
GOVERNMENT NOTICE

DEPARTMENT OF HEALTH

No. R. 1247

21 December 2005

TRADITIONAL HEALTH PRACTITIONERS ACT, 2004 (ACT 35 OF 2004)

REGULATION RELATING TO THE APPOINTMENT BY THE MINISTER AS MEMBERS OF THE INTERIM TRADITIONAL HEALTH PRACTITIONERS COUNCIL OF SOUTH AFRICA

The Minister of Health intends, in terms of section 7 of the Traditional Health Practitioners Act, 2004 (Act No 35 of 2004), read with section 14 of the Interpretation Act, 1957 (Act No. 33 of 1957) to make the regulations set out in the Schedule.

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

SCHEDULE

1. Definitions

In these regulations, any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context otherwise indicates –

“**Council**” means the Interim Traditional Health Practitioners Council of South Africa established in terms of section of the Act;

“**the Act**” means the Traditional Health Practitioners Act, 2004 (Act No. 35 of 2004); and

“**traditional health practitioner**” means a person currently engaged in traditional health practice as defined in the Act.

2. Process of Appointment

- (1) For the purpose of appointing members contemplated in paragraphs (c), (e), (h) and (i) of section 7 of the Act, the Minister must by notice in the Gazette and by means of an advertisement placed in at least two newspapers with national and regional circulation invite nominations of persons to be considered for appointment to the Council.
- (2) The notice contemplated in sub-regulation (2) must state the requirements for consideration for appointment as a member and the period within which the Minister must receive such nominations.
- (3) Nominations for appointment in terms of-
 - (a) section 7(c) of the Act must be submitted to the Member of the Executive Council responsible for health in the province in which the nominated traditional health practitioner predominantly practices; and
 - (b) paragraphs (e), (h) and (i) of section 7 of the Act must be submitted to the Minister.
- (4) Nominations must be submitted in the format indicated in the Annexure to these Regulations.
- (5) The Health Professions Council of South Africa and the South African Pharmacy Council must submit nominations of persons to be considered for appointment to the Council in terms of section 7(f) and (g), respectively, of the Act, within 30 days of the date of a written request by the Minister.
- (6) The Member of the Executive Council responsible for health in a province must submit the names of three traditional health practitioners to be considered for appointment by the Minister in terms of section 7(c) of the Act.
- (7) If the Minister receives no nomination in a particular category or an insufficient number of nominations within the period specified in the invitation, the Minister may appoint the required number of persons who qualify to be appointed in terms of section 7 of the Act, or request further nominations for such purpose.
- (8) A person whose name is submitted in terms of sub-regulation (5) for appointment in terms of section 7(i) of the Act, must have been practising in that category for a

period of not less than five years prior to the envisaged appointment as a member.

- (9) The Minister must publish in the Gazette the names of members appointed to the Council and the date of commencement of their period and term of office.

..... *M. Tshabalala*

DR M.E. TSHABALALA-MSIMANG
MINISTER OF HEALTH

ANNEXURE A

NOMINATION FORM FOR APPOINTMENT AS A MEMBER OF THE INTERIM COUNCIL OF TRADITIONAL HEALTH PRACTITIONERS		
1. Full names of traditional health practitioner		
2. ID Number		
3. Physical Address		
4. Postal Address (if different to above)		
5. Province in which the practitioner predominantly practices (mark one with X and state town/city/village)	EASTERN CAPE	
	FREE STATE	
	GAUTENG	
	KWAZULU-NATAL	
	LIMPOPO	
	MPUMALANGA	
	NORTHERN CAPE	
	NORTH WEST	
	WESTERN CAPE	
6. Main area of practice (mark one with X)	Diviner	
	Herbalist	
	Traditional Birth Attendant	
	Traditional Surgeon	
7. Number of years in practice and place of practice		

I hereby declare that I am willing to accept the abovementioned nomination and available to serve on the Interim Traditional Health Practitioners Council should the Minister of Health decide to appoint me to this position.

Signature or mark of Traditional Health Practitioner
I in item 1 above

Date

I, (full names of the person nominating and occupation) hereby declare that the information given above is correct, and understand that it is Minister's prerogative to appoint members of the Interim Traditional Health Council,

Signature or mark of person nominating

Date

I hereby nominate the abovementioned practitioner to serve on the Interim Traditional Health Practitioners Council

Signature of the MEC of the Province indicated in item 5 above

Date