

# THE CRIMINAL OFFENCE OF “QUACKERY” IN THE MACEDONIAN LEGISLATION AND PRACTICE

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## ABSTRACT

**Purpose:** The paper shall focus on one of the criminal offences within Chapter 21 of the Macedonian Criminal Code, i.e., the criminal offence titled “Quackery” (in Macedonian language *Надрилекарство*). Although its object of protection is human health, it can be noted that not enough attention is given to this criminal offence by practice and scientific thought. In essence, the quackery is performed by a person who, without the prescribed qualification, deals in treatment or in providing medical assistance.

**Design/Methods/Approach:** The paper shall pay attention to the relevant literature, legal acts, statistical data, and court practice. Concerning the legal acts, the focus shall be on the Criminal Code, but at the same time the other legal acts addressing the issue of human health shall not be neglected. Furthermore, a comparative analysis of the legislation of other countries shall be conducted as well. In addition, the paper shall provide scientific analysis and description of the statistical data available to the Macedonian authorities and shall elaborate on specific cases in which quackery was established.

**Findings:** From the references used, the paper shall make an effort to determine why the quackery is not receiving enough attention in the literature. By analyzing the Macedonian Criminal Code as well as the other legislation, the important characteristics of this criminal offence shall be determined, and at the same time, through the comparative analysis, it shall be possible to compare how quackery is regulated in other countries. Furthermore, the review of cases in which quackery was established shall allow us to acknowledge the ways of its performance in practice, including what type of sentences have been imposed on the convicted persons.

**Originality/Value:** The paper shall try to emphasize that human health is an extremely important object of protection, it is an area in which there should be no improvisations allowed to be performed by unqualified persons, and there must be strict rules about who can engage in treatment or provide medical assistance. All of this implies that the relevant Macedonian stakeholders must take a more serious approach when it comes to quackery.

**Keywords:** quackery, Criminal Code, human health, Republic of Macedonia.

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## INTRODUCTION

The prevalence of quackery in the healthcare system is a serious challenge worldwide. This issue has long been a top concern for medical professionals throughout history, as mentioned in Hippocrates' famous oath and his ethical writings on law and honesty (Amir-Azodi, Setayesh, Bazayar, Ansari, & Yazdi-Feyzabadi, 2024: 10). Despite the ethical and legal principles that must be respected by the person who practices medicine, the criminal offence titled “Quackery” (in Macedonian language *Надрилекарство*) is not just defined in the Macedonian Criminal Code within Chapter 21, but also several judgments relating to it can be noted in the court practice. Nevertheless, at the very beginning it must be pointed out that the number of criminal charges filed, indictments raised, and judgements delivered for the period 2010–2024 is extremely low, even though it is a criminal offence that can, among other things, cause serious consequences not only to the human body and health, but also death.

## ANALYSIS OF THE CRIMINAL-LEGAL FRAMEWORK

The Macedonian Constitution (1991, 1992, 1998, 2001, 2003, 2005, 2009, 2011, 2019) contains a separate section regarding the economic, social, and cultural rights, among which is Article 39 that guarantees the right to healthcare to every citizen (Paragraph 1), as well as that the citizens have the right and duty to protect and promote their own health and the health of others (Paragraph 2). Human health is further protected by several offences in the scope of the so-called medical law, especially by the Law on Health Protection (2012, 2013, 2014, 2015, 2016, 2019, 2021, 2022, 2023, 2024) and the Law on Protection of the Rights of Patients (2008, 2009, 2011, 2015, 2019). The Law on Health Protection strictly stipulates that the health services can be provided by health workers, with a note that certain tasks in the health sector may also be performed by health associates who meet the requirements of this law. In addition, “healthcare worker” is defined as a person who provides health services in the implementation of a certain health activity and is registered in the register of healthcare workers (doctor of medicine, doctor of dentistry, and pharmacist with completed higher education or with completed academic integrated studies with 300, i.e., 360 ECTS in the field of medicine, dentistry, and pharmacy, healthcare workers with completed higher or higher vocational education or with 180 ECTS in the field of medicine, dentistry, and pharmacy) and healthcare workers with completed secondary education. On the other hand, “healthcare associate” is defined as a person with higher education who independently performs certain tasks in the healthcare sector in cooperation with healthcare workers. All of these workers and associates should provide quality healthcare towards the patients, i.e., measures and activities that, in accordance with the modern achievements of medical, dental, and pharmaceutical science and practice, as well as by their knowledge and skills, shall increase the possibilities for the most favorable outcome of treatment and reduce the risks of adverse consequences for the health and health status of the individual and the community as a whole. In the same line is the Law on Protection of the Rights of Patients, which uses the same definition for the term “patient” (a person, sick or healthy, who requests or is undergoing a certain medical intervention for the purpose



