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**PROCLAMATIONS • PROKLAMASIES**

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**PROCLAMATION NO. R. 23 OF 2019****by the****PRESIDENT of the REPUBLIC of SOUTH AFRICA****SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): REFERRAL OF MATTERS TO EXISTING SPECIAL INVESTIGATING UNIT**

WHEREAS allegations as contemplated in section 2(2)(g) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996) (hereinafter referred to as “the Act”), have been made in respect of the affairs of the Health Professions Council of South Africa, established in terms of section 2 of the Health Professions Act, 1974 (Act No. 56 of 1974) (hereinafter referred to as “the HPCSA”);

AND WHEREAS I deem it necessary that the said allegations should be investigated and civil proceedings emanating from such investigation should be adjudicated upon;

NOW, THEREFORE, I hereby, under section 2(1) of the Act, refer the matters mentioned in the Schedule, in respect of the HPCSA, for investigation to the Special Investigating Unit established by Proclamation No. R. 118 of 31 July 2001 and determine that, for the purposes of the investigation of the matters, the terms of reference of the Special Investigating Unit are to investigate as contemplated in the Act, any alleged unlawful or improper conduct by any person, which has caused or may cause serious harm to the interests of the public or any category thereof, which took place between 1 September 2016 and the date of publication of this Proclamation or which took place prior to 1 September 2016 or after the date of publication of this Proclamation, but is relevant to, connected with, incidental or ancillary to the matters mentioned in the Schedule or involve the same employees, officials or persons investigated under authority of this Proclamation, and to exercise or perform all the functions and powers assigned to or conferred upon the said Special Investigating Unit by the Act, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Johannesburg this 7 day of May Two thousand and nineteen.

**CM Ramaphosa**

**President**

By Order of the President-in-Cabinet:

**TM Masutha**

**Minister of the Cabinet**

## **SCHEDULE**

1. Maladministration in connection with the affairs of the HPCSA regarding the exercise of its functions in terms of the Health Professions Act, 1974.
2. Any unlawful or improper conduct by the employees or officials of the HPCSA or any other person regarding the registration of health practitioners, in terms of the Health Professions Act, 1974.

**PROKLAMASIE NO. R. 23 VAN 2019**  
**van die**  
**PRESIDENT van die REPUBLIEK van SUID- AFRIKA**

**WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996 (WET NO. 74 VAN 1996): VERWYSING VAN AANGELEENTHEDE NA BESTAANDE SPESIALE ONDERSOEKEENHEID**

Aangesien bewerings soos beoog in artikel 2(2)(g) van die Wet op Spesiale Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996) (hierna na verwys as “die Wet”), gemaak is in verband met die aangeleentheid van die Raad vir Gesondheidsberoepe van Suid-Afrika, ingestel ingevolge artikel 2 van die Wet op Gesondheidsberoepe, 1974 (Wet No. 56 van 1974) (hierna na verwys as “die RGBSA”);

EN AANGESIEN ek dit nodig ag dat gemelde bewerings ondersoek en siviele geskille voortspruitend uit sodanige ondersoek bereg moet word;

DERHALWE verwys ek hierby, kragtens artikel 2(1) van die Wet, die aangeleentheid vermeld in die Bylae vermeld ten opsigte van die RGBSA, vir ondersoek na die Spesiale Ondersoekeenhede ingestel by Proklamasie No. R. 118 van 31 Julie 2001 en bepaal dat, vir die doeleindes van die ondersoek van die aangeleentheid, die opdrag van die Spesiale Ondersoekeenhede is om soos beoog in gemelde Wet, ondersoek te doen na enige beweerde onwettige of onbehoorlike optrede deur enige persoon wat ernstige benadelinge vir die belange van die publiek of enige kategorie daarvan veroorsaak het of kan veroorsaak, wat plaasgevind het tussen 1 September 2016 en die datum van publikasie van hierdie Proklamasie, of wat plaasgevind het voor 1 September 2016 of na die datum van publikasie van hierdie Proklamasie, wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleentheid vermeld in die Bylae, of wat dieselfde werknemers, beamptes of persone betrek wat ondersoek word kragtens die volmag verleen deur hierdie Proklamasie, en om al die werksaamhede en bevoegdhede wat deur die Wet aan die gemelde Spesiale Ondersoekeenhede toegewys of opgedra is, uit te oefen of te verrig in verband met die genoemde aangeleentheid in die Bylae.

Gegee onder my Hand and die Seël van die Republiek van Suid-Afrika te Johannesburg op hede die 7 dag van Mei Twee duisend-en-negentien.

**CM Ramaphosa**

**President**

Op las van die President-in-Kabinet:

**TM Masutha**

**Minister van die Kabinet**

### **BYLAE**

1. Wanadministrasie met betrekking tot die aangeleenthede van die RGBSA wat verband hou sy werksaamhede ingevolge die Wet op Gesondheidsberoepe, 1974.
2. Enige onwettige of onbehoorlike gedrag van die werknemers of beamptes van die RGBSA of enige ander persoon ten opsigte van die registrasie van gesondheidspraktisyns ingevolge die Wet op Gesondheidsberoepe, 1974.