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# GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

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## DEPARTMENT OF HEALTH DEPARTEMENT VAN GESONDHEID

No. R. 689

21 July 2006

### TRADITIONAL HEALTH PRACTITIONERS ACT, 2004 (ACT 35 OF 2004)

### REGULATIONS RELATING TO THE APPOINTMENT BY THE MINISTER AS MEMBERS OF THE INTERIM TRADITIONAL HEALTH PRACTITIONERS COUNCIL OF SOUTH AFRICA

The Minister of Health has, in terms of section 7 of the Traditional Health Practitioners Act, 2004 (Act No 35 of 2004), read with section 14 of the Interpretation Act, 1957 (Act No. 33 of 1957), made the regulations contained in the Schedule.

#### SCHEDULE

##### 1. Definitions

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

“Council” means the Interim Traditional Health Practitioners Council of South Africa established in terms of section 4 of the Act;

“the Act” means the Traditional Health Practitioners Act, 2004 (Act No. 35 of 2004); and

“traditional health practitioner” means a person currently engaged in traditional health practice as defined in the Act.

##### 2. Process of Appointment

(1) For the purpose of appointing members contemplated in paragraphs (c), (e), (h) and (i) of section 7 of the Act, the Minister must by notice in the Gazette and by means of an advertisement placed in at least two newspapers with national and regional circulation invite nominations of persons to be considered for appointment to the Council.

(2) The notice contemplated in subregulation (1) must state the requirements for consideration for appointment as a member and the period within which the Minister must receive such nominations.

- (3) Nominations for appointment in terms of-
- (a) section 7(c) of the Act must be submitted to the Member of the Executive Council responsible for health in the province in which the nominated traditional health practitioner predominantly practises; and
  - (b) paragraphs (e), (h) and (i) of section 7 of the Act must be submitted to the Minister.
- (4) Nominations must be submitted in the format indicated in the Annexure to these Regulations.
- (5) The Health Professions Council of South Africa and the South African Pharmacy Council must submit nominations of persons to be considered for appointment to the Council in terms of section 7(f) and (g), respectively, of the Act, within 30 days of the date of a written request by the Minister.
- (6) The Member of the Executive Council responsible for health in a province must submit the names of three traditional health practitioners to be considered for appointment by the Minister in terms of section 7(c) of the Act.
- (7) If the Minister receives no nomination in a particular category or an insufficient number of nominations within the period specified in the invitation, the Minister may appoint the required number of persons who qualify to be appointed in terms of section 7 of the Act, or request further nominations for such purpose.
- (8) A person whose name is submitted in terms of sub-regulation (3)(b) for appointment in terms of section 7(i) of the Act, must have been practising in that category for a period of not less than five years prior to the envisaged appointment as a member.
- (9) The Minister must publish in the Gazette the names of members appointed to the Council and the date of commencement of their period and term of office.



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**M.E. TSHABALALA-MSIMANG, MP**  
**MINISTER OF HEALTH**

NOMINATION FORM FOR APPOINTMENT AS A MEMBER OF THE INTERIM TRADITIONAL HEALTH PRACTITIONERS COUNCIL		
<b>practitioner</b>		
<b>2. ID Number</b>		
<b>3. Physical Address</b>		
<b>4. Postal Address (if different to above)</b>		
5. Province in which the practitioner predominantly practices  (mark one with X and state town/city/village)	EASTERNSCAPE	
	FREE STATE	
	GAUTENG	
	KWAZULU-NATAL	
	LIMPOPO	
	MPUMALANGA	
	NORTHERN CAPE	
	NORTH WEST	
	WESTERN CAPE	
6. Main area of practice (mark one with X)	Diviner	
	Herbalist	
	Traditional Birth Attendant	
	Traditional Surgeon	
<b>7. Number of years in practice and place of practice</b>		

Traditional Health Practitioners Council should the Minister of Health decide to appoint me to this position.

\_\_\_\_\_  
**Signature or mark of Traditional Health Practitioner named in item 1 above**

\_\_\_\_\_  
**Date**

I, ..... (full names and occupation of the person nominating) hereby declare that the information given above is correct, and understand that it is Minister's prerogative to appoint members of the Interim Traditional Health Practitioner's Council.

\_\_\_\_\_  
**Signature or mark of person nominating**

\_\_\_\_\_  
**Date**

I hereby nominate the above practitioner to serve on the Interim Traditional Health Practitioners Council

\_\_\_\_\_  
**Signature of the MEC of the Province indicated in item 5 above**

\_\_\_\_\_  
**Date**