of preserving and promoting health, preventing diseases and other health conditions, treatment, or healthcare and rehabilitation), as well as defines the “medical intervention” as any examination, treatment, or other activity with a preventive, diagnostic, therapeutic, or rehabilitation purpose undertaken by an authorized health worker.

Furthermore, human health is the main object of protection of the criminal offences defined in Articles 205–217 of Chapter 21 of the Criminal Code (CC) (1996, 1999, 2002, 2003, 2004, 2005, 2006, 2008, 2009, 2011, 2012, 2013, 2014, 2015, 2017, 2018, 2023). Kambovski and Tupancevski (2011: 238) note the criminal-law protection of human health differs from the protection of this good within the classical framework of criminal offences against life and body. The basic characteristic of the indictments in this area is that they are generally dangerous offences, offences against the health of many people, an undefined circle of people, and not just against the health of an individual. Among these criminal offences, the offence titled “Quackery” is also included, and it is performed by a person who, without the prescribed qualification, deals in treatment or in providing medical assistance. In addition, Đorđević (2009: 150) categorizes this offence within the group of criminal offences that endanger people’s health through treatment and medication. As notable from the used wording in the Macedonian CC, Article 209 is composed only by one paragraph, that regulates what is meant under Quackery. If such wording is being analyzed, then the following characteristics can be noted about the offence that is often called a “quasi-medical criminal offence”:

- *Perpetrator*: The offence is a *delicta communia*, indicating that a quack can be any person, i.e., the offence can be performed by anyone who does not have the prescribed professional training/qualification. In connection with the perpetrator, according to Randelović (2019: 242), a question can be raised whether a doctor who provides treatment for which he does not have an appropriate specialization, for example, a general practitioner who performs an operation or a gynecological examination or a childbirth, can also be considered as a perpetrator of this criminal offence? In the literature, it is considered that in such a case there is no criminal offence of quackery, but it should be considered that there is a criminal offence of negligent provision of medical assistance, because for a person who has a general professional qualification, the assumption that he will perform the treatment or provide other medical services in an unprofessional manner cannot be valid, so such a person should not be considered as a quack doctor even though he lacks a certain narrower specialization.
- *Object of protection*: Human health, body, and life.
- *Object to which the action of execution is directed*: Towards the human body and health.
- *Way of execution*: A person deals in treatment or in providing medical assistance. Additionally, CC uses the conjunction “or” between the two ways of execution of this offence. The first way is “deals in treatment” (the quack acts like a doctor), and the second way is “deals in providing medical assistance” (the quack takes actions that are performed by other healthcare professionals).
- *Duration*: The used word “deals” in the CC’s deposition (in Macedonian language *се занимава*) implies that the person has been “dealing”, i.e., has been involved in such activities for a long period of time. It can be perceived as the person having been “dealing” in such activities as if they were his profession, for which he did not have prescribed professional training. The quack deals in, i.e., performs such actions for a long time, and therefore his determination to perform these actions should be considered.
- *Subjective aspect*: The quack is a perpetrator who deals with intent when committing this offence, indicating that he knowingly acts like a doctor or a healthcare professional.
- *Benefit from the committed offence*: The benefit is irrelevant, the only requirement for the existence of this offence is that its perpetrator was dealing in treatment or in providing medical assistance. Hence, the quack can be dealing for reward or without reward, but this is not important, and



therefore the free quack's services should also be prosecuted. Although the motive of the quack can be financial, the gained benefit is not a legally relevant element for the offence to exist.

