

REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

# Government Gazette Staatskoerant

*Regulation Gazette*

**No. 6668**

*Regulasiekoerant*

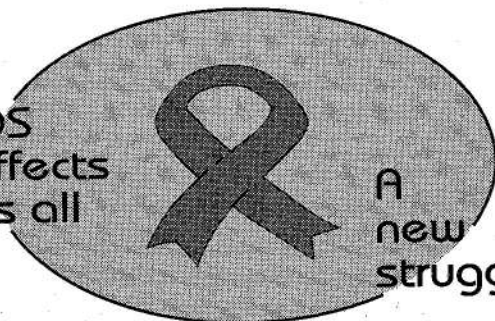
Vol. 413

PRETORIA, 12 NOVEMBER 1999

**No. 20606**

**We all have the power to prevent AIDS**

AIDS  
affects  
us all



A  
new  
struggle

**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

**Prevention is the cure**

**DEPARTMENT OF AGRICULTURE  
DEPARTEMENT VAN LANDBOU**

No. R. 1326

12 November 1999

PLANT IMPROVEMENT ACT, 1976 (ACT No. 53 OF 1976)

**SOUTH AFRICAN SEED CERTIFICATION SCHEME: AMENDMENT\***

I, Angela Thokozile Didiza, Minister of Agriculture, acting under section 23 of the Plant Improvement Act, 1976 (Act No. 53 of 1976), hereby amend the South African Seed Certification Scheme published by Government Notice No. R. 2566 of 25 November 1983, as amended, to the extent set out in the Schedule.

**A. T. DIDIZA****Minister of Agriculture**

\* Technical amendments of the requirements for certain crops.

**SCHEDULE**

**Definition**

1. In this Schedule "the Scheme" means the South African Seed Certification Scheme published by Government Notice No. R.2566 of 25 November 1983, as amended by Government Notices Nos. R. 1196 of 30 May 1985, R. 1660 of 26 July 1985, R.2352 of 14 November 1986, R. 16 of 8 January 1988, R. 1388 of 30 June 1989, R. 2093 of 29 September 1989, R. 121 of 26 January 1990, R. 2708 of 23 November 1990, R. 994 of 3 April 1992, R. 1494 of 29 May 1992, R. 2333 of 21 August 1992, R. 2230 of 26 November 1993, R. 1074 of 10 June 1994, R. 1781 of 17 November 1995 and R. 1222 of 2 October 1998.

**Amendment of Annexure 16 of the Scheme**

2. Annexure 16 of the Scheme is hereby amended by the substitution for paragraph 3.1 of the following paragraph:

"3.1 Subject to the provisions of paragraph 3.3, a unit shall be surrounded by an isolation area that—

3.1.1 in the case of the intended production of basic seed of—

3.1.1.1 an open-pollinated variety, is at least 2 000 metres wide; and

3.1.1.2 a hybrid variety, is at least 3 000 metres wide; and

3.1.2 in the case of the intended production of certified seed of—

3.1.2.1 an open-pollinated variety, is at least 1 000 metres wide; and

3.1.2.2 a hybrid variety, is at least 1 500 metres wide."

**Amendment of Annexure 18 of the Scheme**

3. Annexure 18 of the Scheme is hereby amended by the substitution of paragraph 6.1.3 of the following paragraph:

"6.1.3 not contain more than—

6.1.3.1 0,5 per cent other seed, of which not more than 0,3 per cent may be weed seed; and

6.1.3.2 3,0 per cent other material."

**Substitution of Annexure 20 of the Scheme**

4. The following annexure is hereby substituted for Annexure 20 of the Scheme:

**"ANNEXURE 20**

**REQUIREMENTS RELATING TO COTTON**

**(GOSSYPIMUM HIRSUTUM L.)**

**1. Land requirements**

1.1 Subject to the provisions of paragraph 1.2, a piece of land may be registered as a unit only if no plants of any cotton variety have been established thereon for seed production or otherwise during the growing season preceding the registration thereof.

1.2 A piece of land which is intended for the production of certified seed of a particular cotton variety may also be registered as a unit if basic seed of the same variety has been produced thereon during the preceding growing season.

**2. Planting requirements**

2.1 Plants shall be established in rows on a unit.

2.2 Gap-filling in rows shall not be permissible.

2.3 If in the case of the intended production of seed of a hybrid variety—

2.3.1 the plants of the seed parent and those of the pollen parent shall be in separate rows; and

2.3.2 rows containing plants of the pollen parent shall be clearly marked thus.

### 3. Isolation requirements

- 3.1 Subject to the provisions of paragraph 3.3, a unit shall be surrounded by an isolation area which in the case of the intended production of—
- 3.1.1 an open-pollinated variety, is at least 50 metres wide; and
  - 3.1.2 a hybrid variety, is at least 500 metres wide.
- 3.2 Such isolation area shall be free of plants of any cotton variety or species of *Gossypium* which flower at the same time as the plants on the unit concerned unless—
- 3.2.1 in the case of the intended production of basic seed of an open-pollinated variety, they have been established from breeder seed of the same variety; and
  - 3.2.2 in the case of the intended production of certified seed of an open-pollinated variety, they have been established from basic seed of the same variety.
- 3.3 Plants of different seed parents of a hybrid variety may be established on adjoining units if—
- 3.3.1 a common pollen parent is used; and
  - 3.3.2 an open space of at least five metres wide, which is free of plants of the seed parents and pollen parent concerned, is maintained between the units concerned.

### 4. Requirements for plants

- 4.1 Subject to the provisions of paragraph 4.2, the number of deviating plants on a unit shall—
- 4.1.1 in the case of the intended production of basic seed, not exceed 0,2 per cent; and
  - 4.1.2 in the case of intended production of certified seed, not exceed 0,5 per cent.
- 4.2 If male sterility is used in the seed parent of a hybrid variety—
- 4.2.1 the number of deviating pollen-shedding plants of the pollen parents on a unit shall—
    - 4.2.1.1 in the case of the intended production of basic seed not exceed 0,01 per cent of the plants of the pollen parent at the stage on which 5,0 per cent or more of the plants of the seed parent has pollen-susceptible flowers; and
    - 4.2.1.2 in the case of the intended production of certified seed, not exceed 0,1 per cent of plants of the pollen parent at the stage on which 5,0 per cent or more of the plants of the seed parent has pollen-susceptible flowers;
  - 4.2.2 the number of deviating plants of the seed parent on a unit shall—
    - 4.2.2.1 in the case of the intended production of basic seed not exceed 0,01 per cent of the plants of the seed parent; and
    - 4.2.2.2 in the case of the intended production of certified seed, not exceed 0,1 per cent of the plants of the seed parent; and
  - 4.2.3 the number of pollen-shedding plants of the seed parent on a unit shall—
    - 4.2.3.1 in the case of the intended production of basic seed, not exceed 0,2 per cent of the plants of the seed parent at the stage at which 20,0 per cent or more of the plants of the seed parent has pollen-susceptible flowers: Provided that the aggregate number of plants with pollen-shedding flowers found during consecutive inspections shall not exceed 0,2 per cent of the plants of the seed parent; and
    - 4.2.3.2 in the case of the intended production of certified seed, not exceed 0,5 per cent of the plants of the seed parent at the stage at which 30,0 per cent or more of the plants of the seed parent has pollen-susceptible flowers: Provided that the aggregate of the number of plants with pollen-shedding flowers found during consecutive inspections shall not exceed 0,75 per cent of the plants of the seed parent.

### 5. Inspection requirements

- 5.1 Plants which are established on a unit shall be inspected—
- 5.1.1 during the flowering stage thereof;
  - 5.1.2 after the first bolls thereof are open; and
  - 5.1.3 in the case of a hybrid variety, after the plants of the pollen parent have been removed.
- 5.2 If plants of a hybrid variety have been established on a unit—
- 5.2.1 the seed grower concerned shall notify the authority at least 10 days beforehand of the date on which—
    - 5.2.1.1 the plants of the seed parent are expected to start flowering; and
    - 5.2.1.2 the plants of the pollen parent are to be removed; and
  - 5.2.2 the seed of the plants of the seed parent may not be harvested before the inspection referred to in paragraph 5.1.3 has been carried out.



**6. Physical requirements****6.1 Seed shall—**

- 6.1.1 have a germination percentage of at least 75 per cent;
- 6.1.2 be free of prohibited weed seed;
- 6.1.3 not contain more than—
  - 6.1.3.1 0,1 per cent other seed; and
  - 6.1.3.2 2,0 per cent other material; and
- 6.1.4 be treated against seed-borne diseases with a chemical remedy, which is registered for this purpose.”.

**Amendment of Annexure 21 of the Scheme****5. Annexure 21 of the Scheme is hereby amended—**

- (a) by the substitution for the expression “10,0 per cent” where it occurs in paragraph 4.2.3.1 of the expression “2,0 per cent”; and
- (b) by the substitution for the expression “25,0 per cent” where it occurs in paragraph 4.2.3.2 of the expression “5,0 per cent”.

**Substitution of Annexure 24 of the Scheme****6. The following annexure is hereby substituted for Annexure 24 of the Scheme:****“ANNEXURE 24****REQUIREMENTS RELATING TO LUPINS**

**(WHITE LUPINS—*LUPINUS ALBUS* L.; NARROW LEAF LUPINS—*LUPINUS ANGUSTIFOLIUS* L.;  
YELLOW LUPINS—*LUPINUS LUTEUS* L.)**

**1. Land requirements**

- 1.1 Subject to the provisions of paragraph 1.2, a piece of land may be registered as a unit only if no plants of any lupin variety have been established thereon for seed production or otherwise during the growing season preceding the registration thereof.
- 1.2 A piece of land which is intended for the production of certified seed of a particular lupin variety may also be registered as a unit if basic seed of the same variety has been produced thereon during the preceding growing season.
- 1.3 Subject to the provisions of paragraph 1.2, a piece of land may be registered as a unit for the production of disease-free seed only if no plants of any lupin variety or species of *Lupinus*—
  - 1.3.1 in the case of the intended production of basic seed, during the two years; and
  - 1.3.2 in the case of the intended production of certified seed, have been established thereon for seed production or otherwise during the growing season preceding the registration thereof.
- 1.4 A piece of land which is intended for the production of disease-free certified seed of a particular lupin variety may also be registered as a unit if disease-free basic seed of the same variety has been produced thereon during the preceding growing season.
- 1.5 Should the pathogen *Colletotrichum* spp. occur on a unit, no *Lupinus* may be cultivated for the following three years on the piece of land concerned.

**2. Planting requirements**

Seed shall be sown or established in rows on a unit.

**3. Isolation requirements****3.1 A unit shall be surrounded by an isolation area which—**

- 3.1.1 in the case of the intended production of disease-free seed, is at least 500 metres wide;
- 3.2.1 otherwise, in the case of the intended production of basic seed of—
  - 3.2.1.1 white lupins, is at least 200 metres wide where the area of the unit concerned is two hectares or less, and at least 100 metres wide where the area of the unit concerned is more than two hectares; and
  - 3.2.1.2 narrow leaf lupins and yellow lupins, is at least five metres wide; and
- 3.2.2 in the case of the intended production of certified seed of—
  - 3.2.2.1 white lupins, is at least 100 metres wide where the area of the unit concerned is two hectares or less, and at least 50 metres wide where the area of the unit concerned is more than two hectares; and
  - 3.2.2.2 narrow leaf lupins and yellow lupins, is at least five metres wide.



**3.3 Such isolation area shall—**

- 3.3.1 in the case of the intended production of disease-free seed, be free of plants of any lupin variety or species of *Lupinus*, irrespective of the stage of development thereof, unless they are also intended for the production of such disease-free seed; and
- 3.3.2 otherwise be free of plants of any lupin variety or species of *Lupinus* which flower at the same time as the plants on the unit concerned, unless—
  - 3.3.2.1 in the case of the intended production of basic seed, they have been established from breeder seed of the same variety; and
  - 3.3.2.2 in the case of the intended production of certified seed, they have been established from basic seed of the same variety.

**4. Requirements for plants****4.1 The number of deviating plants on a unit shall—**

- 4.1.1 in the case of the intended production of basic seed, not exceed 0,2 per cent; and
- 4.1.2 in the case of the intended production of certified seed, not exceed 0,5 per cent.

**4.2 Methods for determination of deviating plants shall be as determined by the authority.****4.3 A unit, which is intended for the production of disease-free seed, shall be free of disease-infected plants.****4.4 For the purpose of paragraph 4.4 "disease-infected plants" shall mean plants which are not visually free from the pathogens *Colletotrichum* spp. or Cucumber Mosaic Virus (CMV).****5. Inspection requirements****5.1 Plants which are established on a unit shall be inspected—**

- 5.1.1 before the flowering stage thereof; and
- 5.1.2 during the flowering stage thereof.

**6. Physical requirements****6.1 Seed shall—**

- 6.1.1 have a germination percentage of at least 75 per cent;
- 6.1.2 be free of prohibited weed seed; and
- 6.1.3 not contain more than—
  - 6.1.3.1 0,1 per cent other seed; and
  - 6.1.3.2 2,0 per cent other material.

**6.2 In the case of sweet *Lupinus albus*, *Lupinus angustifolius* and *Lupinus luteus*, not contain more than 2,0 per cent bitter seeds.****6.3 In the case of disease-free seed, according to a laboratory examination, be free of seed that is infected with a pathogen as specified in paragraph 4.4.****Addition of Annexures 54 and 55****7. The following Annexures are hereby added to the Scheme:****"ANNEXURE 54****REQUIREMENTS RELATING TO TEFF****[*ERAGROSTIS TEF* (ZUCC.) TROTTER]****1. Land requirements****1.1 Subject to the provisions in paragraph 1.2, a piece of land may be registered as a unit only if—**

- 1.1.1 no plants of any species of *Eragrostis* have been established thereon for seed production or otherwise during the two growing seasons preceding the registration thereof; or
- 1.1.2 the plants which are already established thereon have also during the preceding growing season been used for the production of basic seed or certified seed, as the case may be.

**1.2 A piece of land which is intended for the production of seed of a *Eragrostis tef* variety may—**

- 1.2.1 in the case of the intended production of basic seed, not be registered as a unit for more than two consecutive growing seasons if breeder seed of the same variety is annually established thereon; and

- 1.2.2 in the case of the intended production of certified seed, not be registered as a unit for more than four consecutive growing seasons if basic seed of the same variety is annually established thereon: Provided that such piece of land may also be registered as a unit if basic seed of the same variety has been produced thereon during the preceding growing season.

## 2. Planting requirements

- 2.1 Seeds shall be sown or be established in rows on a unit.  
2.2 All vegetation within a distance of three metres around a unit shall be kept short from the full seed stage thereof until seed has been harvested from the plants on the unit concerned.

## 3. Isolation requirements

- 3.1 A unit shall be surrounded by an isolation area which is at least five metres wide.  
3.2 Such isolation area shall be free of plants of any *Eragrostis tef* variety.

## 4. Requirements for plants

- 4.1 Plants which are established on a seed unit, may not be grazed or cut.  
4.2 The number of deviating plants on a unit shall—  
4.2.1 in the case of the intended production of basic seed, not exceed one plant per 20 square metres; and  
4.2.2 in the case of the intended production of certified seed, not exceed one plant per 15 square metres.

## 5. Inspection requirements

- 5.1 Plants which are established on a unit shall be inspected—  
5.1.1 before the flowering stage thereof; and  
5.1.2 during the full seed stage thereof.

## 6. Physical requirements

- 6.1 Seed shall—  
6.1.1 have a germination percentage of at least 70 per cent;  
6.1.2 be free of prohibited weed seed; and  
6.1.3 not contain more than—  
6.1.3.1 0,5 per cent other seed, of which no more than 0,3 per cent may be weed seed; and  
6.1.3.2 3,0 per cent other material.  
6.2 Notwithstanding the provisions of paragraph 6.1.3, the percentage seed of—  
6.2.1 *Eragrostis curvula* (Schrud.) C.G. Nees in seed shall—  
6.2.1.1 in the case of basic seed, not exceed 0,1 per cent; and  
6.2.1.2 in the case of certified seed, not exceed 0,2 per cent; and  
6.2.2 *E. plana* Nees in seed shall—  
6.2.2.1 in the case of basic seed, not exceed 0,1 per cent; and  
6.2.2.2 in the case of certified seed, not exceed 0,1 per cent.

## ANNEXURE 55

### REQUIREMENTS RELATING TO OIL SEED RAPE

(*BRASSICA NAPUS* VAR. *OLEIFERA* SUBVAR. *ANNUA*; *BRASSICA NAPUS* VAR. *OLEIFERA* SUBVAR. *BIENNIS*; *BRASSICA NAPUS* VAR. *OLEIFERA* SUBVAR. *OLEIFERUS*)

## 1. Land requirements

- 1.1 Subject to the provisions in paragraph 1.2, a piece of land may be registered as a unit only if no plants of any species of *Brassica* have been established thereon for seed production or otherwise during the two growing seasons preceding the registration thereof.  
1.2 A piece of land which is intended for the production of—  
1.2.1 basic seed of a particular oil seed rape variety may also be registered as a unit if breeder seed of the same variety has been produced under certification thereon during the preceding growing season.  
1.2.2 certified seed of a particular oil seed rape variety may also be registered as a unit if basic seed of the same variety has been produced thereon during the preceding growing season.

**2. Planting requirements**

- 2.1 Seeds shall be sown or be established in rows on a unit.
- 2.2 Gap-filling in rows shall not be permissible.

**3. Isolation requirements**

- 3.1 A unit shall be surrounded by an isolation area which is at least 1 000 metres wide.
- 3.2 Such isolation area shall be free of plants of any *Brassica* related variety.

**4. Requirements for plants**

- 4.1 The number of deviating plants on a unit shall—
  - 4.2.1 in the case of the intended production of basic seed, not exceed 0,2 per cent; and
  - 4.2.2 in the case of the intended production of certified seed, not exceed 0,5 per cent.

**5. Inspection requirements**

- 5.1 Plants which are established on a unit shall be inspected—
  - 5.1.1 during the flowering stage thereof; and
  - 5.1.2 during the full seed stage thereof.

**6. Physical requirements**

- 6.1 Seed shall—
  - 6.1.1 have a germination percentage of at least 70 per cent;
  - 6.1.2 be free of prohibited weed seed; and
  - 6.1.3 not contain more than—
    - 6.1.3.1 0,5 per cent other seed; and
    - 6.1.3.2 2,0 per cent other material; and
  - 6.1.4 not contain more than 0.2 per cent sclerotia of *Sclerotinia sclerotiorum*.

**No. R. 1326****12 November 1999**

PLANTVERBETERINGSWET, 1976 (WET No. 53 VAN 1976)

**SUID-AFRIKAANSE SAADSSERTIFISERINGSKEMA: WYSIGING\***

Ek, Angela Thokozile Didiza, Minister van Landbou, handelende kragtens artikel 23 van die Plantverbeteringswet, 1976 (Wet No. 53 van 1976), wysig hierby die Suid-Afrikaanse Saadsertifiseringskema gepubliseer by Goewermmentskennisgewing No. R2566 van 25 November 1983, soos gewysig, tot die mate in die Bylae uiteengesit.

**A. T. DIDIZA****Minister van Landbou**

\* Tegnieuse wysigings van die vereistes vir bepaalde gewasse.

**BYLAE****Woordomskrywing**

1. In hierdie Bylae beteken "die Skema" die Suid-Afrikaanse Saadsertifiseringskema gepubliseer by Goewermmentskennisgewing No. R. 2566 van 25 November 1983, soos gewysig by Goewermmentskennisgewings Nos. R. 1196 van 30 Mei 1985, R. 1660 van 26 Julie 1985, R. 2352 van 14 November 1986, R. 16 van 8 Januarie 1988, R. 1388 van 30 Junie 1989, R. 2093 van 29 September 1989, R. 121 van 26 Januarie 1990, R. 2708 van 23 November 1990, R. 994 van 3 April 1992, R. 1494 van 29 Mei 1992, R. 2333 van 21 Augustus 1992, R. 2230 van 26 November 1993, R. 1074 van 10 Junie 1994, R. 1781 van 17 November 1995 en R. 1222 van 2 Oktober 1998.

**Wysiging van Aanhangel 16 van die Skema**

2. Aanhangel 16 van die Skema word hierby gewysig deur paragraaf 3.1 deur die volgende paragraaf te vervang:

"3.1 Behoudens die bepalings van paragraaf 3.3, moet 'n eenheid deur 'n isolasiegebied omring wees wat—

- 3.1.1 in die geval van die beoogde produksie van basissaad van—
  - 3.1.1.1 'n oopbestuifde variëteit, minstens 2 000 meter wyd is; en
  - 3.1.1.2 'n bastervariëteit, minstens 3 000 meter wyd is; en
- 3.1.2 in die geval van die beoogde produksie van gesertifiseerde saad van—
  - 3.1.2.1 'n oopbestuifde variëteit, minstens 1 000 meter wyd is; en
  - 3.1.2.2 'n bastervariëteit, minstens 1 500 meter wyd is."



**Wysiging van Aanhangsel 18 van die Skema**

3. Aanhangsel 18 van die Skema word hierby gewysig deur paragraaf 6.1.3 deur die volgende paragraaf te vervang:

"6.1.3 hoogstens—

6.1.3.1 0,5 persent ander saad, waarvan nie meer as 0,3 persent onkruidsaad mag wees nie; en

6.1.3.2 3,0 persent ander materiaal, bevat."

**Vervanging van Aanhangsel 20 van die Skema**

4. Aanhangsel 20 van die Skema word hierby deur die volgende aanhangsel vervang:

**"AANHANGSEL 20****VEREISTES BETREFFENDE KATOEN****(GOSSYPIMUM HIRSUTUM L.)****1. Grondvereistes**

- 1.1 Behoudens die bepalings van paragraaf 1.2 kan 'n stuk grond slegs as 'n eenheid geregistreer word indien geen plante van 'n katoen-variëteit gedurende die groeiseisoen wat die registrasie daarvan voorafgaan, vir saad-produksie of andersins daarop gevestig was nie.
- 1.2 'n Stuk grond wat vir die produksie van gesertifiseerde saad van 'n bepaalde katoenvariëteit beoog word, kan ook as 'n eenheid geregistreer word indien basissaad van dieselfde variëteit gedurende die voorafgaande groeiseisoen daarop geproduseer is.

**2. Aanplantingsvereistes**

- 2.1 Plante moet in rye op 'n eenheid gevestig word.
- 2.2 Inboet in rye is nie toelaatbaar nie.
- 2.3 In die geval van die beoogde produksie van 'n bastervariëteit moet—
  - 2.3.1 die plante van die saadouër en dié van die stuifmeelouër in afsonderlike rye gevestig word; en
  - 2.3.2 rye wat plante van die stuifmeelouër bevat, duidelik aldus gemerk word.

**3. Isolasiereistes**

- 3.1 Behoudens die bepalings van paragraaf 3.3 moet 'n eenheid deur 'n isolasiegebied omring wees wat in die geval van die beoogde produksie van—
  - 3.1.1 'n oopbestuifde variëteit minstens 50 meter wyd is; en
  - 3.1.2 'n baster variëteit minstens 500 meter wyd is.
- 3.2 So 'n isolasie gebied moet vry wees van plante van 'n katoen variëteit of spesie van *Gossypium* wat op dieselfde tyd as die plante op die betrokke eenheid blom, tensy dit—
  - 3.2.1 in die geval van die beoogde produksie van basissaad van 'n oopbestuifde variëteit, van telersaad van dieselfde variëteit gevestig is; en
  - 3.2.2 in die geval van die beoogde produksie van gesertifiseerde saad van 'n oopbestuifde variëteit, van basissaad van dieselfde variëteit gevestig is.
- 3.3 Plante van verskillende saadouers van 'n bastervariëteit kan op aangrensende eenhede gevestig word indien—
  - 3.3.1 'n gemeenskaplike stuifmeelouër gebruik word; en
  - 3.3.2 'n oop ruimte van minstens vyf meter wyd, wat vry van plante van die betrokke saadouers en stuifmeelouër is, tussen die betrokke eenhede gehandhaaf word.

**4. Vereistes vir plante**

- 4.1 Behoudens die bepalings van paragraaf 4.2, mag die aantal afwykende plante op 'n eenheid—
  - 4.1.1 in die geval van die beoogde produksie van basissaad, nie 0,2 persent oorskry nie; en
  - 4.1.2 in die geval van die beoogde produksie van gesertifiseerde saad nie 0,5 persent oorskry nie.
- 4.2 Indien manlike steriliteit by die saadouers van bastervariëteite gebruik word—
  - 4.2.1 mag die aantal afwykende stuifmeelstortende plante van die stuifmeelouër op 'n eenheid—
    - 4.2.1.1 in die geval van die beoogde produksie van basissaad nie 0,01 persent van die plante van die stuifmeelouër op die stadium waarop 5,0 persent of meer van die plante van die saadouër stuifmeelvatbare blomme het, oorskry nie; en
    - 4.2.1.2 in die geval van die beoogde produksie van gesertifiseerde saad, nie 0,1 persent van die plante van die stuifmeelouër op die stadium waarop 5,0 persent of meer van die plante van die saadouër stuifmeelvatbare blomme het, oorskry nie;

- 4.2.2 mag die aantal afwykende plante van die saadouër op 'n eenheid—
- 4.2.2.1 in die geval van die beoogde produksie van basissaad nie 0,01 persent van die plante van die saadouër oorskry nie; en
- 4.2.2.2 in die geval van die beoogde produksie van gesertifiseerde saad, nie 0,1 persent van die plante van die saadouër oorskry nie; en
- 4.2.3 mag die aantal stuifmeelstortende plante van die saadouër op 'n eenheid—
- 4.2.3.1 in die geval van die beoogde produksie van basissaad, nie 0,2 persent van die plante van die saadouër op die stadium waarop 20,0 persent of meer van die plante van die saadouër stuifmeelvatbare blomme het, oorskry nie: Met dien verstande dat die totale aantal plante met stuifmeelstortende blomme wat tydens agtereenvolgende inspeksie gevind word, nie 0,2 persent van die plante van die saadouër oorskry nie; en
- 4.2.3.2 in die geval van die beoogde produksie van gesertifiseerde saad, nie 0,5 persent van die plante van die saadouër op die stadium waarop 30,0 persent of meer van die plante van die saadouër stuifmeelvatbare blomme het, oorskry nie: Met dien verstande dat die totale aantal plante met stuifmeelstortende blomme wat tydens inspeksies gevind word, nie vir agtereenvolgende inspeksies 0,75 persent van die plante van die saadouër mag oorskry nie.

## 5. Inspeksievereistes

- 5.1 Plante wat op 'n eenheid gevestig is, moet geïnspekteer word—
- 5.1.1 gedurende die blomstadium daarvan;
- 5.1.2 nadat die eerste bolle daarvan oop is; en
- 5.1.3 in die geval van 'n bastervariëteit, nadat die plante van die stuifmeelouër verwyder is.
- 5.2 Indien plante van 'n bastervariëteit op 'n eenheid gevestig is—
- 5.2.1 moet die betrokke saadkweker die gesag minstens 10 dae vooraf in kennis stel van die datum waarop—
- 5.2.1.1 die plante van die saadouër na verwagting sal begin blom; en
- 5.2.1.2 die plante van die stuifmeelouër verwyder sal word; en
- 5.2.2 mag die saad van die plante van die saadouër nie geoes word voordat die inspeksie in paragraaf 5.1.3 bedoel; uitgevoer is nie.

## 6. Fisiese vereistes

- 6.1 Saad moet—
- 6.1.1 'n ontkiemingspersentasie van minstens 75 persent hê;
- 6.1.2 vry van verbode onkruidsaad wees;
- 6.1.3 hoogstens—
- 6.1.3.1 0,1 persent ander saad; en
- 6.1.3.2 2,0 persent ander materiaal bevat, en
- 6.1.4 teen saadoordraagbare siektes behandel wees met 'n chemiese middel wat vir dié doel geregistreer is.”

## Wysiging van Aanhangel 21 van die Skema

5. Aanhangel 21 van die Skema word hierby gewysig deur—
- (a) die uitdrukking “10,0 persent” waar dit in paragraaf 4.2.3.1 voorkom, deur “2,0 persent” te vervang; en
- (b) die uitdrukking “25,0 persent” waar dit in paragraaf 4.2.3.2 voorkom, deur “5,0 persent” te vervang.

## Vervanging van Aanhangel 24 van die Skema

6. Aanhangel 24 van die Skema word hierby deur die volgende aanhangel vervang:

### “AANHANGSEL 24

#### VEREISTES BETREFFENDE LUPIENE

(WITLUPIENE—*LUPINUS ALBUS* L.; SMALBLAARLUPIENE—*LUPINUS ANGUSTIFOLIUS* L.;  
GEELLUPIENE—*LUPINUS LUTEUS* L.)

## 1. Grondvereistes

- 1.1 Behoudens die bepalings van paragraaf 1.2, kan 'n stuk grond slegs as 'n eenheid geregistreer word indien geen plante van 'n lupien-variëteit gedurende die groeiseisoen wat die registrasie daarvan voorafgaan, vir saadproduksie of andersins daarop gevestig was nie.

- 1.2 'n Stuk grond wat vir die produksie van gesertifiseerde saad van 'n bepaalde lupien-variëteit beoog word, kan ook as 'n eenheid geregistreer word indien basissaad van dieselfde variëteit gedurende die voorafgaande groeiseisoen daarop geproduseer is.
- 1.3 Behoudens die bepalinge van paragraaf 1.4, kan 'n stuk grond slegs as 'n eenheid vir die produksie van siektevrye saad geregistreer word indien geen plante van 'n lupien-variëteit of spesie van *Lupinus*—
  - 1.3.1 in die geval van die beoogde produksie van basis saad, gedurende die twee jaar; en
  - 1.3.2 in die geval van die beoogde produksie van sertifiseerde saad, gedurende die jaar wat die registrasie daarvan voorafgaan, vir saadproduksie of andersins daarop gevestig was nie.
- 1.4 'n Stuk grond wat vir die produksie van siektevry gesertifiseerde saad van 'n bepaalde lupien-variëteit beoog word, kan ook as 'n eenheid geregistreer word indien siektevrye basissaad van dieselfde variëteit gedurende die voorafgaande groeiseisoen daarop geproduseer is.
- 1.5 Indien die patogeen *Colletotrichum* spp. op 'n eenheid voorgekom het, mag geen *Lupinus* vir die daaropvolgende drie jaar op die betrokke stuk grond verbou word nie.

## 2. Aanplantingsvereistes

Saad kan gesaai of in rye op 'n eenheid gevestig word.

## 3. Isolasiereisies

- 3.1 'n Eenheid moet deur 'n isolasiegebied omring wees wat—
  - 3.1.1 in die geval van die beoogde produksie van siektevrye saad, minstens 500 meter wyd is;
  - 3.2.1 andersins, in die geval van die beoogde produksie van basissaad van—
    - 3.2.1.1 witlupiene, minstens 200 meter wyd is waar die oppervlakte van die betrokke eenheid twee hektaar of minder is en minstens 100 meter wyd waar die oppervlakte van die betrokke eenheid meer as twee hektaar; en
    - 3.2.1.2 smalblaarlupiene en geellupiene, minstens vyf meter wyd is; en
  - 3.2.2 in die geval van die beoogde produksie van gesertifiseerde saad van—
    - 3.2.2.1 witlupiene, minstens 100 meter wyd is waar die oppervlakte van die betrokke eenheid twee hektaar of minder is, en minstens 50 meter wyd is waar die oppervlakte van die betrokke eenheid meer as twee hektaar is; en
    - 3.2.2.2 smalblaarlupiene en geellupiene, minstens vyf meter wyd wees.
- 3.3 So 'n isolasiegebied moet—
  - 3.3.1 in die geval van die beoogde produksie van siektevrye saad, vry wees van plante van enige lupien-variëteit of spesie van *Lupinus*, ongeag die stadium van ontwikkeling daarvan, tensy dit ook vir die produksie van siektevrye saad beoog word; en
  - 3.3.2 andersins vry wees van plante van 'n lupien-variëteit of spesie van *Lupinus* wat op dieselfde tyd as die plante op die betrokke eenheid blom, tensy dit—
    - 3.3.2.1 in die geval van die beoogde produksie van basissaad van telersaad van dieselfde variëteit gevestig is; en
    - 3.3.2.2 in die geval van die beoogde produksie van gesertifiseerde saad, van basissaad van dieselfde variëteit gevestig is.

## 4. Vereistes vir plante

- 4.1 Die aantal afwykende plante op 'n eenheid mag—
  - 4.1.1 in die geval van die beoogde produksie van basissaad, nie 0,2 persent oorskry nie; en
  - 4.1.2 in die geval van die beoogde produksie van gesertifiseerde saad, nie 0,5 persent oorskry nie.
- 4.2 Metodes vir die bepaling van afwykende plante is soos deur die gesag bepaal.
- 4.3 'n Eenheid wat vir die produksie van siektevrye saad beoog word, moet vry wees van siektebesmette plante.
- 4.4 Vir die doeleindes van paragraaf 4.4 beteken "siektebesmette plante" plante wat nie visueel vry van die patogene *Colletotrichum* spp. of Kornkommer-mosaïekvirus (CMV) is nie.

