HEALTH PROFESSIONS ACT 56 OF 1974

REGULATIONS RELATING TO THE REGISTRATION OF MEDICAL PRACTITIONERS AND DENTISTS RESTRICTED TO NON-CLINICAL PRACTICE, 2003

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The Minister of Health has, in terms of section 61 of the Health Professions Act, 1974 (Act No. 56 of 1974), and in consultation with the Health Professions Council of South Africa, made the regulations in the Schedule.

SCHEDULE

1.   **Definitions**

In these regulations any expression to which a meaning has been assigned in the Act, shall bear such meaning, and, unless inconsistent with the context -

"board" means the Medical and Dental Professional Board established in terms of section 15(1) of the Act;

"ill-health" means a physical or mental condition falling within the international classification of disorders which has a direct or an indirect impact on the physical or psychological functioning or both the physical and psychological functioning of a practitioner;

"non-clinical practice" means a practice that does not involve the management of individuals or groups by:

(a)   taking a medical history;

(b)   performing an examination;

(c)   ordering or performing tests or special investigations;

(d)   making a diagnosis; and

(e)   administering or prescribing medical or dental treatment;

"section" means a section of the Act; and

"the Act" means the Health Professions Act, 1974 (Act No. 56 of 1974).

2.   **Establishment of a registration category for non-clinical practice**

A registration category for persons restricted to non-clinical practice in medicine and dentistry is hereby established under section 18 of the Act.

3.　　　　Registration in the category non-clinic practice

The board may register any person who is registered as a medical practitioner or dentist under the Act in the category non-clinical practice, if such a person-

(a)　applied to be registered in that category;

(b)　submits an affidavit that he or she is not practising as a medical practitioner or dentist;

(c)　failed to comply with the requirements contemplated under section 26 of the Act;

(d)　is restricted in terms of the regulations made under section 51 of the Act by the health committee of the board to non-clinical practice due to the nature and severity of his or her impairment;

(e)　is unable to practise his or her profession due to ill-health.

4.　　　　Limited involvement in health care matters

A medical practitioner or dentist holding registration restricted to non-clinical practice may not be involved in the clinical practice of medicine or dentistry but may be engaged in-

(a)　non-clinical aspects of health care services; and

(b)　advising on health care matters.

5.　　　　Payment of annual fees

A medical practitioner or dentist registered in the category non-clinical practice shall be liable for payment of the annual fee prescribed by the board: Provided that different fees may be determined by the board for the categories of persons specified in regulation 3.

6.　　　　Restoration to any other category

A medical practitioner or dentist registered in the category non-clinical practice may apply to the board to have his or her name restored to a register for which he or she qualifies, subject to compliance with the requirements and conditions which may be specified by the board for such restoration.

7.　Exemption from compliance with the requirements of continuing professional development

A practitioner registered in the category non-clinical practice, shall be exempted by the board from complying with the requirements of continuing professional development.