- *Consequence*: Quackery exists regardless of whether the harmful consequence has occurred, the only thing that is important is to deal in treatment or to provide medical assistance without the prescribed qualification. Therefore, Vuković (2024: 326), observes that the legislator did not make this offence consequential, which means that the offence is formally completed by repeatedly undertaking some of the actions, regardless of whether any harmful consequences have occurred. Nevertheless, Article 217, "Severe criminal offences against the health of people", prescribes aggravated sentences in two cases, i.e., because of the quackery a person has been severely bodily injured, or his health has been severely damaged (Paragraph 1), and if one or more persons have died (Paragraph 2). In addition, whether the treatment or the medical assistance provided was successful or unsuccessful is also irrelevant. Therefore, Milovanović (2022: 228) points out that when committing the criminal offence, the consequence can be both abstract and concrete. Namely, an abstract danger is a possibility for the occurrence of a concrete danger, and it occurs in the case when a person without appropriate professional training acts contrary to the CC, but in the specific case there was no damage to the health of another person, while, on the other hand, there is a concrete danger in the case when the health of another person is damaged as a consequence of the committed criminal offence.
- *Punishment*: The quack shall be punished with imprisonment of up to one year and with a fine. Moreover, if a person has been severely bodily injured or his health has been severely damaged – then the quack shall be punished with imprisonment of one to ten years (Article 217 Paragraph 1), and if one or more persons have died – then the quack shall be punished with imprisonment of at least four years (Article 217 Paragraph 2, in 2014 the prescribed imprisonment was increased from "at least three years" to "at least four years").

Concerning Article 276 of the new Draft CC (Draft CC; published in July 2022 on the Unique National Electronic Register of Regulations – "ENER"), the wording used in the disposition is the same as Article 209, but there are some differences in the prescribed sentences (ENER, 2022). Namely, the Draft CC uses the conjunction "or" instead of "and" between the two sentences, which means that the fine as sentence can be imposed as a main sentence (not like the present CC – only as a secondary sentence to the main prison sentence). In addition, the fine in the draft CC is firstly listed as a sentence, followed by the imprisonment of up to one year.

When it comes to comparative analysis, the criminal codes of the *Federation of Bosnia and Herzegovina* and of *Montenegro* are stipulating similar dispositions for the offence of quackery as the Macedonian CC, however there is a difference in the prescribed sentence – imprisonment of up to one year and a fine (Bosnian CC, Article 233 *Nadriliječništvo*) (2003, 2004, 2005, 2010, 2011, 2014, 2016, 2017, 2023), i.e., a fine or imprisonment of up to two years (Montenegrin CC, Article 293 *Nadriljekarstvo*) (2003, 2004, 2006, 2008, 2010, 2011, 2013, 2015, 2017, 2018, 2020). It is interesting to note that the *Serbian* CC (2005, 2009, 2012, 2013, 2014, 2016, 2019, 2024) in Article 254 criminalizes not only quackery as an offence that is performed by a person who, without an appropriate professional qualification, deals in treatment or in rendering other medical services (Paragraph 1 – *Nadrilekarstvo*), but also criminalizes the practice of fraudulent pharmaceutical activities, i.e., the perpetrator deals in preparing or dispensing medicaments (Paragraph 2 – *Nadriapotekarstvo*). The sentence prescribed for both paragraphs is the same – a fine or imprisonment of up to three years. *Croatian* CC (2011, 2012, 2015, 2017, 2018, 2019, 2021, 2022, 2023, 2024) differs from the previously mentioned codes because it provides the basic disposition of the offence of quackery (Article 184 *Nadriliječništvo*), but at the same time it unites several qualifying situations. When it comes to the basic form of quackery, Paragraph 1 prescribes that only imprisonment of up to one year can be imposed as a sentence on the



