

DEPARTMENT OF HEALTH


NO. 2968

27 January 2023

THE SOUTH AFRICAN DENTAL TECHNICIANS COUNCIL

REGULATIONS RELATING TO THE CONDUCT OF THE BUSINESS OF THE SOUTH AFRICAN DENTAL TECHNICIANS COUNCIL AND RELATED MATTERS

The Minister of Health has on the recommendation of the South African Dental Technicians Council, promulgated the following regulations in terms of section 50 of the Dental Technicians Act, 1979 (Act 19 of 1979), as set out in the Schedule hereto.


Dr MJ PHAAHLA
MINISTER OF HEALTH, MP
DATE: 14/11/2022

SCHEDULE

Definitions

1. In this Schedule "the Act" means the Dental Technicians Act, 1979 (Act 19 of 1979), and any expression to which a meaning has been assigned in the Act shall bear that meaning and unless the context indicates otherwise-

"ordinary meeting" means a meeting of the council which is not a special meeting;

"member" means a member of the council;

"president" means the president of the council;

"special meeting" means a special meeting as referred to in section 8 (2) of the Act;

"chairperson" means the person chairing a meeting of the council or a committee of the council.

CHAPTER I

MEETINGS OF THE COUNCIL

Notification of meetings

2. (1) Notices convening ordinary and special meetings shall specify the business to be discussed at the meetings, and in the case of ordinary meetings the notices shall be forwarded to each member at least 14 days prior to the date appointed for the meetings.

(2) In the case of special meetings such notice shall be given as the president may deem sufficient and if necessary may be given verbally or by email.

Procedure at meetings

3. (1) (a) The president shall preside at all meetings of the council.

(b) Only when the president of a newly-appointed council is to be elected shall the chair be taken by the registrar: Provided that s/he shall have no vote.

(2) The chairperson shall take the chair at the appointed time and if a quorum cannot be formed after a quarter of an hour s/he may extend the start of the meeting to a time determined by her/him, or may postpone the meeting to a date and time that s/he may determine.

(3) (a) Except where these regulations provide otherwise, the chairperson shall decide on any question of order or procedure at a meeting of the council.

- (b) Should a member disagree with a ruling of the chairperson, the question shall be put to the vote without further discussion and the ruling of the meeting shall be decisive.
- (4) No business other than that specified in the notice referred to in regulation 2 shall be discussed at a meeting unless the majority of the members present at the meeting agree thereto or unless the Minister so instructs.
- (5) Any member wishing to bring any matter before the council shall forward in writing to the registrar at least 30 days prior to the date appointed for a meeting a notice of motion thereof, which motion shall be specified in the notice convening the meeting and shall be discussed with the other business to be brought before the council.
- (6) Should a member present at a meeting disagree with a decision made at this meeting, s/he may request that her/his dissent be minuted with or without reasons and the member chairing the meeting shall comply with the request or see that the request is complied with.

Minutes

4. (1) The registrar shall keep minutes of the business at all meetings of the council.
- (2) The minutes shall specify the date and place of the meeting and the members present at the meeting.
- (3) The registrar shall forward a copy of the minutes to each member within 14 days after the meeting. If a member wishes to comment on the minutes, s/he should forward her/his comments to the registrar within 21 days after the meeting.
- (4) The minutes of a meeting of the council, together with any comments received shall be submitted to the council at its next meeting and if approved, whether with or without any alterations, shall be signed by the chairperson of the meeting.

A meeting of the council may be adjourned or postponed

5. (1) The chairperson may, with the consent of the majority of the members present, adjourn and/or postpone any meeting to a date and time that s/he may determine.
- (2) Subject to the provisions of regulation 3 (4), no business not specified in the notice convening the original meeting shall be discussed at a continuation meeting.

Voting procedure

6. Should a matter be put to the vote at a meeting, the voting shall be conducted personally by the raising of hands: Provided that, should the chairperson instruct, or should at least a quarter of the members present so request, a secret ballot shall be held, in the manner determined by the chairperson.

