

Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain even numbered pages as the other language is printed on uneven numbered pages.



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

As 'n Nuusblad by die Poskantoor Geregistreer

Registered at the Post Office as a Newspaper

**PRYS (AVB ingesluit) 30c PRICE (GST included)
BUITELANDS 40c ABROAD
POSVRY · POST FREE**

Vol. 201]

KAAPSTAD, 24 MAART 1982
CAPE TOWN, 24 MARCH 1982

[No. 8097

KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 469.

24 Maart 1982.

No. 469.

24 March 1982.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 38 van 1982: Wysigingswet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoepe, 1982.

No. 38 of 1982: Medical, Dental and Supplementary Health Service Professions Amendment Act, 1982.

MEDICAL, DENTAL AND SUPPLEMENTARY HEALTH
SERVICE PROFESSIONS AMENDMENT ACT, 1982

Act No. 38, 1982

GENERAL EXPLANATORY NOTE:

- []** Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Medical, Dental and Supplementary Health Service Professions Act, 1974, so as to define the word "speciality"; to delete a certain provision; to determine that moneys paid by a patient to a registered person for professional services be paid back to such patient in certain circumstances; to make further provision with respect to regulations which may be made under the said Act; and to authorize the South African Medical and Dental Council to perform certain functions in or in respect of states the territory of which formerly formed part of the Republic; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)
(Assented to 26 February 1982.)*

BE IT ENACTED by the State President and the House of Assembly of the Republic of South Africa, as follows:—

1. Section 1 of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (hereinafter referred to as the principal Act), is hereby amended by the insertion after the definition of "scheduled substance" of the following definition:
 "speciality", in relation to a medical practitioner, dentist or psychologist, includes any particular subdivision of a speciality in which such medical practitioner, dentist or psychologist specializes or intends to specialize."

Amendment of section 1 of Act 56 of 1974, as amended by section 1 of Act 33 of 1976, section 12 of Act 36 of 1977 and section 1 of Act 52 of 1978.
2. Section 24 of the principal Act is hereby amended by the deletion of paragraph (b) of subsection (2).

Amendment of section 24 of Act 56 of 1974, as amended by section 1 of Act 43 of 1980.
3. Section 53 of the principal Act is hereby amended by the addition to subsection (4) of the following proviso:
"Provided that if the patient has paid to the practitioner an amount in settlement or part settlement of such claim and such amount exceeds the amount so determined, the practitioner shall pay the amount by which that payment exceeds the amount so determined back to the patient."

Amendment of section 53 of Act 56 of 1974, as amended by section 9 of Act 52 of 1978.
4. Section 61 of the principal Act is hereby amended by the substitution for paragraph (c) of subsection (1) of the following paragraph:
 "(c) the allowances which may be paid to members or to members of professional boards established in terms of the provisions of section 15 or to members of committees of the council, excluding members who are in the full-time employment of the State, when engaged

Amendment of section 61 of Act 56 of 1974, as amended by section 10 of Act 33 of 1976, section 18 of Act 36 of 1977 and section 9 of Act 43 of 1980.

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on service of the council or of such professional boards; **[Provided that—**

- 5 (i) **the allowances which may be paid to any such member who is in the full-time employment of the State shall not exceed the allowances to which he would be entitled under the laws governing the public service;**
- 10 (ii) **no such member shall be required to pay into the Consolidation Revenue Fund any allowances which may be paid to him by the council in terms of any regulation made under this paragraph]**".

5. The following section is hereby inserted in the principal Act after section 63:

Insertion of section 63A in Act 56 of 1976.

15 "Perform-
ance by
board of cer-
tain functions
in or in re-
spect of cer-
tain states.

20

25 **63A. If the government of the Republic and the government of a state the territory of which formerly formed part of the Republic agree thereto, the council may perform any function assigned to it by or under a law of that state in connection with the control in that state of the practice of a profession to which this Act relates or of the training of persons intending to practise any such profession, and any such function shall be performed by the council subject to such conditions as may be agreed upon by the government of the Republic and the government of that state."**

6. This Act shall be called the Medical, Dental and Sup- Short title.
plementary Health Service Professions Amendment Act, 1982.