## 5. Inspeksiereisies

- 5.1 Plante wat op 'n eenheid gevestig is, moet geïnspekteer word—
  - 5.1.1 voor die blomstadium daarvan; en
  - 5.1.2 gedurende die blomstadium daarvan.

## 6. Fisiese vereistes

### 6.1 Saad moet—

- 6.1.1 'n ontkiemingspersentasie van minstens 75 persent hê;
- 6.1.2 vry van verbode onkruidsaad wees; en
- 6.1.3 hoogstens—
  - 6.1.3.1 0,1 persent ander saad; en
  - 6.1.3.2 2,0 persent ander materiaal, bevat
- 6.1.4 In die geval van soet *Lupinus albus*, *Lupinus angustifolius* en *Lupinus luteus*, nie meer as 2,0 persent bitter pitte bevat nie.
- 6.1.5 In die geval van siektevrye saad, volgens 'n laboratorium ondersoek vry wees van saad wat met 'n patogeen in paragraaf 4.4 vermeld, besmet is."

## Byvoeging van Aanhangsels 54 en 55

7. Die volgende aanhangsels word hierby by die Skema gevoeg:

### "AANHANGSEL 54

#### VEREISTES BETREFFENDE TEF

#### [ERAGROSTIS TEF (ZUCC.) TROTTER]

### 1. Grondvereistes

- 1.1 Behoudens die bepalings van paragraaf 1.2, kan 'n stuk grond slegs as 'n eenheid geregistreer word indien—
  - 1.1.1 geen plante van 'n spesie van *Eragrostis* gedurende die twee groeiseisoene wat die registrasie daarvan voorafgaan, vir saadproduksie of andersins daarop gevestig wees nie; of
  - 1.1.2 die plante wat reeds daarop gevestig is, ook gedurende die voorafgaande groeiseisoen vir die produksie van basissaad of gesertifiseerde saad, na gelang van die geval, gebruik is.
- 1.2 'n Stuk grond wat vir die produksie van saad van 'n bepaalde *Eragrostis tef* variëteit beoog word, mag—
  - 1.2.1 in die geval van die beoogde produksie van basissaad, vir hoogstens twee agtereenvolgende groeiseisoene as 'n eenheid geregistreer word indien telersaad van dieselfde variëteit jaarliks daarop gevestig word; en
  - 1.2.2 in die geval van die beoogde produksie van gesertifiseerde saad, vir hoogstens vier agtereenvolgende groeiseisoene as 'n eenheid geregistreer word indien basissaad van dieselfde variëteit jaarliks daarop gevestig word: Met dien verstande dat sodanige stuk grond ook as 'n eenheid geregistreer kan word indien basissaad van dieselfde variëteit gedurende die voorafgaande groeiseisoen daarop geproduseer is.

### 2. Aanplantingsvereistes

- 2.1 Saad kan of gesaai of in rye op 'n eenheid gevestig word.
- 2.2 Alle plantegroei binne 'n afstand van drie meter rondom 'n eenheid moet kort gehou word vanaf die volsaad stadium daarvan totdat saad van die plante op die betrokke eenheid geoes is.

### 3. Isolasiereistes

- 3.1 'n Eenheid moet deur 'n isolasiegebied omring word wat minstens vyf meter wyd is.
- 3.2 So 'n isolasiegebied moet vry wees van plante van enige *Eragrostis tef* variëteit.

### 4. Vereistes vir plante

- 4.1 Plante wat op 'n saadeenheid gevestig is, mag nie bewei of gesny word nie.
- 4.2 Die aantal afwykende plante op 'n eenheid mag—
  - 4.2.1 in die geval van die beoogde produksie van basissaad, nie een plant per 20 vierkante meter oorskry nie; en
  - 4.2.2 in die geval van die beoogde produksie van gesertifiseerde saad, nie een plant per 15 vierkante meter oorskry nie.

### 5. Inspeksiereistes

- 5.1 Plante wat op 'n eenheid gevestig is moet geïnspekteer word—
  - 5.1.1 voor die blomstadium daarvan; en
  - 5.1.2 gedurende die volsaadstadium daarvan.



**6. Fisiese vereistes****6.1 Saad moet—**

6.1.1 'n ontkiemingspersentasie van minstens 70 persent hê;

6.1.2 vry van verbode onkruidsaad wees; en

6.1.3 hoogstens—

6.1.3.1 0,5 persent ander saad, waarvan nie meer as 0,3 persent onkruidsaad mag wees nie; en

6.1.3.2 3,0 persent ander materiaal, bevat.

**6.2 Ondanks die bepalings van paragraaf 6.1.3, mag die persentasie saad van—**6.2.1 *Eragrostis curvula* (Schrad.) C.G. Nees in saad—

6.2.1.1 in die geval van basissaad, nie 0,1 persent oorskry nie; en

6.2.1.2 in die geval van gesertifiseerde saad, nie 0,2 persent oorskry nie; en

6.2.2 *E. plana* Nees in saad—

6.2.2.1 in die geval van basissaad, nie 0,1 persent oorskry nie; en

6.2.2.2 in die geval van gesertifiseerde saad, nie 0,1 persent oorskry nie.

**AANHANGSEL 55****VEREISTES BETREFFENDE OLIESAADRAAP****(BRASSICA NAPUS VAR. OLEIFERA SUBVAR. ANNUA; BRASSICA NAPUS VAR. OLEIFERA SUBVAR. BIENNIS;  
BRASSICA NAPUS VAR. OLEIFERA SUBVAR. OLEIFERUS)****1. Grondvereistes**1.1 Behoudens die bepalings van paragraaf 1.2, kan 'n stuk grond slegs as 'n eenheid geregistreer word indien geen plante van 'n spesie van *Brassica* gedurende die twee groeiseisoene wat die registrasie daarvan voorafgaan, vir saadproduksie of andersins daarop gevestig was nie.

1.2 'n Stuk grond wat vir die produksie van—

1.2.1 basissaad van 'n bepaalde oliesaad raap-variëteit beoog word, kan ook as 'n eenheid geregistreer word indien telersaad van dieselfde variëteit gedurende die voorafgaande groeiseisoen onder sertifisering daarop geproduseer is.

1.2.2 gesertifiseerde saad van 'n bepaalde oliesaad raap-variëteit beoog word, kan ook as 'n eenheid geregistreer word indien basissaad van dieselfde variëteit gedurende die voorafgaande groeiseisoen daarop geproduseer is.

**2. Aanplantingsvereistes**

2.1 Saad kan gesaai of in rye op 'n eenheid gevestig word.

2.2 Inboet in rye is nie toelaatbaar nie.

**3. Isolasiereisies**

3.1 'n Eenheid moet deur 'n isolasiegebied omring word wat minstens 1 000 meter wyd is.

3.2 So 'n isolasiegebied moet vry wees van plante van enige *Brassica* verwante variëteit.**4. Vereistes vir plante**

4.1 Die aantal afwykende plante op 'n eenheid mag—

4.2.1 in die geval van die beoogde produksie van basissaad, nie 0,2 persent oorskry nie; en

4.2.2 in die geval van die beoogde produksie van gesertifiseerde saad, nie 0,5 persent oorskry nie.

**5. Inspeksiereisies**

5.1 Plante wat op 'n eenheid gevestig is, moet geïnspekteer word—

5.1.1 tydens die blomstadium daarvan; en

5.1.2 gedurende die volsaadstadium daarvan.

**6. Fisiese vereistes****6.1 Saad moet—**

6.1.1 'n ontkiemingspersentasie van minstens 70 persent hê;

6.1.2 vry van verbode onkruidsaad wees; en

6.1.3 hoogstens—

6.1.3.1 0,5 persent ander saad;

6.1.3.2 2,0 persent ander materiaal; en

6.1.4 hoogstens 0,2 persent sklerotia van *Sclerotinia sclerotiorum* bevat."

**DEPARTMENT OF HEALTH  
DEPARTEMENT VAN GESONDHEID**

No. R. 1327

12 November 1999

**HEALTH PROFESSIONS COUNCIL OF SOUTH AFRICA**

**REGULATIONS RELATING TO THE QUALIFICATIONS ENTITLING MEDICAL PRACTITIONERS TO REGISTRATION**

The Minister of Health intends, in terms of section 24 of the Health Professions Act, 1974 (Act No. 56 of 1974), on the recommendation of the Health Professions Council of South Africa, to make the regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed regulations to the Director-General: Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Human Resource Development), within two months of the date of publication of this notice.

**SCHEDULE**

**Definitions**

1. In these regulations any expression to which a meaning has been assigned in the Act, shall bear such meaning and unless the context otherwise indicates—

“**Annexure**” means an annexure to these regulations;

“**board**” means the Medical and Dental Professional Board established by Government Notice No. 75 of 16 January 1998;

“**the Act**” means the Health Professions Act, 1974 (Act No. 56 of 1974);

**Qualifications for registration as a medical practitioner in the category independent practice (general practitioner)**

2. (1) A qualification listed in the Annexure shall entitle the holder thereof to registration under the Act as a medical practitioner in the category independent practice (general practitioner) if he or she has, before or in connection with or after obtaining the qualification concerned, complied with the requirements of subregulations (2) and (3).

(2) The holder of a qualification referred to in subregulation (1) shall have been registered under the Act as—

- (a) a medical student and shall have completed the prescribed education and training as a medical student;
- (b) an intern in medicine and shall have completed the prescribed training as such an intern; and
- (c) a medical practitioner to perform community service as prescribed in terms of section 24A of the Act and shall have completed such service.

(3) The holder of a qualification referred to in subregulation (1) shall—

- (a) submit his or her application in terms of section 17 of the Act for registration as a medical practitioner in the said category to the board on an application form supplied by the board and duly completed;
- (b) submit a report on completion issued by the relevant health authority as evidence that he or she has satisfactorily completed community service; and
- (c) pay the prescribed fee.

**Repeal**

3. The regulations published under Government Notice No. R. 1243 of 8 June 1990, as amended by Government Notices Nos. R. 261 of 15 February 1991, R. 2514 of 11 September 1992, R. 1320 of 23 July 1993, R. 243 of 11 February 1994, R. 834 of 29 April 1994 and R. 1213 of 26 July 1996, are hereby repealed.

**ANNEXURE**

*University or examining authority  
and qualification*

*Abbreviation for  
registration*

**Medical University of Southern Africa**

Bachelor of Medicine, ..... MB ChB Medunsa  
Bachelor of Surgery.....

**University of Cape Town**

Bachelor of Medicine, ..... MB ChB Cape Town  
Bachelor of Surgery.....

**University of Natal**

Bachelor of Medicine, ..... MB ChB Natal  
Bachelor of Surgery.....

| <i>University or examining authority<br/>and qualification</i>                              | <i>Abbreviation for<br/>registration</i> |
|---------------------------------------------------------------------------------------------|------------------------------------------|
| <b>University of Orange Free State</b><br>Bachelor of Medicine,<br>Bachelor of Surgery..... | MB ChB Orange<br>Free State              |
| <b>University of Pretoria</b><br>Bachelor of Medicine,<br>Bachelor of Surgery.....          | MB ChB Pret                              |
| <b>University of Stellenbosch</b><br>Bachelor of Medicine,<br>Bachelor of Surgery.....      | MB ChB Stell                             |
| <b>University of Transkei</b><br>Bachelor of Medicine,<br>Bachelor of Surgery.....          | MB ChB Unitra                            |
| <b>University of Witwatersrand</b><br>Bachelor of Medicine,<br>Bachelor of Surgery.....     | MB ChB Witwaters-<br>rand                |
| <b>M. TSHABALALA-MSIMANG</b><br>Minister of Health                                          |                                          |

No. R. 1327

12 November 1999

## RAAD VIR GESONDHEIDSBEROEPE VAN SUID-AFRIKA

## REGULASIES BETREFFENDE DIE KWALIFIKASIES WAT AAN GENEESHERE REG VERLEEN OP REGISTRASIE

Die Minister van Gesondheid is voornemens om, ingevolge artikel 24 van die Wet op Gesondheidsberoep, 1974, (Wet No. 56 van 1974), op aanbeveling van die Raad vir Gesondheidsberoep van Suid-Afrika, die regulasies in die Bylae uit te vaardig.

Belanghebbendes word versoek om binne twee maande na die datum van publikasie van hierdie kennisgewing enige gemotiveerde kommentaar of versoë oor die voorgestelde regulasies aan die Direkteur-generaal, Privaat Sak X828, Pretoria, 0001 (vir die aandag van die Direkteur: Mensehulpbronontwikkeling) te rig.

## BYLAE

## Woordomskrivings

1. In hierdie regulasies het enige uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken—

“Bylae” ’n bylae by hierdie regulasies;

“die Wet” Wet op Gesondheidsberoep, 1974 (Wet No. 56 van 1974);

“raad” die Mediese en Tandheelkundige Beroepsraad ingestel by Goewermentskennisgewing No. R. 75 van 16 Januarie 1998.

**Kwalifikasies vir registrasie as 'n geneesheer in die kategorie onafhanklike praktyk (algemene praktisyn)**

2. (1) 'n Kwalifikasie gelys in die Bylae verleen aan die besitter daarvan die reg op registrasie ingevolge die Wet as 'n geneesheer in die kategorie onafhanklike praktyk (algemene praktisyn) indien hy of sy, voor of in verband met of na verwerwing van die betrokke kwalifikasie, aan die vereistes van subregulasies (2) en (3) voldoen het.

(2) Die houer van 'n kwalifikasie bedoel in subregulasie (1) moet ingevolge die Wet geregistreer gewees het as—

(a) 'n mediese student en moet die voorgeskrewe onderwys en opleiding as 'n mediese student voltooi het;

(b) 'n intern in geneeskunde en moet die voorgeskrewe opleiding as sodanige intern voltooi het; en

(c) 'n geneesheer om gemeenskapsdiens te verrig soos voorgeskryf ingevolge artikel 24A van die Wet en moet sodanige diens voltooi het.

(3) Die houer van 'n kwalifikasie bedoel in subregulasie (1) moet—

- (a) ingevolge artikel 17 van die Wet sy of haar aansoek om registrasie as 'n geneesheer in gemelde kategorie by die raad indien op 'n aansoekvorm wat deur die raad voorsien is en wat behoorlik ingevul is;
- (b) by voltooiing 'n verslag indien wat uitgereik is deur die betrokke gesondheidowerheid as bewys dat gemeenskapsdiens bevredigend deur hom of haar voltooi is; en
- (c) die voorgeskrewe gelde betaal.

### Herroeping

3. Die regulasies gepubliseer ingevolge Goewermmentskennisgewing No. R. 1243 van 8 Junie 1990, soos gewysig deur Goewermmentskennisgewings Nos. R. 261 van 15 Februarie 1991, R. 2514 van 11 September 1992, R. 1320 van 23 Julie 1993, R. 243 van 11 Februarie 1994, R. 834 van 29 April 1994 and R. 1213 van 26 Julie 1996, word hierby herroep.

### BYLAE

*Universiteit of eksamineringsliggaam  
en kwalifikasie*

*Afkorting vir  
registrasie*

#### Mediese Universiteit van Suid-Afrika

Baccalaureus in Geneeskunde, ..... MB ChB Medunsa  
Baccalaureus in Chirurgie .....

#### Universiteit van Kaapstad

Baccalaureus in Geneeskunde, ..... MB ChB Kaapstad  
Baccalaureus in Chirurgie .....

#### Universiteit van Natal

Baccalaureus in Geneeskunde, ..... MB ChB Natal  
Baccalaureus in Chirurgie .....

#### Universiteit van Oranje-Vrystaat

Baccalaureus in Geneeskunde, ..... MB ChB Oranje-  
Baccalaureus in Chirurgie ..... Vrystaat

#### Universiteit van Pretoria

Baccalaureus in Geneeskunde, ..... MB ChB Pret  
Baccalaureus in Chirurgie .....

#### Universiteit van Stellenbosch

Baccalaureus in Geneeskunde, ..... MB ChB Stell  
Baccalaureus in Chirurgie .....

#### Universiteit van Transkei

Baccalaureus in Geneeskunde, ..... MB ChB Unitra  
Baccalaureus in Chirurgie .....

#### Universiteit van Witwatersrand

Baccalaureus in Geneeskunde, ..... MB ChB Witwaters-  
Baccalaureus in Chirurgie ..... rand

**M. TSHABALALA-MSIMANG**

**Minister van Gesondheid**

**No. 1328**

**12 November 1999**

### HEALTH PROFESSIONS COUNCIL OF SOUTH AFRICA

#### REGULATIONS RELATING TO THE REGISTRATION OF STUDENTS, MINIMUM CURRICULA AND PROFESSIONAL EXAMINATIONS IN MEDICINE AND DENTISTRY: AMENDMENT

The Minister of Health intends, in terms of section 61 (1) (a) of the Health Professions Act, 1974 (Act No. 56 of 1974), in consultation with the Health Professions Council of South Africa, to make the regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed regulations to the Director-General: Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Human Resource Development), within two months of the date of publication on this notice.



**SCHEDULE****Definitions**

1. In these regulations "the Regulations" means the regulations published under Government Notice No. R. 652 of 5 May 1995.

**Amendment of regulations 15 of the Regulations**

2. Regulation 15 of the Regulations is hereby amended by the substitution for the expression "six" of the expression "five".

**Note:** The provision in regulation 2 hereof shall be read in conjunction with the provisions of the Regulations relating to the Registration and Training of Interns in Medicines.

**M. TSHABALALA-MSIMANG**

Minister of Health

**No. 1328**

**12 November 1999**

**RAAD VIR GESONDHEIDSBEROEPE VAN SUID-AFRIKA****REGULASIES BETREFFENDE DIE REGISTRASIE VAN STUDENTE, MINIMUM LEERPLAN EN PROFESSIONELE EKSAMENS IN GENEESKUNDE EN TANDHEELKUNDE: WYSIGING**

Die Minister van Gesondheid is voornemens om, ingevolge artikel 6 (1) (a) van die Wet op Gesondheidsberoep, 1974 (Wet No. 56 van 1974), in ooreenstemming met die Raad vir Gesondheidsberoep van Suid-Afrika, die regulasies in die Bylae uit te vaardig.

Belanghebbendes word versoek om binne twee maande na die datum van publikasie van hierdie kennisgewing enige gemotiveerde kommentaar of versoë oor die voorgestelde regulasies aan die Direkteur-generaal, Privaatsak X828, Pretoria, 0001 (vir die aandag van die Direkteur: Mensehulpbronontwikkeling) te rig.

**BYLAE****Woordomskrywings**

1. In hierdie regulasies beteken "die Regulasies" die regulasies gepubliseer ingevolge Goewermentskennisgewing No. R. 652 van 5 Mei 1995.

**Wysiging van regulasie 15 van die Regulasies**

2. Regulasies 15 van die Regulasies word hierby gewysig deur die uitdrukking "ses" deur die uitdrukking "vyf" te vervang.

**Let wel:** Die bepaling in regulasie 2 hiervan moet tesame met die bepalings van die Regulasies betreffende die Registrasie en Opleiding van Interns in Geneeskunde gelees word.

**M. TSHABALALA-MSIMANG**

Minister van Gesondheid

**No. 1329**

**12 November 1999**

**HEALTH PROFESSIONS COUNCIL OF SOUTH AFRICA****REGULATIONS RELATING TO THE REGISTRATION AND TRAINING OF INTERNS IN MEDICINE**

The Minister of Health intends, in terms of section 61 (1) (e) of the Health Professions Act, 1974 (Act No. 56 of 1974), in consultation with the Health Professions Council of South Africa, to make the regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed regulations to the Director-General: Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Human Resource Development), within two months of the date of publication of this notice.

**SCHEDULE****Definitions**

1. In these regulations any expression to which a meaning has been assigned in the Act, shall bear such meaning and unless the context otherwise indicates—

"board" means the Medical and Dental Professional Board established by Government Notice No. 75 of 16 January 1998.

"accredited facility" means a hospital, clinic or a health care centre which has been accredited by the board for the purpose of internship training;

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

**Registration as an intern in medicine**

2. Any person who holds a qualification prescribed in the regulations made in terms of section 24 of the Act or who holds a qualification accepted by the board in terms of section 25 of the Act shall, after or in connection with obtaining such a qualification and before he or she is entitled to registration as a medical practitioner in any category of such registration undertake training to the satisfaction of the board as an intern in medicine for a period and in the manner described in regulation 5, unless the board exempted him or her partially or in full from this requirement on submission of documentary evidence to the satisfaction of the board of internship or equivalent training undergone or experience obtained outside South Africa.

3. The register kept in terms of section 18 of the Act shall reflect all such information as the board may require.

4. A person referred to in regulation 2 shall—

- (a) submit his or her application to the board in terms of section 17 of the Act for registration as an intern in medicine on an application form supplied by the board and duly completed;
- (b) submit proof that he or she holds a qualification prescribed in the Regulations relating to the Qualifications entitling Medical Practitioners to Registration made in terms of section 24 of the Act;
- (c) submit proof that he or she holds a qualification accepted by the board in terms of section 25 of the Act and has passed an examination or other assessment determined by the board;
- (d) submit the name of the accredited facility to which he or she was allocated by the relevant health authority to undergo training as an intern and shall notify the board in writing in advance if he or she intends to change from that facility to another facility; and
- (e) pay the prescribed fee.

**Conditions of internship training**

5. The training to be undertaken by an intern shall be in accordance with the following:

- (1) Internship training undertaken before 1 July 2005 shall be of not less than twelve months' duration and, where it is broken or interrupted, it shall consist of periods which, when added together, are not less than twelve months in total, including vacation leave not exceeding one month's duration and sick leave not exceeding one month's duration, and shall comply with criteria laid down by the board from time to time.
- (2) Internship training undertaken after 30 June 2005 shall be of not less than twenty four months' duration and, where it is broken or interrupted, it shall consist of periods which, when added together, are not less than twenty four months in total, including vacation leave not exceeding one month's duration per annum and sick leave not exceeding two months' duration and shall comply with criteria laid down by the board from time to time.
- (3) Where a person obtained a qualification prescribed in terms of section 24 of the Act after a period of five years of study as provided for in the Regulations relating to the Registration of Students, Minimum Curricula and Professional Examinations in Medicine and Dentistry, published as Government Notice No. R. 652 of 5 May 1995, internship training to be undergone by such a person shall be as prescribed in subregulation (2).
- (4) No such break or interruption, excluding leave referred to in subregulation (1) or (2), as the case may be, shall exceed a period of one year in order for the period of training prior to such break or interruption to be recognised as part of completed internship training.
- (5) The period of twelve months of internship training referred to in subregulation (1) shall be completed within a period of two years from the date of having been registered in terms of section 17 of the Act as an intern in medicine.
- (6) The period of twenty four months of internship training referred to in subregulation (2) shall be completed within a period of three years from the date of having been registered in terms of section 17 of the Act as an intern in medicine.
- (7) If an intern does not complete his or her internship training within a period of two or three years, as the case may be, his or her registration in terms of section 18 of the Act shall be cancelled unless he or she provides the board with satisfactory reasons as to why his or her registration should not be cancelled.
- (8)
  - (a) The training shall be undertaken by an intern in a facility accredited by the board.
  - (b) If a facility referred to in paragraph (a) is not available, the board, may, at its discretion, accept alternative training which in the board's opinion is equivalent to training in a facility accredited by the board.
  - (c) When accrediting a facility or alternative training, the board may stipulate that only a proportion of an intern's training shall be undertaken thereat and the remainder shall be undertaken at another accredited facility.
  - (d) If internship training at an accredited facility is regarded by the board for any reason to be inadequate or unsatisfactory, the board may withdraw its accreditation thereof, in which case the board shall inform any interns at the facility accordingly in writing and request any such interns to undertake internship training at another accredited facility for the remaining period.

6. Interns in medicine shall be subject to all the rules of professional conduct prescribed by the board for medical practitioners.

7. (a) Upon completion of internship training, an intern shall submit a duty certificate to the satisfaction of the board to certify that he or she has satisfactorily undertaken internship training as required by the board and his or her doing so shall be a precondition for his or her registration as a medical practitioner to perform community service as prescribed in terms of section 24A of the Act.

(b) The duty certificate referred to in paragraph (a) shall be issued by such officials of an accredited facility where an intern successfully undertook internship training, as the board may require.

#### **Repeal**

8. The regulations published under Government Notices Nos. R. 2271 of 3 December 1976 and R. 2272 of 3 December 1976, are hereby repealed.

**M. TSHABALALA-MSIMANG**

**Minister of Health**

1999-11-01

**No. 1329**

**12 November 1999**

### **RAAD VIR GESONDHEIDSBEROEPE VAN SUID-AFRIKA**

#### **REGULASIES BETREFFENDE DIE REGISTRASIE EN OPLEIDING VAN INTERNS IN GENEESKUNDE**

Die Minister van Gesondheid is voornemens om, ingevolge artikel 61 (1) (e) van die Wet op Gesondheidsberoep, 1974 (Wet No. 56 van 1974), in ooreenstemming met die Raad vir Gesondheidsberoep van Suid-Afrika, die regulasies in die Bylae uit te vaardig.

Belanghebbendes word versoek om binne twee maande na die datum van publikasie van hierdie kennisgewing enige gemotiveerde kommentaar of versoë oor die voorgestelde regulasies aan die Direkteur-generaal, Privaatsak X828, Pretoria, 0001 (vir die aandag van die Direkteur: Mensehulpbronontwikkeling) te rig.

#### **BYLAE**

##### **Woordomsrywings**

1. In hierdie regulasies het enige uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken—

“die Wet” Wet op Gesondheidsberoep, 1974 (Wet No. 56 van 1974);

“geakkrediteerde fasiliteit” 'n hospitaal, kliniek of 'n gesondheidsorgsentrum wat by die raad geakkrediteer is vir die doel van internskapopleiding;

“raad” die Mediese en Tandheelkundige Beroepsraad ingestel by Goewermentskennisgewing No. R. 75 van 16 Januarie 1998.

##### **Registrasie as 'n intern in die geneeskunde**

2. Iemand wat 'n kwalifikasie besit wat voorgeskryf is in die regulasies uitgevaardig kragtens artikel 24 van die Wet of wat 'n besitter is van 'n kwalifikasie wat deur die raad aanvaar is kragtens artikel 25 van die Wet, moet na of in verband met die verwerping van so 'n kwalifikasie en voordat hy of sy die reg verleen is op registrasie as 'n geneesheer in enige kategorie van sodanige registrasie, vir die tydperk en op die wyse beskryf in regulasie 5 opleiding as 'n intern in die geneeskunde onderneem tot bevrediging van die raad, tensy die raad hom of haar gedeeltelik of geheel vrygestel het van hierdie vereiste by indiening van dokumentêre bewys tot bevrediging van die raad, van internskap of gelykwaardige opleiding ondergaan of ondervinding verwerf buite Suid-Afrika.

3. Die register gehou ingevolge artikel 18 van die Wet, moet alle sodanige inligting as wat die raad verlang, weergee.

4. 'n Persoon bedoel in regulasie 2 moet—

- ingevolge artikel 17 van die Wet sy of haar aansoek om registrasie as 'n intern in die geneeskunde by die raad indien op 'n aansoekvorm wat deur die raad voorsien is en behoorlik ingevul is;
- bewys indien dat hy of sy die besitter is van 'n kwalifikasie voorgeskryf in die Regulasies betreffende die Kwalifikasies wat Geneesheer die Reg op Registrasie verleen, uitgevaardig ingevolge artikel 24 van die Wet;
- bewys indien dat hy of sy die besitter is van 'n kwalifikasie wat aanvaar is deur die raad ingevolge artikel 25 van die Wet en 'n eksamen of ander evaluering bepaal deur die raad geslaag het;
- die naam van die geakkrediteerde fasiliteit indien waarheen hy of sy deur die betrokke gesondheidsowerheid toegewys is om opleiding as 'n intern te ondergaan en moet ook die raad vooraf skriftelik in kennis stel indien hy of sy voornemens is om van daardie fasiliteit na 'n ander fasiliteit toe te verander; en
- die voorgeskrewe gelde betaal.



**Voorwaardes vir internskapopleiding**

5. Die opleiding wat deur 'n intern onderneem gaan word, moet in ooreenstemming met die volgende wees:

- (1) Internskapopleiding onderneem voor 1 Julie 2005 moet minstens twaalf maande duur en, waar dit gebroke is of onderbreek word, moet die altesaam uit tydperke wat, wanneer bymekaargetel, minstens twee maande in totaal uitmaak, insluitende vakansieverlof van hoogstens een maand en siekteverlof van hoogstens een maand, en moet dit voldoen aan kriteria wat van tyd tot tyd deur die raad neergelê word.
- (2) Internskapopleiding onderneem na 30 Junie 2005 moet minstens vier-en-twintig maande duur en, waar dit gebroke is of onderbreek word, moet dit altesaam bestaan uit tydperke wat, wanneer bymekaargetel, minstens vier-en-twintig maande in totaal uitmaak, insluitende vakansieverlof van hoogstens een maand per jaar en siekteverlof van hoogstens twee maande, en moet dit voldoen aan kriteria wat van tyd tot tyd deur die raad neergelê word.
- (3) Indien 'n persoon 'n kwalifikasie voorgeskryf ingevolge artikel 24 van die Wet na 'n opleidingstydperk van vyf jaar behaal het, soos bepaal in die Regulasies betreffende die Registrasie van Studente, Minimum Leerplanne en Professionele Eksamens in Geneeskunde en Tandheelkunde, gepubliseer as Gowermentskennisgewing No. R. 652 van 5 Mei 1995, sal die internskapopleiding wat sodanige persoon moet ondergaan wees soos voorgeskryf in subregulasie (2).
- (4) Geen sodanige breuk of onderbreking, uitgesonderd verlof bedoel in subregulasie (1) of (2), wat die geval ook al mag wees, mag 'n tydperk van een jaar oorskry, sodat die opleidingstydperk voor sodanige breuk of onderbreking as deel van voltooide internskapopleiding erken kan word nie.
- (5) Die tydperk van twaalf maande van internskapopleiding bedoel in subregulasie (1) moet voltooi wees binne 'n tydperk van twee jaar vanaf die datum waarop hy of sy ingevolge artikel 17 van die Wet as 'n intern in geneeskunde geregistreer is.
- (6) Die tydperk van vier-en-twintig maande van internskapopleiding bedoel in subregulasie (2) moet voltooi wees binne 'n tydperk van drie jaar vanaf die datum waarop hy of sy ingevolge artikel 17 van die Wet as 'n intern in geneeskunde geregistreer is.
- (7) Indien 'n intern sy of haar internskapopleiding nie binne 'n tydperk van twee of drie jaar, wat die geval ook al mag wees, voltooi nie, word sy of haar registrasie ingevolge artikel 18 van die Wet gekanselleer tensy hy of sy die raad van bevredigende redes voorsien waarom sy of haar registrasie nie gekanselleer moet word nie.
- (8) (a) Die opleiding deur 'n intern moet onderneem word in 'n fasiliteit wat by die raad geakkrediteer is.  
 (b) Indien 'n fasiliteit bedoel in paragraaf (a) nie beskikbaar is nie, kan die raad, volgens sy diskresie, alternatiewe opleiding aanvaar wat volgens die mening van die raad gelykwaardig is aan opleiding in 'n fasiliteit wat by die raad geakkrediteer is.  
 (c) Wanneer die raad 'n fasiliteit of alternatiewe opleiding akkrediteer, kan die raad bepaal dat slegs 'n deel van 'n intern se opleiding daar onderneem moet word en dat die oorblywende deel by 'n ander geakkrediteerde fasiliteit onderneem moet word.  
 (d) Indien internskapopleiding by 'n geakkrediteerde fasiliteit om enige rede deur die raad onvoldoende of onbevredigend geag word, kan die raad sy akkreditering daarvan terugtrek, in welke geval die raad enige interns by die fasiliteit dienoreenkomstig skriftelik moet inlig en enige sodanige interns moet versoek om vir die oorblywende tydperk internskapopleiding by 'n ander geakkrediteerde fasiliteit te onderneem.

6. Interns in geneeskunde is onderworpe aan al die reëls van professionele gedrag vir geneeshere wat deur die raad voorgeskryf word.

7. (a) By voltooiing van internskapopleiding moet 'n intern 'n dienssertifikaat tot bevrediging van die raad indien om te sertifiseer dat hy of sy internskapopleiding bevredigend onderneem het soos vereis deur die raad en sy of haar indiening van gemelde sertifikaat is 'n voorvereiste vir sy of haar registrasie as 'n geneesheer om gemeenskapdiens te verrig soos voorgeskryf ingevolge artikel 24A van die Wet.

(b) Die dienssertifikaat bedoel in paragraaf (a) word uitgereik deur sodanige beamptes van 'n geakkrediteerde fasiliteit waar 'n intern internskapopleiding suksesvol onderneem het soos die raad vereis.

**Herroeping**

8. Die regulasies gepubliseer ingevolge Goewermmentskennisgewings Nos. R. 2271 van 3 Desember 1976 en R. 2272 van 3 Desember 1976 word hierby herroep.