perpetrator, which means that contrary to all other codes – the perpetrator cannot be sanctioned with a fine. The next paragraphs regulate the aggravated situations of the offence, i.e., it has caused a serious bodily injury or considerable deterioration of the illness (Paragraph 2, imprisonment of six months to five years), particularly severe bodily injury or pregnancy termination (Paragraph 3, imprisonment of one to ten years), or death of one or more persons (Paragraph 4, imprisonment of three to fifteen years). Finally, the Croatian CC stipulates one more paragraph (Paragraph 5), according to which the means used for the treatment shall be confiscated. The same as the previous code, CC of *Slovenia* (2008, 2009, 2011, 2012, 2015, 2016, 2017, 2020, 2021, 2022, 2023, 2024) contains provisions regarding the quackery (Article 180 *Mazaštvo*), with a note that for its basic form imprisonment of six months to five years is prescribed. However, such a basic form (the perpetrator deals in treatment or performs medical services despite the lack of the required qualification) is expanded with a remark that by doing so, the perpetrator is discouraging the patient from seeking medical help in a timely manner (Paragraph 1). In addition to this, if such a perpetrator causes serious damage to the health of a person who did not consent to or was unable to consent to medical procedures, then he shall be sentenced to imprisonment of six months to eight years (Paragraph 2), or if the death of a patient has resulted, then he shall be sentenced to imprisonment of one to ten years (Paragraph 3). Like the Croatian CC, the Slovenian CC notes that the means that were intended for or used in treatment pursuant to Paragraph 1 shall be confiscated.

## ANALYSIS OF THE AVAILABLE STATISTICAL DATA

Concerning the data disposable to the Macedonian State Statistical Office (n.d.), it can be noted that its annual reports of the perpetrators of criminal offences published on the official webpage do not contain information about the offence of quackery. Therefore, requests for access to public information were sent to the Ministry of Internal Affairs, Public Prosecutor’s Office, and Supreme Court. The Ministry of Internal Affairs was asked to provide data about reported offences of quackery in the period 2010–2024, to which the Ministry replied (2025) that in the given period, eight perpetrators have been reported for committing such offences:

- 2011 in Skopje (one criminal offence with one reported perpetrator),
- 2018 in Gevgelija (one criminal offence with one reported perpetrator),
- 2019 in Skopje (one criminal offence with one reported perpetrator),
- 2020 in Negotino (one criminal offence with one reported perpetrator),
- 2021 in Skopje and Bitola (two criminal offences with one reported perpetrator for each offence),
- 2022 in Struga (one criminal offence with one reported perpetrator),
- 2023 in Gostivar (one criminal offence with one reported perpetrator).

In addition, a request for access to public information was submitted to the Public Prosecutor’s Office, by which it was asked to provide information about the number of criminal reports received and the number of indictments filed for all 22 Basic Prosecution Offices for the period 2010–2024. Contrary to the Ministry that provided the requested data, the Public Prosecutor’s Office (2025) on 03.06.2025 answered, “We are not able to provide the requested information, because the Public Prosecutor’s Office does not process such data, i.e., the requested information is not information that already exists and is available to the Public Prosecutor’s Office”. Consequently, the abovementioned request was sent to all 22 Basic Prosecution Offices (Berovo, Bitola, Veles, Gevgelija, Gostivar, Debar, Delčevo, Kavadarci, Kičevo, Kočani, Kriva Palanka, Kumanovo, Ohrid, Prilep, Radoviš, Resen, Sveti Nikole, Skopje, Struga, Strumica, Tetovo, and Štip), and the following information was provided:



