

**No. 48044**

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**South Africa  
and  
Malawi**

**Agreement between the Government of the Republic of South Africa and the Government of the Republic of Malawi in the field of health. Cape Town, 12 February 2009**

**Entry into force:** *12 February 2009 by signature, in accordance with article 9*

**Authentic text:** *English*

**Registration with the Secretariat of the United Nations:** *South Africa,  
16 December 2010*

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**Afrique du Sud  
et  
Malawi**

**Accord entre le Gouvernement de la République sud-africaine et le Gouvernement de la République du Malawi en matière de santé. Le Cap, 12 février 2009**

**Entrée en vigueur :** *12 février 2009 par signature, conformément à l'article 9*

**Texte authentique :** *anglais*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Afrique du Sud,  
16 décembre 2010*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AGREEMENT**

**BETWEEN**

**THE GOVERNMENT OF THE REPUBLIC OF  
SOUTH AFRICA**

**AND**

**THE GOVERNMENT OF THE REPUBLIC OF  
MALAWI**

**IN THE FIELD OF HEALTH**

## **PREAMBLE**

The Government of the Republic of South Africa and the Government of the Republic of Malawi (hereinafter jointly referred to as the “Parties” and separately as a “Party”);

**WILLING** to establish and develop a diversified relationship in the field of health, in the spirit of solidarity and friendship between the Parties;

**AWARE** of the importance of health development for the future of both Parties;

**ACKNOWLEDGING** the mutual advantages that may result from this Agreement;

**HEREBY AGREE** as follows:

## **ARTICLE 1 DEFINITIONS**

In this Agreement, unless the context otherwise indicates –

**“health professional”** means a person who is registered as such with a statutory body and who has significant skill, experience or knowledge in a particular field of health or activity;

**“health technology”** includes devices, drugs, medical and surgical procedures and the knowledge associated with these, in the prevention, diagnosis and treatment of disease, as well as in rehabilitation, including the organizational and supportive systems within which health care is provided;

**“telehealth”** means the practice of medical care using audio, visual and data communication, and this includes medical care delivery, diagnosis and treatment, as well as education and the transfer of medical data;

**“telemedicine”** means the use of information and telecommunication technologies to provide medical information and services at a distance;

**“twinning”** means the pairing of public institutions, including hospitals with similar functions and areas of speciality in the two countries for purposes of this Agreement.

## **ARTICLE 2**

### **SCOPE OF AGREEMENT**

The Parties shall promote, develop and increase co-operation in the field of public health within their respective jurisdictions by exploring the possibilities for co-operation on the basis of equality and mutual benefit, in accordance with the domestic law in force in their respective territories.

## **ARTICLE 3**

### **COMPETENT AUTHORITIES**

The Competent Authorities responsible for the implementation of this Agreement shall be –

- (a) in the case of the Government of the Republic of South Africa, the Department of Health or otherwise represented by the High Commission of the Republic of South Africa in Malawi; and
- (b) in the case of the Government of the Republic of Malawi, the Ministry of Health or otherwise represented by the High Commission of the Republic of Malawi in South Africa.

**ARTICLE 4**  
**AREAS OF COOPERATION**

Co-operation between the Parties shall take place in the following areas:

- (a) Technical and professional education and training of health professionals;
- (b) referral of patients to South Africa's public sector hospital;
- (c) twinning between public hospitals and public health institutions of the Republic of South Africa and the Republic of Malawi;
- (d) sharing experience in creating conditions for telemedicine and telehealth;
- (e) health promotion;
- (f) research and development;
- (g) surveillance, control and management of communicable and non-communicable diseases; and
- (h) health systems development and management, including regulation and legislation in the health sector.

**ARTICLE 5**  
**FORMS OF CO-OPERATION**

- (1) The Parties shall cooperate by—
  - (a) exchanging health professionals for purposes of sharing new techniques and technologies, including training and education programmes as agreed upon by the Parties;
  - (b) exchanging, disseminating and sharing information on health issues in areas of common interest, including biomedical and health system research;