Election of officials

7. (1) When a president, vice-president or treasurer is to be elected, the chairperson of the meeting shall ask for nominations and seconders of candidates for election to the office concerned.
- (2) Should more than one candidate be nominated and seconded, the meeting shall vote and the candidate receiving an absolute majority of votes shall be considered to have been duly elected.
- (3) Should no candidate receive a majority of votes, the candidate who has received the least votes shall be eliminated and this procedure shall be repeated until one candidate emerges with an absolute majority.
- (4) In the case of an equality of votes which has a direct bearing on the elimination of a candidate or on the result of the final election, the meeting shall vote again and should there still be an equality of votes, the result of the election shall be decided by the drawing of lots.

COMMITTEES OF THE COUNCIL

Composition

8. (1) At the first meeting of a newly appointed council and thereafter at the first meeting of each year, the council shall appoint committees in terms of sections 10 and 11 of the Act which will function until the first meeting of the council in the next year or until the expiry of the council's tenure of office, whichever is the soonest.
- (2) The president shall be the chairperson of the executive committee.

Quorum and procedure at meetings

9. (1) The majority of the members of a committee shall form a quorum at a meeting of such committee.
- (2) The ruling of the majority of the members of a committee present at a meeting shall be the ruling of the committee and in the event of an equality of votes the chairperson shall have the deciding vote.
- (3) Every member of the council may, subject to the proviso to sub-regulation (4), attend any meeting of a committee of which s/he is not a member but shall not be entitled to the fees and allowances for such attendance. Every member of the council may request to be notified by the registrar of the date, place and agenda of, and the business to be discussed at every meeting.
- (4) Meetings of committees shall not be open to the public except in the case of the disciplinary committee: Provided that any ruling of the disciplinary committee regarding any matter that may arise in connection with or during an investigation may be taken *in camera*.
- (5) The holding of and procedure at ordinary and special meetings of the council as specified in these regulations shall be *mutatis mutandis* applicable to committee meetings.

CHAPTER II

FEES AND ALLOWANCES TO MEMBERS OF THE COUNCIL AND OF COMMITTEES

11. (1) Members attending meetings of the council or of committees of the council or who are otherwise engaged in the business of the council (including time occupied in preparation for the meeting and in travelling) shall be paid, subject to the provisions of regulation 10 (3), a daily amount to be decided by the council from time to time.
- (2) Members of the council travelling from their usual place of residence to attend meetings of the council or of committees of the council shall be reimbursed for all expenses incurred in travelling to and from the venue of the meeting: Provided that where a member must make use of an hotel, the actual cost for the stay in a council-approved hotel, , plus breakfast, shall in addition be arranged by, and paid by the council. Where this is not possible and the member makes her/his own arrangements, the member shall be reimbursed upon submission to the council of proof of such expenditure.
- (3) For the purposes of this regulation, a day shall mean a calendar day or part thereof.
- (4) The fees and reimbursements payable to members in terms of subregulations (1) and (2) shall be calculated from the latest time that members can reasonably leave their place of residence to attend meetings of the council or of committees of the council or to be otherwise engaged in the business of the council to the earliest time that they can reasonably arrive back at their place of residence:

Provided that-

- (a) the executive committee may in special cases authorise payment of additional fees and allowances;
 - (b) members shall have their choice of transport.
 - (c) members attending meetings by car shall be paid a motor allowance per kilometre of an amount to be decided by council from time to time.
- (9) The provisions of subregulations (1) to (8) shall be *mutatis mutandis* applicable to a member of a committee who is not a member of the council but who must attend a meeting of the council or is otherwise engaged in the business of the committee.

Repeal of laws

10. These Regulations repeal R.1087 of 27 August 1982, R.197 of 04 February 1983, R.857 of 09 May 1986, R.1997 of 24 August 1990, R.3153 of 27 December 1991 and R.435 of 11 March 1994.

Short Title

11. These Regulations shall be called Regulations relating to the conduct of business of the South African Dental Technicians Council and related matters.