, printed letter heads, business circulars, business cards, envelopes and similar stationery bearing the normal title of the firm or electronic signatures or electronic persona; and
- (b) make known to the general public by providing directional signs of the premises indicating the location of the premises.

Notices to other members or other health practitioners

8. A member may notify any other member, other health practitioners or statutory body of his or her commencement of practice, or of any change in the name, address, constitution or registered personnel of his or her practice.

Addresses, lectures or exhibitions

9. (1) Nothing in section (6)(1) shall prohibit—

- (a) a member of the public service who is acting in the course of his or her official duties; or
- (b) an officer of a properly constituted professional body who is acting in the course of his or her official duties; or
- (c) any member, when dealing with matters of a purely academic, educational or informative nature:

from delivering an address or lecture to a lay assembly, or from contributing to or taking part in a public relations programme which is open to other members.

(2) A member may take part, in relation to his or her practice or business, in—

- (a) trade shows or exhibitions which are not open to the public or are wholly or mainly related to the display of medical products used by members; and
- (b) other shows or exhibitions with the approval of the Council and subject to any conditions which the Council may impose.

Trade or professional advertising

10. A member may publish advertisements, or other matters relating to his or her practice or business, in periodicals circulating wholly or mainly among other members and health practitioners or to manufacturers of or dealers of medical products.

Media announcements

11. (1) A member may publish in any print or electronic publication, announcements of the following—

- (a) change of name under which his or her practice or business is carried on or change of address or telephone number of any premises of the practice or business;
- (b) the opening of a new practice or business or of new premises, or the acquisition of the goodwill of a practice or business; and
- (c) any other event, the announcement for which has been approved by the Council.

(2) Unless otherwise authorised by the Council an announcement permitted in terms of subsection (1) may not be made on more than 6 occasions:

Provided that all insertions of the announcement appear within a period of three months, from the date of the first publication of the announcement.

(3) An announcement permitted in terms of subsection (1) shall be a simple statement of fact relevant to the event which gave rise to the announcement.

Reminders

12. (1) A member may send to any person who has been supplied with a medical product or provided service, in the course of his or her practice or business, a reminder that a further review may be desirable.

(2) The reminder permitted in terms of subsection (1) shall—

- (a) not exceed 2 reminders of a similar nature;
- (b) be sent only where a member in the practice or business is of the opinion that it is justified by the time which has lapsed since the last occasion when, to his or her knowledge the intended recipient was supplied with a medical product;
- (c) take the form of an electronic or printed message;
- (d) include the name of the intended recipient; and
- (e) contain no indication, direct or implied, that the provision of the service can only be carried out by the sender or any named person, practice or business.

Notice to patients

13. A member may send to persons who have been provided a service in the course of the member's practice or business notices informing them of—

- (a) a change in the address or telephone number of the premises;
- (b) closing those premises, or the change in hours of opening or closing of the premises;
- (c) a change of the name under which the practice or business is carried on;
- (d) the acquisition by a member of the goodwill of another practice or business;
- (e) transfer of the goodwill of the member's practice or business to another member;
- (f) any changes in the partnership or directorship in the practice or business.

Letterheads and other professional documents

14. No member shall allow to be printed on any letterhead, or other professional documents, any information other than—

- (a) name, name of practice, company or firm in or under which he or she conducts his or her practice and the names of the directors thereof;
- (b) address and telephone number;
- (c) professional qualifications; and
- (d) business hours.

Publicity at premises

15. (1) A member may display signs at his or her premises or in or upon any building in which such premises are situated if they are appropriate to his or her practice or business.

(2) The signs permitted in terms of subsection (1) shall—

- (a) be placed as near as possible to the entrance of the practice or where these are situated on the upper floor of a building, as near as possible to the entrance of such building and on the notice board to the specifications of the owners of the building, thereof;
- (b) indicate in plain lettering—
 - (i) the name of the member and qualifications;
 - (ii) area of specialty, if any;
 - (iii) telephone number and business hours; and
- (c) not exceed an area of one square metre.

(3) A member may arrange a window display at his or her practice or business.

Operation regulations

16. The limitations on the use of means of giving publicity imposed by or under these regulations shall not extend to—

- (a) advertisements or other statements or announcements required by or under statutory provisions;

- (b) advertisements designed solely to obtain staff, accommodation or equipment;
- (c) advertisements concerned only with the purchase or ordinarily used for entries in the directory and are not designed to give special prominence to the practice or business; and
- (d) entries in the text of a telephone directory, a street directory or the like, containing an indication that they relate to a practice or business, which are in the type ordinarily used for entries in the directory and are not designed to give special prominence to the practice or business.

Conduct of business at premises other than registered premises

17. (1) Except as provided for in subsection (2), no member shall conduct a practice from any premises other than his or her registered premises.