**M. TSHABALALA-MSIMANG**

**Minister van Gesondheid**

1999-11-01



No. R. 1330

12 November 1999

## HEALTH PROFESSIONS COUNCIL OF SOUTH AFRICA

REGULATIONS RELATING TO THE REGISTRATION OF PERSONS WHO QUALIFIED OUTSIDE SOUTH AFRICA AS  
INTERNS, MEDICAL PRACTITIONERS OR DENTISTS

The Minister of Health intends, in terms of section 25 of the Health Professions Act, 1974 (Act No. 56 of 1974), in consultation with the Health Professions Council of South Africa, to make the regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed regulations to the Director-General: Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Human Resource Development), within two months of the date of publication of this notice.

## SCHEDULE

1. In these regulations any expression to which a meaning has been assigned in the Act shall bear such meaning, unless the context otherwise indicates—

**"board"** means the Medical and Dental Professional Board established by Government Notice No. R. 75 of 16 January 1998;

**"public service"** means a service rendered by the State at the national, provincial and local level of government, and includes organisations which function under its auspices or are largely subsidised by the State or recognised by the board for the purpose of these regulations;

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

**Categories of registration**

2. Persons who obtained a qualification in medicine or dentistry outside South Africa may be registered in terms of section 25 of the Act in any one of the following categories:

- (1) Interns in medicine.
- (2) Medical practitioners or dentists in the category public service (general practitioner) to be employed as such in the public service.
- (3) Medical practitioners or dentists in the category education to be employed as such by higher education or research institutions approved by a board for teaching, training or research purposes.
- (4) Medical practitioners or dentists in the category postgraduate study to engage in postgraduate study or research in medicine or dentistry in South Africa as the holders of appointments which are of a temporary and supernumerary nature.
- (5) Medical practitioners or dentists in the category independent practice (general practitioner), provided that the requirements in terms of section 24A of the Act have been met.
- (6) Medical practitioners or dentists in the category independent practice (specialist), provided the requirements prescribed in terms of section 35 of the Act for registration as a specialist have been met.
- (7) Medical practitioners or dentists in the category public service (specialist) to be employed as such in the public service, provided the requirements prescribed in terms of section 35 of the Act for registration as a specialist have been met.
- (8) Medical practitioners or dentists in the category independent practice (specialist) who have been registered under regulation 1 (12) of the Regulations published under Government Notice No. R. 2274 of 3 December 1976: Provided that—
  - (a) such medical practitioners or dentists shall restrict their practice to the speciality in which they have been registered; and
  - (b) the requirements prescribed in terms of section 35 of the Act for registration as a specialist shall be met.
- (9) Medical practitioners registered in the category family medicine under regulation 1 (12) of the Regulations published under Government Notice No. R. 2274 of 3 December 1976: Provided that such persons shall restrict their practice to family medicine.

**Restrictions**

3. The registration of a person in a category referred to in regulation 2 (1), (2), (3) or (4) shall be effective for such initial period as the board may determine and may be renewed thereafter for such further period or periods as the board may determine.

4. A person referred to in regulation 2 (1) shall undergo training as an intern as prescribed in terms of the Regulations relating to the Registration and Training of Interns in Medicine.

5. A person referred to in regulation 2 (2) may perform the functions pertaining to the profession of a medical practitioner or dentist in the public service specified by the board on his or her certificate of registration and determined by the conditions of his or her contract of employment with the State.

6. A person referred to in regulation 2 (3) may perform the teaching, training and research duties, including clinical duties, in medicine or dentistry specified by the board on his or her certificate of registration and determined by the conditions of his or her contract of employment with a higher education approved by the board.

7. A person referred to in regulation 2 (4) may carry out postgraduate study or research in medicine or dentistry at an institution or facility in the public service as determined by the board.

8. The restrictions referred to in regulation 3, 4, 5 and 6 may be revoked by the board if a person registered in terms of regulations 2 (1), (2), (3), (7), (8) or (9) has—

- (i) passed an examination or other assessment as determined by the board for the relevant category; and
- (ii) complied with the requirements for training as an intern in medicine as prescribed in the Regulations relating to the Registration and Training of Interns in Medicine,

whereupon any such person may apply for registration as a medical practitioner in the category independent practice (general practitioner) referred to in regulation 2 (5).

9. A person who wishes to register in any category referred to in regulation 2 shall—

- (a) submit his or her application for registration to the board on an application form supplied by the board and duly completed;
- (b) pay the prescribed registration fee or fees; and
- (c) in the case of a person wishing to obtain registration in a category referred to in regulation 2 (5) or (6), submit documentary evidence to the board that he or she has completed community service as prescribed in terms of section 24A of the Act while registered as a medical practitioner in terms of section 18 of the Act or that he or she has not been required to perform such community service.

#### **Application and repeal**

10. (1) The regulations published under Government Notice No. R. 2274 of 3 December 1976, as amended by Government Notices Nos. R. 1828 of 16 September 1977, R. 2163 of 17 October 1986 and R. 87 of 5 May 1989, are hereby repealed.

(2) Persons registered under the Act in terms of—

- (a) regulation 1 (1), (4), (8), (9) or (10) of the regulations referred to in subregulation (1) shall be regarded as having been registered in terms of regulation 2 (2) of these regulations;
- (b) regulation 1 (2) of the regulations referred to in subregulation (1) shall be regarded as having been registered in terms of regulation 2 (3) of these regulations;
- (c) regulation 1 (4) of the regulations referred to in subregulation (1), by virtue of being South African citizens and having enrolled prior to 31 December 1992 for a qualification accepted by the board for such registration in terms of section 25 of the Act and who completed one year's service to the satisfaction of the board, shall be regarded as having been registered in terms of regulation 2 (5) of these regulations;
- (d) regulation 1 (6) of the regulations referred to in subregulation (1) shall be regarded as having been registered in terms of regulation 2 (4) of these regulations: Provided that persons, who on the promulgation of these regulations were in training as registrars or attending a course in family medicine with the approval of the board, may hold such registration in terms of these regulations until they have successfully complied with all the requirements for education and training in their speciality or in family medicine, whereupon, on passing the assessment required by the board—
  - (i) specialists shall be registered in terms of regulation 2 (8) of these regulations;
  - (ii) medical practitioners qualified in family medicine shall be registered in terms of regulation 2 (9) of these regulations;
- (e) regulation 1 (7) of the regulations referred to in subregulation (1) shall be regarded as having been registered in terms of regulation 2 (1) of these regulations;
- (f) regulation 1 (12) of the regulations referred to in subregulation (1) of these regulations—
  - (i) as specialists shall be regarded as having been registered in terms of regulation 2 (8) of these regulations; or
  - (ii) in the category family medicine shall be regarded as having been registered in terms of regulation 2 (9) of these regulations.

**M. TSHABALALA-MSIMANG**

Minister of Health

No. R. 1330

12 November 1999

## RAAD VIR GESONDHEIDSBEROEPE VAN SUID-AFRIKA

## REGULASIES BETREFFENDE DIE REGISTRASIE VAN PERSONE WAT BUITE SUID-AFRIKA AS INTERNS, GENEESHERE OF TANDARTSE GEKWALIFISEER HET

Die Minister van Gesondheid is voornemens om, ingevolge artikel 25 van die Wet op Gesondheidsberoep, 1974 (Wet No. 56 van 1974), in ooreenstemming met die Raad vir Gesondheidsberoep van Suid-Afrika, die regulasies in die Bylae uit te vaardig.

Belanghebbendes word versoek om binne twee maande na die datum van publikasie van hierdie kennisgewing enige gemotiveerde kommentaar of versoë oor die voorgestelde regulasies aan die Direkteur-generaal, Privaat Sak X828, Pretoria, 0001 (vir die aandag van die Direkteur: Mensehulpbronontwikkeling) te rig.

## BYLAE

## Woordomskrywings

1. In hierdie regulasies het enige uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken—

“die Wet” Wet op Gesondheidsberoep, 1974 (Wet No. 56 van 1974);

“openbare diens” 'n diens gelewer deur die Staat op die nasionale, provinsiale en plaaslike vlak van regering, en sluit in organisasies wat onder sy beskerming funksioneer of grootliks deur die Staat gesubsideer word of vir die doeleindes van hierdie regulasies deur die raad erken word;

“raad” die Mediese en Tandheelkundige Beroepsraad ingestel by Goewermentskennisgewing No. R. 75 van 16 Januarie 1998.

## Kategorieë van registrasie

2. Persone wat 'n kwalifikasie in geneeskunde of tandheelkunde buite Suid-Afrika verwerf het, kan ingevolge artikel 25 van die Wet in enige van die volgende kategorieë geregistreer word:

- (1) Interns in geneeskunde.
- (2) Geneeshere of tandartse in die kategorie openbare diens (algemene praktisyn) wat as sodanig in die openbare diens in diens geneem staan word.
- (3) Geneeshere of tandartse in die kategorie onderwys wat as sodanig in diens geneem staan te word deur hoërsonderwys- of navorsingsinrigting goedgekeur deur 'n beroepsraad vir onderwys, opleiding of navorsingsdoeleindes.
- (4) Geneeshere of tandartse in die kategorie nagraadse studie wat nagraadse studie of navorsing in die geneeskunde of tandheelkunde in Suid-Afrika gaan onderneem as die houer van aanstellings wat van 'n tydelike en botallige aard is.
- (5) Geneeshere of tandartse in die kategorie onafhanklike praktyk (algemene praktisyn), met dien verstande dat die vereistes ingevolge artikel 24A van die Wet nagekom is.
- (6) Geneeshere of tandartse in die kategorie onafhanklike praktyk (spesialis), met dien verstande dat die vereistes voorgeskryf ingevolge artikel 35 van die Wet vir registrasie as 'n spesialis nagekom is.
- (7) Geneeshere of tandartse in die kategorie onafhanklike praktyk (spesialis) wat as sodanig in die openbare diens in diens geneem staan te word, met dien verstande dat die vereistes voorgeskryf ingevolge artikel 35 van die Wet vir registrasie as 'n spesialis nagekom is.
- (8) Geneeshere of tandartse in die kategorie onafhanklike praktyk (spesialis) wat geregistreer is ingevolge regulasie 1 (12) van die Regulasies gepubliseer ingevolge Goewermentskennisgewing No. R. 2274 van 3 Desember 1976: Met dien verstande dat—
  - (a) sodanige geneeshere of tandartse hulle praktyk moet beperk tot die vakgebied waarin hulle geregistreer is; en
  - (b) die vereistes voorgeskryf ingevolge artikel 35 van die Wet vir registrasie as 'n spesialis nagekom is.
- (9) Geneeshere geregistreer in die kategorie huisartskunde ingevolge regulasie 1 (12) van die Regulasies gepubliseer ingevolge Goewermentskennisgewing No. R. 2274 van 3 Desember 1976: Met dien verstande dat sodanige persone hulle praktyk tot huisartskunde beperk.

## Beperkings

3. Die registrasie van 'n persoon in 'n kategorie bedoel in regulasie 2 (1), (2), (3) of (4) is van krag vir sodanige tydperk as wat die raad bepaal en kan daarna hernu word vir sodanige verdere tydperk of tydperke as wat die raad bepaal.

4. 'n Persoon bedoel in regulasie 2 (1) kan opleiding as 'n intern ondergaan soos voorgeskryf ingevolge die Regulasies betreffende die Registrasie en Opleiding van Interns in Geneeskunde.

5. 'n Persoon bedoel in regulasie 2 (2) kan die funksies wat op die beroep van 'n geneesheer of tandarts in die openbare diens betrekking het, verrig, soos gespesifiseer deur die raad op sy of haar registrasiesertifikaat en bepaal deur die voorwaardes van sy of haar dienskontrak met die Staat.



6. 'n Persoon bedoel in regulasie 2 (3) kan die onderwys-, opleiding- en navorsingspligte, insluitende kliniese pligte, in geneeskunde of tandheelkunde verrig, soos gespesifiseer deur die raad op sy of haar registrasiesertifikaat en bepaal deur die voorwaardes van sy of haar dienskontrak met 'n hoërondwys- of navorsingsinrigting goedgekeur deur die raad.

7. 'n Persoon bedoel in regulasie 2 (4) kan nagraadse studie of navorsing in geneeskunde of tandheelkunde onderneem by 'n inrigting of fasiliteit in die openbare diens soos deur die raad bepaal.

8. Die beperkings bedoel in regulasies 3, 4, 5 en 6 kan deur die raad herroep word indien 'n persoon wat ingevolge regulasies 2 (1), (2), (3), (7), (8) of (9) geregistreer is—

- (i) 'n eksamen of ander evaluering soos deur die raad vir die tersaaklike kategorie bepaal, geslaag het; en
- (ii) aan die vereistes vir opleiding as 'n interim in geneeskunde soos voorgeskryf in die Regulasies betreffende die Registrasie en Opleiding van Interns in Geneeskunde voldoen het,

waarna enige sodanige persoon kan aansoek doen om registrasie as 'n geneesheer in die kategorie onafhanklike praktyk (algemene praktisyn) bedoel in regulasie 2 (5).

9. 'n Persoon wat in enige kategorie bedoel in regulasie 2 wil registreer, moet—

- (a) sy of haar aansoek om registrasie by die raad indien op 'n aansoekvorm wat deur die raad voorsien is en wat behoorlik ingevul is;
- (b) die voorgeskrewe registrasiegelde betaal; en
- (c) in die geval van 'n persoon wat in 'n kategorie bedoel in regulasie 2 (5) of (6) wil registreer, dokumentêre bewys aan die raad voorlê dat hy of sy gemeenskapsdiens soos voorgeskryf ingevolge artikel 24A van die Wet voltooi het terwyl hy of sy ingevolge artikel 18 van die Wet as 'n geneesheer geregistreer was of dat hy of sy nie sodanige gemeenskapsdiens hoef te gedoen het nie.

#### **Aansoek en herroeping**

10. (1) Die regulasies gepubliseer ingevolge Goewermentskennisgewing No. R. 2274 van 3 Desember 1976, soos gewysig by Goewermentskennisgewings Nos. R. 1828 van 16 September 1977, R. 2163 van 17 Oktober 1986 en R. 87 van 5 Mei 1989, word hierby herroep.

(2) Persone geregistreer kragtens die Wet ingevolge—

- (a) regulasie 1 (1), (4), (8), (9) of (10) van die regulasies bedoel in subregulasie (1), word geag geregistreer te gewees het ingevolge regulasie 2 (2) van hierdie regulasies;
- (b) regulasie 1 (2) van die regulasies bedoel in subregulasie (1), word geag geregistreer te gewees het ingevolge regulasie 2 (3) van hierdie regulasies;
- (c) regulasie 1 (4) van die regulasies bedoel in subregulasie (1), uit hoofde daarvan dat hulle Suid-Afrikaanse burgers is en voor 31 Desember 1992 ingeskryf het vir 'n kwalifikasie aanvaar deur die Raad vir sodanige registrasie ingevolge artikel 25 van die Wet, en wie een jaardiens tot bevrediging van die raad voltooi het, word geag geregistreer te gewees het ingevolge regulasie 2 (5) van hierdie regulasies;
- (d) regulasie 1 (6) van die regulasies bedoel in subregulasie (1), word geag geregistreer te gewees het ingevolge regulasie 2 (4) van hierdie regulasies: Met dien verstande dat persone wat by die promulgering van hierdie regulasies as kliniese assistente in opleiding was of 'n kursus in huisartskunde bygewoon het met die goedkeuring van die raad, sodanige registrasie kan hou ingevolge hierdie regulasies totdat hulle aan al die vereistes vir onderwys en opleiding in hul spesialiteit of in huisartskunde voldoen het, waarna, indien hulle die evaluering vereis deur die raad slaag—
  - (i) spesialiste geregistreer is ingevolge regulasie 2 (8) van hierdie regulasies;
  - (ii) geneesheer wat in huisartskunde gekwalifiseer is, geregistreer is ingevolge regulasie 2 (9) van hierdie regulasies;
- (e) regulasie 1 (7) van die regulasies bedoel in subregulasie (1), word geag geregistreer te gewees het ingevolge regulasie 2 (1) van hierdie regulasies;
- (f) regulasie 1 (12) van die regulasies bedoel in subregulasie (1) van hierdie regulasies—
  - (i) as spesialiste, word geag geregistreer te gewees het ingevolge regulasie 2 (8) van hierdie regulasies; of
  - (ii) in die kategorie huisartskunde, word geag geregistreer te gewees het ingevolge regulasie 2 (9) van hierdie regulasies.

**M. TSHABALALA-MSIMANG**

**Minister van Gesondheid**



**No. R. 1331****12 November 1999****HEALTH PROFESSIONS COUNCIL OF SOUTH AFRICA****REGULATIONS RELATING TO EXAMINATIONS FOR MEDICAL PRACTITIONERS AND DENTISTS WHO HAVE APPLIED FOR REGISTRATION IN TERMS OF SECTION 26 OF THE ACT: REPEAL**

The Minister of Health intends, in terms of section 61 (5) of the Health Professions Act, 1974 (Act No. 56 of 1974), in consultation with the Health Professions Council of South Africa, to make the regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed regulations to the Director-General: Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Human Resource Development), within two months of the date of publication of this notice.

**SCHEDULE**

The regulations published under Government Notice No. R.1758 of 1 September 1978, as amended by Government Notices Nos. R.1726 of 9 August 1985 and R.180 of 2 February 1990, are hereby repealed.

**M. TSHABALALA-MSIMANG****Minister of Health****No. R. 1331****12 November 1999****RAAD VIR GESONDHEIDSBEROEPE VAN SUID-AFRIKA****REGULASIES BETREFFENDE EKSAMENS VIR GENEESHERE EN TANDARTSE WAT AANSOEK GEDOEN HET OM REGISTRASIE INGEVOLGE ARTIKEL 26 VAN DIE WET: HERROEPING**

Die Minister van Gesondheid is voornemens om, ingevolge artikel 61 (5) van die Wet op Gesondheidsberoep, 1974 (Wet No. 56 van 1974), op aanbeveling van die Raad vir Gesondheidsberoep van Suid-Afrika, die regulasies in die Bylae uit te vaardig.

Belanghebbendes word versoek om binne twee maande na die datum van publikasie van hierdie kennisgewing enige gemotiveerde kommentaar of verhoë oor die voorgestelde regulasies aan die Direkteur-generaal, Privaat Sak X828, Pretoria, 0001 (vir die aandag van die Direkteur: Mensehulpbronontwikkeling) te rig.

**BYLAE**

Die regulasies gepubliseer ingevolge Goewermentskennisgewing No. R. 1758 van 1 September 1978, soos gewysig by Goewermentskennisgewings Nos. R. 1726 van 9 Augustus 1985 en R.180 van 2 Februarie 1990, word hierby herroep.

**M. TSHABALALA-MSIMANG****Minister van Gesondheid****No. R. 1332****12 November 1999****HEALTH PROFESSIONS COUNCIL OF SOUTH AFRICA****REGULATIONS RELATING TO EXAMINATIONS FOR MEDICAL PRACTITIONERS AND DENTISTS APPLYING FOR EXEMPTION FROM THE RESTRICTIONS RELATING TO THEIR REGISTRATION: REPEAL**

The Minister of Health intends, in terms of section 61 (5) of the Health Professions Act, 1974 (Act No. 56 of 1974), in consultation with the Health Professions Council of South Africa, to make the regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed regulations to the Director-General: Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Human Resource Development), within two months of the date of publication of this notice.

**SCHEDULE**

The regulations published under Government Notice No. R. 2277 of 3 December 1976, as amended by Government Notices Nos. R. 1727 of 9 August 1985 and R. 179 of 2 February 1990, are hereby repealed.

**M. TSHABALALA-MSIMANG****Minister of Health**

No. R. 1332

12 November 1999

## RAAD VIR GESONDHEIDSBEROEPE VAN SUID-AFRIKA

## REGULASIES BETREFFENDE EKSAMENS VIR GENEESHERE EN TANDARTSE WAT AANSOEK DOEN OM VRYSTELLING VAN DIE BEPERKINGS BETREFFENDE HULLE REGISTRASIE: HERROEPING

Die Minister van Gesondheid is voornemens om, ingevolge artikel 61(5) van die Wet op Gesondheidsberoep, 1974 (Wet No. 56 van 1974), in ooreenstemming met die Raad vir Gesondheidsberoep van Suid-Afrika, die regulasies in die Bylae uit te vaardig.

Belanghebbendes word versoek om binne twee maande na die datum van publikasie van hierdie kennisgewing enige gemotiveerde kommentaar of verhoor oor die voorgestelde regulasies aan die Direkteur-generaal, Privaat Sak X828, Pretoria, 0001 (vir die aandag van die Direkteur: Mensehulpbronontwikkeling) te rig.

## BYLAE

Die regulasies gepubliseer ingevolge Goewermentskennisgewing No. R. 2277 van 3 Desember 1976, soos gewysig by Goewermentskennisgewings Nos. R. 1727 van 9 Augustus 1985 en R.179 van 2 Februarie 1990, word hierby herroep.

M. TSHABALALA-MSIMANG

Minister van Gesondheid

No. R. 1333

12 November 1999

## HEALTH PROFESSIONS COUNCIL OF SOUTH AFRICA

## REGULATIONS RELATING TO THE QUALIFICATIONS ENTITLING DENTISTS TO REGISTRATION

The Minister of Health intends, in terms of section 24 of the Health Professions Act, 1974 (Act No. 56 of 1974), on the recommendation of the Health Professions Council of South Africa, to make the regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed regulations to the Director-General: Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Human Resource Development), within two months of the date of publication of this notice.

## SCHEDULE

## Definitions

1. In these regulations any expression to which a meaning has been assigned in the Act shall bear such meaning and unless the context otherwise indicates—

“Annexure” means an annexure to these regulations;

“board” means the Medical and Dental Professional Board established by Government Notice No. 75 of 16 January 1998;

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

*Qualifications for registration as a dentist in the category independent practice (general practitioner)*

2. (1) A qualification listed in the Annexure shall entitle the holder thereof to registration under the Act as a dentist in the category independent practice (general practitioner) if he or she has, before or in connection with or after obtaining the qualification concerned, complied with the requirements of subregulations (2) and (3).

(2) The holder of a qualification referred to in subregulation (1) shall have been registered in terms of the Act as a dental student and shall have completed the prescribed education and training as a dental student;

(3) The holder of a qualification referred to in subregulation (1) shall—

- (a) submit his or her application in terms of section 17 of the Act for registration as a dentist in the said category to the board on an application form supplied by the board and duly completed; and
- (b) pay the prescribed fee.

## ANNEXURE

University or examining authority  
and qualification

Abbreviation for  
registration

## Medical University of Southern Africa

|                                  |              |
|----------------------------------|--------------|
| Bachelor of Dental Surgery ..... | BChD Medunsa |
| Bachelor of Dental Science ..... | BDS Medunsa  |

## University of Pretoria

|                                  |           |
|----------------------------------|-----------|
| Bachelor of Dental Surgery ..... | BChD Pret |
|----------------------------------|-----------|

## University of Stellenbosch

|                                  |            |
|----------------------------------|------------|
| Bachelor of Dental Surgery ..... | BChD Stell |
|----------------------------------|------------|

| <i>University or examining authority<br/>and qualification</i> | <i>Abbreviation for<br/>registration</i> |
|----------------------------------------------------------------|------------------------------------------|
| <b>University of Western Cape</b>                              |                                          |
| Bachelor of Dental Surgery .....                               | BChD Western Cape                        |
| <b>University of the Witwatersrand</b>                         |                                          |
| Bachelor of Dental Science .....                               | BDS Witwatersrand                        |
| Bachelor of Dental Surgery .....                               | BChD Witwatersrand                       |
| <b>M. TSHABALALA-MSIMANG</b>                                   |                                          |
| <b>Minister of Health</b>                                      |                                          |

No. R. 1333

12 November 1999

## RAAD VIR GESONDHEIDSBEROEPE VAN SUID-AFRIKA

## REGULASIES BETREFFENDE DIE KWALIFIKASIE WAT TANDARTSE DIE REG VERLEEN OP REGISTRASIE

Die Minister van Gesondheid is voornemens om, ingevolge artikel 24 van die Wet op Gesondheidsberoep, 1974 (Wet No. 56 van 1974), op aanbeveling van die Raad vir Gesondheidsberoep van Suid-Afrika, die regulasies in die Bylae uit te vaardig.

Belanghebbendes word versoek om binne twee maande na die datum van publikasie van hierdie kennisgewing enige gemotiveerde kommentaar of verhoë oor die voorgestelde regulasies aan die Direkteur-generaal, Privaat Sak X828, Pretoria, 0001 (vir die aandag van die Direkteur: Mensehulpbronontwikkeling) te rig.

## BYLAE

## Woordomskrywings

3. In hierdie regulasies het enige uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken—

“Bylae” 'n bylae by hierdie regulasies;

“die Wet” Wet op Gesondheidsberoep, 1974 (Wet No. 56 van 1974);

“raad” die Mediese en Tandheelkundige Beroepsraad ingestel by Goewermentskennisgewing No. R. 75 van 16 Januarie 1998.

## Kwalifikasies vir registrasie as 'n tandarts in die kategorie onafhanklike praktyk (algemeen praktisyn)

2. (1) 'n Kwalifikasie gelys in die Bylae verleen aan die besitter daarvan die reg op registrasie ingevolge die Wet as 'n tandarts in die kategorie onafhanklike praktyk (algemeen praktisyn) indien hy of sy voor of in verband met of na die verwerwing van die betrokke kwalifikasie voldoen het aan die vereistes van subregulasie (2) en (3).

(2) Die besitter van 'n kwalifikasie bedoel in subregulasie (1) moet geregistreer gewees het ingevolge die Wet as 'n tandheelkunde student en moet die voorgeskrewe onderwys en opleiding as 'n tandheelkunde student voltooi het.

(3) Die besitter van 'n kwalifikasie bedoel in subregulasie (1) moet—

- sy of haar aansoek ingevolge artikel 17 van die Wet om registrasie as 'n tandarts in gemelde kategorie by die raad indien op 'n aansoekvorm wat deur die raad voorsien is en wat behoorlik ingevul is; en
- die voorgeskrewe gelde betaal.

## BYLAE

*Universiteit of eksamineringsliggaam  
en kwalifikasie*

*Afkorting vir  
registrasie*

## Mediese Universiteit van Suidelike Afrika

|                                                 |              |
|-------------------------------------------------|--------------|
| Baccalaureus in Tandheelkundige Chirurgie ..... | BChD Medunsa |
| Baccalaureus in Tandheelkundige Wetenskap ..... | BDS Medunsa  |

## Universiteit van Pretoria

|                                                 |           |
|-------------------------------------------------|-----------|
| Baccalaureus in Tandheelkundige Chirurgie ..... | BChD Pret |
|-------------------------------------------------|-----------|

## Universiteit van Stellenbosch

|                                                 |            |
|-------------------------------------------------|------------|
| Baccalaureus in Tandheelkundige Chirurgie ..... | BChD Stell |
|-------------------------------------------------|------------|

## Universiteit van die Wes-Kaap

|                                                 |               |
|-------------------------------------------------|---------------|
| Baccalaureus in Tandheelkundige Chirurgie ..... | BChD Wes-Kaap |
|-------------------------------------------------|---------------|

## Universiteit van die Witwatersrand

|                                                 |                    |
|-------------------------------------------------|--------------------|
| Baccalaureus in Tandheelkundige Wetenskap ..... | BDS Witwatersrand  |
| Baccalaureus in Tandheelkundige Chirurgie ..... | BChD Witwatersrand |

M. TSHABALALA-MSIMANG

Minister van Gesondheid



No. R. 1334

12 November 1999

## HEALTH PROFESSIONS COUNCIL OF SOUTH AFRICA

## REGULATIONS RELATING TO THE SPECIALITIES AND SUBSPECIALITIES IN MEDICINE AND DENTISTRY

The Minister of Health intends, in terms of section 35 read together with section 61(1)(f) of the Health Professions Act, 1974 (Act No. 56 of 1974), in consultation with the Health Professions Council of South Africa, to make the regulations in the Schedule.

Interested persons are invited to submit any substantiated comment or representations on the proposed regulations to the Director-General: Health, Private Bag X828, Pretoria, 0001 (for attention of the Director: Human Resource Development) within two months of the date of publication of this notice.

## SCHEDULE

## CONTENTS

Definitions—Regulation 1

Recognition of Specialities, Subspecialities and Related Specialities—Regulations 2 to 5

Requirements for Registration of a Medical Practitioner in the Category Independent Practice (Specialist)—Regulation 6

Requirements for Registration of a Dentist in the Category Independent Practice (Specialist)—Regulation 7

Requirements for Registration of a Foreign Qualified Medical Practitioner or Dentist as a Specialist—Regulation 8

Requirements for Registration of a Foreign Qualified Specialist on Special Merit—Regulation 9

Conditions of Registration in the Category Public Service (Specialist)—Regulation 10

Requirements for Registration of a Subspeciality by a Medical Specialist—Regulation 11

General—Regulation 12

Registers of Registrars and Senior Registrars—Regulation 13

Conditions of Practising of Specialists—Regulations 14 to 18

Repeal—Regulation 19

## Definitions

1. In these Regulations "the Act" means the Health Professions Act, 1974 (Act No. 56 of 1974), and, unless inconsistent with the context—

"board" means the Medical and Dental Professional Board established by Government Notice No. R. 75 of 16 January 1998;

"dental specialist" means a dentist who has been registered as a specialist in a speciality in dentistry in terms of these regulations;

"general practitioner" means a medical practitioner or a dentist not registered as a specialist;

"medical specialist" means a medical practitioner who has been registered as a specialist in a speciality or related specialities and a subspeciality (if any) in medicine in terms of these regulations;

"related specialities" means the disciplines in medicine recognised in subregulation (2) of regulation 5;

"specialist" means a medical practitioner or a dentist who has been registered as a specialist in a speciality or related specialities and specialities and subspeciality (if any) recognised in terms of these regulations and who confines his or her practice to such speciality or related speciality and subspeciality (if any);

"speciality" means one of the disciplines of medicine or dentistry recognised in regulation 2;

"subspeciality" means one of the subdivisions of a speciality recognised in regulation 3;

## Recognition of specialities, subspecialities and related specialities

2. The following specialities are hereby recognised and prescribed in terms of subsection (2) of section 35 of the Act:

## (1) MEDICINE

| Speciality                   | Designation                    |
|------------------------------|--------------------------------|
| Anaesthesiology .....        | Anaesthesiologist              |
| Cardiothoracic Surgery ..... | Cardiothoracic Surgeon         |
| Community Health .....       | Specialist in Community Health |
| Dermatology .....            | Dermatologist                  |
| Diagnostic Radiology .....   | Diagnostic Radiologist         |
| Medicine .....               | Physician                      |
| Neurology .....              | Neurologist                    |
| Neurosurgery .....           | Neurosurgeon                   |
| Nuclear Medicine .....       | Specialist in Nuclear Medicine |



| <i>Speciality</i>                 | <i>Designation</i>              |
|-----------------------------------|---------------------------------|
| Obstetrics and Gynaecology .....  | Obstetrician and Gynaecologist  |
| Ophthalmology .....               | Ophthalmologist                 |
| Orthopaedics .....                | Orthopaedic Surgeon             |
| Otorhinolaryngology .....         | Otorhinolaryngologist           |
| Paediatrics .....                 | Paediatrician                   |
| Pathology (Anatomical) .....      | Pathologist (Anatomical)        |
| Pathology (Chemical) .....        | Pathologist (Chemical)          |
| Pathology (Clinical) .....        | Pathologist (Clinical)          |
| Pathology (Forensic) .....        | Pathologist (Forensic)          |
| Pathology (Haematological) .....  | Pathologist (Haematological)    |
| Pathology (Microbiological) ..... | Pathologist (Microbiological)   |
| Pathology (Virological) .....     | Pathologist (Virological)       |
| Physical Medicine .....           | Specialist in Physical Medicine |

NOTE: Physical Medicine will only be recognised as a speciality until such clinical assistants who registered on 12 October 1998 for the specialist course in Physical Medicine at the University of Pretoria, completed their course and registered at the council as specialists in Physical Medicine, after which the relevant register will be closed.

|                                          |                                    |
|------------------------------------------|------------------------------------|
| Plastic and Reconstructive Surgery ..... | Plastic and Reconstructive Surgeon |
| Psychiatry .....                         | Psychiatrist                       |
| Radiation Oncology .....                 | Radiation Oncologist               |
| Surgery .....                            | Surgeon                            |
| Urology .....                            | Urologist                          |

(2) DENTISTRY

| <i>Speciality</i>                     | <i>Designation</i>                           |
|---------------------------------------|----------------------------------------------|
| Community Dentistry .....             | Specialist in Community Dentistry            |
| Maxillo-facial and Oral Surgery ..... | Maxillo-facial and Oral Surgeon              |
| Oral Medicine and Periodontics .....  | Specialist in Oral Medicine and Periodontics |
| Oral Pathology .....                  | Oral Pathologist                             |
| Orthodontics .....                    | Orthodontist                                 |
| Prosthodontics .....                  | Prosthodontist                               |

3. Subject to regulation 4, the following subspecialties are hereby recognised and prescribed in terms of subsection (2) of section 35 of the Act:

| <i>Subspeciality</i>            | <i>Designation</i>                |
|---------------------------------|-----------------------------------|
| Cardiology .....                | Cardiologist                      |
| Child Psychiatry .....          | Child Psychiatrist                |
| Clinical Haematology .....      | Clinical Haematologist            |
| Critical Care .....             | Specialist in Critical Care       |
| Developmental Paediatrics ..... | Developmental Paediatrician       |
| Endocrinology .....             | Endocrinologist                   |
| Gastroenterology .....          | Gastroenterologist                |
| Geriatric Medicine .....        | Geriatrician                      |
| Medical Genetics .....          | Medical Geneticist                |
| Medical Oncology .....          | Medical Oncologist                |
| Neonatology .....               | Neonatologist                     |
| Nephrology .....                | Nephrologist                      |
| Occupational Health .....       | Specialist in Occupational Health |
| Paediatric Neurology .....      | Paediatric Neurologist            |

| <b>Subspeciality</b>    | <b>Designation</b> |
|-------------------------|--------------------|
| Paediatric Surgery..... | Paediatric Surgeon |
| Pulmonology.....        | Pulmonologist      |
| Rheumatology .....      | Rheumatologist     |
| Vascular Surgery .....  | Vascular Surgeon   |

4. A subspeciality referred to in regulation 3 and listed in column 1, shall be registrable only if the applicant has already been registered as a specialist in one of the basic specialities listed opposite such subspeciality in column 2:

| <b>Registrable Subspeciality</b><br><b>Column 1</b> | <b>Basic Speciality</b><br><b>Column 2</b>                                                                         |
|-----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| Cardiology .....                                    | Medicine, Paediatrics                                                                                              |
| Child Psychiatry.....                               | Psychiatry                                                                                                         |
| Clinical Haematology.....                           | Medicine, Paediatrics, Pathology (Haematological)                                                                  |
| Critical Care.....                                  | Anaesthesiology, Cardiothoracic, Surgery, Medicine, Neurosurgery, Obstetrics and Gynaecology, Paediatrics, Surgery |
| Development Paediatrics .....                       | Paediatrics                                                                                                        |
| Endocrinology.....                                  | Medicine, Paediatrics                                                                                              |
| Gastroenterology.....                               | Medicine, Paediatrics, Surgery                                                                                     |
| Geriatric Medicine .....                            | Medicine                                                                                                           |
| Medical Genetics.....                               | Medicine, Obstetrics and Gynaecology, Paediatrics                                                                  |
| Medical Oncology.....                               | Medicine, Paediatrics                                                                                              |
| Neonatology .....                                   | Paediatrics                                                                                                        |
| Nephrology .....                                    | Medicine, Paediatrics                                                                                              |
| Occupational Health.....                            | Community Health                                                                                                   |
| Paediatric Neurology .....                          | Paediatrics                                                                                                        |
| Paediatric Surgery.....                             | Surgery                                                                                                            |
| Pulmonology.....                                    | Medicine, Paediatrics                                                                                              |
| Rheumatology .....                                  | Medicine, Paediatrics                                                                                              |
| Vascular Surgery .....                              | Surgery                                                                                                            |

5. (1) Subject to subregulation (2), a medical practitioner or dentist may only be registered as a specialist in one speciality and one subspeciality, and no medical practitioner or dentist shall practice in more than one speciality or subspeciality simultaneously, except for the specialities which are deemed to be related specialities.

