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GOVERNMENT GAZETTE

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[No. 6990

DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 948.

9 May 1980.

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

No. 43 of 1980: Medical, Dental and Supplementary Health Service Professions Amendment Act, 1980.

No. 948.

9 Mei 1980.

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

No. 43 van 1980: Wysigingswet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1980.

MEDICAL, DENTAL AND SUPPLEMENTARY HEALTH SERVICE
PROFESSIONS AMENDMENT ACT, 1980

Act No. 43, 1980

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 do away with the prescribing of qualifications obtained by virtue of examinations conducted by any examining authority situated outside the Republic, entitling any holder thereof to registration under the said Act as a psychologist; to provide for the temporary registration, for training purposes, in respect of supplementary health service professions, of persons not permanently resident within the Republic; to make new provision for the registration with the South African Medical and Dental Council of persons practising supplementary health service professions; to prohibit the use of certain names by certain unregistered persons; to bring certain expressions in the said Act into line with others; to further regulate the effect of tariffs of fees for medical practitioners, dentists and psychologists and in respect of supplementary health service professions; to effect a change in relation to the power to make regulations; and to further define the powers of the Minister of Health; and to provide for matters connected therewith.

*(Afrikaans text signed by the State President.)
(Assented to 28 April 1980.)*

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

1. Section 24 of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (hereinafter referred to as the principal Act), is hereby amended by the substitution for subsection (2) of the following subsection:

Amendment of
section 24 of
Act 56 of 1974.

“(2) No qualification obtained by virtue of examinations conducted by a university, or other examining authority, situated outside the Republic shall be prescribed under this section unless—

- (a) such qualification entitles the holder thereof to practise as a medical practitioner or dentist **[or psychologist]**, as the case may be, in the country or state in which such university or other examining authority is situated;
- (b) by the laws of that country or state, persons holding qualifications granted after examinations in the Republic and entitling them to practise in the Republic as medical practitioners or dentists **[or psychologists]**, as the case may be, are permitted without further examination to practise as medical practitioners or dentists **[or psychologists]**, as the case may be, in that country or state; and

MEDICAL, DENTAL AND SUPPLEMENTARY HEALTH SERVICE
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Act No. 43, 1980

- (c) the council is satisfied that possession of such qualification indicates a standard of professional education not lower than that prescribed by the council for medical practitioners or dentists [or psychologists], as the case may be, within the Republic.”

2. The following section is hereby substituted for section 29 of the principal Act:

Substitution of
section 29 of
Act 56 of 1974.

“Regis-
tration
of certain
persons so
as to enable
them to give
educational
demon-
strations.

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29. (1) For the purpose of promoting medical, dental or psychological education, or training for the practising of a supplementary health service profession, the council may, notwithstanding the provisions of this Act, register any person not permanently resident within the Republic, as a medical practitioner, dentist or psychologist or in respect of a supplementary health service profession for such period as the council may determine.

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(2) Any person registered in terms of subsection (1) may give demonstrations, at institutions approved for that purpose by the council, of, as the case may be, medical, dental or psychological techniques or techniques in respect of a supplementary health service profession.”

3. Section 33 of the principal Act is hereby amended—

Amendment of
section 33 of
Act 56 of 1974.

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(a) by the substitution in subsection (2) for the words preceding paragraph (a) of the following words:

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“When a professional board has been established under section 15 in respect of any supplementary health service profession, the council shall, subject to such restrictions in respect of his professional activities as the council may determine, register in a register kept separately from the register kept under section 32 in respect of such profession, the name of any person who—”;

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(b) by the substitution for subparagraph (i) of paragraph (a) of subsection (2) of the following subparagraph:

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“(i) was engaged in the practice of such profession in the Republic or in a territory which formerly formed part of the Republic for a continuous period of not less than five years immediately prior to the date referred to in paragraph (c);”;

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(c) by the deletion of paragraph (b) of subsection (2); and

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(d) by the addition of the following subsections:

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“(3) The council may conduct an oral or practical examination for a person referred to in subsection (2) in order to determine the restrictions referred to in that subsection in respect of his professional activities.

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(4) Any person registered under subsection (2) in respect of a supplementary health service profession shall only be entitled to practise that profession subject to—

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(a) such restrictions in respect of his professional activities; and
(b) the use of such name, title and description in respect of his profession, as the council may determine.

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(5) The council may allow a person referred to in subsection (2) to sit for an examination referred to in section 32B (2), and if such person passes such examination to the satisfaction of the council, it shall exempt him from all restrictions imposed in respect of him under subsection (2).”