- (2) Nothing in this section shall prohibit a member from—
 - (a) conducting a practice at premises other than his or her registered premises if the services and the facilities available therein provide an environment to professionally carry out his or her work and meet the requirements for the registered premises as specified by Council in writing;
 - (b) visiting a patient at a hospital or similar institution or at his or her place of residence, if such a patient is prevented by illness, infirmity or other like cause from attending at his or her registered premises;
 - (c) conducting his or her practice or business at a public health institution during the course of community service.

Duties of members

18. No person shall perform the duties of a member as set out in the Second Schedule unless—

- (a) he or she is suitably qualified from an approved training institution; and

- (b) he or she is appropriately registered with the Council and is in possession of a valid practicing certificate issued by the Council.

Discount

19. No member shall offer or give any form of discount or inducement for the supply of any prescription or provision of professional service to any person except where the Council, on receipt of an application giving full details of a case, considers that a person requires long term therapy for a chronic condition or is in financial difficulty or both, grants permission to give a discount in accordance with the terms of that permission.

Professional independence

20. No member shall enter into or be part of any transaction or agreement which may reflect negatively on his or her professional independence or the professionalism or ethics of the profession as a whole.

Conduct of body corporate, company or partnership

21. A member shall, in his or her capacity as a—
- (a) director of a body corporate or private company; or
 - (b) partner in a partnership;

which carries on the business of a pharmacy or optometry, exercise sufficient control over the activities of such body corporate, private company or partnership as will ensure that the body corporate, private company or partnership or any servant thereof does not commit any breach of these regulations or any other Act or Regulation pertaining to the practice of pharmacy.

Obstruction of Council

22. No member shall—
- (a) prevent, hinder or obstruct the Council or any official acting on its behalf from carrying out its duties; or
 - (b) fail to comply with any notice, order or direction issued by the Council in terms of the Act.

Code of ethics

23. (1) A member must be bound and observe the code of ethics by—

- (a) maintaining adequate patient records;
- (b) devoting himself or herself to the wellbeing of humanity and to the relief of suffering;
- (c) respecting and treating the patient with dignity;
- (d) being considerate to the patient needs and be able to fully explain the condition;
- (e) requirements, and cost implications, in the simplest way possible and confirming that the patient understands;
- (f) doing everything possible to protect the patient from undue risk;
- (g) recognising the limits of his or her professional competence and making sure that personal beliefs do not prejudice patient care;
- (h) maintaining honesty, integrity and transparency in all professional dealings; and
- (i) adhere to all relevant laws, regulations and professional standards that may be issued through practice directives from time to time.

(2) No member shall offer or give any form of inducement for the supply of any prescription or provision of any professional service to any person.

(3) Any information of a personal nature entrusted to a member shall remain inviolable and no member shall disclose such information to any other person.

(4) Nothing in subsection (3) shall prohibit a member from sharing patient information with professional colleagues in the way of referral or in seeking second opinion to serve the best interest of the patient:

Provided that the patient's prior consent in seeking to divulge the information is sought and the information is held with confidentiality.

(5) A member shall always display on their person a valid practising certificate during the execution of their duties and collaborate with other members and other health practitioners, if need be.

(6) No member shall directly or indirectly solicit for business or provisions of any professional service.

Shared premises with other health practitioners

24.(1) Subject to subsection (2) no member shall share premises.

(2) A dispensing optician, an optometrist, an ophthalmologists and a hearing-aid practioners may share premises.

Professional indemnity insurance

25. A member shall be covered by adequate and appropriate insurance throughout the period during which he or she holds a valid practising certificate.

Disclosure of information

26. (1) A member must disclose any information or produce any document which might appear relevant to Council or any of its committees to enable them to discharge any of their functions.

(2) Nothing in this section shall require or permit any disclosure of information which is prohibited under any enactment; but if necessary to carry out its functions, Council may require that the information be put in a form that does not identify the patient.

Professional reference in press or electronic media

27. A member, when writing articles in the general press, or participating in a radio or televised discussion, shall be described by name, qualification and designation.

Continuous professional development

28. A member shall ensure that he or she abides by the requirements, specified by Council in writing, regarding participation in continuous professional development.

General

29. (1) No pharmacist or pharmacy technician shall—
- (a) sell or supply, offer to sell or supply or associate himself or herself directly or indirectly with the sale or supply or provision of facilities for the sale or supply of groceries other than baby food or invalid foods in the pharmacy wherein he or she conducts business as a pharmacist; or
 - (b) sell or supply, tobacco or tobacco related products.
- (2) No pharmacist or pharmacy technician shall—
- (a) distribute, or cause to be distributed, blank prescription forms having the name of a pharmacist or pharmacy printed therein;
 - (b) dispense or in any way be a party to the use of secret or cipher prescriptions;
 - (c) work in collusion with any other health professional for the direction of prescriptions to any pharmacist or premises, or in any other way interfere with the patient’s right to choice of provider.

