

No. R. 690

21 July 2006

**HEALTH PROFESSIONS ACT, 1974 (Act No. 56 of 1974)****AMENDMENT OF THE REGULATIONS RELATING TO THE FUNCTIONS AND FUNCTIONING OF PROFESSIONAL BOARDS**

The Minister of Health has, under section 15(4) and (5)(f), (h) and (i), read with section 61(2) of the Health Professions Act, 1974 (Act No. 56 of 1974), after consultation with the Health Professions Council of South Africa, made the regulations in the Schedule.

**SCHEDULE****Definitions**

1. In this Schedule "the Regulations" means the Regulations relating to the Functions and Functioning of Professional Boards, 1999, promulgated by Government Notice No. R. 979 of 13 August 1999.

**Substitution of regulation 13 of the Regulations.**

2. The following regulation is hereby substituted for regulation 13 of the Regulations:

"13.(1) Every vacancy on a professional board arising from circumstances referred to in regulation 12, and every vacancy caused by the death of a member shall be filled by designation or appointment by the person or body or group by whom and in the manner in which the vacating member was designated or appointed, **and** every member so designated or appointed shall hold office for the

unexpired portion of the period for which the vacating member was designated or appointed: Provided that in the case of an elected member vacating his or her office, such vacancy shall be filled by a candidate –

- (a) who, in succession, obtained the highest number of votes amongst the candidates who were not successful in the elections in terms of the Regulations and subject to the conditions specified in the Regulations; and
- (b) who complies with the same requirements prescribed by regulation 3 of the Regulations relating to the Election of Members of a Professional Board as published in Government Notice No. R. 1055 of 28 July 2003, as those with which the vacating member complied.

(2) If no candidate who was validly nominated in the election and who complies with the proviso to subregulation (1) is available, or if no such candidate is willing or able to serve in the vacancy for the unexpired portion of the board's term of office, the registrar shall call for a by-election to be conducted in terms of the Regulations relating to the Election of Members of a Professional Board as published in Government Notice No. R. 1055 of 28 July 2003."

  
**M E TSHABALALA-MSIMANG, MP**  
**MINISTER OF HEALTH**