(2) A medical practitioner who has complied with the relevant requirements in regulation 6, may be registered as a specialist in one or more of the following related specialities and may practise therein:

Pathology (Anatomical)  
Pathology (Chemical)  
Pathology (Clinical)  
Pathology (Forensic)  
Pathology (Haematological)  
Pathology (Microbiological)  
Pathology (Virological)

**Requirements for registration of a medical practitioner in the category independent practice (specialist)**

6. (1) A medical practitioner who holds registration in the category independent practice (general practitioner) and who wishes to be registered in the category independent practice (specialist) in terms of the Act, shall—

- submit proof to the board that he or she has obtained a specialist qualification in the relevant speciality in medicine which is accredited by and the standard of which shall be acceptable to the board;
- submit proof to the board that a period of at least six years has elapsed since he or she obtained a basic qualification in medicine which is prescribed in terms of section 24 and which entitles him or her to registration as an intern in terms of the regulations made under section 61 (1) (e) of the Act: Provided that—

- (i) the year during which a person received training as an intern may constitute one of the six years;
    - (ii) apart from the education and training referred to in subregulation (2), he or she has obtained at least a further twelve months' experience in any one or more of the disciplines of medicine which may include research, prior to commencing education and training in the relevant discipline, but which shall not be the year of internship training;
  - (c) submit his or her application for registration as a specialist to the board on an application form supplied by the board which shall be duly completed;
  - (c) pay the prescribed registration fee.
- (2) Apart from the requirements in subregulation (1), the following requirements shall apply to the specialities listed:
- (a) In the case of the specialities Anaesthesiology, Cardiothoracic Surgery, Dermatology, Diagnostic Radiology, Medicine, Neurology, Neurosurgery, Nuclear Medicine, Obstetrics and Gynaecology, Ophthalmology, Orthopaedics, Otorhinolaryngology, Paediatrics, Physical Medicine, Plastic and Reconstructive Surgery, Psychiatry, Radiation Oncology and Urology, a person shall have obtained at least four years' satisfactory education and training as the holder of a board approved post as registrar at a hospital, department or facility accredited by the board for specialist education and training.
  - (b) In the case of the speciality Community Health, a person shall have obtained at least four years' education and training as referred to in paragraph (a), in all the subjects of Community Health under the supervision of the department of community health of a higher education institution accredited by the board.
  - (c) In the case of the speciality Obstetrics and Gynaecology, education and training as referred to in paragraph (a), shall include a minimum period of twelve months' education and training in each of Obstetrics and Gynaecology in a teaching hospital.
  - (d) In the case of the specialities Pathology (Anatomical), (Chemical), (Forensic), (Haematological), (Microbiological) and (Virological), a person shall have obtained at least four years' education and training as referred to in paragraph (a).
  - (e) In the case of the speciality Pathology (Anatomical), the said four years' education and training shall include the equivalent of six months' education and training in Cytology and, in addition, the applicant shall submit proof that he or she had been examined in Cytology to the satisfaction of the board.
  - (f) In the case of the speciality Pathology (Clinical), a person shall have obtained at least four years' education and training as referred to in paragraph (a) which shall have included at least six months in Pathology (Haematology) and at least nine months in each of Pathology (Anatomical), (Chemical) and (Microbiological): Provided that education and training in the speciality Pathology (Clinical) which commenced after 1 January 1980, shall have included at least twelve months of education and training in each of Pathology (Chemical), (Haematological) and (Microbiological).
  - (g) In the case of the speciality Pathology (Virological), the said education and training shall have included education and training in Immunology, general Medical Microbiology and Molecular Biology.
  - (h) In the case of a person who was registered as a specialist in Pathology (Anatomical), (Chemical), (Forensic), (Haematological), (Microbiological) or (Virological) and who wishes also to be registered as a specialist in one of the related specialities, a further two years of such education and training and a specialist qualification referred to in paragraph (a) of subregulation (1), in the additional speciality shall be required.
  - (i) In the case of a person who was registered as a specialist in Pathology (Clinical) and who wishes also to be registered as a specialist in Pathology (Anatomical), a further three years of such education and training in Pathology (Anatomical) shall be required, but if such a person wishes to be registered as a specialist in one of the other related specialities, he or she shall have obtained at least two further years of such education and training in the speciality concerned and obtained the relevant specialist qualification.
  - (j) (i) In the case of the speciality Psychiatry, education and training as referred to in paragraph (a), shall have included in a minimum period of twelve months' education and training in a psychiatric hospital, of which at least six months shall have been in a psychiatric hospital which is also a teaching hospital.
  - (ii) The provisions of paragraph (c) of subregulation (3) shall *mutatis mutandis* apply in respect of recognition granted for education and training obtained at a psychiatric hospital, department or facility which was accredited as a satellite hospital, department or facility.
- (3) With reference to the education and training referred to in subregulation (2)—
- (a) education and training obtained—
    - (i) in South Africa, shall be recognised by the board only if—
      - (aa) the applicant was registered as a medical practitioner in the category independent practice (general practitioner) in terms of the Act for the full duration thereof; and
      - (bb) the applicant's name appeared on the register of registrars (medical) which is kept in terms of regulation 13 hereof;



- (ii) partly in any country other than South Africa, shall be recognised by the board only if the person was registered as a medical practitioner with the relevant registering authority for the full duration thereof:

Provided that exemption from the requirement in subparagraph (ii) may be granted at the discretion of the board;

- (b) education and training obtained partly in any country other than South Africa, shall be recognised by the board only if the applicant submits documentary proof, issued by the foreign university or other educational institution, to certify that—

- (i) the hospital or hospitals at which the applicant was educated and trained, was or were a teaching hospital or hospitals of the faculty of medicine or medical school of that particular university or other educational institution;
- (ii) that hospital or hospitals was or were approved and recognised to provide specialist education and training in the applicant's speciality;
- (iii) the specified period which the applicant had spent at the hospital or hospitals in question, was regarded and recognised by that university or other educational institution as a period of education and training in the applicant's speciality;

- (c) education and training of less than six months' duration in a hospital, department or facility shall not be recognised by the board, unless—

- (i) the person concerned spent a period not exceeding three months at a hospital, department or facility approved by the relevant faculty of medicine or health sciences as part of the education and training of four years referred to in subregulation (2);
- (ii) the person concerned, with the permission of the relevant faculty of medicine or health sciences, alternated his or her education and training with education and training at the different faculties of medicine or health sciences in South Africa as holder of a post of registrar approved by the board in the discipline concerned: Provided that, in the case of the specialities in Pathology, the said period of six months shall be reduced to four months;

- (d) education and training for such period as may be determined by the board during the accreditation process, shall be recognised if obtained as holder of a post of registrar at a hospital, department or facility which was accredited by the board as a satellite hospital, department or facility.

(4) (a) The minimum duration of education and training to be spent by a person as holder of a post of registrar under the control of an academic teaching department in a teaching hospital, shall be as determined by the board during the accreditation process.

(b) For the purposes of this regulation, an academic teaching department at a teaching hospital, means a department and hospital accredited as such by the board.

(5) Credit, on a basis to be determined by resolution of the board from time to time, may be granted by the board for education and training obtained by a person as part-time holder of a post of registrar approved by the board.

(6) Credit for a maximum of twelve months may be granted by the board as part of the four years' education and training prescribed by this regulation for—

- (a) education and training obtained in a discipline considered by the board to be related to the applicant's speciality;
- (b) research considered by the board to be appropriate in the applicant's speciality or in a discipline considered by the board to be related to that person's speciality.

#### **Requirements for registration of a dentist in the category independent practice (specialist)**

7. (1) A dentist who holds registration in the category independent practice (general practitioner) and who wishes to be registered in the category independent practice (specialist) in terms of the Act, shall—

- (a) submit proof to the board that he or she has obtained a specialist qualification in the relevant speciality in dentistry which is accredited by and the standard of which shall be acceptable to the board;
- (b) submit proof to the board that a period of at least five years has elapsed since he or she obtained a basic qualification in dentistry which is prescribed in terms of section 24 of the Act and which entitles him or her to registration as a dentist in terms of that section of the Act: Provided that, apart from the education and training referred to in subregulation (2), he or she has obtained at least a further twenty four months' experience in any one or more of the disciplines of dentistry which may include research, prior to commencing education and training in the relevant discipline;
- (c) submit his or her application for registration as a specialist to the board on an application form supplied by the board which shall be duly completed;
- (d) pay the prescribed registration fee.

(2) In addition to the requirements in subregulation (1), the following requirements shall apply to the specialities listed:

- (a) In the case of the specialities Community Dentistry, Maxillo-facial and Oral Surgery, Oral Medicine and Periodontics, Orthodontics and Prosthodontics, a person shall have obtained at least three years' education and training as the holder of a post of registrar approved by the board at a hospital, department or facility accredited by the board for specialist education and training.



- (b) In the case of the speciality Oral Pathology, a person shall have obtained at least four years' education and training, of which at least two years shall have been in Pathology (Anatomical) at an academic teaching department of a teaching hospital accredited as such by the board.
- (3) With reference to the education and training referred to in subregulation (2)—
- (a) education and training obtained—
- (i) in South Africa, shall be recognised by the board only if—
- (aa) the applicant was registered at the board as a dentist in the category independent practice (general practitioner) for the full duration thereof; and
- (bb) the applicant's name appeared on the register of registrars (dental) which is kept in terms of regulation 13 hereof;
- (ii) partly in any country other than South Africa, shall be recognised by the board only if the person was registered as a dentist with the relevant registering authority for the full duration thereof:
- Provided that exemption from the requirement in subparagraph (ii) may be granted at the discretion of the board;
- (b) education and training obtained partly in any country other than South Africa, shall be recognised by the board only if the applicant submits documentary proof, issued by the foreign university or other educational institution, to certify that—
- (i) the hospital or hospitals at which the applicant was educated and trained, is/are or was/were a teaching hospital or hospitals of the faculty of dentistry or dental school of that particular university or other educational institution;
- (ii) that hospital or hospitals is/are or was/were approved and recognised to provide specialist education and training in the applicant's speciality;
- (iii) the specified period which the applicant had spent at the hospital or hospitals in question, was regarded and recognised by that university or other educational institution as a period of education and training in the applicant's speciality;
- (c) education and training for a maximum of twelve months shall be recognised by the board if obtained as the holder of a post of registrar at a hospital, department or facility which was accredited by the board as a satellite hospital, department or facility;
- (d) credit, on a basis to be determined by resolution of the board from time to time, shall be granted by the board for education and training obtained by a person as part-time holder of a post of registrar approved by the board.

**Requirements for registration of a foreign qualified medical practitioner or dentist as a specialist**

8. (1) A medical practitioner or dentist who enjoys recognition as a specialist in any country other than South Africa on the basis of foreign qualifications—
- (a) may apply to the board for—
- (i) registration in the category independent practice (specialist); or
- (ii) registration in the category public service (specialist); and
- (b) shall, for this purpose, submit his or her application for such registration to the board on an application form supplied by the board which shall be duly completed; and
- (c) shall pay the prescribed registration fee.
- (2) Such foreign qualified medical practitioner or dentist who wishes to obtain registration in the category independent practice (specialist), may apply to the board for such registration only after having fully complied with all the requirements for registration in the category independent practice (general practitioner) as specified in the Regulations published in terms of section 25 of the Act and having been registered as such.
- (3) Subsequent to having complied with the requirements referred to in subregulation (2), such medical practitioner or dentist shall submit documentary proof to the board—
- (a) that he or she had obtained a specialist qualification in a speciality recognised in terms of regulation 2 and that that qualification was accredited or otherwise recognised by and the standard thereof acceptable to the registering or other appropriate authority in medicine or dentistry in the country concerned;
- (b) of the number of years that elapsed since he or she had obtained his or her basic qualification in medicine or dentistry which shall not be less than six years in the case of medicine or five years in the case of dentistry;
- (c) of the nature and duration of the specialist education and training which the applicant was required to undergo in the country concerned;
- (d) that the applicant had been registered as a medical practitioner or dentist with the relevant registering authority for the full duration of his or her specialist education and training:
- Provided that exemption from the requirement in paragraph (d) may be granted at the discretion of the board;
- (e) issued by the foreign university or other educational institution concerned to certify that—

- (i) the hospital or hospitals at which the applicant was educated and trained, is/are or was/were a teaching hospital or hospitals of the faculty of medicine or dentistry or medical or dental school of that particular university or other educational institution;
- (ii) that hospital or hospitals is/are or was/were approved and recognised to provide specialist education and training in the applicant's speciality;
- (iii) the specified period which the applicant had spent at the hospital or hospitals in question, is regarded and recognised by that university or other educational institution as a period of education and training in the applicant's speciality.

(4) Credit for a maximum of twelve months may be granted by the board as part of required specialist education and training for—

- (a) Education and training obtained in a discipline considered by the board to be related to the applicant's speciality;
- (b) research considered by the board to be appropriate in the applicant's speciality or in a discipline considered by the board to be related to that person's speciality.

(5) On receipt to the satisfaction of the board of the documentary proof referred to in subregulation (3), the applicant may be granted registration in the category independent practice (specialist) if such an applicant had first—

- (a) obtained an accredited South African Specialist qualification in his or her speciality; and
- (b) if so required by the board, completed such period of specialist education and training in his or her speciality as the board may specify as the holder of an approved registrar post at an accredited academic teaching department in a teaching hospital, subject to the requirements specified in these Regulations: Provided that there was no application from a South African citizen for the registrar post in question.

(6) A medical practitioner or dentist who wishes to obtain registration in the category public service (specialist), may apply to the board for registration in that category only after having fully complied with all requirements for registration in the category public service (general practitioner) as specified in the Regulations published in terms of section 25 of the Act and having been registered as such.

(7) Subsequent to having complied with the requirements referred to in subregulation (6), such medical practitioner or dentist shall submit the documentary proof referred to in subregulation (3).

(8) Should the board, on receipt of such documentary proof, agree to consider such an application, the applicant may be granted permission to sit for the examination in his or her speciality prescribed in terms of section 35(1B) of the Act and—

- (a) should the applicant pass the examination, he or she may be granted registration in the category public service (specialist); but
- (b) should the applicant fail the examination, he or she may—
  - (i) be afforded the opportunity to have his or her competence in the speciality re-assessed at a future examination;
  - (ii) be afforded such opportunity to be re-assessed only once.

(9) An applicant who failed the examination in his or her speciality prescribed in terms of subregulation (8), may wish his or her competence to be assessed in the domain of his or her speciality—

- (a) at the exit level of a postgraduate diploma;
- (b) by an examination approved by the board; and

should such an applicant pass such examination, he or she shall confine his or her practice to the scope of practice of which he or she was assessed, while retaining his or her registration in the category public service (general practitioner).

***Requirements for registration of a foreign qualified specialist on special merit***

9. (1) Notwithstanding the provisions of regulation 8, the board may consider an application for registration of a foreign qualified specialist on special merit to enhance and cross fertilise professional practice, education and training in South Africa.

(2) In terms of subregulation (1), the board may, in exceptional circumstances and at the request of higher education or research institutions, consider such an application for registration in the category public service (specialist) from an applicant who submits proof to the board of—

- (a) being the holder of a specialist qualification in medicine or dentistry in his or her country;
- (b) being the holder of a certificate of status issued by the registration authority in the country concerned;
- (c) enjoying international peer-group recognition in his or her speciality; and
- (d) being able to practice in his or her speciality at a level where there exists no doubt with the board that he or she is fully competent to practice in the relevant speciality of medicine or dentistry in South Africa as holder of registration in the category public service (specialist).

(3) The following criteria shall apply when considering an application for registration in terms of subregulation (2), namely that—

- (a) the application for registration by such an expert specialist from abroad shall be managed appropriately by the board's relevant subcommittee;
- (b) such an application shall be agreed to only when the approved criteria have been met;
- (c) each application shall be considered on its own merits;
- (d) the relevant subcommittee and its staff shall be acknowledged as appropriately qualified and experienced to judge the merits of such an application;
- (e) such an applicant should unquestionably be an expert at an international level as judged, for instance, by—
  - (i) qualifications;
  - (ii) experience;
  - (iii) professional publications or presentations;
  - (iv) other possible contributions to his or her speciality;
  - (v) referee reports; or
  - (vi) the recommendations submitted by the appropriate specialist association or other relevant peer group.

(4) An applicant whose application for registration under this regulation is approved, shall be granted registration in the category public service (specialist) only.

**Conditions of registration in the category public service (specialist)**

10. Registration in the category public service (specialist) shall be subject to the following conditions:

- (1) Such a specialist shall practise in his or her speciality in any public institution, irrespective of locality.
- (2) Continuation of registration in the category public service (specialist) shall be subject to—
  - (a) the conditions of practising as a specialist specified in regulations 14 to 18 hereof; and
  - (b) the requirements of continuing professional development as specified in rules made under section 26 of the Act.

**Requirements for registration of a subspecialty by a medical specialist**

11. (1) A medical specialist who wishes to register in a subspecialty with the board, shall—

- (a) submit proof to the board that he or she, prior to commencing with education and training in the relevant subspecialty, complied with all the requirements for registration as a specialist in the basic or one of the basic specialities listed against the relevant subspecialty in regulation 4;
- (b) after 1 January 2001, submit proof to the board that he or she passed an evaluation in the relevant subspecialty which had been approved by the board;
- (c) submit a certificate to the board, issued by the relevant faculty of medicine or health sciences in South Africa, to certify that—
  - (i) the applicant obtained education and training in the relevant subspecialty of at least two years as the holder of a post of senior registrar approved by the board under control of a unit in teaching hospital which had been accredited by the board as a teaching unit in the said subspecialty;
  - (ii) in the case of the subspecialty Clinical Haematology, the applicant shall, subsequent to having complied with all the requirements for registration in the speciality Medicine or Paediatrics, obtain two years' education and training in Pathology (Haematological), or subsequent to having complied with all the requirements for registration in the speciality Pathology (Haematological), obtain two years' education and training in Medicine or Paediatrics as the holder of a post of senior registrar referred to in subparagraph (i);
- (d) submit his or her application for registration in a subspecialty to the board on an application form supplied by the board which shall be duly completed;
- (e) pay the prescribed registration fee.

(2) With reference to the education and training referred to in subregulation (1)—

- (a) education and training obtained—
  - (i) in South Africa, shall be recognised by the board only if—
    - (aa) the applicant was registered at the board as a medical practitioner in either the category independent practice (general practitioner) or independent practice (specialist) for the full duration thereof; and
    - (bb) the applicant's name appeared on the register of senior registrars which is kept in terms of regulation 13 hereof;



- (ii) wholly or partly in any country other than South Africa, shall be recognised by the board only if the person was registered as a medical practitioner with the relevant registering authority for the full duration thereof:

Provided that exemption from the requirement in subparagraph (ii) may be granted at the discretion of the board;

- (b) education and training obtained wholly or partly in any country other than South Africa, shall be recognised by the board only if the applicant submits documentary proof, issued by the foreign university or other educational institution, to certify that—
  - (i) the hospital or hospitals at which the applicant was educated and trained, was or were a teaching hospital or hospitals of the faculty of medicine or medical school of that particular university or other educational institution;
  - (ii) that hospital or hospitals was or were approved and recognised to provide education and training in the applicant's subspeciality;
  - (iii) the specified period which the applicant had spent at the hospital or hospitals in question, is regarded and recognised by that university or other educational institution as a period of education and training in the applicant's subspeciality.

(3) Education and training for a maximum of twelve months shall be recognised by the board if obtained in South Africa as the holder of a post of senior registrar approved by the board in a teaching unit which is accredited by the board as a satellite teaching unit in the relevant subspeciality.

(4) Credit, on a basis to be determined by resolution of the board from time to time, shall be granted by the board for education and training obtained by a person as part-time holder of a post of senior registrar approved by the board.

#### **General**

12. Notwithstanding anything to the contrary in these regulations, the relevant subcommittee, subject to approval by the board, may register the speciality or subspeciality of a medical practitioner or dentist who complies substantially with the requirements of these regulations and who, in the opinion of the board, is competent to practise in such a speciality or subspeciality, and the applicant shall, at the request of the board, submit the documentary proof which the board determines in support of his or her application.

#### **Registers of registrars and senior registrars**

13. (1) A register under section 18 of the Act shall be established and kept of all persons who hold a board approved post of registrar in medicine and dentistry and who are enrolled for a course of education and training in a recognised speciality as specified in these regulations, and registration in that register shall be a prerequisite for—

- (a) registration as a medical practitioner in the category independent practice (specialist);
- (b) registration as a dentist in the category independent practice (specialist).

(2) A register under section 18 of the Act shall also be established and kept of all persons who hold a board approved clinical post, to be identified for the purpose of registration in such register as that of a senior registrar, and who are enrolled for a course of education and training in a recognised subspeciality in medicine as specified in these regulations, and registration in that register shall be a prerequisite for registration of a subspeciality by a medical practitioner holding registration in the category independent practice (specialist).

(3) The details to be recorded in the register of registrars and the register of senior registrars shall be as specified by the board from time to time and the name of a person so registered shall be removed from such register—

- (a) on his or her registration as a specialist or in a subspeciality in terms of these regulations;
- (b) on his or her completion of the prescribed period of such education and training and submission by the relevant university or other examining body of a certificate to that effect;
- (c) on submission to the board of confirmation acceptable to the registrar that a registered registrar or senior registrar discontinued his or her course of prescribed education and training.

#### **Conditions of practising as a specialist**

14. (1) A medical practitioner or a dentist who holds registration as a specialist in terms of the Act, shall—

- (a) in the case of a speciality, confine his or her practice to the speciality or related specialities in which he or she is registered;
- (b) in the case of a subspeciality, confine his or her practice mainly to the subspeciality in which he or she is registered, and the retention of his or her registration as a specialist in the relevant speciality, related specialities or subspeciality shall be contingent on whether he or she so confines his or her practice.

(2) A specialist may charge fees for examinations or procedures which usually pertain to some other speciality only if such examinations or procedures are also recognised in his or her speciality, related specialities or subspeciality as generally accepted practice: Provided that such fees shall not be higher than those charged by general practitioners for the same examinations or procedures and that such examinations or procedures shall be carried out only for his or her *bona fide* patients.

15. A specialist shall not take over a patient from any other practitioner, whether he or she be a specialist or a general practitioner, except with the consent of the practitioner concerned, which consent shall not be unreasonably withheld.



16. (1) A specialist shall not do domiciliary visiting except when requested to do so by or with the consent of a general practitioner.

(2) Subregulation (1) shall not apply in the case where domiciliary visiting by a specialist is required in the course of the performance of community health services rendered by a health authority.

17. A specialist may treat any person who comes to him or her direct for consultation.

18. A specialist who is consulted by a patient or who treats a patient, shall take all reasonable steps to ensure collaboration with the patient's general practitioner.

#### **Repeal**

19. The regulations published under Government Notice No. R. 40 of 11 January 1991, as amended by Government Notices Nos. R. 2250 of 20 September 1991, R. 380 of 7 February 1992, R. 2779 of 2 October 1992, R. 1257 of 15 July 1994, R. 67 of 17 January 1997 and R. 69 of 17 January 1997 are hereby repealed.

**M. E. TSHABALALA-MSIMANG**

Minister of Health

**No. R. 1334**

**12 November 1999**

### **RAAD VIR GESONDHEIDSBEROEPE VAN SUID-AFRIKA**

#### **REGULASIES BETREFFENDE DIE SPESIALITEITE EN SUBSPESIALITEITE IN GENEESKUNDE EN TANDHEELKUNDE**

Die Minister van Gesondheid beoog om kragtens artikel 35 saamgelees met artikel 61(1)(f) van die Wet op Gesondheidsberoepe, 1974 (Wet No. 56 van 1974), in oorleg met die Raad vir Gesondheidsberoepe van Suid-Afrika, die regulasies in die Bylae uit te vaardig.

Belangstellende persone word genooi om enige gegronde kommentaar of versoë aangaande die voorgestelde regulasies binne twee maande na die datum van die publiserings van hierdie kennisgewing aan die Direkteur-generaal: Gesondheid, Privaatsak X828, Pretoria, 0001 (vir aandag van die Direkteur: Menslike Hulpbronontwikkeling), te rig.

#### **BYLAE**

#### **INHOUDSOPGAWE**

Woordomskeywing—Regulasie 1

Erkenning van Spesialiteite, Subspesialiteite en Verwante Spesialiteite—Regulasies 2 tot 5

Vereistes vir Registrasie van 'n Geneesheer in die Kategorie Onafhanklike Praktijk (Spesialis)—Regulasie 6

Vereistes vir Registrasie van 'n Tandarts in die Kategorie Onafhanklike Praktijk (Spesialis)—Regulasie 7

Vereistes vir Registrasie van 'n Buitelandsgekwalfiseerde Geneesheer of Tandarts as 'n Spesialis—Regulasie 8

Vereistes vir Registrasie van 'n Buitelandsgekwalfiseerde Spesialis op grond van Besondere Meriete—Regulasie 9

Voorwaardes van Registrasie in die Kategorie Openbare Diens (Spesialis)—Regulasie 10

Vereistes vir Registrasie van 'n Subspesialiteit deur 'n Geneeskundige Spesialis—Regulasie 11

Algemeen—Regulasie 12

Register van Kliniese Assistenten en Senior Kliniese Assistenten—Regulasie 13

Voorwaardes vir Praktisering as 'n Spesialis—Regulasies 14 tot 18

Herroeping—Regulasie 19

#### **Woordomskeywings**

1. In hierdie Regulasies beteken **"die Wet"** die Wet op Gesondheidsberoepe, 1974 (Wet No. 56 van 1974), en, tensy uit die samehang anders blyk, beteken—

**"algemene praktisyn"** 'n geneesheer of 'n tandarts wat nie as 'n spesialis geregistreer is nie;

**"geneeskundige spesialis"** 'n geneesheer wat as 'n spesialis in 'n spesialiteit of verwante spesialiteite en 'n subspesialiteit (indien enige) in geneeskunde ingevolge hierdie regulasies geregistreer is;

**"raad"** die Geneeskundige en Tandheelkundige Beroepsraad wat ingevolge Goewermentskennisgewing No. R. 75 van 16 Januarie 1998 ingestel is;

**"spesialis"** 'n geneesheer of 'n tandarts wat as 'n spesialis geregistreer is in 'n spesialiteit of verwante spesialiteite en subspesialiteit (indien enige) wat kragtens hierdie regulasies erken is en wat sy of haar praktyk tot sodanige spesialiteit of verwante spesialiteit en subspesialiteit (indien enige) beperk;

**"spesialiteit"** een van die vakrigtings in geneeskunde of tandheelkunde wat in regulasie 2 erken is;

**"subspesialiteit"** een van die onderafdelings van 'n spesialiteit wat in regulasie 3 erken is;

**"tandheelkundige spesialis"** 'n tandarts wat as 'n spesialis in 'n spesialiteit in tandheelkunde ingevolge hierdie regulasies geregistreer is;

**"verwante spesialiteit"** die vakrigtings in geneeskunde wat in subregulasie (2) van regulasie 5 erken is.

### **Erkenning van spesialiteite, subspesialiteite en verwante spesialiteite**

2. Die volgende spesialiteite word hierby erken en kragtens subartikel (2) van artikel 35 van die Wet voorgeskryf:

#### **(1) GENEESKUNDE**

| <b>Spesialiteit</b>                                                                                                                                                                                                                                                                                                                                                               | <b>Benaming</b>                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| Anesthesiologie .....                                                                                                                                                                                                                                                                                                                                                             | Anestesioloog                        |
| Chirurgie .....                                                                                                                                                                                                                                                                                                                                                                   | Chirurg                              |
| Dermatologie .....                                                                                                                                                                                                                                                                                                                                                                | Dermatoloog                          |
| Diagnostiese Radiologie .....                                                                                                                                                                                                                                                                                                                                                     | Diagnostiese Radioloog               |
| Fisiese Geneeskunde .....                                                                                                                                                                                                                                                                                                                                                         | Spesialis in Fisiese Geneeskunde     |
| <p>NOTA: Fisiese geneeskunde word slegs as 'n spesialiteit erken tot tyd en wyl daardie kliniese assistente wat op 12 Oktober 1998 vir die spesialis kursus in Fisiese Geneeskunde aan die Universiteit van Pretoria ingeskryf was, hulle kursus voltooi en by die raad as spesialiste in Fisiese Geneeskunde geregistreer is, waarna die betrokke register gesluit sal wees.</p> |                                      |
| Gemeenskapsgesondheid .....                                                                                                                                                                                                                                                                                                                                                       | Spesialis in Gemeenskapsgesondheid   |
| Interne Geneeskunde .....                                                                                                                                                                                                                                                                                                                                                         | Internis                             |
| Kardiorakale Chirurgie .....                                                                                                                                                                                                                                                                                                                                                      | Kardiorakale Chirurg                 |
| Kerngeneeskunde .....                                                                                                                                                                                                                                                                                                                                                             | Kerngeneeskundige                    |
| Neurochirurgie .....                                                                                                                                                                                                                                                                                                                                                              | Neurochirurg                         |
| Neurologie .....                                                                                                                                                                                                                                                                                                                                                                  | Neuroloog                            |
| Obstetrie en Ginekologie .....                                                                                                                                                                                                                                                                                                                                                    | Obstetriekus en Ginekoloog           |
| Oftalmologie .....                                                                                                                                                                                                                                                                                                                                                                | Oftalmoloog                          |
| Ortopedie .....                                                                                                                                                                                                                                                                                                                                                                   | Ortopediese Chirurg                  |
| Otorinolaringologie .....                                                                                                                                                                                                                                                                                                                                                         | Otorinolaringoloog                   |
| Patologie (Anatomies) .....                                                                                                                                                                                                                                                                                                                                                       | Pataloog (Anatomies)                 |
| Patologie (Chemies) .....                                                                                                                                                                                                                                                                                                                                                         | Pataloog (Chemies)                   |
| Patologie (Geregtelik) .....                                                                                                                                                                                                                                                                                                                                                      | Pataloog (Geregtelik)                |
| Patologie (Hematologies) .....                                                                                                                                                                                                                                                                                                                                                    | Pataloog (Hematologies)              |
| Patologie (Klinies) .....                                                                                                                                                                                                                                                                                                                                                         | Pataloog (Klinies)                   |
| Patologie (Mikrobiologies) .....                                                                                                                                                                                                                                                                                                                                                  | Pataloog (Mikrobiologies)            |
| Patologie (Virologies) .....                                                                                                                                                                                                                                                                                                                                                      | Pataloog (Virologies)                |
| Pediatrie .....                                                                                                                                                                                                                                                                                                                                                                   | Pediater                             |
| Plastiese en Rekonstruktiewe Chirurgie .....                                                                                                                                                                                                                                                                                                                                      | Plastiese en Rekonstruktiewe Chirurg |
| Psigiatrie .....                                                                                                                                                                                                                                                                                                                                                                  | Psigiater                            |
| Stralingsonkologie .....                                                                                                                                                                                                                                                                                                                                                          | Stralingsonkoloog                    |
| Urologie .....                                                                                                                                                                                                                                                                                                                                                                    | Uroloog                              |

