

DEPARTMENT OF HEALTH

NO. 2823

2 December 2022

REGULATIONS RELATING TO THE SCOPE OF PRACTICE OF ACUPUNCTURE

The Minister of Health intends, in terms of section 38 of the Allied Health Professions Act, 1982 (Act No 63 of 1982), after consultation with the Allied Health Professions Council, to make the regulations as set out in the Schedule.

Interested persons are invited to submit substantiated comments or representations in writing on the proposed amendments to the regulations, to the Director-General: Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Public Entities Governance, Ms M Mushwana, Mihloti.mushwana@health.gov.za), within one month of the date of the publication of this Notice.

**Dr MJ PHAAHLA****MINISTER OF HEALTH, MP**

DATE: 14/11/2022

SCHEDULE

Definitions

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

“**Act**” means the Allied Health Profession Act No 63 of 1982;

“**Acupuncturist**” means a person registered as such in terms of the Act;

“**Acupuncture**” means a collection of various procedures involving the manual or electrical stimulation by means of needles, sound waves or electronics pulses of certain points or areas on the skin, mucous membranes or subcutaneous tissue of a person to promote, maintain, restore or improve health or to prevent a disorder, imbalance or disease or to alleviate pain;

“**Acupressure**” means a set of techniques for the application of physical pressure to certain points on the human body using the hand or elbow or various devices other than needles;

“**Ahshi Acupuncture**” means the needling of a tender point on a person’s body in order to treat blockages of Chi and blood;

“**Auricular therapy**” or “**Ear Acupuncture**” means Acupuncture or Acupressure applied to either one or both of the patient’s ears for the treatment of conditions affecting the physical, mental or emotional aspects of the patient;

“bone setting” also known as **“Die-Da”** means a form of physical manipulation that is applied in cases of trauma or injuries such as sprains, joint dislocations or bruises;

“Catgut embedding therapy” means embedding a type of cord made from sterile synthetic fibre into Acupuncture points to keep these points stimulated for up to a week after which the fibre is absorbed by the body;

“Chi” means the life energy that flows through a living human body;

“Coining” or **“Spoonng”** (also know as **“Gua Sha”**) means a technique of scraping or rubbing the skin of a person using a round edged object, in which the skin is pressured in strokes by palpation and cutaneous stimulation, in order to move blood and Chi with the object of promoting or restoring health or wellbeing;

“council-accepted” or **“accepted by the council”** means that the recommendations of the relevant professional board have been accepted by the council by way of due process;

“Cupping therapy” (also known as **“Ba Guan”**) means a set of techniques involving the manual or electronic suction of small areas of the skin of a person by the application of cups, made of glass, plastic, bamboo or similar material, in which a partial vacuum is created before being placed on the skin with the object of moving blood, lymph or Chi in order to promote, maintain, restore or improve health, prevent a disorder, imbalance or disease or alleviate pain;

“Electro acupuncture” is a form of Acupuncture in which needles are attached to a device that generates continuous electric pulses and includes percutaneous electrical nerve stimulation;

“Embedding therapy” means the practice of embedding in a sterile manner seeds or metal balls with medicinal properties onto a person’s

skin, or threads or needles into the skin, for the purpose of prolonging the duration of stimulation of acupuncture points or areas and includes

“Laser Acupuncture” means acupuncture using a laser device instead of needles in order to stimulate Acupuncture points on the skin;

“Lifestyle Management” means an intervention designed to promote health and behavioural changes in a patient by enabling him or her to have increased control over a health condition;

“Magnet therapy” means the application of the magnetic field of an electromagnetic device or a permanent static magnet to the body in order to benefit health;

“Moxibustion” means a therapy using burning “moxa”, which is the burning of desiccated *Artemesia* spp. with the intention of warming regions of the skin, or acupuncture points on the skin, to improve circulation in order to induce a smoother flow of blood and chi. Moxibustion can be by direct or indirect means. Direct moxibustion is where a moxa cone is placed directly onto the skin producing a blister. Indirect moxibustion involves the use of a moxa cigar or moxa stick or cone held close to the skin to either warm or burn it, or the use of moxa on an acupuncture needle;

“Pulse and tongue diagnosis” mean the measurement and analysis of the patient’s pulse and the inspection of the patient’s tongue to obtain a Traditional Chinese Medicine diagnosis;

“Qi Gong” means a system of exercise and meditation that combines regulated breathing, slow movement and focused awareness in order to cultivate and balance Chi and can include Qi Gong massage in which the practitioner combines massage techniques with the awareness of acupuncture channels and points;

“**Sonopuncture**” or “**Acutonics**” means the stimulation of the body in a manner similar to that of acupuncture but using sound, generated by ultrasound transducers, tuning forks or other sound emitting devices, instead of needles;

“**Tai Chi**” means a Chinese exercise system that involves slow, smooth body movements to achieve a state of relaxation of body and mind and that is used to improve or maintain health while strengthening the cardiovascular and immune systems;

“**Temperament evaluation**” means the use of Traditional Chinese Medicine philosophy and techniques to ascertain various physical and mental states with the aid of the five elements and their corresponding organs and to assess the patient’s mental, physical, emotional and spiritual aspects;

“**Tui Na**” means a method of massage with or without the use of ointments, used in Traditional Chinese Medicine, that is intended to stimulate the flow of Chi and blood by means of various barehanded techniques that do not involve the use of needles and which include thumb pressure, rubbing, percussion and stretches;

“**Urine and stool analysis**” mean the examination of the physical appearance, colour, small consistency, amount, frequency, sediment or degree of digestion of urine and stool for the purpose of obtaining a Traditional Chinese Medicine diagnosis.

Act pertaining to Acupuncture

2. The following acts are acts specifically pertaining to the profession of Acupuncture –

- (a) The physical examination of a person for the purpose of diagnosing any physical defect, illness, disease or

deficiency in such persons in accordance with the principles and philosophy of Traditional Chinese Medicine including, but not limited to:

- (i) pulse and tongue diagnosis;
 - (ii) temperament evaluation;
 - (iii) urine and stool analysis.
- (b) The treatment or prevention of a physical defect, illness, disease or deficiency in a person by means of –
- (i) acupuncture;
 - (ii) acupressure;
 - (iii) Ahshi acupuncture;
 - (iv) auricular therapy;
 - (v) coining or spooning therapy (Gua Sha);
 - (vi) cupping therapy (Ba Guan);
 - (vii) electro-acupuncture;
 - (viii) embedding therapy;
 - (ix) laser acupuncture;
 - (x) lifestyle management;

- (xi) magnet therapy;
 - (xii) moxibustion;
 - (xiii) Qi Gong;
 - (xiv) Sonopuncture;
 - (xv) Tai Chi; and
 - (xvi) Tui Na;
- (c) Advising any person on his or her physical health; and
- (d) Any other act or procedure specifically pertaining to the profession of acupuncture based on the education and training of an acupuncturist, as approved by the Council from time to time at the recommendation of the professional board.

Possession of Chinese medicinal substances

3. Subject to the provisions of the Medicines and Related Substances Act No. 101 of 1965, an Acupuncturist may for the purposes of his or her practice and within the scope of practice relevant to the profession of Acupuncture have under his or her control for a patient any medicinal substance recognised as such by Traditional Chinese Medicine, whether it is scheduled or unscheduled, intended exclusively for external application, including but not limited to Mugwort (*Artemisia* spp.) for moxibustion purposes, herbal liniments, ointments or plasters, preparations or mixtures of substances or medicines or substances containing Traditional Chinese Medicine substances.

Short title

4. These Regulations are called Regulations Relating to the Scope of Practice of Acupuncture, 2021.