

No. R. 583

2 May 2003

**HEALTH PROFESSIONS ACT, 1974 (ACT NO. 56 OF 1974)****REGULATIONS RELATING TO THE CONSTITUTION OF THE MEDICAL AND  
DENTAL PROFESSIONAL BOARD**

The Minister of Health has, in terms of section 15 of the Health Professions Act, 1974 (Act No. 56 of 1974), on the recommendation of the Health Professions Council of South Africa, to make the regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed regulations to the Director- General of Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Human Resource Development), within 6 weeks of the date of publication of this notice.

**SCHEDULE****1. Definitions**

In these regulations "the Act" means the Health Professions Act, 1974 (Act No. 56 of 1974), and any expression to which a meaning has been assigned in the Act shall bear such meaning and, unless the context indicates otherwise -

**"board"** means the Medical and Dental Professional Board established, in terms of section 15 of the Act, under Government Notice No. R. 75 of 16 January 1998;

**"previously disadvantaged individuals"** means persons who were previously disadvantaged by unfair discrimination and who, in terms of section 9(2) of the

Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), may be protected and advanced to achieve equality and, for the purposes of these regulations, includes the following designated groups:

- (a) Men of African, Asian or coloured descent;
- (b) women, irrespective of descent; and
- (c) disabled persons, irrespective of descent;

“**section**” means a section of the Act.

## **2. Constitution of the board**

- (1) The board shall consist of the following 45 members who permanently reside in South Africa:
  - (a) Twenty-five medical practitioners, of whom -
    - (i) at least fourteen shall be previously disadvantaged individuals; and
    - (ii) of the fourteen medical practitioners referred to in subparagraph (i), at least four shall be women;
  - (b) five dentists, of whom -
    - (i) no two may reside in the same province;
    - (ii) at least three shall be previously disadvantaged individuals; and


- (iii) of the three dentists referred to in subparagraph (ii), at least one shall be a woman;
  - (c) four medical practitioners representing the universities with faculties or schools of medicine;
  - (d) one dentist representing the universities with faculties or schools of dentistry;
  - (e) one person representing the health authorities, who shall be appointed by the Minister;
  - (f) one person whose name appears on –
    - (i) the register of anaesthetist's assistants;
    - (ii) the register of biomedical engineers;
    - (iii) the register of clinical biochemists;
    - (iv) the register of genetic counsellors;
    - (v) the register of health assistants;
    - (vi) the register of medical physicists;
    - (vii) the register of medical biological scientists; or
    - (viii) the register of supplementary medical scientists; and
  - (g) eight community representatives, who shall be appointed by the Minister of whom two shall be versed in the law.
- (2) Nine of the twenty-five medical practitioners referred to in subregulation (1)(a) shall be elected as provincial representatives, one per province, by

persons with registered postal addresses in the relevant provinces in South Africa and whose names appear on the register of medical practitioners.

- (3) The remaining sixteen of the twenty-five medical practitioners referred to in subregulation (1)(a) shall be elected by persons with registered postal addresses in South Africa and whose names appear on the register of medical practitioners.
- (4) The five dentists referred to in subregulation (1)(b) shall be elected by persons with registered postal addresses in South Africa and whose names appear on the register of dentists.
- (5) The four medical practitioners referred to in subregulation (1)(c) and the dentist referred to in subregulation (1)(d) shall be appointed by the South African Universities Vice-Chancellors Association.
- (6) The person referred to in subregulation (1)(f) shall be elected by persons with registered postal addresses in South Africa and whose names appear on -
  - (i) the register of anaesthetist's assistants;
  - (ii) the register of biomedical engineers;
  - (iii) the register of clinical biochemists;
  - (iv) the register of genetic counselors;
  - (v) the register of health assistants;
  - (vi) the register of medical physicists;
  - (vii) the register of medical biological scientists; or
  - (viii) the register of supplementary medical scientists.

**3. Repeal**

The Regulations relating to the Constitution of a Medical and Dental Professional Board published under Government Notice No. R. 315 of 27 February 1998 are hereby repealed with effect from the date immediately preceding the date of the first meeting of the board constituted in terms of these regulations.

  
**DR M E TSHABALALA-MSIMANG**  
**MINISTER OF HEALTH**