

DEPARTMENT OF HEALTH
DEPARTEMENT VAN GESONDHEID

No. R. 161

2 March 2007

HEALTH PROFESSIONS ACT, 1974 (ACT NO.56 OF 1974)

REGULATIONS RELATING TO INDEMNITY COVER FOR REGISTERED HEALTH
PRACTITIONERS

The Minister of Health intends, in terms of sections 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 three months of the date of publication of this notice.

SCHEDULE**Definitions**

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

“health practitioner” means a person registered in terms of section 17 of the Act;

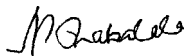
“indemnity cover” means insurance provided by recognised providers in terms of the relevant Insurance Act or indemnity cover provided through membership of a recognised medical protection organisation, to cover for damages which may arise as a result of a wrongful act or omission by a registered health practitioner;

“independent practice” means the practising of a health profession by a registered practitioner for his or her own account, either in *solus* practice, or as a partner in a partnership, or as an associate in an association with other practitioners registered under the Act, or as director of a company exempted from the provisions of the Act in terms of section 54A of the Act; and

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

Requirements of indemnity cover

2. A practising health practitioner, registered in the category independent practice, must obtain an indemnity cover which must be maintained at all times.
3. A health practitioner referred to in regulation 2, must provide the council with documentary proof and details of such indemnity cover on an annual basis.
4. Any health practitioner contemplated by these regulations, who practises in contravention of these regulations commits an unprofessional conduct that may lead to an inquiry in terms of Chapter IV of the Act.

**MINISTER OF HEALTH**