Repeals

30. Opticians and Dispensing Opticians (Professional Conduct) Regulations 1973 and Pharmacists (Professional Conduct) Regulations 1989 are hereby repealed.

FIRST SCHEDULE (*Section 4*)

MISCONDUCT

1. Failure to declare conflict of interest.
2. Performing a professional service for which consent is required by law without obtaining such prior consent.
3. Making a misrepresentation in respect of a remedy, treatment or device.
4. Offering or distributing directly or indirectly a gift, rebate, bonus, or other inducement with respect to a prescription or prescription services.
5. Jeopardising the health or safety of patients or the public.

6. Entering into any agreement that restricts a patient's choice of a health practitioner without consent of the patient.
7. Impeding, dissuading, or attempting to impede or dissuade, any patient from consulting or seeking services of any other health practitioner.
8. Casting any reflection on the probity or professional reputation of a colleague.
9. Failing to abide by the terms and conditions or limitations of a practising certificate or license.
10. Failing to exercise appropriate discretion in respect of the disclosure of confidential information.
11. Promoting for personal gain any drug, device, treatment, procedure, and product or service that is unnecessary, ineffective, or unsafe.
12. Act or omission preventing or hindering the Council, or any official thereof, from carrying out a statutory duty.
13. Discriminating on grounds of colour, race, religion, sex, disability among other grounds set in terms of section 56(3) of the Constitution of the Republic of Zimbabwe.
14. Violence or exhibiting intentional or deliberate disregard of human life.
15. Practising under the influence of alcohol or drugs or dependence on drugs or alcohol.
16. Breach of confidentiality.
17. Sharing fees with a person who has referred a patient or receiving fees from any person to whom a member has referred a patient or requesting or accepting a rebate or commission for the referral of a patient.
18. Making a claim in respect of the utility of a remedy, treatment, device, procedure other than a claim which can be supported as reasonable professional opinion.
19. Using a practice or business name other than one's practice or business name.
20. Prescribing, dispensing, or selling medicines or medical devices for an improper purpose or in contravention of the law.
21. Signing or issuing a certificate or similar document that the person signing or issuing knows or ought to know is false or misleading.
22. Displaying false information including but not limited to membership certificates, diplomas or any other similar document in the premises.
23. Accepting a commission or reward from any manufacturer of, or dealer in optical appliances or materials other than samples issued by such manufacturer or dealer.
24. Inappropriately using professional status for personal gain.
25. Permitting the premises registered for a practice in terms of the Act to be used for unlawful purposes.

26. Engaging or assisting in fraud, misrepresentation, deception or concealment of a material fact.
27. Sexual misconduct in the workplace with members of staff or patients.
28. Failing to maintain the standard of practice of the profession.
29. Offences for which a prison sentence was imposed.

SECOND SCHEDULE (*Section 18*)

PART I

DUTIES AND OBLIGATIONS OF A DISPENSING OPTICIAN

A dispensing optician is registered and qualified and competent to:

1. Interpret and dispense an optical prescription using appropriate lenses and facial and frame measurements.
2. Advise on, fit, and supply the spectacle frames and lenses.
3. Advise on and dispense appropriate spectacle frame types and materials and lens forms and materials.
4. Advise on frames and lenses for driving, occupational use, hobbies, and activities.
5. Advise on protective eyewear, such as prescription sunglasses, spectacles for screen use, and sports and safety eyewear.
6. Advise on spectacles for children, taking account of their different facial characteristics.
7. Advise on spectacles for visually impaired patients.
8. Advise on and dispense low vision aids such as magnifiers, for patients whose vision cannot be corrected by spectacles alone.
9. Select appropriate formulae to calculate and evaluate basic parameters of spectacle lenses.
10. Provide clinical advice and guidance on common eyecare conditions, including acute conditions, such as dry eye, and identify and refer those which require emergency care.
11. Advise parents and children on myopia management to prevent or slow the development of myopia.
12. Advise on the contact lenses handling and care.
13. Triage patients before they attend a practice.
14. Advise on nutritional and lifestyle issues relating to eyecare.
15. Identify key elements of dispensing problems and apply appropriate methods for their resolution.
16. Analyse the performance of optical instruments relevant to dispensing optical practice.
17. Accurately record observations in various optical contexts of a dispensing optician's professional life.

