

No. R. 881

8 September 2006

**HEALTH PROFESSIONS ACT, 1974 (Act 56 of 1974)****REGULATIONS RELATING TO THE REGISTRATION OF HEALTH PRACTITIONERS RESTRICTED TO NON-CLINICAL PRACTICE (Public Comment)**

The Minister of Health intends, in terms of section 61 (1) (c) of the Health Professions Act, 1974 (Act No. 56 of 1974), and in consultation with 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: Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Human Resource Stakeholder Relations and Management), within two months from date of publication of this notice.

**SCHEDULE****Definitions**

1. In these Regulations any word or expression to which a meaning has been assigned in the Act, shall bear such meaning and, unless the context otherwise indicates -



“**board**” means any professional board established in terms of section 15(1) of the Act;

“**health practitioner**” means a person registered under the Act;

“**ill-health**” means a physical or mental condition falling within the international classification of disorders which has a direct or an indirect impact on the physical and/or psychological functioning of a practitioner;

“**non-clinical practice**” means a practice that does not involve the management of individuals or groups by taking the medical history of a patient or group and performing any other function that falls within the scope of practice of a health practitioner engaged in clinical practice;

“**section**” means a section of the Act; and

“**the Act**” means the Health Professions Act, 1974(Act No. 56 of 1974)

### **Establishment of registration category for non-clinical practice**

2. A registration category for health practitioners who are restricted to non-clinical practice is hereby established.

### **Registration in the category non-clinical practice**

3. The registrar may register any person who is registered as a health practitioner under the Act in the category non-clinical practice, if such a person-

- (a) applies to be registered in that category;
- (b) submits an affidavit that he or she is not practising as a health practitioner in clinical practice;



- (c) failed to comply with the requirements prescribed under section 26 of the Act;
- (d) is restricted in terms of the regulations made under section 51 of the Act by the Health Committee of council to non-clinical practice due to the nature and severity of his or her impairment;
- (e) is unable to practise his or her profession due to ill-health.

#### **Limited involvement in health care matters**

4. A health practitioner registered in the category non-clinical practice may not be involved in acts specified in regulations defining the scope of any profession registered under the Act, but may be engaged in providing advice in healthcare matters.

#### **Restoration to any other register**

5. A health practitioner registered in the category non-clinical practice may apply to the board to have his or her name restored to a register for which he or she qualifies, subject to compliance with the requirements and conditions which may be specified by the board for such restoration.

#### **Exemption from compliance with requirements of continuing professional development**

6. A health practitioner registered in the category non-clinical practice may be exempted by the board from complying with the requirements of continuing professional development in terms of section 26 of the Act.



**MINISTER OF HEALTH**