- Basic Prosecution Office – Gostivar (2025): in 2023 one criminal report was received, based on which an indictment proposal was filed. Afterwards, the Court of First Instance – Gostivar delivered a judgement of conviction and sentenced the accused person to alternative measure probation – imprisonment of 1 year (suspended for 3 years);
- Basic Prosecution Office – Prilep (2025): in 2021 one criminal report against one person was received, but it was dismissed with a decision;
- Basic Prosecution Office – Kavadarci (2025):
  - in 2012 one criminal report against one person was received, but it was dismissed with a decision,
  - in 2018, one criminal report against one person was received, which was processed under Article 43 of the Law on Criminal Procedure (conditional postponement of the criminal prosecution), and afterwards a decision was adopted not to initiate a criminal prosecution,
  - in 2020, one criminal report against one person was received, for which a motion for issuing a penal warrant was filed to the Court of First Instance – Kavadarci. The accused person was found guilty and sentenced to a probation – imprisonment of 3 months (suspended for 1 year), as well as a fine as an additional punishment.
- Basic Prosecution Office – tip (2025): in 2021 two criminal reports against two persons were received, based on which motions for issuing penal warrants were filed to the Court of First Instance – Štip. The accused persons were found guilty and sentenced to alternative measure probation – imprisonment and a fine.

The other offices replied that they haven't received criminal reports for the offence of quackery (Berovo, Bitola, Gevgelija, Debar, Delčevo, Kičevo, Kriva Palanka, Ohrid, Radoviš, Resen, Sveti Nikole, Struga, and Tetovo), but also there were offices that did not reply at all (Veles, Kočani, Kumanovo, Skopje, and Strumica).

Finally, a request for access to public information was sent to the Macedonian Supreme Court, asking for information about the number of delivered judgements for the offence of quackery in the period 2010–2024, as well as about the types of delivered judgements – rejection, acquittal, and conviction. Instead of providing the requested information, the Supreme Court (2025) referred to a link on its website. Therefore, a separate request was sent to all 24 Courts of First Instance (Berovo, Bitola, Veles, Vinica, Gevgelija, Gostivar, Debar, Delčevo, Kavadarci, Kičevo, Kočani, Kratovo, Kriva Palanka, Kruševo, Kumanovo, Negotino, Ohrid, Prilep, Radoviš, Resen, Sveti Nikole, Skopje, Struga, Strumica, Tetovo, and Štip), and five of them informed us that six judgments have been delivered so far:

- Court of First Instance – Bitola (2025): in 2018 one acquittal judgement was delivered, however – the judgement that was provided was for a wrong criminal offence (about the offence shysterism, i.e., false attorney, in Macedonian language *Надпунуцапство*, Judgement K. No. 233/18 of 12/01/2018);
- Court of First Instance – Gevgelija (2025): in 2018 one judgment of issuing a penal warrant was delivered by which an alternative measure of probation – imprisonment of 3 months (suspended for 1 year) was imposed;
- Court of First Instance – Kavadarci (2025): in 2020 one judgment of issuing a penal warrant was delivered by which an alternative measure of probation – imprisonment of 3 months (suspended for 1 year) was imposed, as well as a fine of 12300 Denars (200 Euros);
- Criminal Court of First Instance – Skopje (2025): in 2014 one judgment based on a guilty plea was delivered by which an alternative measure of probation – imprisonment of 9 months (suspended for 2 years) was imposed, as well as a fine of 27675 Denars (400 Euros);
- Court of First Instance – Štip (2025):

- in 2021 one judgment of issuing a penal warrant was delivered by which an alternative measure of probation – imprisonment of 3 months (suspended for 1 year) was imposed, as well as a fine of 9225 Denars (150 Euros);
- in 2022 one judgment of issuing a penal warrant was delivered by which an alternative measure of probation – imprisonment of 3 months (suspended for 1 year) was imposed, as well as a fine of 12300 Denars (200 Euros).