#### **(2) TANDHEELKUNDE**

| <b>Spesialiteit</b>                  | <b>Benaming</b>                             |
|--------------------------------------|---------------------------------------------|
| Gemeenskapstandheelkunde .....       | Spesialis in Gemeenskapstandheelkunde       |
| Kaak-, Gesig- en Monchirurgie .....  | Kaak-, Gesig- en Mondchirurg                |
| Mondgeneeskunde en Periodonsie ..... | Spesialis in Mondgeneeskunde en Periodonsie |
| Mondpatologie .....                  | Mondpatoloog                                |
| Ortodonsie .....                     | Ortodontis                                  |
| Prostodonsie .....                   | Prostodontis                                |

3. Behoudens regulasie 4, word die volgende subspesialiteite hierby erken en kragtens subartikel (2) van artikel 35 van die Wet voorgeskryf:

| <b>Subspesialiteit</b>        | <b>Benaming</b>                |
|-------------------------------|--------------------------------|
| Beroepsgesondheid .....       | Spesialis in Beroepsgesondheid |
| Endokrinologie .....          | Endokrinoloog                  |
| Gastroënterologie .....       | Gastroënteroloog               |
| Geneeskundige Genetika .....  | Geneeskundige Genetikus        |
| Geriatrisie Geneeskunde ..... | Geriatr                        |
| Kardiologie .....             | Kardioloog                     |
| Kinderpsigiatrie .....        | Kinderpsigiater                |
| Kliniese Hematologie .....    | Kliniese Hematoloog            |
| Kritiekiesorg .....           | Spesialis in Kritiekiesorg     |
| Mediese Onkologie .....       | Mediese Onkoloog               |
| Nefrologie .....              | Nefroloog                      |
| Neonatologie .....            | Neonatoloog                    |
| Ontwikkelingspediatrie .....  | Ontwikkelingspediater          |
| Pediatriese Chirurgie .....   | Pediatriese Chirurg            |
| Pediatriese Neurologie .....  | Pediatriese Neuroloog          |
| Pulmonologie .....            | Pulmonoloog                    |
| Rumatologie .....             | Rumatoloog                     |
| Vaskulêre Chirurgie .....     | Vaskulêre Chirurg              |

4. 'n Subspesialiteit bedoel in regulasie 3 en gelys in kolom 1, is slegs registreerbaar indien die applikant reeds as 'n spesialis geregistreer is in een van die basiese spesialiteite wat daarnaas in kolom 2 gelys is:

| <b>Registreerbare Subspesialiteit</b> | <b>Basiese Spesialiteit</b>                                                                                                    |
|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| <b>Kolom 1</b>                        | <b>Kolom 2</b>                                                                                                                 |
| Beroepsgesondheid .....               | Gemeenskapsgesondheid                                                                                                          |
| Endokrinologie .....                  | Interne Geneeskunde, Pediatrie                                                                                                 |
| Gastroënterologie .....               | Chirurgie, Interne Geneeskunde, Pediatrie                                                                                      |
| Geneeskundige Genetika .....          | Interne Geneeskunde, Obstetrie en Ginekologie, Pediatrie                                                                       |
| Geriatrisie Geneeskunde .....         | Interne Geneeskunde                                                                                                            |
| Kardiologie .....                     | Interne Geneeskunde, Pediatrie                                                                                                 |
| Kinderpsigiatrie .....                | Psigiatrie                                                                                                                     |
| Kliniese Hematologie .....            | Interne Geneeskunde, Patologie (Hematologies), Pediatrie                                                                       |
| Kritiekiesorg .....                   | Anesthesiologie, Chirurgie, Interne Geneeskunde, Kardiotorakale Chirurgie, Neurochirurgie, Obstetrie en Ginekologie, Pediatrie |
| Mediese Onkologie .....               | Interne Geneeskunde, Pediatrie                                                                                                 |
| Nefrologie .....                      | Interne Geneeskunde, Pediatrie                                                                                                 |
| Neonatologie .....                    | Pediatrie                                                                                                                      |
| Ontwikkelingspediatrie .....          | Pediatrie                                                                                                                      |
| Pediatriese Chirurgie .....           | Chirurgie                                                                                                                      |
| Pediatriese Neurologie .....          | Pediatrie                                                                                                                      |
| Pulmonologie .....                    | Interne Geneeskunde, Pediatrie                                                                                                 |
| Rumatologie .....                     | Interne Geneeskunde, Pediatrie                                                                                                 |
| Vaskulêre Chirurgie .....             | Chirurgie                                                                                                                      |

5. (1) Behoudens subregulasie (2) mag 'n geneesheer of tandarts slegs as spesialis in een spesialiteit en een subspesialiteit geregistreer wees, en geen geneesheer of tandarts mag in meer as een spesialiteit of subspesialiteit gelyktydig praktiseer nie, met uitsondering van die spesialiteite wat as verwante spesialiteite beskou word.



(2) 'n Geneesheer wat aan die tersaaklike vereistes in regulasie 6 voldoen het, kan as spesialis in een of meer van die volgende verwante spesialiteite geregistreer word en daarin praktiseer:

- Patologie (Anatomies)
- Patologie (Chemies)
- Patologie (Geregte)
- Patologie (Hematologies)
- Patologie (Klinies)
- Patologie (Mikrobiologies)
- Patologie (Virologies)

**Vereistes vir registrasie van 'n geneesheer in die kategorie onafhanklike praktyk (spesialis)**

6. (1) 'n Geneesheer wat in die kategorie onafhanklike praktyk (algemene praktisyn) geregistreer is en wat beoog om in die kategorie onafhanklike praktyk (spesialis) ingevolge die Wet geregistreer te word, moet—

- (a) bewys aan die raad voorlê dat hy of sy 'n spesialiskwalifikasie in die betrokke spesialiteit in geneeskunde verwerf het wat deur die raad geakkrediteer en waarvan die standaard vir die raad aanvaarbaar is;
- (b) bewys aan die raad voorlê dat 'n tydperk van minstens ses jaar verstryk het sedert hy of sy 'n basiese kwalifikasie in die geneeskunde verwerf het wat ingevolge artikel 24 voorgeskryf is en wat ingevolge die regulasies uitgevaardig kragtens artikel 61 (1) (e) van die Wet aan hom of haar die reg op registrasie as 'n intern verleen: Met dien verstande dat—
  - (i) die jaar waartydens 'n persoon as 'n intern opleiding ondergaan het, een van die ses jare kan uitmaak;
  - (ii) hy of sy afgesien van die onderrig en opleiding in subregulasie (2) bedoel, minstens 'n verdere twaalf maande ondervinding opgedoen het in enigeen of meer van die vakrigtings in die geneeskunde wat navorsing kan insluit, voordat met onderrig en opleiding in die betrokke vakgebied begin is, maar wat nie die jaar van internskapopleiding mag wees nie;
- (c) sy of haar aansoek om as spesialis geregistreer te word aan die raad voorlê by wyse van 'n aansoekvorm wat deur die raad voorsien en wat behoorlik ingevul moet wees;
- (c) die voorgeskrewe registrasiegeld betaal.

(2) Benewens die vereistes in subregulasies (1), is die volgende vereistes op die gemelde spesialiteite van toepassing:

- (a) In die geval van die spesialiteite Anesthesiologie, Chirurgie, Dermatologie, Diagnostiese Radiologie, Fisiese Geneeskunde, Interne Geneeskunde, Kardiorakale Chirurgie, Kerngeneeskunde, Neurochirurgie, Neurologie, Obstetrie en Ginekologie, Oftalmologie, Ortopedie, Otorinolaringologie, Pediatrie, Plastiese en Rekonstruktiewe Chirurgie, Psigiatrie, Stralingsonkologie en Urologie, moet 'n persoon vir minstens vier jaar bevredigende onderrig en opleiding ondergaan het as bekleër van 'n betrekking as kliniese assistent wat deur die raad goedgekeur is in 'n hospitaal, departement of fasiliteit wat deur die raad vir spesialisonderrig en -opleiding geakkrediteer is.
- (b) In die geval van die spesialiteit Gemeenskapsgesondheid, moet 'n persoon vir minstens vier jaar onderrig en opleiding soos in paragraaf (a) bedoel, in al die vakke van Gemeenskapsgesondheid ondergaan het onder die toesig van die departement gemeenskapsgesondheid van 'n inrigting vir hoër onderwys wat deur die raad geakkrediteer is.
- (c) In die geval van die spesialiteit Obstetrie en Ginekologie, moet onderrig en opleiding soos in paragraaf (a) bedoel, 'n minimum tydperk van twaalf maande van onderrig en opleiding in elk van Obstetrie en Ginekologie in 'n opleidingshospitaal insluit.
- (d) In die geval van die spesialiteite Patologie (Anatomies), (Chemies), (Geregte), (Hematologies), (Mikrobiologies) en (Virologies), moet 'n persoon vir minstens vier jaar onderrig en opleiding ondergaan het soos in paragraaf (a) bedoel.
- (e) In die geval van die spesialiteit Patologie (Anatomies), moet bedoelde vier jaar van onderrig en opleiding, die ekwivalent van ses maande van onderrig en opleiding in Sitologie insluit en moet die applikant daarbenewens bewys voorlê dat hy of sy tot tevredenheid van die raad in Sitologie geëksamineer is.
- (f) In die geval van die spesialiteit Patologie (Klinies), moet 'n persoon minstens vier jaar van onderrig en opleiding ondergaan het soos in paragraaf (a) bedoel, waarvan minstens ses maande in Patologie (Hematologies) en minstens nege maande in elk van Patologie (Anatomies), (Chemies) en (Mikrobiologies) moes gewees het: Met dien verstande dat onderrig en opleiding in die spesialiteit Patologie (Klinies) wat na 1 Januarie 1980 begin het, onderrig en opleiding van minstens twaalf maande in elk van Patologie (Chemies), (Hematologies) en (Mikrobiologies) moes ingesluit het.
- (g) In die geval van die spesialiteit Patologie (Virologies), moes bedoelde onderrig en onderrig, onderrig en opleiding in algemene Geneeskundige Mikrobiologie, Immunologie en Molekulêre Biologie ingesluit het.
- (h) In die geval van 'n persoon wat as spesialis in Patologie (Anatomies), (Chemies), (Geregte), (Hematologies), (Mikrobiologies) of (Virologies) geregistreer is en wat ook as spesialis in een van die verwante spesialiteite geregistreer wil word, word 'n verdere twee jaar van sodanige onderrig en opleiding en 'n spesialis kwalifikasie soos bedoel in paragraaf (a) van subregulasie (1), in die bykomende spesialiteit vereis.

- (i) In die geval van 'n persoon wat as 'n spesialis in Patologie (Klinies) geregistreer is en wat ook as spesialis in Patologi (Anatomies) geregisreer wil word, word 'n verdere drie jaar van sodanige onderrig en opleiding in Patologie (Anatomies) vereis maar indien so 'n persoon as spesialis in een van die ander verwante spesialiteite geregistreer wil word, moet hy of sy minstens 'n verdere twee jaar van sodanige onderrig en opleiding in die betrokke spesialiteit ondergaan en die tersaaklike spesialiskwalifikasie verwerf het.
- (j) (i) In die geval van die spesialiteit Psigiatrie, moet onderrig en opleiding soos in paragraaf (a) bedoel, 'n minimum tydperk van twaalf maande van onderrig en opleiding in 'n psigiatrisie hospitaal ingesluit het, waarvan minstens ses maande ondergaan moes gewees het in 'n psigiatrisie hospitaal wat ook 'n opleidingshospitaal is.
- (ii) Die bepalings van paragraaf (c) van subregulasie (3) is *mutatis mutandis* van toepassing op erkenning wat verleen is vir onderrig en opleiding wat ondergaan is aan 'n psigiatrisie hospitaal, departement of fasiliteit wat as 'n satellithospitaal, -departement of -fasiliteit geakkrediteer is.

(3) Met betrekking tot die onderrig en opleiding in subregulasie (2) bedoel, word—

(a) onderrig en opleiding wat—

(i) in Suid-Afrika ondergaan is, slegs deur die raad erken indien—

(aa) die applikant gedurende die volle duur daarvan by die raad as geneesheer in die kategorie onafhanklike praktyk (algemene praktisyn) geregistreer was;

(bb) die applikant se naam in die register van kliniese assistente (geneeskunde) voorgekom het wat ingevolge regulasie 13 bygehou word;

(ii) deels in enige ander land as Suid-Afrika ondergaan is, slegs deur die raad erken indien die persoon gedurende die volle duur daarvan by die betrokke registrasie-owerheid as geneesheer geregistreer was;

Met dien verstande dat die raad na goeë dunnke, vrystelling van die vereiste in subparagraaf (ii) kan verleen;

(b) onderrig en opleiding wat deels in enige ander land as Suid-Afrika ondergaan is, slegs deur die raad erken indien die applikant stawende dokumentêre bewys voorlê wat deur die buitelandse universiteit of ander opvoedkundige inrigting uitgereik is om te bevestig dat—

(i) die hospitaal of hospitale waar die applikant onderrig en opleiding ondergaan het, 'n opleidingshospitaal of -hospitale van die fakulteit van geneeskunde of mediese skool van daardie besondere universiteit of ander opvoedkundige inrigting is of was;

(ii) daardie hospitaal of hospitale goedgekeur en erken is of was om spesialisonderrig en -opleiding in die applikant se spesialiteit te gee;

(iii) die spesifieke tydperk wat die applikant aan die betrokke hospitaal of hospitale verbonde was, deur daardie universiteit of ander opvoedkundige inrigting as 'n tydperk van onderrig en opleiding in die applikant se spesialiteit beskou en erken word;

(c) onderrig en opleiding van minder as ses maande in 'n hospitaal, departement of fasiliteit nie deur die raad erken nie, tensy—

(i) die betrokke persoon 'n tydperk van minder as ses maande nodig gehad het om die vier jaar van onderrig en opleiding bedoel in subregulasie (2) te voltooi;

(ii) die betrokke persoon, met die toestemming van die tersaaklike fakulteit van geneeskunde of gesondheidswetenskappe, sy of haar onderrig en opleiding afgewissel het met onderrig en opleiding aan verskillende fakulteite van geneeskunde of gesondheidswetenskappe in Suid-Afrika as bekleër van 'n betrekking as kliniese assistent wat deur die raad goedgekeur is in die betrokke vakrigting: Met dien verstande dat die genoemde tydperk, in die geval van die spesialiteite in Patologie, van ses maande tot vier maande verminder word;

(d) onderrig en opleiding vir sodanige tydperk as wat die raad tydens die akkrediteringsproses mag bepaal, erken wat ondergaan is as bekleër van 'n betrekking as kliniese assistent aan 'n hospitaal, departement of fasiliteit wat die raad as satellithospitaal, -departement of -fasiliteit geakkrediteer het.

(4) (a) Die minimum duur van onderrig en opleiding wat ondergaan word as bekleër van die betrekking van kliniese assistent onder beheer van 'n akademiese opleidingsdepartement aan 'n opleidingshospitaal, moet wees soos deur die raad tydens die akkrediteringsproses bepaal.

(b) By die toepassing van hierdie regulasie beteken 'n akademiese opleidingsdepartement aan 'n opleidingshospitaal, 'n departement en hospitaal wat as sodanig deur die raad geakkrediteer is.

(5) Erkenning, op 'n grondslag soos van tyd tot tyd by besluit van die raad bepaal deur die raad verleen vir onderrig en opleiding wat 'n persoon ondergaan het as deeltydse bekleër van 'n betrekking as kliniese assistent wat deur die raad goedgekeur is.

(6) Erkenning van hoogstens twaalf maande kan deur die raad verleen word as deel van die vier jaar van onderrig en opleiding wat by hierdie regulasie voorgeskryf word vir—

- (a) onderrig en opleiding in 'n vakgebied wat deur die raad as verwant aan die spesialiteit van die applikant beskou word;
- (b) navorsing wat deur die raad as tersaaklik beskou word in die applikant se spesialiteit of in 'n vakgebied wat die raad as verwant aan daardie applikant se spesialiteit beskou.

**Vereistes vir registrasie van 'n tandarts in die kategorie onafhanklike praktyk (spesialis)**

7. (1) 'n Tandarts wat beskik oor registrasie in die kategorie onafhanklike praktyk (algemene praktisyn) en wat in die kategorie onafhanklike praktyk (spesialis) ingevolge die Wet geregistreer wil word, moet—

- (a) bewys aan die raad voorlê dat hy of sy 'n spesialiskwalifikasie in die betrokke spesialiteit in die tandheelkunde verwerf het wat deur die raad geakkrediteer en waarvan die standaard vir die raad aanvaarbaar is;
  - (b) bewys aan die raad voorlê dat 'n tydperk van minstens vyf jaar verstryk het sedert hy of sy 'n basiese kwalifikasie in die tandheelkunde verwerf het wat ingevolge artikel 24 van die Wet voorgeskryf is en wat ingevolge daardie artikel van die Wet aan hom of haar die reg op registrasie as tandarts verleen: Met dien verstande dat, afgesien van die onderrig en opleiding bedoel in subregulasie (2), hy of sy minstens 'n verdere vier-en-twintig maande ondervinding opgedoen het in enigeen of meer van die vakrigtings in tandheelkunde wat navorsing kan insluit, voordat met onderrig en opleiding in die betrokke vakgebied begin het.
  - (c) sy of haar aansoek om as spesialis geregistreer te word aan die raad voorlê by wyse van 'n aansoekvorm wat deur die raad voorsien en wat behoorlik ingevul moet wees;
  - (d) die voorgeskrewe registrasiegeld betaal.
- (2) Benewens die vereistes in subregulasie (1), is die volgende vereistes van toepassing op die gemelde spesialiteite:
- (a) In die geval van die spesialiteite Gemeenskapstandheelkunde, Kaak-, Gesig- en Mondchirurgie, Mondgeneeskunde en Periodonsie, Ortodonsie en Prostodonsie, moet 'n persoon minstens drie jaar van onderrig en opleiding ondergaan het as bekleër van 'n betrekking as kliniese assistent wat deur die raad goedgekeur is in 'n hospitaal, departement of fasiliteit wat deur die raad vir spesialisonderrig en -opleiding geakkrediteer is.
  - (b) In die geval van die spesialiteit Mondpatologie, moet 'n persoon minstens vier jaar van onderrig en opleiding ondergaan het, waarvan minstens twee jaar in Patologie (Anatomies) aan 'n akademiese opleidingsdepartement van 'n opleidingshospitaal moes gewees het wat as sodanig deur die raad geakkrediteer is.
- (3) Met betrekking tot die onderrig en opleiding in subregulasie (2) bedoel, word—

(a) onderrig en opleiding wat—

(i) in Suid-Afrika ondergaan is, slegs deur die raad erken indien—

- (aa) die applikant gedurende die volle duur daarvan by die raad as tandarts in die kategorie onafhanklike praktyk (algemene praktisyn) geregistreer was; en
- (bb) die applikant se naam voorgekom het in die register van kliniese assistente (tandheelkunde) wat ingevolge regulasie 13 bygehou word;

(ii) deels in enige ander land as Suid-Afrika ondergaan is, slegs deur die raad erken indien die persoon gedurende die volle duur daarvan by die betrokke registrasie-owerheid as tandarts geregistreer was:

Met dien verstande dat die raad na goeë dunske, vrystelling van die vereiste in subparagraaf (ii) kan verleen;

(b) onderrig en opleiding wat deels in enige ander land as Suid-Afrika ondergaan is, slegs deur die raad erken indien die applikant stawende dokumentêre bewys voorlê wat deur die buitelandse universiteit of ander opvoedkundige inrigting uitgereik is, om te bevestig dat—

- (i) die hospitaal of hospitale waar die applikant onderrig en opleiding ondergaan het, 'n opleidingshospitaal of -hospitale van die fakulteit van tandheelkunde of tandheelkunde skool van daardie besondere universiteit of ander opvoedkundige inrigting is of was;
- (ii) daardie hospitaal of hospitale goedgekeur en erken is of was om spesialisonderrig en -opleiding in die applikant se spesialiteit te gee;
- (iii) die spesifieke tydperk wat die applikant aan die bedoelde hospitaal of hospitale verbonde was, deur daardie universiteit of ander opvoedkundige inrigting as 'n tydperk van onderrig en opleiding in die applikant se spesialiteit beskou en erken word;

(c) onderrig en opleiding van 'n maksimum van twaalf maande erken wat ondergaan is as bekleër van 'n betrekking as kliniese assistent aan 'n hospitaal, departement of fasiliteit wat die raad as satelliethospitaal, -departement of fasiliteit geakkrediteer het;

(d) erkenning, op 'n grondslag soos van tyd tot tyd by besluit van die raad bepaal, deur die raad verleen vir onderrig en opleiding wat 'n persoon ondergaan het as deeltydse bekleër van 'n betrekking as kliniese assistent wat deur die raad goedgekeur is.



**Vereistes vir registrasie van 'n buitelandse gekwalifiseerde geneesheer of tandarts as 'n spesialis**

8. (1) 'n Geneesheer of tandarts wat erkenning geniet as 'n spesialis in enige ander land as Suid-Afrika op grond van buitelandse kwalifikasies—

(a) kan by die raad aansoek doen om—

- (i) registrasie in die kategorie onafhanklike praktyk (spesialis); of
- (ii) registrasie in die kategorie openbare diens (spesialis); en

(b) moet vir hierdie doel sy of haar aansoek om sodanige registrasie aan die raad voorlê by wyse van 'n aansoekvorm wat deur die raad voorsien en wat behoorlik ingevul moet wees; en

(c) moet die voorgeskrewe registrasiegeld betaal.

(2) Sodanige buitelandse gekwalifiseerde geneesheer of tandarts wat in die kategorie onafhanklike praktyk (spesialis) geregistreer wil word, kan by die raad om sodanige registrasie aansoek doen slegs nadat alle vereistes vir registrasie in die kategorie onafhanklike praktyk (algemene praktisyn) ten volle nagekom is soos uiteengesit in die Regulasies wat ingevolge artikel 25 van die Wet gepubliseer is en as sodanig geregistreer is.

(3) Na nakoming van die vereistes bedoel in subregulasie (2) moet sodanige geneesheer of tandarts dokumentêre bewys aan die raad voorlê—

- (a) dat hy of sy 'n spesialiskwalifikasie verwerf het in 'n spesialiteit wat ingevolge regulasie 2 erken word en dat daardie kwalifikasie geakkrediteer was of andersins erken is deur, en die standaard daarvan aanvaarbaar was vir die registrasie- of ander toepaslike owerheid in geneeskunde of tandheelkunde in die betrokke land was;
- (b) van die getal jare wat verstryk het sedert hy of sy sy of haar basiese kwalifikasie in geneeskunde of tandheelkunde verwerf het, wat in die geval van geneeskunde nie minder as ses jaar mag wees nie en in die geval van tandheelkunde nie minder as vyf jaar nie;
- (c) van die aard en duur van die spesialisonderrig en -opleiding wat die applikant verplig was om in die betrokke land te ondergaan;
- (d) dat die applikant as 'n geneesheer of tandarts by die tersaaklike registrasie-owerheid geregistreer is vir die volle duur van sy of haar spesialisonderwys en -opleiding;

Met dien verstande dat die raad na goedgekeurde, vrystelling van die vereiste in paragraaf (d) kan verleen;

(e) wat deur die buitelandse universiteit of ander betrokke opvoedkundige inrigting uitgereik is om te bevestig dat—

- (i) die hospitaal of hospitale waar die applikant onderrig en opleiding ondergaan het, 'n opleidingshospitaal of -hospitale van die fakulteit van geneeskunde of tandheelkunde of mediese of tandheelkundige skool van daardie besondere universiteit of ander opvoedkundige inrigting is of was;
- (ii) daardie hospitaal of hospitale goedgekeur en erken is of was om spesialisonderrig en -opleiding in die applikant se spesialiteit te gee;
- (iii) die spesifieke tydperk wat die applikant aan die betrokke hospitaal of hospitale verbonde was, deur daardie universiteit of ander opvoedkundige inrigting as 'n tydperk van onderrig en opleiding in die applikant se spesialiteit beskou en erken word.

(4) Erkenning van hoogstens twaalf maande kan deur die raad verleen word as deel van die vereiste spesialisonderrig en -opleiding vir—

- (a) onderrig en opleiding in 'n vakgebied wat deur die raad as verwant aan die spesialiteit van die applikant beskou word;
- (b) navorsing wat deur die raad as tersaaklik beskou word in die applikant se spesialiteit of in 'n vakgebied wat die raad as verwant aan daardie applikant se spesialiteit beskou.

(5) By ontvangs tot tevredenheid van die raad van die dokumentêre bewys genoem in subregulasie (3) kan registrasie in die kategorie onafhanklike praktyk (spesialis) aan die applikant verleen word indien so 'n applikant eers—

- (a) 'n geakkrediteerde Suid-Afrikaanse spesialiskwalifikasie in sy of haar spesialiteit verwerf het; en
- (b) indien deur die raad aldus vereis, sodanige tydperk van spesialisonderrig en -opleiding is sy of haar spesialiteit voltooi het as wat die raad bepaal as bekleër van 'n goedgekeurde betrekking as kliniese assistent by 'n geakkrediteerde akademiese opleidingsdepartement aan 'n opleidingshospitaal, onderworpe aan die vereistes in hierdie Regulasies uiteengesit: Met dien verstande dat daar geen aansoek van 'n Suid-Afrikaanse burger vir die betrokke betrekking van kliniese assistent was nie.

(6) 'n Geneesheer of tandarts wat in die kategorie openbare diens (spesialis) geregistreer wil word, kan by die raad om registrasie in daardie kategorie aansoek doen slegs nadat alle vereistes vir registrasie in die kategorie openbare diens (algemene praktisyn) ten volle nagekom is soos uiteengesit in die Regulasies wat ingevolge artikel 25 van die Wet gepubliseer is en as sodanig geregistreer is.

(7) Na nakoming van die vereistes genoem in subregulasie (6) moet sodanige geneesheer of tandarts die dokumentêre bewys genoem in subregulasie (3) aan die raad voorlê.

(8) Indien die raad by ontvangs van sodanige dokumentêre bewys ooreenkom om so 'n aansoek te oorweeg, kan aan die applikant toestemming verleen word om die eksamen in sy of haar spesialiteit af te lê soos voorgeskryf ingevolge artikel 35(1B) van die Wet en—

- (a) indien die applikant daardie eksamen slaag, kan aan hom of haar registrasie in die kategorie openbare diens (spesialis) verleen word; maar
- (b) indien die applikant die eksament drup, hy of sy—
  - (i) die geleentheid gebied kan word om sy of haar bevoegheid in die spesialiteit by 'n toekomstige eksamen te laat herevalueer;
  - (ii) slegs een keer sodanige geleentheid gebied word om herevalueer te word.

(9) 'n Applikant wat die eksamen in sy of haar spesialiteit voorgeskryf ingevolge subregulasie (8) gedrup het, kan sy of haar bevoegheid laat evalueer in die domein van sy of haar spesialiteit—

- (a) op die uitreevlak van 'n nagraadse diploma;
- (b) deur 'n eksamen goedgekeur deur die raad; en

indien so 'n applikant so 'n eksamen slaag, moet hy of sy of haar praktyk beperk tot die omvang van praktyk waarvoor hy of sy geëvalueer was, met behoud van sy of haar registrasie in die kategorie openbare diens (algemene praktisyn).

**Vereistes vir registrasie van 'n buitelandse gekwalifiseerde spesialis op grond van besondere meriete**

9. (1) Ondanks die bepalings van regulasie 8 kan die raad 'n aansoek om registrasie van 'n buitelandse gekwalifiseerde spesialis op grond van besondere meriete oorweeg om professionele praktyk, onderrig en opleiding in Suid-Afrika te bevorder en te kruisbestuif.

(2) Kragtens subregulasie (1) kan die raad in uitsonderlike omstandighede en op versoek van hoëronderrig- of navorsingsinrigtings, so 'n aansoek om registrasie in die kategorie openbare diens (spesialis) oorweeg van 'n applikant wat bewys aan die raad voorlê daarvan dat hy of sy—

- (a) die besitter is van 'n spesialiskwalifikasie in die geneeskunde of tandheelkunde in sy of haar land;
- (b) die besitter is van 'n sertifikaat van status uitgereik deur die registrasie-owerheid in die betrokke land;
- (c) internasionale vakgenootlike erkenning geniet in sy of haar spesialiteit; en
- (d) in staat is om in sy of haar spesialiteit te praktiseer op 'n vlak waar daar geen twyfel by die raad bestaan nie dat hy of sy ten volle bevoeg is om te praktiseer in die tersaaklike spesialiteit van geneeskunde of tandheelkunde in Suid-Afrika as houër van registrasie in die kategorie openbare diens (spesialis).

(3) Die volgende maatstawwe is van toepassing wanneer 'n aansoek om registrasie kragtens subregulasie (2) oorweeg word, naamlik dat—

- (a) die aansoek om registrasie van so 'n kundige spesialis uit die buiteland teopaslik deur die raad se tersaaklike subkomitee bestuur word;
- (b) so 'n aansoek slegs toegestaan word indien daar aan die goedgekeurde maatstawwe voldoen is;
- (c) elke aansoek op eie meriete oorweeg word;
- (d) die tersaaklike subkomitee en sy personeel as toepaslik gekwalifiseerd en ervare erken word om die meriete van so 'n aansoek te beoordeel;
- (e) so 'n applikant onteenseglik 'n kundige op 'n internasionale vlak is, te oordeel, byvoorbeeld, aan—
  - (i) kwalifikasies;
  - (ii) ondervinding;
  - (iii) professionele publikasies of aanbiedings;
  - (iv) ander moontlike bydraes tot sy of haar spesialiteit;
  - (v) beoordelaarsverslae; of
  - (vi) die aanbevelings voorgelê deur die toepaslike spesialisvereniging of ander tersaaklike vakgenootgroep.

(4) 'n Applikant wie se aansoek om registrasie ingevolge hierdie regulasie goedgekeur word, sal slegs in die kategorie openbare diens (spesialis) registrasie verleen word.

**Voorwaardes van registrasie in die kategorie openbare diens (spesialis)**

10. Registrasie in die kategorie openbare diens (spesialis) is onderworpe aan die volgende voorwaardes:

- (1) So 'n spesialis praktiseer in sy of haar spesialiteit in enige openbare inrigting, ongeag plek.
- (2) Voortsetting van registrasie in die kategorie openbare diens (spesialis) is onderworpe aan—
  - (a) die voorwaardes om as 'n spesialis te praktiseer, uiteengesit in regulasies 14 tot 18 hiervan; en
  - (b) die vereistes om professionele ontwikkeling soos uiteengesit in reëls uitgevaardig kragtens artikel 26 van die Wet.

