
GOVERNMENT NOTICES
GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF HEALTH
DEPARTEMENT VAN GESONDHEID

No. R. 223

29 February 2008

HEALTH PROFESSIONS ACT, 1974 (ACT 56 of 1974)

REGULATIONS RELATING TO THE REGISTRATION OF HEALTH
PRACTITIONERS RESTRICTED TO NON-CLINICAL PRACTICE

The Minister of Health has, in terms of section 61(1)(c) of the Health Professions Act, 1974 (Act No. 56 of 1974), in consultation with the Health Professions Council of South Africa, made the regulations in the Schedule.

SCHEDULE

Definitions

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

“**board**” means a 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 and submits an affidavit to the satisfaction of the board that he or she is not engaged in or participate in clinical practice or clinical management of patients;
- (b) fails to comply with the requirements prescribed under section 26 of the Act;
- (c) is restricted in terms of the regulations made under section 51 of the Act by the health committee of the board to non-clinical practice due to the nature and severity of his or her impairment;

- (d) is restricted in terms of a penalty imposed by a Professional Conduct Committee in terms of section 42 of the Act, to non-clinical practice due to the nature and severity of the unprofessional conduct with which he or she was found guilty; or
- (e) is unable to practise his or her profession owing to ill health.

Limited involvement in healthcare matters

4. A health practitioner registered in the category non-clinical practice may not be involved in acts specified in the 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 that 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.



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MINISTER OF HEALTH