Except for the Court of First Instance – Berovo (did not respond to the request), the remaining courts replied that there were no judgments about the criminal offence of quackery. However, on the Supreme Court’s portal a judgment based on a guilty plea delivered in 2023 by the Court of First Instance – Gostivar (2023) can be found, by which an alternative measure of probation – imprisonment of 1 year (suspended for 3 years) was imposed and a fine (no data provided). In addition, the Court evicted the perpetrator since he was not a Macedonian citizen.

Taking into account the data available to the relevant institutions (State Statistical Office, Ministry of Internal Affairs, Basic Prosecution Offices, and Courts of First Instance), it can be concluded that the institutions do not record the statistics properly, and concerning the offence of quackery, no general findings can be drawn.

## MACEDONIAN JURISPRUDENCE

As mentioned before, Judgment K. No. 113/18 issuing a penal warrant was delivered on 17/08/2018 by the Court of First Instance – Gevgelija (2018), and an alternative measure of probation – imprisonment of 3 months (suspended for 1 year) was imposed on the accused person, M.G. (female, Macedonian citizen, pensioner, unconvicted, no proceedings were being conducted for another criminal offence), because she committed the criminal offence of quackery. Namely, in the period from May 2016 to April 2018, she provided medical assistance by performing examinations and determining diopters for several people so they could use glasses with diopters. She performed these actions without having prescribed professional training in accordance with the Law on Health Protection, i.e., her certificate for passing a professional and theoretical exam in the field of binocular correction issued by the Institute “O.” was not nostricated in the Republic of Macedonia, and she had no license issued in the Republic of Macedonia for performing eye examinations for the purpose of determining diopters. Also, she was sentenced to a fine of 6150 Denars (100 Euros).

In the second case, the Court of First Instance – Kavadarci (2020) on 21/12/2020 by Judgement K. No. 301/20 decided that the accused person, Z.G. (male, Macedonian citizen, employed, married, with completed secondary education), committed the offence of quackery because in the period from 2015 till 18/10/2019, in his own home, taking advantage of the same opportunities, and with the intention to obtain unlawful gain for himself, he engaged in treatment without prescribed professional training from a competent state body (Ministry of Health). He provided medical assistance by selling medicines for several human diseases (such as cancer, bacteria, tumors, back pain, and other diseases) in the form of liquids packaged in small bottles with the inscription “PRK 74”, as well as in the form of creams packaged in plastic boxes of different weights and substances. The “medicines” that he made (ethyl alcohol was their basic substance) were promoted through business cards with the inscription of his name and surname, where he falsely added the title “molecular biologist” for various types of diseases, as well as with his phone number, and labels and stickers with different content intended for the plastic boxes and creams that he sold with different prices to people throughout the entire country. Having in mind the above, the Court delivered a judgment of issuing a penal warrant and imposed an



alternative measure of probation – imprisonment of 3 months (suspended for 1 year), as well as a fine of 12300 Denars (200 Euros).

The Judgement K. No. 178/14 based on a guilty plea was delivered on 02/07/2014 by the Criminal Court of First Instance – Skopje (2014), by which an alternative measure of probation – imprisonment of 9 months (suspended for 2 years) and a fine of 27675 Denars (400 Euros), were imposed on the accused person, P.T. (male, Macedonian citizen, unemployed, completed secondary education, student at the Faculty of Medicine, completed an eight-month course on physical therapy at the University “K.R.”, married, father of a minor, unconvicted, no proceedings were being conducted for another criminal offence). In the period from October 2012 to April 22, 2013, at the Rehabilitation and Relaxation Center “S.M.”, without any prescribed professional training, he was engaged in treatment and in providing medical assistance in a way that, although he did not have a degree from the Faculty of Medicine, he performed physical therapy, massage, and examinations, attended matches and training sessions as a doctor and physiotherapist and performed medical examinations for individuals and sports clubs. A main, public and oral hearing was scheduled for 02/07/2014, and upon the Court’s call for the accused person to state his position regarding the criminal offence, whether he feels guilty or not, the accused person voluntarily pleaded guilty to the criminal offence of quackery. He admitted that he had committed the offence and at the same time stated that he is now aware that what he did was illegal and that he is trying to put things in order (to finish his studies, and until he receives his diploma, he will not engage in that activity), and at the same time he expressed remorse.