**Vereistes vir registrasie van 'n subspesialiteit deur 'n geneeskundige spesialis**

11. (1) 'n Geneeskundige spesialis wat in 'n subspesialiteit by die raad wil registreer, moet—

- (a) bewys aan die raad voorlê dat hy of sy, voordat met onderrig en opleiding in die betrokke subspesialiteit begin is, aan al die vereistes vir registrasie as 'n spesialis in die basiese of een van die basiese spesialiteite voldoen het wat naas die tersaaklike subspesialiteit in regulasie 4 gelys is;
- (b) na 1 Januarie 2001 aan die raad bewys voorlê dat hy of sy 'n evaluering wat deur die raad goedgekeur is, in die tersaaklike subspesialiteit geslaag het;
- (c) aan die raad 'n sertifikaat voorlê wat deur die betrokke fakulteit van geneeskunde of gesondheidswetenskappe in Suid-Afrika uitgereik is, om te bevestig dat—
  - (i) die applikant onderrig en opleiding van minstens twee jaar ondergaan het in die tersaaklike subspesialiteit as bekleër van 'n betrekking van senior kliniese assistent wat deur die raad goedgekeur is onder beheer van 'n eenheid in 'n opleidingshospitaal wat deur die raad as 'n opleidingsseenheid in die betrokke subspesialiteit geakkrediteer is;
  - (ii) in die geval van die subspesialiteit Kliniese Hematologie, die applikant, nadat hy of sy aan al die vereistes vir registrasie in die spesialiteit Interne Geneeskunde of Pediatrie voldoen het, twee jaar onderrig en opleiding in Patologie (Hematologies) ondergaan het, of nadat hy of sy aan al die vereistes vir registrasie in die spesialiteit Patologie (Hematologies) voldoen het, twee jaar onderrig en opleiding in Interne Geneeskunde of Pediatrie ondergaan het, as bekleër van 'n betrekking van senior kliniese assistent soos in subparagraaf (i) bedoel.
- (d) sy of haar aansoek om registrasie in 'n subspesialiteit aan die raad voorlê op 'n aansoekvorm wat die raad voorsien en wat behoorlik ingevul moet wees;
- (e) die voorgeskrewe registrasiegeld betaal.

(2) Met betrekking tot die onderrig en opleiding in subregulasie (1) bedoel, word—

- (a) onderrig en opleiding wat—
  - (i) in Suid-Afrika ondergaan is, slegs deur die raad erken indien—
    - (aa) aan persoon gedurende die volle duur daarvan by die raad as geneesheer in die kategorie onafhanklike praktyk (algemene praktisyen) of onafhanklike praktyk (spesialis) geregistreer was; en
    - (bb) die applikant se naam op die register van senior kliniese assistente voorkom wat ingevolge regulasie 13 bygehou word;
  - (ii) in geheel of gedeeltelik in enige ander land as Suid-Afrika ondergaan is, slegs deur die raad erken indien die persoon gedurende die volle duur daarvan by die betrokke registrasie-owerheid as geneesheer geregistreer was:

Met dien verstande dat die raad na goeddunke, vrystelling van die vereiste in subparagraaf (ii) kan verleen;

- (b) onderrig en opleiding was in geheel of gedeeltelik in enige ander land as Suid-Afrika ondergaan is, slegs deur die raad erken indien die applikant stawende dokumentêre bewys voorlê, uitgereik deur die buitelandse universiteit of ander opvoedkundige inrigting, om te bevestig dat—
  - (i) die hospitaal of hospitale waar die applikant onderrig en opleiding ondergaan het, 'n opleidingshospitaal of -hospitale van die fakulteit van geneeskunde of mediese skool van daardie besondere universiteit of ander opvoedkundige inrigting is of was;
  - (ii) daardie hospitaal of hospitale goedgekeur en erken is of was om spesialisonderrig en -opleiding in die applikant se subspesialiteit te gee;
  - (iii) die spesifieke tydperk wat die applikant aan die bedoelde hospitaal of hospitale verbonde was, deur daardie universiteit of ander opvoedkundige inrigting as 'n tydperk van onderrig en opleiding in die applikant se subspesialiteit beskou en erken word.

(3) Onderrig en opleiding vir 'n maksimum tydperk van twaalf maande moet deur die raad erken word indien ondergaan in Suid-Afrika as die bekleër van 'n betrekking van senior kliniese assistent goedgekeur deur die raad aan 'n onderrigseenheid wat die raad as 'n satellietonderrigseenheid in die tersaaklike subspesialiteit geakkrediteer het.

(4) Erkenning, op 'n grondslag soos van tyd tot tyd by besluit van die raad bepaal, moet deur die raad verleen word vir onderrig en opleiding wat 'n persoon ondergaan het as deeltydse bekleër van 'n betrekking as senior kliniese assistent wat deur die raad goedgekeur is.

**Algemeen**

12. Ondanks andersluidende bepalings in hierdie regulasies, kan die betrokke subkomitee onderworpe aan goedkeuring deur die raad, die spesialiteit of subspesialiteit van 'n geneesheer of tandarts registreer wat wesentlik aan die vereistes van hierdie regulasies voldoen en wat, na die oordeel van die raad, bevoeg is om in so 'n spesialiteit of subspesialiteit van 'n geneesheer of tandarts registreer wat wesentlik aan die vereistes van hierdie regulasies voldoen en wat, na die oordeel van die raad, bevoeg is om in so 'n spesialiteit of subspesialiteit te praktiseer, en die applikant moet, op versoek van die raad, die dokumentêre bewyse voorlê wat die raad bepaal ter staving van om sy of haar aansoek.



**Registers van kliniese assistente en senior kliniese assistente**

13. (1) 'n Register ingevolge artikel 18 van die Wet moet opgestel en gehou word van alle persone wat 'n deur die raad goedgekeurde betrekking van kliniese assistent in die geneeskunde en tandheelkunde beklee en wat ingeskryf is vir 'n kursus van onderrig en opleiding in 'n erkende spesialiteit soos in hierdie regulasies uiteengesit, en registrasie in daardie register is 'n voorvereiste vir—

- (a) registrasie as 'n geneesheer in die kategorie onafhanklike praktyk (spesialis);
- (b) registrasie as 'n tandarts in die kategorie onafhanklike praktyk (spesialis).

(2) 'n Register ingevolge artikel 18 van die Wet moet ook opgestel en gehou word van alle persone wat 'n kliniese betrekking beklee wat deur die raad goedgekeur is en vir doeleindes van registrasie in so 'n register as dié van senior kliniese assistent geïdentifiseer moet word, en wat ingeskryf is vir 'n kursus in onderrig en opleiding in 'n erkende subspesialiteit in geneeskunde soos in hierdie Regulasies uiteengesit, en registrasie in daardie register is 'n voorvereiste vir registrasie van 'n subspesialiteit deur 'n geneesheer wat geregistreer is in die kategorie onafhanklike praktyk (spesialis).

(3) Die besonderhede wat in die register van kliniese assistente en die register van senior kliniese assistente opgeteken word, moet wees soos van tyd tot tyd deur die raad bepaal en die naam van 'n persoon aldus geregistreer, word van sodanige register geskrap—

- (a) by sy of haar registrasie as 'n spesialis of in 'n subspesialiteit ingevolge hierdie Regulasies;
- (b) by sy of haar voltooiing van die voorgeskrewe tydperk van sodanige onderrig en opleiding en voorlegging deur die tersaaklike universiteit of ander eksamenliggaam van 'n sertifikaat te dien effekte;
- (c) by voorlegging aan die raad van bevestiging wat vir die registrateur aanvaarbaar is dat 'n geregistreerde kliniese assistent of senior kliniese assistent sy of haar kursus van voorgeskrewe onderrig en opleiding gestaak het.

**Voorwaardes vir praktisering as 'n spesialis**

14. (1) 'n Geneesheer of tandarts wat as spesialis ingevolge die Wet geregistreer is, moet—

- (a) in die geval van 'n spesialiteit, sy of haar praktyk beperk tot die spesialiteit of verwante spesialiteite waarin hy of sy geregistreer is;
- (b) in die geval van 'n subspesialiteit, sy of haar praktyk hoofsaaklik tot die subspesialiteit beperk waarin hy of sy geregistreer is,

en die behoud van sy of haar registrasie as spesialis in die tersaaklike spesialiteit, verwante spesialiteite of subspesialiteit hang daarvan af of hy of sy sy of haar praktyk aldus beperk.

(2) 'n Spesialis kan gelde vorder vir ondersoeke of prosedures wat gewoonlik by 'n ander spesialiteit tuihoort, slegs indien sodanige ondersoeke of prosedures ook in sy of haar spesialiteit, verwante spesialiteite of subspesialiteit as algemeen aanvaarde praktykvoering erken word: Met dien verstande dat sodanige gelde nie hoër mag wees nie as dié wat deur algemene praktisyns vir dieselfde ondersoeke of prosedures gevorder word en dat sodanige ondersoeke of prosedures slegs vir sy of haar *bona fide*—pasiënte uitgevoer word.

15. 'n Spesialis mag nie 'n pasiënt van 'n ander praktisyn oorneem nie, hetsy hy of sy 'n spesialis of 'n algemene praktisyn is, behalwe met die toestemming van die betrokke praktisyn, wat nie onredelik weerhou mag word nie.

16. (1) 'n Spesialis mag nie tuisbesoeke aflê nie, behalwe op versoek of met die toestemming van 'n algemene praktisyn.

(2) Subregulasie (1) is nie van toepassing nie in die geval waar 'n spesialis 'n tuisbesoek aflê in die loop van die uitvoering van gemeenskapsgeondheidsdienste wat deur 'n gesondheidsowerheid gelewer word.

17. 'n Spesialis kan enigeen behandel wat hom of haar regstreeks nader vir konsultasie.

18. 'n Spesialis wat deur 'n pasiënt gekonsulteer word of wat 'n pasiënt behandel, moet alle redelike maatreëls tref om samewerking van die pasiënt se algemene praktisyn te verseker.

**Herroeping**

19. Die regulasies afgekondig by Goewermenskennigsewing No. R. 40 van 11 Januarie 1991, soos gewysig by Goewermenskennigsewing R. 2250 van 20 September 1991, R. 380 van 7 Februarie 1992, R. 2779 van 2 Oktober 1992, R. 1257 van 15 Julie 1994, en R. 67 van 17 Januarie 1997 word hierby herroep.

**M. E. TSHABALALA-MSIMANG**

**Minister van Gesondheid**

**No. R. 1335****12 November 1999****PHARMACY ACT, 1974 (ACT No. 53 OF 1974)****REGULATIONS RELATING TO FEES PAYABLE TO THE COUNCIL UNDER THE PHARMACY ACT, 1974: AMENDMENT**

The Minister of Health has, in consultation with the South African Pharmacy Council, in terms of section 49 of the Pharmacy Act, 1974 (Act No. 53 of 1974), made the regulations in the Schedule.

**SCHEDULE**

1. In these Regulations "the Regulations" means the regulations published under Government Notice No. R. 35 of 7 January 1994, as amended by Government Notices Nos. R. 85 of 27 January 1995, R. 1990 of 29 December 1995, R. 344 of 1 March 1996, R. 621 of 19 April 1996, R. 25 of 10 January 1997, R. 364 of 7 March 1997, R. 807 of 19 June 1998 and R. 150 of 12 February 1999.

***Amendment of regulation 2 of the Regulations***

2. Regulation 2 of the Regulations is hereby amended—

- (a) by the substitution in subregulation (1) (a) (i) for the expression "R29,00" of the expression "R32,00";
- (b) by the substitution in subregulation (1) (a) (ii) for the expression "R29,00" of the expression "R32,00";
- (c) by the substitution in subregulation (1) (a) (iii) for the expression "R21,00" of the expression "R23,00";
- (d) by the substitution in subregulation (1) (b) (i) for the expression "R79,00" of the expression "R83,00";
- (e) by the substitution in subregulation (1) (b) (ii) for the expression "R156,00" of the expression "R169,00";
- (f) by the substitution in subregulation (1) (c) for the expression "R350,00" of the expression "R378,00";
- (g) by the substitution in subregulation (1) (d) (i) for the expression "R105,00" of the expression "R114,00";
- (h) by the substitution in subregulation (1) (d) (ii) for the expression "R40,00" of the expression "R44,00";
- (i) by the substitution in subregulation (1) (d) (iii) for the expression "R105,00" of the expression "R114,00";
- (j) by the substitution in subregulation (1) (e) (i) for the expression "R216,00" of the expression "R234,00";
- (k) by the substitution in subregulation (1) (e) (ii) for the expression "R79,00" of the expression "R86,00";
- (l) by the substitution in subregulation (1) (e) (iii) for the expression "R79,00" of the expression "R86,00";
- (m) by the substitution in subregulation (1) (e) (iv) for the expression "R105,00" of the expression "R114,00";
- (n) by the substitution in subregulation (1) (f) (i) for the expression "R350,00" of the expression "R378,00";
- (o) by the substitution in subregulation (1) (f) (ii) for the expression "R168,00" of the expression "R182,00";
- (p) by the substitution in subregulation (1) (f) (iii) for the expression "R156,00" of the expression "R169,00";
- (q) by the substitution in subregulation (1) (f) (iv) for the expression "R156,00" of the expression "R169,00";
- (r) by the substitution in subregulation (1) (f) (v) for the expression "R78,00" of the expression "R85,00";
- (s) by the substitution in subregulation (1) (f) (vi) for the expression "R350,00" of the expression "R378,00";
- (t) by the substitution in subregulation (1) (f) (vii) (aa) for the expression "R1 678,00" of the expression "R1 813,00";
- (u) by the substitution in subregulation (1) (f) (vii) (bb) for the expression "R651,00" of the expression "R704,00";
- (v) by the substitution in subregulation (1) (f) (vii) (cc) for the expression "R131,00" of the expression "R142,00";
- (w) by the substitution in subregulation (1) (f) (viii) for the expression "R616,00" of the expression "R666,00";
- (x) by the substitution in subregulation (1) (f) (ix) for the expression "R462,00" of the expression "R499,00";
- (y) by the substitution in subregulation (1) (f) (x) (aa) for the expression "R131,00" of the expression "R142,00";
- (z) by the substitution in subregulation (1) (f) (x) (bb) for the expression "R1 072,00" of the expression "R1 158,00";
- (aa) by the substitution in subregulation (1) (f) (x) (cc) for the expression "R1 072,00" of the expression "R1 158,00";
- (bb) by the substitution in subregulation (1) (f) (xi) for the expression "R388,00" of the expression "R420,00";
- (cc) by the substitution in subregulation (1) (g) (i) for the expression "R1 539,00" of the expression "R1 663,00";
- (dd) by the substitution in subregulation (1) (g) (ii) for the expression "R616,00" of the expression "R666,00";
- (ee) by the substitution in subregulation (1) (g) (iii) (aa) for the expression "R43,00" of the expression "R47,00";
- (ff) by the substitution in subregulation (1) (g) (iii) (bb) for the expression "R43,00" of the expression "R47,00";
- (gg) by the substitution in subregulation (1) (h) (i) for the expression "R1 539,00" of the expression "R1 663,00";

- (hh) by the substitution in subregulation (1) (h) (ii) for the expression "R616,00" of the expression "R666,00";
- (ii) by the substitution in subregulation (1) (h) (iii) (aa) for the expression "R43,00" of the expression "R47,00";
- (jj) by the substitution in subregulation (1) (h) (iii) (bb) for the expression "R43,00" of the expression "R47,00";
- (kk) by the substitution in subregulation (1) (i) (i) for the expression "R481,00" of the expression "R520,00";
- (ll) by the substitution in subregulation (1) (i) (ii) for the expression "R2 746,00" of the expression "R2 966,00";
- (mm) by the substitution in subregulation (1) (i) (iii) for the expression "R561,00" of the expression "R606,00";
- (nn) by the substitution in subregulation (4) for the expression "R140,00" of the expression "R152,00".

**M. E. TSHABALALA-MSIMANG**

**Minister of Health**

**No. R. 1335**

**12 November 1999**

WET OP APTEKERS, 1974 (WET No. 53 VAN 1974)

**REGULASIES BETREFFENDE DIE GELDE WAT KRAGTENS DIE WET OP APTEKERS, 1974, AAN DIE RAAD BETAALBAAR IS: WYSIGING**

Die Minister van Gesondheid het, kragtens artikel 49 van die Wet op Aptekers, 1974 (Wet No. 53 van 1974), in ooreenstemming met die Suid-Afrikaanse Aptekersraad, die regulasies in die Bylae uitgevaardig.

**BYLAE**

1. In hierdie Regulasies beteken "die Regulasies" die regulasies afgekondig in Goewermentskennisgewing No. R. 35 van 7 Januarie 1994, soos gewysig by Goewermentskennisgewings Nos. R. 85 van 27 Januarie 1995, R. 1990 van 29 Desember 1995, R. 344 van 1 Maart 1996, R. 621 van 19 April 1996, R. 25 van 10 Januarie 1997, R. 364 van 7 Maart 1997, R. 807 van 19 Junie 1998 en R. 150 van 12 Februarie 1999.

**Wysigings van regulasie 2 van die Regulasies**

2. Regulasie 2 van die Regulasies word hierby gewysig—

- (a) deur in subregulasie (1) (a) (i) die uitdrukking "R29,00" deur die uitdrukking "R32,00" te vervang;
- (b) deur in subregulasie (1) (a) (ii) die uitdrukking "R29,00" deur die uitdrukking "R32,00" te vervang;
- (c) deur in subregulasie (1) (a) (iii) die uitdrukking "R21,00" deur die uitdrukking "R23,00" te vervang;
- (d) deur in subregulasie (1) (b) (i) die uitdrukking "R79,00" deur die uitdrukking "R83,00" te vervang;
- (e) deur in subregulasie (1) (b) (ii) die uitdrukking "R156,00" deur die uitdrukking "R169,00" te vervang;
- (f) deur in subregulasie (1) (c) die uitdrukking "R350,00" deur die uitdrukking "R378,00" te vervang;
- (g) deur in subregulasie (1) (d) (i) die uitdrukking "R105,00" deur die uitdrukking "R114,00" te vervang;
- (h) deur in subregulasie (1) (d) (ii) die uitdrukking "R40,00" deur die uitdrukking "R44,00" te vervang;
- (i) deur in subregulasie (1) (d) (iii) die uitdrukking "R105,00" deur die uitdrukking "R114,00" te vervang;
- (j) deur in subregulasie (1) (e) (i) die uitdrukking "R216,00" deur die uitdrukking "R234,00" te vervang;
- (k) deur in subregulasie (1) (e) (ii) die uitdrukking "R79,00" deur die uitdrukking "R86,00" te vervang;
- (l) deur in subregulasie (1) (e) (iii) die uitdrukking "R79,00" deur die uitdrukking "R86,00" te vervang;
- (m) deur in subregulasie (1) (e) (iv) die uitdrukking "R105,00" deur die uitdrukking "R114,00" te vervang;
- (n) deur in subregulasie (1) (f) (i) die uitdrukking "R350,00" deur die uitdrukking "R378,00" te vervang;
- (o) deur in subregulasie (1) (f) (ii) die uitdrukking "R168,00" deur die uitdrukking "R182,00" te vervang;
- (p) deur in subregulasie (1) (f) (iii) die uitdrukking "R156,00" deur die uitdrukking "R169,00" te vervang;
- (q) deur in subregulasie (1) (f) (iv) die uitdrukking "R156,00" deur die uitdrukking "R169,00" te vervang;
- (r) deur in subregulasie (1) (f) (v) die uitdrukking "R78,00" deur die uitdrukking "R85,00" te vervang;
- (s) deur in subregulasie (1) (f) (vi) die uitdrukking "R350,00" deur die uitdrukking "R378,00" te vervang;
- (t) deur in subregulasie (1) (f) (vii) (aa) die uitdrukking "R1 678,00" deur die uitdrukking "R1 813,00" te vervang;
- (u) deur in subregulasie (1) (f) (vii) (bb) die uitdrukking "R651,00" deur die uitdrukking "R704,00" te vervang;
- (v) deur in subregulasie (1) (f) (vii) (cc) die uitdrukking "R131,00" deur die uitdrukking "R142,00" te vervang;
- (w) deur in subregulasie (1) (f) (viii) die uitdrukking "R616,00" deur die uitdrukking "R666,00" te vervang;
- (x) deur in subregulasie (1) (f) (ix) die uitdrukking "R462,00" deur die uitdrukking "R499,00" te vervang;
- (y) deur in subregulasie (1) (f) (x) (aa) die uitdrukking "R131,00" deur die uitdrukking "R142,00" te vervang;
- (z) deur in subregulasie (1) (f) (x) (bb) die uitdrukking "R1 072,00" deur die uitdrukking "R1 158,00" te vervang;
- (aa) deur in subregulasie (1) (f) (x) (cc) die uitdrukking "R1 072,00" deur die uitdrukking "R1 158,00" te vervang;
- (bb) deur in subregulasie (1) (f) (xi) die uitdrukking "R388,00" deur die uitdrukking "R420,00" te vervang;



- (cc) deur in subregulasie (1) (g) (i) die uitdrukking "R1 539,00" deur die uitdrukking "R1 663,00" te vervang;
- (dd) deur in subregulasie (1) (g) (ii) die uitdrukking "R616,00" deur die uitdrukking "R666,00"; te vervang;
- (ee) deur in subregulasie (1) (g) (iii) (aa) die uitdrukking "R43,00" deur die uitdrukking "R47,00"; te vervang;
- (ff) deur in subregulasie (1) (g) (iii) (bb) die uitdrukking "R43,00" deur die uitdrukking "R47,00" te vervang;
- (gg) deur in subregulasie (1) (h) (i) die uitdrukking "R1 539,00" deur die uitdrukking "R1 663,00" te vervang;
- (hh) deur in subregulasie (1) (h) (ii) die uitdrukking "R616,00" deur die uitdrukking "R666,00" te vervang;
- (ii) deur in subregulasie (1) (h) (iii) (aa) die uitdrukking "R43,00" deur die uitdrukking "R47,00" te vervang;
- (jj) deur in subregulasie (1) (h) (iii) (bb) die uitdrukking "R43,00" deur die uitdrukking "R47,00" te vervang;
- (kk) deur in subregulasie (1) (i) (i) die uitdrukking "R481,00" deur die uitdrukking "R520,00" te vervang;
- (ll) deur in subregulasie (1) (i) (ii) die uitdrukking "R2 746,00" deur die uitdrukking "R2 966,00" te vervang;
- (mm) deur in subregulasie (1) (i) (iii) die uitdrukking "R561,00" deur die uitdrukking "R606,00" te vervang;
- (nn) deur in subregulasie (4) die uitdrukking "R140,00" deur die uitdrukking "R152,00" te vervang.

**M. E. TSHABALALA-MSIMANG**

**Minister van Gesondheid**

**No. R. 1336**

**12 November 1999**

### HEALTH PROFESSIONS COUNCIL OF SOUTH AFRICA

#### REGULATIONS RELATING TO THE USE OF NAMES WHICH MAY NOT BE USED

The Minister of Health, in consultation with the Health Professions Council of South Africa has, in terms of section 61 (1) (d), read with section 40 (b) and (c) of the Health Professions Act, 1974 (Act No. 56 of 1974), made the regulations in the Schedule.

#### SCHEDULE

1. In these regulations "the Act" means the Health Professions Act, 1974 (Act No. 56 of 1974).
2. Any person who is not registered in terms of section 24 or 25 of the Act as an emergency care assistant, operational emergency care orderly, ambulance emergency assistant, basic ambulance assistant or paramedic shall not use the name of emergency care assistant, operational emergency care orderly, ambulance emergency assistant, basic ambulance assistant or paramedic, as the case may be.
3. The display or allowing the display by any person of any name referred to in regulation 2 on any vehicle or ambulance is not allowed.
4. The regulations published under Government Notice No. R. 88 of 27 January 1995, as amended by Government Notice No. R. 1799 of 8 November 1996, are hereby repealed.

**M. E. TSHABALALA-MSIMANG**

**Minister of Health**

Date: 99-11-01

**No. R. 1336**

**12 November 1999**

### RAAD VIR GESONDHEIDSBEROEPE VAN SUID-AFRIKA

#### REGULASIES BETREFFENDE DIE GEBRUIKMAAK VAN NAME WAARVAN NIE GEBRUIK GEMAAK MAG WORD NIE

Die Minister van Gesondheid het, in oorleg met die Raad vir Gesondheidsberoepes van Suid-Afrika, ingevolge artikel 61 (1) (d), gelees met artikel 40 (b) en (c) van die Wet op Gesondheidsberoepes, 1974 (Wet No. 56 van 1974), die regulasies in die Bylae uitgevaardig.

#### BYLAE

1. In hierdie regulasies beteken "die Wet" die Wet op Gesondheidsberoepes, 1974 (Wet No. 56 van 1974).
2. Iemand wat nie ingevolge artikel 24 of 25 van die Wet as 'n noodsoorgassistent, operasionele noodsoorg-ordonnans, ambulansnoodassistent, basiese ambulansassistent of paramedikus geregistreer is nie, mag nie van die naam van noodsoorgassistent, operasionele noodsoorgordonnans, ambulansnoodassistent, basiese ambulansassistent of paramedikus, na gelang van die geval, gebruik maak nie.
3. Die vertoning of toelaat van die vertoning deur 'n persoon van enige naam bedoel in regulasie 2 op enige voertuig of ambulans word nie toegelaat nie.

4. Die regulasies gepubliseer ingevolge Goewermentskennisgewing No. R. 88 van 27 Januarie 1995, soos gewysig by Goewermentskennisgewing No. R. 1799 van 8 November 1996, word hierby herroep.

**M. E. TSHABALALA-MSIMANG**

**Minister van Gesondheid**

*Datum: 99-11-01*

---

**DEPARTMENT OF JUSTICE  
DEPARTEMENT VAN JUSTISIE**

**No. R. 1317**

**12 November 1999**

**DESIGNATION OF COMMISSIONERS OF OATHS IN TERMS OF SECTION 6 OF THE JUSTICES OF THE PEACE AND  
COMMISSIONERS OF OATHS ACT, 1963 (ACT No. 16 OF 1963)**

Under section 6 of the Justices of the Peace and Commissioners of Oaths Act, 1963 (Act No. 16 of 1963), I, Penuell Mpapa Maduna, Minister of Justice and Constitutional Development, hereby amend the Schedule to Government Notice No. R. 903 of 10 July 1998, as amended by Government Notice No. R. 1687 of 24 December 1998, as set out in the Schedule.

**SCHEDULE**

The Schedule is hereby amended by the insertion of the following item:

- "77. President Kruger Children's Home Pretoria:  
Chairperson of Management."

**P. M. MADUNA**

**Minister of Justice and Constitutional Development**

---

**No. R. 1317**

**12 November 1999**

**AANWYSING VAN KOMMISSARISSE VAN EDE KRAGTENS ARTIKEL 6 VAN DIE WET OP VREDEREGTERS EN  
KOMMISSARISSE VAN EDE, 1963 (WET No. 16 VAN 1963)**

Kragtens artikel 6 van die Wet op Vrederegters en Kommissarisse van Ede, 1963 (Wet No. 16 van 1963), wysig ek, Penuell Mpapa Maduna, Minister van Justisie en Konstitusionele Ontwikkeling, hierby die Bylae by Goewermentskennisgewing No. R. 903 van 10 Julie 1998, soos gewysig by Goewermentskennisgewing No. R. 1687 van 24 Desember 1998, soos in die Bylae uiteengesit.

**BYLAE**

Die Bylae word hierby gewysig deur die volgende item in te voeg:

- "77. President Krugerkinderhuis Pretoria:  
Voorsitter van die Bestuur."

**P. M. MADUNA**

**Minister van Justisie en Konstitusionele Ontwikkeling**

---

**DEPARTMENT OF LABOUR  
DEPARTEMENT VAN ARBEID**

**No. R. 1313**

**12 November 1999**

**LABOUR RELATIONS ACT, 1995**

**BUILDING INDUSTRY (BLOEMFONTEIN)**

I, Dennis van der Walt, Director: Collective Bargaining, duly authorised thereto by the Minister of Labour, hereby, in terms of section 32(6)(a)(i) of the Labour Relations Act, 1995, extend the period fixed in Government Notice No. R. 1335 of 6 November 1998, by a further period ending 15 November 2000.

**D. VAN DER WALT**

**Director: Collective Bargaining**

**No. R. 1313****12 November 1999**

WET OP ARBEIDSVERHOUDINGE, 1995

**BOUNYWERHEID (BLOEMFONTEIN)**

Ek, Dennis van der Walt, Direkteur: Kollektiewe Bedinging, behoorlik daartoe gemagtig deur die Minister van Arbeid, verleng hierby, kragtens artikel 32 (6) (a) (i) van die Wet op Arbeidsverhoudinge, 1995, die tydperk vasgestel in Goewermentskennisgewing No. R. 1335 van 6 November 1998, met 'n verdere tydperk wat op 15 November 2000 eindig.

**D. VAN DER WALT**

Direkteur: Kollektiewe Bedinging

**No. R. 1314****12 November 1999**

LABOUR RELATIONS ACT, 1995

**METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL: EXTENSION OF LIFT ENGINEERING COLLECTIVE RE-ENACTING AND AMENDING AGREEMENT TO NON-PARTIES**

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby in terms of section 32 (2) of the Labour Relations Act, 1995, declare that the Collective Agreement which appears in the Schedule hereto, which was concluded in the Metal and Engineering Industries Bargaining Council and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the Agreement, shall be binding on the other employers and employees in that Industry, with effect from 22 November 1999 and for the period ending 30 June 2001.

**M. M. S. MDLADLANA**

Minister of Labour

**No. R. 1314****12 November 1999**

WET OP ARBEIDSVERHOUDINGE, 1995

**METAAL- EN INGENIEURSNIYWERHEDE BEDINGINGSRAAD: UITBREIDING VAN HYSBAKINGENIEURS KOLLEKTIEWE HERBEKRAKTIGINGS- EN WYSIGINGSOOREENKOMS NA NIE-PARTYE**

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, verklaar hierby, kragtens artikel 32 (2) van die Wet op Arbeidsverhoudinge, 1995, dat die Kollektiewe Ooreenkoms wat in die Bylae hiervan verskyn en wat in die Metaal- en Ingenieursnywerhede Bedingingsraad aangegaan is en kragtens artikel 31 van die Wet op Arbeidsverhoudinge, 1995, bindend is op die partye wat die Ooreenkoms aangegaan het, bindend is vir die ander werkgewers en werknemers in daardie Nywerheid, met ingang van 22 November 1999 en vir die tydperk wat op 30 Junie 2001 eindig.

**M. M. S. MDLADLANA**

Minister van Arbeid

**Nota:** 'n Afrikaanse vertaling van die ooreenkoms by die Engelse kennisgewing is beskikbaar by die Raad.

**SCHEDULE****METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL****LIFT ENGINEERING COLLECTIVE AMENDING AGREEMENT**

in accordance with the provisions of the Labour Relations Act, 1995, made and entered into by and between the

**Lift Engineering Association of South Africa**

(hereinafter referred to as the "employers" or the "employers' organisation"), of the one part, and the

**National Employees' Trade Union****South African Electrical Workers' Association**

(hereinafter referred to as the "employees" or the "trade unions"), of the other part,

being parties to the Metal and Engineering Industries Bargaining Council, to amend the Agreement published under Government Notice No. R. 405 of 31 March 1998 as amended by Government Notice No. R. 161 of 12 February 1999.

**1. SCOPE OF APPLICATION OF AGREEMENT**

(1) Any reference in this Agreement to the Republic of South Africa and/or the Provinces of the Cape of Good Hope, the Transvaal, Natal and the Orange Free State shall be deemed to be the Magisterial Districts of those areas and/or provinces as they existed immediately prior to the coming into operation of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), and the terms of this Agreement shall be observed—



- (a) in the Iron, Steel, Engineering and Metallurgical Industry throughout the Republic of South Africa;
  - (b) by all employers who are members of the employers' organisation and by all employees who are members of the trade unions,
- in respect of the maintenance and/or assembly and/or installation and/or repair of electrical and hydraulic lifts, escalators, moving walkways and goods lifts.

(2) The provisions of clauses 1 (1) (b) 2 and 28 of this Agreement shall not apply to employers and employees who are not members of the employers' organisation and trade unions, respectively.

## 2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on the date fixed by the Minister of Labour to be the effective date from which the Agreement shall be extended to become binding on non-parties and the Agreement shall remain in force until 30 June 2001.

## 3. SPECIAL PROVISIONS

The provisions contained in clause 28 of the Agreement published under Government Notice No. R. 405 of 31 March 1998 as renewed by Government Notice No. R. 160 of 12 February 1999 and amended by Government Notice No. R. 161 of 12 February 1999 (hereinafter referred to as the "Former Agreement") shall apply to employers and employees.

## 4. GENERAL PROVISIONS

The provisions contained in clauses 3 to 27 and 29 to 39 and Annexure A of the Former Agreement shall apply to employers and employees.

## 5. CLAUSE 3: DEFINITIONS

- (1) Substitute the following for the definition of "Region C":

"Region C" means the Province of Natal, and for the purposes of this particular area the address of the Regional Council shall be: Metal and Engineering Industries Bargaining Council (Natal Regional Council): P.O. Box 5900, Durban, 4000, or 11th Floor, Sangro House, 417 Smith Street, Durban, 4001;"

- (2) Substitute the following for the definition of "trainee":

"trainee" means an employee under training in terms of section 30 of the Manpower Training Act, 1981, on work classified in section 36 as Category 1 in this Agreement or an employee under training in terms of the provisions of a contract issued or recognised by the Council, which includes contracts under the Artisan Training and Recognition Agreement for the Metal and Engineering Industries, as published under Government Notice No. R. 655 of 8 May 1998, enabling such employee to be employed on work classified in clause 36 as Category 1 in this Agreement."