18. Utilise numerical problem-solving skills in a variety of optical dispensing situations.
19. Apply basic practice management skills to dispensing situations.
20. Use information and communication technology skills with broad application to the activities of dispensing opticians.
21. Provide pre and post-operative care to cataract patients.
22. Dispense spectacles.
23. Dispense contact lenses.
24. A dispensing optician may only refract under the supervision of an ophthalmologist or optometrist.
25. The sale of optical appliances to correct a defect of sight can only be effected by or under the supervision of a registered dispensing optician.
26. Dispense other optical aids.
27. Conduct vision screenings at wellness events and at institutions such as schools, universities, companies and factories.
28. A dispensing optician may glaze or adjust any spectacles upon request regardless of where they were obtained.
29. A dispensing optician shall not use ophthalmic preparations unless he or she is using the preparations for fitting of contact lenses.
30. A dispensing optician shall not prescribe a prescription preparation for a patient to buy from a pharmacy.

PART II

DUTIES AND OBLIGATIONS OF OPTOMETRIST

An optometrist is qualified and competent to:

1. Capture a patient's case history and following a comprehensive eye examination establish an appropriate plan of care.
2. Assess visual acuity, establish the refractive status of the visual system, and recommend the appropriate corrective devices or medical intervention, as necessary.
3. Identify and diagnose eye disorders such as but not limited to glaucoma, cataracts, vitreoretinal abnormalities and macular degeneration, and refer patients with such conditions for further specialist treatment where required.
4. Assess oculomotor function and binocular vision functionality using appropriate tests, and recommend suitable visual therapies, surgical interventions and / or corrective devices where necessary.
5. Assess the quality of the visual pathway and sensory visual function using appropriate tests.
6. Perform tests such as but not limited to visual field analysis, fundus photography, corneal topography, tonometry, optical coherence tomography,

- equipment permitting, analyses the results and decide on the appropriate course of action.
7. Assess the ocular adnexa, and anterior and posterior ocular segments for their form, condition, and functionality.
 8. Identify and diagnose any ocular pathology present and manage it appropriately.
 9. Examine and manage pediatric and geriatric patients appropriately.
 10. Examine and manage low vision patients appropriately.
 11. Determine refractive errors of the eye and advise on the need for spectacles where necessary.
 12. Assess patients' suitability for contact lenses and fit contact lenses where indicated.
 13. Prescribe a limited number of eye drops in the course of conducting ocular diagnoses, providing vision therapies and solutions, and managing patient discomfort and ocular emergencies.
 14. Assess the patient's ability to focus and coordinate the eye, judge depth perception, and see colours. Apply therapeutic and rehabilitative methods for caring for vision problems from infancy to old age.
 15. Be aware of the presentation of diseases of the human body that affect vision, such as arteriosclerosis, diabetes and hypertension, among others, and refer accordingly.
 16. Provide pre and post-operative care to cataract patients.
 17. Dispense spectacles.
 18. Dispense contact lenses.
 19. Dispense other optical aids.
 20. Conduct vision screenings at wellness events and at institutions such as schools, universities, companies and factories.
 21. Display empathy and uphold positive morals and ethics in practice.
 22. Conduct research and produce scientific research papers.
 23. Participate in studies and research initiatives for continued patient support and professional development with the view of offering modern evidence based care.

PART III

DUTIES AND OBLIGATIONS OF PHARMACIST AND PHARMACY TECHNICIAN

A pharmacist and pharmacy technician is qualified and competent to:

1. Procure, store and distribute pharmaceutical products and materials.
2. Dispense medicines in accordance with the prevailing legislation, code of professional conduct and practice.

3. Evaluate and analyse medicines and medicinal products with the aim of providing education and information on health care and medicines to the public.
4. Research into pharmaceutical products with the view of optimizing the use of medicines.
5. Provide information on the safe use of medicines with the view of preventing medicine abuse.
6. Communicate effectively with patients and other health care providers.
7. Assess prescriptions for therapeutic aspects, safety control indications, drug interactions, drug- disease interactions, under and over prescription.
8. Maintain an accurate medicines inventory and medicines purchase records.
9. No pharmacist shall substitute or omit any medicine or ingredient in a prescription without the approval of the prescriber:

Provided that it shall be permissible for a medicine to be substituted without such approval if—

- (a) the medicine substituted—
 - (i) is registered or listed with the Medicines Control Authority of Zimbabwe; and
 - (ii) contains the same amount of the same active ingredients intended for administration by the same route, in the same dosage form, as the originally prescribed; and
- (b) the pharmacist is satisfied that the medicine substituted is equivalent to the medicine prescribed; and
- (c) the patient is advised of the price and intention to and agrees to such substitution; and
- (d) in the event that the medicine substituted is more expensive than the medicine prescribed the patient must be so advised and his consent obtained; and
- (e) the prescriber has not indicated that a substitution should not be made.

