

**HEALTH PROFESSIONS ACT, 1974****REGULATIONS RELATING TO THE REGISTRATION OF PERSONS WHO HOLD  
QUALIFICATIONS NOT PRESCRIBED FOR REGISTRATION**

The Minister of Health has, in terms of section 25, read with section 15B(1)(e), of the Health Professions Act, 1974 (Act No. 56 of 1974), and after 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 bear that meaning, and, unless the context otherwise indicates—

**"board"** means a professional board established in terms of section 15(1) of the Act;

**"foreign qualification"** means a qualification obtained at an educational institution outside the Republic of South Africa;

**"foreign qualified person"** means a person who obtained a qualification for registration as a health practitioner at an educational institution outside the Republic of South Africa;

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

**"military health service"** means a health service rendered by the South African National Defence Force;

**"public service"** means a service rendered by the state at the national, provincial or local level of government, including organisations that function under the auspices or are largely subsidised by the state or are recognised by the council for the purpose of these regulations;

**"supervised practice"** means practising a health profession under the supervision of an appropriately qualified health practitioner at an approved facility as determined by the board;

**"supervision"** means the overseeing of the professional acts of a person registered in the category of supervised practice by a supervising practitioner and the acceptance by that supervising practitioner of liability for such professional acts;

**"the Act"** means the Health Professions Act, 1974 (Act No. 56 of 1974); and

**"volunteer service"** means a service rendered by a South African healthcare provider agency recognised by the council for the purpose of healthcare relief or assistance programmes.

**Registration in the categories of internship, public service, supervised practice, education, postgraduate study, military health service and volunteer service**

2. (1) The registrar may register a foreign qualified person who does not have any satisfactory proof of having completed internship or a similar training elsewhere in the category of internship in any of the professions registered under the Act to which internship applies, if such a person holds a foreign qualification the education and training standard and the duration of study of which are accepted by the council as

equivalent to the education and training standard and duration of study of a similar qualification awarded by accredited South African educational institutions: Provided that in the case of an application for registration that is based on a qualification not yet accepted by council under this subregulation, the applicant—

(a) shall, before registration, furnish the board with authoritative information on the education, training and duration of study required for that qualification and, if the board considers the standard of such education and training and the duration thereof to be satisfactory, the council may accept such qualification; and

(b) may be required to pass, to the satisfaction of the board, an examination or evaluation in terms of section 25(2) of the Act in the profession for which he or she applies for registration.

(2) The registrar may register a foreign qualified person in the category of public service in any of the professions registered under the Act, if such a person holds a foreign qualification the education and training standard and the duration of study of which are accepted by the council as equivalent to the education and training standard and duration of study of a similar qualification awarded by accredited South African educational institutions: Provided that in the case of an application for registration that is based on a qualification not yet accepted under this subregulation, the applicant—

(a) shall, before registration, furnish the board with authoritative information on the education, training and the duration of study required for that qualification and, if the board considers the standard of such education and training and the duration thereof to be satisfactory, the council may accept such qualification; and

(b) may be required to pass, to the satisfaction of the board, an examination or evaluation in terms of section 25(2) of the Act in the profession for which he or she applies for registration.

(3) The registrar may register a foreign qualified person in the category of public service in terms of a government-to-government agreement entered into by the Republic of South Africa and the country of the applicant, if such person holds a qualification referred to in subregulation (2): Provided that such registration shall be limited to a

period agreed upon by the two countries and the field of practice stipulated in the registration certificate.

(4) The registrar may register a foreign qualified person in the category of supervised practice in any of the professions registered under the Act if such person holds a qualification referred to in subregulation (2) and is required by the board to practise under the supervision of an appropriately qualified practitioner or the practising of his or her profession is limited to supervised practice.

(5) The registrar may register a foreign qualified person in the category of education in any of the professions registered under the Act, if such a person holds a foreign qualification referred to in subregulation (2) and is to be employed as a lecturer, tutor and/or researcher by a higher education and/or research institution approved by the board for education, training or research purposes.

(6) The registrar may register a foreign qualified person in the category of postgraduate study in any of the professions registered under the Act, if such a person holds a foreign qualification and is to be enrolled for postgraduate study and/or research as the holder of an appointment which is of a temporary and supernumerary nature for a period not exceeding five years.

(7) The registrar may register a foreign qualified person in the category of military health service in any of the professions registered under the Act, if such a person holds a foreign qualification referred to in subregulation (2) and is to participate in any military operation at the recommendation of the Surgeon-General of the South African National Defence Force.

(8) The registrar may register a foreign qualified person in the category of volunteer service in any of the professions registered under the Act, if such a person holds a foreign qualification referred to in subregulation (2) and is to participate in a healthcare relief or assistance programme of a temporary nature at the recommendation and under the supervision of a South African healthcare provider agency or any organisation recognised by the professional board concerned.

**Registration in the category of independent practice**

3. The registrar may register a foreign qualified person in the category of independent practice in any of the professions registered under the Act to which independent practice applies, if such a person has —

- (a) complied with the qualification requirements for registration referred to in regulation 2(2);
- (b)
  - (i) complied with the requirements of section 25(3A) of the Act; or
  - (ii) in the case of a foreign qualified South African citizen, performed community service in terms of section 24A of the Act in respect of a profession to which community service applies;
- (c) passed the applicable examination as determined by the board for registration in the category of independent practice; and
- (d) complied with such other requirements as may be determined by the professional board concerned for registration in the category of independent practice.

**Application for registration**

4. An application by any foreign qualified person for registration as a health practitioner in any of the professions registered under the Act shall be made on the prescribed application form obtainable from the professional board concerned, and shall be accompanied by —

- (a) a certified copy of the applicant's identity document or passport;
- (b) a copy of the degree certificate or other basic qualification, certified by a notary public, and a sworn translation thereof into English;

- (c) a certified copy of the official and detailed curriculum of the applicant's course of study, the specific courses, the content of education (theory) and training (practical/clinical), and the duration and mode of examination/evaluation;
- (d) such verification of credentials as may be required by the board;
- (e) in the case of an application for registration in a profession for which internship training is a requirement, a certificate of completed training as an intern or of similar training or experience obtained elsewhere and the programme for such training;
- (f) in the case of an application for registration in the category of independent practice, proof of compliance with the requirements of section 25(3A) of the Act;
- (g) an original certificate of good standing, which shall not be more than six months old, issued by the foreign registration authority where the applicant is or was registered;
- (h) a letter of endorsement issued by the national Department of Health for a registration in terms of regulation 2(1), (2), (3) or (4), confirming the employability or placement of the applicant, or a letter of endorsement issued by the prospective employer for a registration in terms of regulation 2(5), (7) or (8), or confirmation of enrolment for postgraduate studies issued by the educational institution concerned for registration in terms of regulation 2(6); and
- (i) the prescribed registration fee.

**Repeal**

5. Any provision in any of the regulations of the professional boards dealing with the qualifications for registration of foreign qualified persons and the regulations published under Government Notices Nos. R. 821 of 13 May 1977, R. 817 of 20 April 1979, R. 2012 of 24 August 1990, R. 1594 of 27 August 1993, R. 53 of 17 January 1997 and R. 1203 of 28 November 2000 are hereby repealed with effect from date of the coming into operation of these regulations.

**Minister of Health****Date: 06/01/2009**