## 6. CLAUSE 4: HOURS OF WORK

- (1) Insert the following new subclause (4):

"(4) An employer who requires an employee to perform night work on a regular basis after 23:00 and before 06:00 the next day must—

- (a) inform the employee in writing, or orally if the employee is not able to understand a written communication, in a language that the employee understands—

- (i) of any health and safety hazards associated with the work that the employee is required to perform; and

- (ii) of the employee's right to undergo a medical examination in terms of paragraph (b);

- (b) at the request of the employee, enable the employee to undergo a medical examination, for the account of the employer, concerning the hazards referred to in (a) (i) above—

- (i) before the employee starts, or within a reasonable period of the employee starting such work; and

- (ii) at appropriate intervals while the employee continues to perform such work; and

- (c) transfer the employee to suitable day work within a reasonable time if—

- (i) the employee suffers from a health condition associated with the performance of night work; and
- (ii) it is practicable for the employer to do so.

For the purpose of subclause (4) an employee works on a regular basis if the employee works for a period of longer than one hour after 23:00 and before 06:00 at least five times per month or 50 times per year."

- (2) Re-number subclause (4) to read (5).

## 7. CLAUSE 6: STANDBY DUTIES AND CALL-OUTS

Substitute the following for the existing paragraphs (d), (e) and (f) of subclause (1):

- "(d) An employee who is required to be on standby on Monday to Friday shall receive a standby allowance of R15,91 per day, excluding Saturdays, Sundays and public holidays.

- (b) The substitute temporary employee shall signify acceptance or these conditions in writing.
- (c) If, at the end of the short-term contract, the substitute temporary employee continues in the employment of the employer, the provisions of this Agreement shall replace the conditions of the short-term contract where applicable.
- (4) For the purpose of any retrenchment or reduction in the workforce which may arise during the absence of an employee, the employee shall be classified and dealt with as an employee in employment. Should such circumstances arise, all substitute temporary employees shall be retrenched before permanent employees.
- (5) The employee shall be deemed to have terminated employment for all other purposes of the Agreement.
- (6) A permanent employee who has less than two years' employment with the same employer and who is unable to continue employment owing to pregnancy shall be entitled to a period of unpaid maternity leave not exceeding four months.

### ANNEXURE TO CLAUSE 31

#### LIMITED-DURATION CONTRACT OF EMPLOYMENT FOR SUBSTITUTE TEMPORARY EMPLOYEES

#### CONTRACT OF EMPLOYMENT

(In terms of clause 31 of the Lift Engineering Agreement)

The Employer, .....  
 agrees that engage the services of ..... (the  
 substitute temporary employee, and the substitute temporary employee hereby agrees to accept service with the employer on  
 the following terms and conditions:

- (i) The duration of this Contract of Employment shall be for a maximum period extending from ..... to  
 ..... or, upon re-employment of ..... (the permanent employee), in  
 terms of subparagraph (ii) below.
- (ii) This Contract of Employment shall terminate on....., being the agreed date of return  
 of ..... (the permanent employee) or three weeks after the substitute temporary employee  
 has been given written notice that ..... (the permanent employee) has given the em-  
 ployer notice of an earlier or later return to work, as the case may be, as provided for in clause 31(2)(b)(ii) of this  
 Agreement.
- (iii) If, at the time of return of the permanent employee (.....), the  
 substitute temporary employee continues in the employment of the employer, this contract shall automatically be  
 replaced by the provisions of this Agreement.
- (iv) For the purposes of any retrenchment or reduction of the workforce which may arise during the absence of the  
 permanent employee, all substitute temporary employees shall be retrenched before permanent employees.
- (v) On completion of the contract period as detailed in (i) or (ii) above, the contract shall automatically terminate. Such  
 termination shall not be construed as being retrenchment but shall be completion of contract.
- (vi) The remaining conditions of employment, not expressly detailed above, shall be the existing employer policy, rules  
 and regulations and the general conditions of employment as contained in this Agreement for the Lift Engineering  
 Industry.
- (vii) Where employment continues after the return of the permanent employee (.....), this  
 contract shall automatically terminate and the provisions of the Agreement shall apply.

The substitute temporary employee acknowledges that he understands the contents of this contract and signifies  
 acceptance thereof.

Signed at ..... on ..... 19 .....

Employer .....

Employee .....

Witness .....

#### 16. CLAUSE 34: SECURITY OF EMPLOYMENT AND SEVERANCE PAYMENT

- (1) Delete subclause (1) (c) (iii).
- (2) Re-number subclauses (1) (c) (iv) and (1) (c) (v) to read (1) (c) (iii) and (1) (c) (iv), respectively.
- (3) Substitute the following for subclause (4) (a):

"(4) (a) In the case of retrenchment an employer, subject to subclause (2), shall pay to each employee who is retrenched, in addition to any other amounts to which he is entitled in terms of this Agreement on termination of service, a severance payment of a minimum of one week's wages, together with the following:

- (i) Pro rata allowance(s) where applicable;
- (ii) pro rata leave and leave enhancement pay; and
- (iii) an amount equal to the weekly employer contribution to any applicable benefit funds of which the employee was a member at the time of retrenchment;

in respect of each completed year's service with the same employer."

(4) Substitute the following for subclause (9) (b):

"(9) (b) Notwithstanding the provisions of this subclause, the Metal and Engineering Industries Education and Training Fund Agreement, published under Government Notice No. R. 653 of 8 May 1998, as amended, or any subsequent Agreement shall apply in respect of those classes of employees to which it relates."

(5) Delete subclause (12).

#### 17. CLAUSE 36: WAGES

Substitute the following for the existing clause:

"A. For the period 1 July 1999 to 30 June 2000:

(1) No employer shall pay to any employee engaged on work classified in the Schedules to this Agreement wages lower than those stipulated and no employees shall accept wages lower than those stipulated, namely—

(a) Category 1: R31,20 per hour.

Category 2: R22,90 per hour.

Category 3: R14,60 per hour.

Category 4: R11,83 per hour.

(b) Apprentices:

First year: R10,92 per hour.

Second year: R12,48 per hour.

Third year: R15,62 per hour.

Fourth year: R24,95 per hour.

(2) Every employee who on the date of coming into operation of this Agreement is employed by an employer on work classified in this Agreement shall, while in the employ of the same employer and whether or not his actual rate of pay immediately prior to the said date was in excess of the rate specified for his class of work in this Agreement, be paid not less than the actual rate he was receiving immediately prior to the said date, plus an additional amount for his wage group as follows:

| Class of work |                            | Amount per hour |
|---------------|----------------------------|-----------------|
| (a)           | Category 1 employees ..... | 218             |
|               | Category 2 employees ..... | 160             |
|               | Category 3 employees ..... | 102             |
|               | Category 4 employees ..... | 83              |
| (b)           | Apprentices:               |                 |
|               | First year .....           | 76              |
|               | Second year .....          | 87              |
|               | Third year .....           | 109             |
|               | Fourth year .....          | 174             |

OR

7,5% of the actual hourly rate of pay he was receiving on 30 June 1999, whichever additional amount is the greater: Provided that:



No. R. 1316

12 November 1999

## LABOUR RELATIONS ACT, 1995

**ROAD FREIGHT INDUSTRY: EXTENSION OF A-COLLECTIVE AMENDING AGREEMENT TO NON-PARTIES**

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby in terms of section 32 (2) of the Labour Relations Act, 1995, declare that the Collective Amending Agreement which appears in the Schedule hereto, which was concluded in the National Bargaining Council for the Road Freight Industry and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the Agreement, shall be binding on the other employers and employees in that Industry, with effect from 22 November 1999 and for the period ending 29 February 2000.

**M. M. S. MDLADLANA**

Minister of Labour

**SCHEDULE****NATIONAL BARGAINING COUNCIL FOR THE ROAD FREIGHT INDUSTRY****A-AGREEMENT**

in accordance with the provisions of the Labour Relations Act, 1995, made and entered into by and between the

**Road Freight Employers' Association**

(hereinafter, referred to as the "employers" or the "employers organisation"), of the one part, and the

**Motor Transport Workers' Union (South Africa)****South African Transport Workers' Union****Professional Transport Workers' Union of South Africa****Transport and General Workers' Union****African Miners and Allied Workers' Union**

and

**Transport and Allied Workers' Union**

(hereinafter referred to as the "employees" or the "trade unions"), of the other part,

being the parties to the National Bargaining Council for the Road Freight Industry,

to amend the Agreement published under Government Notice No. R. 922 of 24 July 1998, as amended and extended by Government Notices Nos. R. 1691 of 24 December 1998, R. 211 of 19 February 1999, R. 284 of 12 March 1999, R. 320 of 19 March 1999 and R. 575 of 7 May 1999.

**1. SCOPE OF APPLICATION**

(1) The terms of this Agreement shall be observed in the Road Freight Industry—

- (a) by all employers who are members of the employers' organisation and by all employees who are members of the trade unions, and who are engaged and employed therein, respectively;
- (b) in the Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan (excluding those portions of the Magisterial District of Boksburg and Brakpan which, prior to the publication of Government Notice No. 1779 of 6 November 1964, fell within the Magisterial District of Heidelberg, and excluding those portions of the Magisterial District of Brakpan which, prior to 1 April 1966 and 1 July 1972 (Government Notices Nos. 498 and 871 of 1 April 1966 and 26 May 1972, respectively), fell within the Magisterial District of Nigel), Delmas, Germiston, Johannesburg, Kempton Park (excluding those portions which, prior to 29 March 1956 and 1 November 1970 (Government Notices Nos. 556 and 1618 of 29 March 1956 and 2 October 1970, respectively), fell within the Magisterial District of Pretoria), Krugersdorp (including those portions of the Magisterial Districts of Koster and Brits which, prior to 26 July 1963 and 1 June 1972, respectively (Government Notices Nos. 1105 of 26 July 1963 and 872 of 26 May 1972), fell within the Magisterial District of Krugersdorp), Oberholzer (excluding that portion of the Magisterial District of Oberholzer which, prior to the publication by Government Notice No. 1745 of 1 September 1978, fell within the Magisterial District of Potchefstroom), Randburg (excluding that portion which, prior to the publication of Government Notice No. 2152 of 22 November 1974, fell within the Magisterial District of Pretoria), Randfontein (including that portion of the Magisterial District of Koster which, prior to the publication of Government Notice No. 1105 of 26 July 1963, fell within the Magisterial District of Randfontein, but excluding the farms Moadowns 1, Holfontein 17, Leeuwpan 18, Ireton 19, Pahtiki 20, Bospan 21 and Rietfontein 48), Roodepoort, Springs, Vanderbijlpark, Vereeniging and Westonaria.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply only to employees for whom minimum wages are prescribed in this Agreement and to the employers of such employees.

(3) Notwithstanding the provisions of subclause (1), the provisions of this Agreement shall not apply to—

- (a) an owner who drives his own vehicle and the employees employed in connection with such a vehicle; and
- (a) an employer who operates one truck with one driver, and the employees employed by such employer.

(4) The provisions of clauses 1 (1) (a) and 1A of this Agreement shall not apply to employers and employees who are not members of the employers' organisation and trade unions who entered into this Agreement.

#### 1A. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on such date as may be fixed by the Minister of Labour in terms of section 32 of the Labour Relations Act, 1995, and shall remain in force until 29 February 2000.

#### 2. CLAUSE 2: DEFINITIONS

Delete the following definitions:

- (a) "computer clerk/data capture clerk";
- (b) "controller";
- (c) "receptionist".

#### 3. CLAUSE 13: LEAVE PAY FUND

Substitute the following for subclause (1) (c):

- "(c) An employer shall effect payment of the amount due in terms of subclause (1) (a), at the Head Office of the Council at Fifth Floor, Road Freight House, 31 De Korte Street, Braamfontein, Johannesburg, and shall also submit to the Secretary of the Council at the same address, by not later than the twentieth day of the following month, a monthly return with the particulars in the form specified by the Council for this purpose (including each employee's full names, surname, date of birth and identification number)."

#### 4. CLAUSE 14: HOLIDAY PAY BONUS FUND

Substitute the following for subclause (1) (c):

- "(c) An employer shall effect payment of the amount due in terms of subclause (1) (a), at the Head Office of the Council at Fifth Floor, Road Freight House, 31 De Korte Street, Braamfontein, Johannesburg, and shall also submit to the Secretary of the Council at the same address, by not later than the twentieth day of the following month, a monthly return with the particulars in the form specified by the Council for this purpose (including each employee's full names, surname, date of birth and identification number)."

#### 5. CLAUSE 15: SICK FUND

Substitute the following for subclause (1) (c):

- "(c) An employer shall effect payment of the amount due in terms of subclause (1) (a), at the Head Office of the Council at Fifth Floor, Road Freight House, 31 De Korte Street, Braamfontein, Johannesburg, and shall also submit to the Secretary of the Council at the same address, by not later than the twentieth day of the following month, a monthly return with the particulars in the form specified by the Council for this purpose (including each employee's full names, surname, date of birth and identification number)."

#### 6. CLAUSE 18: EXPENSES OF THE COUNCIL

Substitute the following for clause 18:

- (1) "The expenses of the Council shall be met in the following manner:
  - (a) An amount equivalent to 0,3% per week of an employee's basic wage shall be deducted by an employer from the wage of every employee in employment. To the amount so deducted the employer shall add a like amount and pay the total amount, not later than the twentieth day of each month following that to which it refers, at the Head Office of the Council at Fifth Floor, Road Freight House, 31 De Korte Street, Braamfontein, Johannesburg.
  - (b) An owner-driver shall contribute 32c per week in respect of himself as driver and/or owner.
- (2) An employer shall, when remitting the amount payable in terms of subclause (1), also submit to the Secretary of the Council at the same address, by not later than the twentieth day of the following month, a monthly return with the particulars in the form specified by the Council for this purpose (including each employee's full names, surname, date of birth and identification number)."

**1. TOEPASSINGSBESTEK**

- (1) Hierdie Ooreenkoms moet in die Padvagnywerheid nagekom word—
- (a) deur alle werkgewers wat lede van die werkgewersorganisasie is en deur alle werknemers wat lede van die vakbonde is, en wat onderskeidelik daarin betrokke en werksaam is;
  - (b) in die landdrosdistrikte Alberton, Benoni, Boksburg, Brakpan (uitgesonderd die gedeeltes van die landdrosdistrikte Boksburg en Brakpan wat voor die publikasie van Goewermentskenningsgewing No. 1779 van 6 November 1964 binne die landdrosdistrik Heidelberg geval het, en uitgesonderd die gedeeltes van die landdrosdistrik Brakpan wat voor 1 April 1966 en 1 Julie 1972 (Goewermentskenningsgewings Nos. 498 en 871 van onderskeidelik 1 April 1966 en 26 Mei 1972), binne die landdrosdistrik Nigel geval het), Delmas, Germiston, Johannesburg, Kempton Park (uitgesonderd die gedeeltes wat voor 29 Maart 1956 en 1 November 1970 (Goewermentskenningsgewings Nos. 556 en 1618 van onderskeidelik 29 Maart 1956 en 2 Oktober 1970) binne die landdrosdistrik Pretoria geval het), Krugersdorp (met inbegrip van die gedeeltes wat die landdrosdistrikte Koster en Brits wat voor onderskeidelik 26 Julie 1963 en 1 Junie 1972 (Goewermentskenningsgewings Nos. 1105 van 26 Julie 1963 en 872 van 26 Mei 1972), binne die landdrosdistrik Krugersdorp geval het), Oberholzer (uitgesonderd die gedeelte van die landdrosdistrik Oberholzer wat voor die publikasie van Goewermentskenningsgewing No. 1745 van 1 September 1978, binne die landdrosdistrik Potchefstroom geval het), Randburg (uitgesonderd die gedeelte wat voor die publikasie van Goewermentskenningsgewing No. 2152 van 22 November 1974 binne die landdrosdistrik Pretoria geval het), Randfontein (met inbegrip van gedeeltes van die landdrosdistrik Koster wat voor die publikasie van Goewermentskenningsgewing No. 1105 van 26 Julie 1963, binne die landdrosdistrik Randfontein geval het, maar uitgesonderd die plase Moadowns 1, Holfontein 17, Leeuwpark 18, Ireton 19, Pahtiki 20, Bospan 21 en Rietfontein 48), Roodepoort, Springs, Vanderbijlpark, Vereeniging en Westonaria.
- (2) Ondanks subklousule (1), is hierdie Ooreenkoms slegs van toepassing op werknemers vir wie minimum lone voorgeskryf word by hierdie Ooreenkoms en op die werkgewers van sodanige werknemers.
- (3) Ondanks subklousule (1) is hierdie Ooreenkoms nie van toepassing nie op—
- (a) 'n eienaar wat sy eie voertuig dryf en die werknemers wat in verband met sodanige voertuig in diens is; en
  - (a) 'n werkgewer wat een vragmotor met een drywer bedryf, en die werknemers in diens van sodanige werkgewer.
- (4) Die bepalinge van klousules 1 (1) (a) en 1A. van hierdie Ooreenkoms is nie van toepassing op werkgewers en werknemers wat nie lede is van die werkgewersorganisasie en die vakbonde wat die Ooreenkoms aangegaan het nie.

**1A. GELDIGHEIDSDUUR VAN OOREENKOMS**

Hierdie Ooreenkoms tree in werking op die datum wat die Minister van Arbeid ingevolge artikel 32 van die Wet op Arbeidsverhoudinge, 1995, vasstel en bly van krag tot 29 Februarie 2000.

**2. KLOUSULE 2: WOORDOMSKRYWING**

Skrap die volgende woordomskrifings:

- (a) "rekenaarklerk/data-invoer-klerk";
- (b) "Kontroleur";
- (c) "ontvangsklerk".

**3. KLOUSULE 13: VERLOFSOLDYFONDS**

Vervang subklousule (1) (c) deur die volgende:

- "(c) 'n Werkgewer moet die bedrag wat ingevolge subklousule (1) (a) betaalbaar is, oorbetaal by die Hoofkantoor van die Raad op die Vyfde Verdieping, Road Freight House, De Kortestraat 31, Braamfontein, Johannesburg, en moet ook by die Sekretaris van die Raad by dieselfde adres en teen nie later nie as die 20ste dag van die daaropvolgende maand 'n maandelikse opgawe indien met die gegewens soos deur die Raad vir hierdie doel voorgeskryf wat ook elke werknemer se volle name, van, geboortedatum en indentifikasienommer bevat."

**4. KLOUSULE: 14 VAKANSIESOLDYBONUSFONDS**

Vervang subklousule (1) (c) deur die volgende:

- "(c) 'n Werkgewer moet die bedrag wat ingevolge subklousule (1) (a) betaalbaar is, oorbetaal by die Hoofkantoor van die Raad op die Vyfde Verdieping, Road Freight House, De Kortestraat 31, Braamfontein, Johannesburg, en moet ook by die Sekretaris van die Raad by dieselfde adres en teen nie later nie as die 20ste dag van die daaropvolgende maand 'n maandelikse opgawe indien met die gegewens soos deur die Raad vir hierdie doel voorgeskryf wat ook elke werknemer se volle name, van, geboortedatum en indentifikasienommer bevat."



**5. KLOUSULE 15: SIEKTEFONDS**

Vervang subklousule (1) (c) deur die volgende:

- "(c) 'n Werkgewer moet die bedrag wat ingevolge subklousule (1) (a) betaalbaar is, oorbetaal by die Hoofkantoor van die Raad op die Vyfde Verdieping, Road Freight House, De Kortestraat 31, Braamfontein, Johannesburg, en moet ook by die Sekretaris van die Raad by dieselfde adres en teen nie later nie as die 20ste dag van die daaropvolgende maand 'n maandelikse opgawe indien met die gegewens soos deur die Raad vir hierdie doel voorgeskryf wat ook elke werknemer se volle name, van, geboortedatum en identifikasienommer bevat."

**6. KLOUSULE 18: UITGAWES VAN DIE RAAD**

Vervang klousule 18 deur die volgende:

- (1) "Die uitgawes van die Raad moet op die volgende wyse bestry word:
- (a) 'n Bedrag gelyk aan 0,3% per week van 'n werknemer se basiese loon moet deur die werkgewer van elke werknemer in sy diens afgetrek word. By die bedrag aldus afgetrek, moet die werkgewer diselfde bedrag voeg en die totale bedrag nie later nie as die 20ste dag van die daaropvolgende maand by die Hoofkantoor van die Raad, op die Vyfde Verdieping, Road Freight House, De Kortestraat 31, Braamfontein, Johannesburg, betaal word.
  - (b) 'n Eienaar-drywer moet ten opsigte van homself 32c per week as drywer en/of eienaar bydra.
- (2) 'n Werkgewer moet die bedrag wat ingevolge subklousule (1) betaalbaar is, teen nie later nie as die 20ste dag van die daaropvolgende maand by die Sekretaris van die Raad by dieselfde adres inbetaal en moet terselfdertyd 'n maand opgawe indien met die besonderhede in die vorm vir hierdie doel deur die Raad gespesifiseer, wat ook elke werknemer se volle name, van, geboortedatum en identifikasienommer bevat."

Voeg die volgende nuwe klousule 40 in:

**"40. AGENTSKAP WERKPLEKOOOREENKOMS"**

- (1) Behoudens die bepalings van die klousule moet 'n bedrag wat bekend sal staan as agentskapsgeld wat deur 'n werkgewer afgetrek word van die loon van alle permanente werknemers wat nie lede van 'n geregistreerde vakbond is nie, en wat werksaam is—
- (a) in die Nywerheid;
  - (b) in 'n bedryfsinrigting waarin een of meer van die party vakbonde die meerderheid werknemers verteenwoordig wat deur dié Ooreenkoms gedek word;
  - (c) onder 'n werkklasifikasie wat deur dié Ooreenkoms gedek word.
- (2) Die agentskapsgeld moet gelyk wees aan die huidige bedrag lidmaatskapsgeld wat deur die party-vakbonde ingevolge hulle konstitusies van tyd tot tyd bepaal word. Waar twee of meer partyvakbonde gesamentlik 'n meerderheid werknemers as lede het, moet die agentskapsgeld gelyk wees aan die huidige bedrag lidmaatskapsgeld wat bepaal word deur die party-vakbond met die hoogste lidmaatskapsgeld by die bedryfsinrigting en in hierdie geval moet die toekenning van die agentskapsgeld tussen die party-vakbonde verdeel geskied na gelang van en in verhouding tot hulle lidmaatskap.
- (3) Behoudens die bepalings van klousule 6, moet aftrekkings t.o.v. die agentskapsgeld deur 'n werkgewer ingevolge subklousule 1 hierbo ingestel word by ontvangs van skriftelike kennisgewing van die Sekretaris van die raad wat die party-vakbond meerderheid verteenwoordiging van werknemers uiteensit. 'n Afskrif van die kennisgewing moet ook aan die vakbond gestuur word.
- (4) 'n Werkgewer moet die bedrag wat ingevolge subklousule (1) (a) betaalbaar is, teen nie later nie as die 20ste dag van elke maand oorbetaal by die Hoofkantoor van die Raad op die Vyfde Verdieping, Road Freight House, De Kortestraat 31, Braamfontein, Johannesburg, en moet ook terselfdertyd by die Sekretaris van die Raad by dieselfde adres 'n maandopgawe indien met die besonderhede in die vorm soos deur die Raad vir hierdie doel gespesifiseer wat ook elke werknemer se volle name, van, geboortedatum en identifikasienommer bevat.
- (5) Die Sekretaris van die Raad moet alle gelde wat ingevolge subklousule (4) ontvang is in 'n bankrekening deponeer wat deur die Raad geadministreer word.
- (6) Die party-vakbonde moet die Sekretaris van die Raad in kennis stel van enige verandering in lidmaatskapsgelde en 'n afskrif van die brief aan die Minister van Arbeid stuur vir kennisname.
- (7) Die Sekretaris van die Raad moet binne sewe dae na ontvangs van die kennisgewing al die betrokke werkgewers en werknemers van die verandering in kennis stel deur middel van 'n brief gerig aan werkgewers en 'n algemene kennisgewing aan werknemers wat op 'n personeel/kennisgewingbord geplaas moet word.
- (8) 'n Verandering in die agentskapsgeld moet deur die werkgewer geïmplementeer word in die betaaltydperk wat volg op die ontvangs van die kennisgewing van die Sekretaris van die Raad en is nie terugwerkend nie.
- (9) Die agentskapsgeld moet afgetrek word deur 'n werkgewer vir so lank as wat die party-vakbond of -vakbonde die meerderheid van die werknemers verteenwoordig wat deur die Ooreenkoms gedek word, en wat opbetaalde lede is. Vir die doel van die Ooreenkoms het "opbetaalde" die betekenis soos omskryf of gespesifiseer in die konstitusie van die vakbond of so 'n lid mag nie meer as 13 weke agter wees met die betaling van lidmaatskapsgelde nie.

- (10) 'n Werkgewer wat stawing van vakbondlidmaatskap wil bekom voor die implementering van die agentskapgeld moet die Sekretaris van die Bedingingsraad by Posbus 32961, Braamfontein, 2017, in kennis stel.
- (11) By ontvangs van die kennisgewing waarna in subklousule 6 hierbo, verwys word moet die Sekretaris van die Raad toesien dat 'n ondersoek ter stawing van die lidmaatskap uitgevoer word, tensy daar deur onderlinge ooreenkoms tussen die werkgewer en die vakbond ooreengekom moet word om 'n derde party te versoek om genoemde ondersoek te doen. Bekragtiging moet gebaseer word, maar nie beperk word nie, tot die verifiëring van aftrekorders.
- (12) Sodra die stawing van lidmaatskap waar nodig afgehandel is, moet die Sekretaris van die Raad binne sewe dae die werkgewer en die vakbond of vakbonde skriftelik in kennis stel van die uitslag daarvan, wat dan bindend sal wees vir beide partye.
- (13) In die geval waar die stawing van lidmaatskap vasstel dat die vakunie of vakunies die meerderheid werknemers verteenwoordig soos voorgeskryf in subklousule (1) (a) tot (c) hierbo, moet die werkgewer die agentskapgeld instel en aftrekkings maak vir die betaaltydperk wat volg op die ontvangs van die brief van die Sekretaris van die Raad wat die uitslag van die ondersoek bekend maak.
- (14) Indien die werkgewer te eniger tyd rede het om te glo dat die lidmaatskap van die party-vakbond of -vakbonde minder geword het as die gespesifiseerde meerderheid moet hy die vakbond of vakbonde en die Sekretaris van die Raad skriftelik per geregistreerde pos of telefaks of aflewering per hand van sy voorneme in kennis stel dat aftrekkings gestaak gaan word. Die vakbond het 60 dae vanaf die datum van ontvangs van die kennisgewing van die werkgewer, of wanneer daar op 'n langer periode tussen die partye ooreengekom is om óf die gebrek aan verteenwoordiging reg te stel óf die werkgewer se eis te betwis deur 'n beroep te doen op die Sekretaris van die Raad om 'n lidmaatskapstawingsondersoek ingevolge subklousules 7 en 8 hierbo uit te voer.
- (15) Gedurende die tydperk waarin lidmaatskapstawing deur die Sekretaris van die Raad uitgevoer word ingevolge klousule (10) hierbo moet die werkgewer voortgaan om die agentskapsgeld af te trek en kan die aftrekkings slegs gestaak word by ontvangs van 'n skrywe waarin die bevindings van die Sekretaris van die Raad bekendgemaak word en wat bevestig dat daar nie 'n meerderheidsverteenwoordiging van die party-vakbond of -vakbonde bestaan nie.
- (16) Die Sekretaris van die Raad moet nie later nie as die 10de van elke maand die totale bedrag agentskapgeld wat die raad in die voorafgaande maande ontvang het, aan die vakbonde betaal. Die vakbonde moet by ontvangs van sodanige bedrae, die bedrae inbetaal in 'n aparte rekening wat deur die betrokke vakbond geadministreer word.
- (17) Werknemers wat nie lede is van die verteenwoordigende vakbond nie, is nie verplig om lede van daardie vakbond te word nie.
- (18) Geen agentskapsgeld wat afgetrek word, mag—
  - (a) as affiliasiegeld aan 'n politieke party betaal word nie;
  - (b) as bydrae, hetsy as kontant of in goedere, aan 'n politieke party of aan iemand wat staan vir verkiesing tot enige politieke amp, aangewend word nie; of
  - (c) gebruik word vir enige uitgawe wat nie die sosio-ekonomiese belange van werknemers bevorder of beskerm nie.

Vir en namens die partye by die Raad op hede die 14de dag van Junie 1999, te Johannesburg onderteken.

**G. F. VAN NIEKERK**

Voorsitter van die Raad

**J. J. DUBE**

Ondervoorsitter van die Raad

**B. S. E. GRATZ**

Sekretaris van die Raad

---

## DEPARTMENT OF MINERALS AND ENERGY DEPARTEMENT VAN MINERALE EN ENERGIE

**No. R. 1324**

**12 November 1999**

MINE HEALTH AND SAFETY ACT, 1996 (ACT No. 29 OF 1996)

### AMENDMENT OF REGULATION

Under section 98 and Schedule 4 of the Mine Health and Safety Act, 1996 (Act No. 29 of 1996), I, Phumzile Mlambo-Ngcuka, Minister of Minerals and Energy, after consulting the Mine Health and Safety Council, hereby amend the regulation in the Schedule.

**P. MLAMBO-NGCUKA**

Minister of Minerals and Energy

**SCHEDULE**

| Regulation 28.10 |                                                                | Proposed value of stamps to be affixed to applications      |                                                       |
|------------------|----------------------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------------|
|                  | Certificate                                                    | On initial application for acceptance as a candidate        | On each application for examination for a certificate |
| 1.               | Mine Manager's certificate .....                               | Part A: R50 .....<br>Part B: R50 .....<br>Part C: R50 ..... | Part A: R100<br>Part B: R100<br>Part C: R100          |
| 2.               | Mine Overseer's certificate .....                              | R50 .....                                                   | Part A: R50<br>Part B: R50<br>Part A & Part B: R100   |
| 3.               | Mine Surveyor's certificate .....                              | R50 .....                                                   | Part A: R100<br>Part B: R100<br>Part A & Part B: R200 |
| 4.               | Mechanical Engineer's:<br>Mines & Works certificate .....      | R50 .....                                                   | Fees as determined by the appropriate department.     |
| 5.               | Electrical Engineer's:<br>Mines & Works certificate .....      | R50 .....                                                   | Fees as determined by the appropriate department.     |
| 6.               | Mine Assayer's certificate .....                               | R50 .....                                                   | Part A: R100<br>Part B: R100                          |
| 7.               | Winding Engine Driver's certificate .....                      | R50 .....                                                   | R50                                                   |
| 8.               | Locomotive Engine Driver's certificate .....                   | R50 .....                                                   | R50                                                   |
| 9.               | Stationary Engine Driver's certificate .....                   | R50 .....                                                   | R50                                                   |
| 10.              | Boiler Attendant's certificate .....                           | R50 .....                                                   | R50                                                   |
| 11.              | Blasting Certificate:<br>Scheduled mines or fiery mines .....  |                                                             |                                                       |
|                  | (i) Permanent .....                                            |                                                             | R50                                                   |
|                  | (ii) Provisional .....                                         |                                                             | R50                                                   |
|                  | (iii) Exchange: provisional to permanent .....                 |                                                             | R10                                                   |
| 12.              | Blasting Certificate:<br>Opencast & other mines or works ..... |                                                             |                                                       |
|                  | (i) Permanent .....                                            |                                                             | R25                                                   |
|                  | (ii) Provisional .....                                         |                                                             | R25                                                   |
|                  | (iii) Exchange: provisional to permanent .....                 |                                                             | R10                                                   |
| 13.              | Lampman's certificate .....                                    |                                                             | R25                                                   |
| 14.              | Onsetter's certificate .....                                   |                                                             | R25                                                   |

**No. R. 1325****12 November 1999**

MINE HEALTH AND SAFETY ACT, 1996 (ACT No. 29 OF 1996)

**AMENDMENT OF REGULATIONS**

Under section 98 and Schedule 4 of the Mine Health and Safety Act, 1996 (Act No. 29 of 1996), I, Phumzile Mlambo-Ngcuka, Minister of Minerals and Energy, after consulting the Mine Health and Safety Council, hereby amend the regulations in the Schedule.

**Ms P. MLAMBO-NGCUKA****Minister of Minerals and Energy****SCHEDULE****Definition**

1. In these regulations "the Regulations" means the regulations published under Government Notice No. R. 992 of 26 June 1970, as amended by Government Notices No.'s R. 303, R. 304 and R. 305 of 1 March 1972, R. 1346 of 4 August 1972, R. 2101, R. 2102 and R. 2013 of 15 November 1974, R. 513 of 1 April 1977, R. 1189 of 8 June 1979, R. 537 of 21 March 1980, R. 1885 of 12 September 1980, R. 2227 and R. 2228 of 31 October 1980, R. 2703 of 11 December 1981, R. 2264 of 31 October 1986, R. 367 of 7 February 1987, R. 2566 of 20 November 1987,



R. 1352 of 8 July 1988, R. 1889 of 16 September 1988 and R. 1130 of 2 June 1989, R. 1339 of 22 June 1990, R. 1644 of 13 July 1990, R. 2706 of 23 November 1990, R. 2923 of 10 December 1990, Notice 160 of 1 February 1991, R. 398 of 1 March 1991, R. 1263 of 7 June 1991, R. 2026 of 23 August 1991, R. 3083 of 20 December 1991, R. 814 of 13 March 1992, R. 1110 of 16 April 1992, R. 2223 of 7 August 1992, R. 1556 of 20 August 1993, R. 2449 of 24 December 1993, R. 31 of 13 January 1995, R. 530 of 13 April 1995, R. 94 of 15 January 1997, R. 847 of 21 June 1997, R. 802 of 19 June 1998 and R. 801 of 25 June 1997.