The Court of First Instance – Štip (2021, 2022) delivered two judgments regarding the criminal offence of quackery. The first Judgment K. No. 379/21 of issuing a penal warrant was delivered on 08/11/2021 towards the accused person (male, Macedonian citizen). Without prescribed professional training, in the period of 2020, he was engaged in treatment – providing medical assistance in such a way that in October 2020 to M.A. for the treatment of psoriasis, and in November 2020 to T.M. for the treatment of decubitus, for the amount of 400 denars each, he sold 0.5 liters of liquid (ethyl alcohol with a concentration of 33% and boric inorganic acid that is widely used in medicine). The Court found the accused person guilty of the criminal offence of quackery and imposed an alternative measure of probation – imprisonment of 3 months (suspended for 1 year) and a fine of 9225 Denars (150 Euros).

The same as the judgement in 2021, the second Judgment K. No. 20/22 of 21/01/2022, was delivered by the Court, and a penal warrant was issued, by which an alternative measure of probation – imprisonment of 3 months (suspended for 1 year) was imposed, as well as a fine of 12300 Denars (200 Euros). The accused person (female, Macedonian citizen), in the period from January to April 2021 in her home, provided medical assistance to S.C. and I.C. by giving them medicines for several diseases such as diabetes, hair loss, and coronavirus. The medicines were packaged in glass bottles with different inscriptions and were sold to S.C. and I.C. for different prices. By these actions, the accused person committed the criminal offence of quackery, since she engaged in treatment without prescribed professional training from a competent state body (Ministry of Health) and with an intention to obtain unlawful gain for herself.

Finally, the Court of First Instance – Gostivar (2023) on 09.06.2023 delivered Judgement K. No. 324/23 based on a guilty plea of the accused person M.Č. (male, citizen of T., employed in a private entity, completed higher education, married), and sentenced him to an alternative measure of probation – imprisonment of 1 year (suspended for 3 years), together with a fine (no data provided). Also, since the perpetrator was not a Macedonian citizen, and because of the circumstances under which the offence was performed, the nature of the offence, and the motives of the perpetrator, which suggested undesirability of his future stay in the country, the Court based on the CC’s Article 38-d evicted the perpetrator with a note that such sentence will last for 5 years from the day of his eviction from the



territory of the Republic of Macedonia, and will be executed by the Ministry of Internal Affairs. In essence, the accused person (no data provided about the period), in the village V. in a business premises with the inscription “E.B.” in a house owned by M.M., provided health services without having the prescribed professional training in accordance with the Law on Health Protection and without a license issued by a competent authority. He performed such activities through Facebook and by phone, scheduled appointments, and performed examinations of sick people. Afterwards, by using bioenergy as well as various herbal medicines (prepared by himself), he prescribed them therapy. For these services, he had a price list based on which he charged the patients.

## CONCLUSION

Even though the main object of protection of the criminal offence of quackery is human health, it can be concluded that in the observed period from 2010 to 2024, there is an extremely low number of criminal reports, indictments, and judgments. In addition to this, the statistics are not recorded properly. As for the delivered judgments, it can be noted that all convicted perpetrators have been sentenced to an alternative measure of probation – imprisonment and a fine. Concerning the CC’s disposition, similar wording is used by the other criminal codes that were a subject of comparative analysis. Despite all these observations, the offence of quackery must receive adequate attention in the future from the relevant authorities, because it is a criminal offence that is committed by a perpetrator as an occupation but without the prescribed qualification, and for the provided so-called “health services”, the perpetrator often charges his/her patients. Finally, the relevant authorities must pay attention to who is dealing in treatment or in providing medical assistance on the Macedonian territory and whether these persons meet the strict conditions defined in the legal acts, because contrary to this – such “quasi-medical” workers can harm not only a concrete individual, but also they represent a threat to the entire healthcare system.

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