#### GENERAL EXPLANATORY NOTE:

[ ] Words in bold type in square brackets indicate omissions from existing regulations.

Words underlined with a solid line indicate insertions in existing regulations

### Chapter 9: Explosives

Replace existing regulation 9.30.2 with the following regulations:

#### Circuit Testing Apparatus

9.30.2.1 No person shall apply, or cause or permit any other person to apply, any electrical test to a circuit containing an electrical detonator, electrical initiator, electronic delay detonator or similar device except by means of an effective testing apparatus approved for the purpose by the Chief Inspector of Mines.

#### Shot-firing Apparatus

9.30.2.2 No person shall use a computer aided shot-firing apparatus for initiating electronic delay detonators unless such apparatus has been approved for the purpose by the Chief Inspector of Mines.

### Chapter 16: Winding

#### Rope Selection Factors

Amendment of existing regulation 16.4:

16.4 In calculating the total mass of persons for the purpose of regulation 16.6 and regulations [16.30] 16.30.2 to [16.40] 16.40.2 inclusive, [70] 75 kilograms must be allowed for each person.

#### WINDING ROPES

Delete existing regulation 16.20 and replace with the following regulations:

16.20.1 Any winding rope must be manufactured by a manufacturer accredited in terms of ISO 9001: "Quality Systems – Model for quality assurance in design, development, production, installation and servicing."

16.20.2 The diameter and construction of the winding rope must be suited to the diameter of the sheaves and drums forming part of the winding plant.

Amendment of existing regulation 16.21:

16.21 A winding rope which has been joined or reinforced in any manner, may not be used as part of a winding plant without the written permission of the Principal Inspector of Mines.

Delete the existing regulation 16.22

16.22 Deleted by R. 1325/1999 w.e.f. 12/11/1999.

Delete existing regulation 16.23 and replace with the following regulations—

16.23.1 Any winding rope, balance rope or guide rope which has previously been in use may not be re-used unless the breaking strength of a specimen cut from the end of such rope has been determined by a destructive test at an approved rope testing station to comply with these regulations.

16.23.2 Any winding rope, balance rope or guide rope which has previously been in use may not be re-used unless the engineer is in possession of the documented history of the working life of the rope.

Delete existing regulation 16.24 and replace with the following regulation—

16.24 For every winding plant in use there must be in reserve and ready for use at all times a spare winding rope that complies with these regulations. One such spare rope may be kept in reserve for more than one winding plant if that rope is suitable for use on such other winding plants.

Delete existing regulation 16.25 and replace with the following regulation—

16.25 No winding rope, balance rope or guide rope may be installed unless the manager is in possession of a certificate not older than two years confirming that the breaking strength, as determined by a destructive test at an approved rope testing station, complies with these regulations.

Delete existing regulation 16.26

16.26 Deleted by R. 1325/1999 w.e.f. 12/11/1999.

Delete existing regulation 16.27 and replace with the following regulations—

**16.27.1** Any newly installed winding rope, balance rope or guide rope and the rope connections of any such rope, must be carefully examined by the engineer and may not be used for the raising or lowering of persons until the conveyance loaded with the maximum permitted mass has been run two complete test trips between the highest and lowest stopping places ordinarily in use.

**16.27.2** The engineer, in addition to recording the results in terms of regulation 16.79, must record and sign the results of the examination in terms of regulation 16.27.1 immediately in the Driver's Log Book provided in terms of regulation 16.81.

Delete existing regulation 16.28 and replace with the following regulations—

**16.28.1** When any winding rope, balance rope or guide rope is installed, the particulars specified in paragraphs (a) and (b) of the regulation 16.79.2 must be submitted to the Principal Inspector of Mines.

**16.28.2** When any winding rope in use is replaced, the reasons for discard, the life in terms of winding cycles, the time in use and such other particulars regarding that winding rope as the Principal Inspector of Mines may require must be submitted to the Principal Inspector of Mines.

Delete existing regulation 16.29

**16.29** Deleted by R. 1325/1999 w.e.f. 12/11/1999.

Delete existing regulation 16.30.1 and replace with the following regulation—

**16.30.1**

- (i) "approved rope testing station" means a testing station approved by the Chief Inspector of Mines for the destructive testing of ropes used in a winding plant;
- (ii) "attached load" means everything suspended from or attached to the winding rope and includes the portion of any balance rope and one half of any tail carriage and one half of any sheave which contributes to load at the termination of the winding rope;
- (iii) "attachments" include everything suspended from or attached to the conveyance other than the winding rope and includes any balance rope;
- (iv) "balance rope" includes tail rope, balance rope or balance chain;
- (v) "effective length of rope" means the length of winding rope between the centre of sheave or drum in the headgear and the lowest working point of the conveyance;
- (vi) "initial breaking strength" means the breaking strength of the rope determined by the destructive testing of a sample immediately after the manufacture of the rope;
- (vii) "nominal rope diameter" means the rope diameter specified by the manufacturer;
- (viii) "suspended load" means the sum of the attached load and the mass of the effective length of rope;
- (ix) "winding cycle" means a full or partial return trip starting with a conveyance at the bank level and ending with the same conveyance returning to the bank level.

Amendment of existing regulation 16.30.2:

**16.30.2** In determining, in accordance with the provisions of regulations **[16.31]** 16.32.1 to **[16.40]** 16.40.2 inclusive, the minimum allowable breaking **[force]** strength of any rope used in a winding plant, the weight in Newtons of any mass carried by such rope **[shall]** must be obtained by multiplying this mass in kilograms by a factor of **[9,8]** 9.81.

Delete existing regulation 16.31

**16.31** Deleted by R. 1325/1999 w.e.f. 12/11/1999.

Delete existing regulation 16.32 and replace with the following regulations—

**16.32.1** Where a conveyance is suspended by two or more winding ropes, such ropes must be of equal nominal rope diameter and approximate strength.

**16.32.2** Arrangements must be made to equalize the tension in the ropes referred to in regulation 16.32.1.

**16.32.3** In calculating rope selection factors for purposes of regulation 16.32.1, each winding rope must be assumed to carry an equal share of the attached load.

Delete existing regulation 16.33 and replace with the following regulation:

**16.33** The condition of a winding rope or balance rope must be assessed in accordance with the South African Bureau of Standards Code of Practice for the Condition Assessment of Steel Wire Ropes on Mine Winders, SABS 0293, as amended and the rope may not be used if the condition thus assessed at that point in the rope has reached the discard criteria.

Delete existing regulations 16.34; 16.34.1; 16.34.2; 16.34.3 and 16.34.4 and replace with the following regulations:

**Exemption from regulation 16.34.1 may be granted until SABS 0294 has been approved.** 16.34.1 Where a winding system operating in a vertical shaft and not using a balance rope is such that it allows for the periodic testing of the winding rope as required by regulation 16.41.1.1, the winding rope must have a breaking strength at installation of not less than—

- (a) eight times the attached load; and
- (b) four and a half times the suspended load.

16.34.2 Despite the provisions of regulations 16.34.1 and 16.37, where a winding system operating in a vertical shaft and not using a balance rope—

- (a) allows for the periodic testing of the winding rope as required by regulation 16.41.1.1; and
- (b) complies with the South African Bureau of Standards Code of Practice for Performance, Operation, Testing and Maintenance of Drum Winders relating to Rope Safety, SABS 0294, as amended,

the winding rope must have a breaking strength at installation of not less than  $25000/(4000 + L)$  times the suspended load where L is equal to the effective length of the winding rope in metres.

16.34.3 Where a winding plant operating in an incline shaft allows for the testing of the winding rope as required by regulation 16.41.1.1, the winding rope must have a breaking strength not less than—

- (a) ten times the incline component of the attached load; and
- (b) five times the incline component of the suspended load.

Delete existing regulation 16.35 and replace with the following regulation:

16.35 Where a winding plant using a balance rope or ropes does not allow for the periodic testing of the winding rope or ropes as required by regulation 16.41.1.1 the breaking strength of the rope must not be less than 8.1 times the suspended load, provided that this factor may be reduced by 0,00135 for every metre of the effective length of rope, but the factor must not be less than—

- (a) 6,75 where the conveyance is suspended by a single winding rope; or
- (b) 6,19 where the conveyance is suspended by 2 or 3 winding ropes; or
- (c) 5,62 where the conveyance is suspended by 4 or more winding ropes.

Delete existing regulations 16.35.1 and 16.35.2

16.35.1 Deleted by R. 1325/1999 w.e.f. 12/11/1999.

16.35.2 Deleted by R. 1325/1999 w.e.f. 12/11/1999.

Delete existing regulations 16.36, 16.36.1 and 16.36.2

16.36 Deleted by R. 1325/1999 w.e.f. 12/11/1999.

16.36.1 Deleted by R. 1325/1999 w.e.f. 12/11/1999.

16.36.2 Deleted by R. 1325/1999 w.e.f. 12/11/1999.

Delete existing regulation 16.37 and replace with the following regulation:

16.37 Where a winding system operating in a vertical shaft and not using a balance rope allows for the periodic testing of the winding ropes as required by regulation 16.41.1.1 and each conveyance is suspended by two or more winding ropes in conjunction with a rope-tension compensating system which is constructed in such a way that the failure of one rope will not result in a momentary lowering of the force acting in any other rope, the breaking strength of the winding ropes at installation must be as specified in regulation 16.34.1 (a) or 0,95 times that specified in regulation 16.34.1 (b), whichever is the greater.

Delete existing regulation 16.38

16.38 Deleted by R. 1325/1999 w.e.f. 12/11/1999.

Delete existing regulation 16.39 and replace with the following regulation:

16.39 A balance rope must not be used if its breaking strength at installation is less than five times the combined weight of the balance rope and one half of any tail carriage and sheave.

Delete existing regulation 16.40 and replace with the following regulations.

16.40.1 The breaking strength of a guide rope used in a winding system must not be less than five times the combined weight of the rope and its tensioning weight.

16.40.2 Any rope which is used to raise or lower a stage in a shaft must have a breaking strength at installation of not less than 4,5 times the combined weight of the effective length of rope and its share of the attached load.

Delete existing regulation 16.41.1 and replace with the following regulation:

16.41.1.1 A sample of every winding rope in use must be cut from the end attached to the conveyance or counterweight at intervals not exceeding six months unless the winding system does not allow shortening of the winding rope. The length of the sample must be as specified by an approved rope testing station.



Insert the following new regulation 16.41.1.2 after regulation 16.41.1.1

- 16.41.1.2 Where winding ropes are connected to a compensating sheave on the conveyance or counterweight, that part of the ropes that is in contact with the sheave must be cut off and the ropes re-terminated at intervals not exceeding 3 months.

Delete existing regulation 16.41.2.1 and replace with the following regulation:

- 16.41.2 The manager must send the sample of the rope cut off in terms of regulation 16.41.1.1 within two weeks to an approved rope testing station where the breaking strength and general condition must be determined.

Delete existing regulation 16.41.2.2 and replace with the following regulation:

- 16.41.3 The approved rope testing station must provide the manager with a certificate showing the results of the test performed in terms of regulation 16.41.2.

Delete existing regulation 16.41.2.3 and replace with the following regulation:

- 16.41.4 If the sample of the winding rope received at the approved rope testing station is in a condition not permitting a satisfactory test, the manager must upon request of the approved rope testing station provide a new sample.

Insert the following new regulation 16.95.3 after regulation 16.95.2:

- 16.95.3 Notwithstanding the provisions of regulation 16.95.1, a winding rope may not be used for a winding plant contemplated in regulation 16.94 unless—

- (a) its breaking strength, determined by a test on a representative sample as prescribed in regulation 16.25, is at least 10 times the attached load; and
- (b) that part of the winding rope attached to the conveyance or counterweight is cut off and re-terminated at intervals not exceeding six months.

# **SOUTH AFRICAN REVENUE SERVICE SUID-AFRIKAANSE INKOMSTEDIENS**

**No. R. 1340****12 November 1999**

CUSTOMS AND EXCISE ACT, 1964

**AMENDMENT OF SCHEDULE No. 1 (No. 1/1/1016)**

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

**T. A. MANUEL****Minister of Finance****SCHEDULE**

| Head=<br>ing | Subheading | C.<br>D. | Article Description                                                                                              | Statistical<br>Unit | Rate of<br>Duty | Anno=<br>tations |
|--------------|------------|----------|------------------------------------------------------------------------------------------------------------------|---------------------|-----------------|------------------|
| 72.16        | "7216.61   | 8        | By the substitution for subheading<br>No. 7216.67 of the following:<br><br>-- Obtained from flat-rolled products | kg                  | 5%"             |                  |

**No. R. 1340****12 November 1999**

DOEANE- EN AKSYNSWET, 1964

**WYSIGING VAN BYLAE No. 1 (No. 1/1/1016)**

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by genoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.

**T. A. MANUEL****Minister van Finansies****BYLAE**

| Pos   | Subpos   | T.<br>S. | Artikel Beskrywing                                                                                  | Statistiese<br>Eenheid | Skaal van<br>Reg | Anno=<br>tasies |
|-------|----------|----------|-----------------------------------------------------------------------------------------------------|------------------------|------------------|-----------------|
| 72.16 | "7216.61 | 8        | Deur subpos No. 7216.67 deur die<br>volgende te vervang:<br><br>-- Verkry van platgewalste produkte | kg                     | 5%"              |                 |

No. R. 1341

12 November 1999

## CUSTOMS AND EXCISE ACT, 1964

## AMENDMENT OF SCHEDULE No. 3 (No. 3/444)

Under section 75 of the Customs and Excise Act, 1964, Schedule No.3 to the said Act is hereby amended with retrospective effect to 22 March 1996, to the extent set out in the Schedule hereto.

T. A. MANUEL

Minister of Finance

## SCHEDULE

| I           |                |             |     | II                                                                   |  | III              |              |
|-------------|----------------|-------------|-----|----------------------------------------------------------------------|--|------------------|--------------|
| Rebate Item | Tariff Heading | Rebate Code | C D | Description                                                          |  | Extent of Rebate | Anno-tations |
| 306.02      |                |             |     | By the substitution for tariff heading No. 7010.90 of the following: |  |                  |              |
|             | "7010.9        | 01.05       | 52  | Cartridges of glass, for the packing of anaesthetics                 |  | Full duty"       |              |

No. R. 1341

12 November 1999

## DOEANE- EN AKSYNSWET, 1964

## WYSIGING VAN BYLAE No. 3 (No. 3/444)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 3 by genoemde Wet hiermee gewysig met terugwerkende krag tot 22 Maart 1996, in die mate in die Bylae hierby aangetoon.

T. A. MANUEL

Minister van Finansies

## BYLAE

| I             |             |               |     | II                                                             |  | III              |             |
|---------------|-------------|---------------|-----|----------------------------------------------------------------|--|------------------|-------------|
| Korting= item | Tarief= pos | Korting= code | C D | Beskrywing                                                     |  | Mate van Korting | Annota=sies |
| 306.02        |             |               |     | Deur tariefpos No. 7010.90 deur die volgende te vervang:       |  |                  |             |
|               | "7010.9     | 01.05         | 52  | Inspuitbuisies van glas, vir die verpakking van narkosemiddels |  | Volle reg"       |             |



**DEPARTMENT OF WATER AFFAIRS AND FORESTRY  
DEPARTEMENT VAN WATERWESE EN BOSBOU**

No. R. 1352

12 November 1999

NATIONAL WATER ACT, 1998 (ACT NO. 36 OF 1998)

**REGULATIONS REQUIRING THAT A WATER USE BE REGISTERED**

The Minister of Water Affairs and Forestry has under section 26(1)(c), read together with section 69 of the National Water Act, 1998, (Act No. 36 of 1998), made the regulations set out in the Schedule hereto.

MINISTER OF WATER AFFAIRS AND FORESTRY

---

**EXPLANATORY NOTE**

*The Minister of Water Affairs and Forestry is responsible for the protection, use, development, conservation, management and control of the water resources of South Africa on a sustainable basis. These regulations will contribute to this responsibility.*

*Section 26(1)(c) of the Act allows for registration of all water uses including existing lawful water use in terms of section 34(2). Section 29(1)(b)(vi) also states that in the case of a general authorisation, the responsible authority may attach a condition requiring the registration of such water use.*

## SCHEDULE

### REGULATIONS ON REGISTRATION OF WATER USE

#### 1. Definitions

In these regulations any word or expression to which a meaning has been assigned in terms of the National Water Act, 1998 (Act No. 36 of 1998), (hereinafter referred to as "the Act") shall have the meaning so assigned unless the context indicates otherwise.

#### 2. Water use

For the purpose of these regulations water use is water use as contemplated in section 21 of the Act.

#### 3. Application for registration of water use

Any person who uses water in terms of section 21 of the Act must register such use on a form obtained from the Department and submit the completed form to the responsible authority-

- (a) as required under a general authorisation promulgated in terms of section 39 of the Act; or
- (b) when requested to do so by the responsible authority-
  - (i) by means of a notice published in the *Gazette*; and
  - (ii) by other means likely to reach the water user.

#### 4. Different users at different places

Subject to section 39(1) of the Act, different water users may be called on to register specific water uses at different times and in different defined geographical areas.

**5. Only official forms may be used**

Only official forms obtained from the Department may be used in terms of these regulations.

**6. Extent and lawfulness of water use**

- (1) The extent or lawfulness of the relevant water use will be determined on the basis of the information supplied in the application forms. The responsibility is with the water user to ensure the correctness of all information.
- (2) The extent or lawfulness of the water use is subject to verification by the responsible authority in terms of section 35 of the Act.

**7. Registration certificate**

- (1) As soon as possible on submission of an application form completed to the satisfaction of the responsible authority, a registration certificate must be issued.
- (2) In the event of damage to or loss of the original certificate, the water user may, subject to regulation 12(3), obtain a replacement registration certificate from the responsible authority.

**8. Deregistration**

- (1) A person who no longer wishes to continue with his or her registered water use must apply to the responsible authority for the deregistration of that water use.
- (2) If the water use is connected with-
  - (a) a waterwork that belongs to a bulk water supplier, a water management institution or a communal scheme; or
  - (b) a waterwork in respect of which financial obligations are outstanding,

the written approval of the supplier who owns the waterworks must be submitted with the application for deregistration.

- (3) Where a dam is a dam with a safety risk or declared to be a dam with a safety risk, the procedure as set out in Chapter 12 of the Act and any regulation appertaining thereto must be complied with in respect of deregistration.
- (4) Proof of deregistration of any registered water use must be provided by the responsible authority.



## **9. Inspection**

The registration certificate and the property in respect of which a water use has been registered in terms of these regulations, are subject to inspection in terms of section 125 of the Act.

## **10. Exemptions from registration of water use**

The following water uses are exempted from registration-

- (a) any water use under Schedule 1 to the Act;
- (b) where registration is not required in terms of a general authorisation promulgated in terms of section 39 of the Act; and
- (c) a person who obtains water from a bulk water supplier, a water management institution or from a communal scheme.

## **11. Amendment to the registration of water use**

- (1) The registered user must within one month of any change in the water use reflected in any registration certificate report the proposed change to the responsible authority.
- (2) The responsible authority may instruct the water user in writing -
  - (a) to submit an application for an amendment to his or her registration certificate;
  - (b) to submit a new application for registration; or
  - (c) to apply for a licence in terms of the Act,

within a specific period.

- (3) Seasonal or cyclical fluctuations in water use are not regarded as a change in the water use for purpose of these regulations.

## **12. Cost of registering a water use**

- (1) No fee will be charged for an application to register a water use if the completed registration forms are submitted in compliance with regulation 3.
- (2) A fee may be charged for registration for any application not submitted within a stipulated period.
- (3) Replacement of a lost or damaged registration certificate will be subject to a charge to cover the costs of replacement.

**BYLAE****REGULASIES BETREFFENDE DIE REGISTRASIE VAN WATERGEBRUIK****1. Woordomskrywing**

In hierdie regulasies het enige woord of uitdrukking waaraan 'n betekenis kragtens die Nasionale Waterwet, 1998 (Wet No. 36 van 1998) (hierna "die Wet"), toegeken is, die betekenis aldus toegeken, tensy dit uit die samehang anders blyk.

**2. Watergebruik**

Vir doeleindes van hierdie regulasies, is 'n watergebruik 'n watergebruik soos bedoel in artikel 21 van die Wet.

**3. Aansoek om registrasie van watergebruik.**

Enigiemand wat water kragtens artikel 21 van die Wet gebruik, moet sodanige watergebruik registreer op 'n vorm wat verkry word van die Departement, en die voltooide vorm indien by die verantwoordelike gesag —

- (a) soos vereis kragtens 'n algemene magtiging wat kragtens artikel 39 van die Wet gepromulgeer; of
- (b) wanneer deur die verantwoordelike gesag versoek om dit te doen —
  - (i) deur kennisgewing in die *Staatskoerant*; en
  - (ii) op enige ander ander wyse waardeur die watergebruiker waarskynlik bereik sal word.

#### **4. Verskillende gebruikers op verskillende plekke**

Onderhewig aan die bepalings van artikel 39(1) van die Wet, kan verskillende watergebruikers versoek word om spesifieke watergebruike op verskillende tye en in verskillende geografiese gebiede te registreer.

#### **5. Slegs amptelike vorms mag gebruik word**

Slegs amptelike vorms wat van die Departement verkry word, mag kragtens hierdie regulasies gebruik word.

#### **6. Omvang en wettigheid van watergebruik**

- (1) Die omvang of wettigheid van die tersaaklike watergebruik word bepaal op die grondslag van die inligting verstrek op die aansoekvorms. Die verantwoordelikheid berus by die watergebruiker om die juistheid van al die inligting te verseker.
- (2) Die omvang of wettigheid van die watergebruik is kragtens artikel 35 van die Wet onderworpe aan verifiëring deur die verantwoordelike gesag.

#### **7. Registrasiesertifikaat**

- (1) So gou as moontlik na die indiening van 'n aansoekvorm wat tot tevredenheid van die verantwoordelike gesag voltooi is, sal 'n registrasiesertifikaat uitgereik word.
- (2) In die geval van skade aan of verlies van die oorspronklike sertifikaat, kan die watergebruiker onderhewig aan regulasie 12(3), 'n vervangingsregistrasiesertifikaat van die verantwoordelike gesag verkry.

## **8. Deregistrasie**

- (1) Iemand wat nie langer wil voortgaan met sy of haar geregistreerde watergebruik nie, moet by die verantwoordelike gesag aansoek doen om deregistrasie van daardie watergebruik.
- (2) Indien die water gebruiker gekoppel is aan-
  - (a) 'n waterwerk wat behoort aan 'n grootmaatwatervoorsiener, 'n waterbestuursinstelling of wat 'n gemeenskapsskema is; of
  - (b) 'n waterwerk waarop daar nog uitstaande finasieele verpligting is,moet die skriftelike toestemming van die eienaar van die waterwerk saam met die aansoek om deregistrasie ingedien word.
- (3) Waar 'n dam 'n dam met 'n veiligheidsrisiko is of verklaar word 'n dam met 'n veiligheidsrisiko te wees, moet daar aan die prosedure uiteengesit in Hoofstuk 12 van die Wet en enige regulasie wat daarop betrekking het, voldoen word ten opsigte van deregistrasie.
- (4) Bewys van deregistrasie van enige watergebruik moet deur die verantwoordelike gesag verskaf word.

## **9. Inspeksie**

Die registrasiesertifikaat en die eiendom ten opsigte waarvan 'n watergebruik ingevolge hierdie regulasies geregistreer is, is onderworpe aan inspeksie kragtens artikel 125 van die Wet.

## **10. Vrystellings van registrasie van watergebruik**

- (1) Die volgende watergebruike word van registrasie vrygestel:
  - (a) Enige watergebruik kragtens Bylae 1 van die Wet;



- (b) waar registrasie nie vereis word kragtens 'n algemene magtiging wat kragtens artikel 39 van die Wet gepromulgeer is nie; en
- (c) iemand wat water verkry van 'n grootmaatwatervoorsiener, 'n waterbestuursinstelling of 'n gemeenskapsskema.

#### **11. Wysiging van die registrasie van watergebruik**

- (1) Die geregistreerde gebruiker moet binne een maande na enige verandering in die watergebruik vervat in die registrasiesertifikaat, daardie verandering aan die verantwoordelike gesag rapporteer.
- (2) Die verantwoordelike gesag kan die watergebruiker skriftelik opdrag gee om:
  - (a) 'n aansoek om wysiging van sy of haar registrasiesertifikaat in te dien;
  - (b) 'n nuwe aansoek om registrasie in te dien; of
  - (c) 'n aansoek vir 'n lisensie kragtens die Wet te doen,binne 'n voorgeskrewe tydperk.
- (3) Vir doeleindes van hierdie regulasies word seisoenale of sikliese skommeling nie geag 'n verandering in die watergebruik te wees nie.

#### **12. Koste om 'n watergebruik te registreer**

- (1) Geen fooi word gehef vir 'n aansoek om watergebruik te registreer indien die voltooidde registrasievorms ingedien word ooreenkomstig regulasie 3 nie.
- (2) 'n fooi vir registrasie kan gehef word vir enige aansoek wat nie binne 'n voorgeskrewe tydperk voorgelê word nie.
- (3) Vervanging van 'n verlore of beskadigde sertifikaat is onderworpe aan 'n vordering om die vervangingskoste te dek.

#### **13. Misdryf**

Enigiemand wat enige bepaling van hierdie regulasies oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete of 'n gevangenisstraf vir 'n tydperk wat nie vyf jaar te bowe gaan nie.

**14. Titel en inwerkingtreding**

Hierdie regulasies is die Regulasies betreffende die Registrasie van Watergebruik en tree in werking op die datum van publikasie daarvan.

---

## CONTENTS

## INHOUD

| No.                               | Page No.                                                                                                                                                       | Gazette No. |
|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <b>GOVERNMENT NOTICES</b>         |                                                                                                                                                                |             |
| <b>Agriculture, Department of</b> |                                                                                                                                                                |             |
| <i>Government Notices</i>         |                                                                                                                                                                |             |
| R. 1326                           | Plant Improvement Act (53/1976): South African Seed Certification Scheme: Amendment.....                                                                       | 2 20606     |
| <b>Health, Department of</b>      |                                                                                                                                                                |             |
| <i>Government Notices</i>         |                                                                                                                                                                |             |
| R. 1327                           | Health Professions Act (56/1974): Health Professions Council of South Africa: Regulations: Qualifications entitling medical practitioners to registration..... | 13 20206    |
| R. 1328                           | do.: do.: do.: Registration of students, minimum curricula and professional examinations in medicine and dentistry: Amendment.....                             | 15 20606    |
| R. 1329                           | do.: do.: do.: Registration and training of interns in medicine.....                                                                                           | 16 20606    |
| R. 1330                           | do.: do.: do.: Registration of persons who qualified outside South Africa as interns, medical practitioners or dentists.....                                   | 20 20606    |
| R. 1331                           | do.: do.: do.: Examinations for medical practitioners and dentists who have applied for registration in terms of section 26 of the Act: Repeal.....            | 24 20606    |
| R. 1332                           | do.: do.: do.: Examination for medical practitioners and dentists applying for exemption from the restrictions relating to their registration: Repeal.....     | 24 20606    |
| R. 1333                           | do.: do.: do.: Qualifications entitling dentists to registration.....                                                                                          | 25 20606    |
| R. 1334                           | do.: do.: do.: Specialities and subspecialities in medicine and dentistry.....                                                                                 | 27 20606    |
| R. 1135                           | Pharmacy Act (53/1974): Regulations: Fees payable to the Council: Amendment.....                                                                               | 46 20606    |
| R. 1336                           | Health Professions Act (56/1974): Health Professions Council of South Africa: Regulations: Use of names which may not be used.....                             | 48 20606    |
| <b>Justice, Department of</b>     |                                                                                                                                                                |             |
| <i>Government Notice</i>          |                                                                                                                                                                |             |
| R. 1317                           | Justices of the Peace and Commissioners of Oaths Act (16/1963): Designation of Commissioners of Oaths                                                          | 49 20606    |
| <b>Labour, Department of</b>      |                                                                                                                                                                |             |
| <i>Government Notices</i>         |                                                                                                                                                                |             |
| R. 1313                           | Labour Relations Act (66/1995): Building Industry (Bloemfontein): Extension of Agreement.....                                                                  | 49 20606    |
| R. 1314                           | do.: Metal and Engineering Industries Bargaining Council: Extension of Lift Engineering Collective Re-enactment and Amending Agreement to Non-parties.....     | 50 20606    |
| R. 1315                           | do.: Road Freight Industry: Extension of B-Collective Amending Agreement to Non-parties.....                                                                   | 59 20606    |
| R. 1316                           | do.: do.: Extension of A-Collective Amending Agreement to Non-parties.....                                                                                     | 66 20606    |

| No.                                | Bladsy No.                                                                                                                                                      | Koerant No. |
|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <b>GOEWERMENSKENNISGEWINGS</b>     |                                                                                                                                                                 |             |
| <b>Arbeid, Departement van</b>     |                                                                                                                                                                 |             |
| <i>Goewermenskennisgewings</i>     |                                                                                                                                                                 |             |
| R. 1313                            | Wet op Arbeidsverhoudinge (66/1995): Bounywerheid (Bloemfontein): Verlenging van Ooreenkoms.....                                                                | 50 20606    |
| R. 1314                            | do.: Metaal- en Ingenieursnywerhede Bedingsraad: Uitbreiding van Hysbakingenieurs Kollektiewe Herbekragtigs- en Wysigingsooreenkoms na Nie-partye.....          | 50 20606    |
| R. 1315                            | do.: Padvagnywerheid: Uitbreiding van B-Kollektiewe Wysigingsooreenkoms na Nie-partye.....                                                                      | 62 20606    |
| R. 1316                            | do.: do.: Uitbreiding van A-Kollektiewe Wysigingsooreenkoms na Nie-partye.....                                                                                  | 69 20606    |
| <b>Gesondheid, Departement van</b> |                                                                                                                                                                 |             |
| <i>Goewermenskennisgewings</i>     |                                                                                                                                                                 |             |
| R. 1327                            | Wet op Gesondheidsberoepe (56/1974): Raad vir Gesondheidsberoepe van Suid-Afrika: Regulasies: Kwalifikasies wat aan geneeshere reg verleen op registrasie ...   | 14 20606    |
| R. 1328                            | do.: do.: do.: Registrasie van studente, minimum leerplan en professionele eksamens in geneeskunde en tandheelkunde: Wysiging.....                              | 16 20606    |
| R. 1329                            | do.: do.: do.: Registrasie en opleiding van interns in geneeskunde.....                                                                                         | 18 20606    |
| R. 1330                            | do.: do.: do.: Registrasie van persone wat buite Suid-Afrika as interns, geneeshere of tandartse gekwalifiseer het.....                                         | 22 20606    |
| R. 1331                            | do.: do.: do.: Eksamens vir geneeshere en tandartse wat aansoek gedoen het om registrasie ingevolge artikel 26 van die Wet: Herroeping.....                     | 24 20606    |
| R. 1332                            | do.: do.: do.: Eksamens vir geneeshere en tandartse wat aansoek doen om vrystelling van die beperkings betreffende hulle registrasie: Herroeping.....           | 25 20606    |
| R. 1333                            | do.: do.: do.: Kwalifikasie wat tandartse die reg verleen op registrasie.....                                                                                   | 26 20606    |
| R. 1334                            | do.: do.: do.: Spesialiteite en subspecialiteite in geneeskunde en tandheelkunde.....                                                                           | 36 20606    |
| R. 1335                            | Wet op Aptekers (53/1974): Regulasies: Gelde wat aan die Raad betaalbaar is: Wysiging.....                                                                      | 47 20606    |
| R. 1336                            | Wet op Gesondheidsberoepe (56/1974): Raad vir Gesondheidsberoepe van Suid-Afrika: Regulasies: Gebruikmaak van name waarvan nie gebruik gemaak mag word nie..... | 48 20606    |
| <b>Justisie, Departement van</b>   |                                                                                                                                                                 |             |
| <i>Goewermenskennisgewing</i>      |                                                                                                                                                                 |             |
| R. 1317                            | Wet op Vrederegters en Kommissaris van Ede (16/1963): Aanwysing van Kommissaris van Ede.....                                                                    | 49 20606    |
| <b>Landbou, Departement van</b>    |                                                                                                                                                                 |             |
| <i>Goewermenskennisgewing</i>      |                                                                                                                                                                 |             |
| R. 1326                            | Plantverbeteringswet (53/1976): Suid-Afrikaanse Saadsertifiseringskema: Wysiging.....                                                                           | 7 20606     |

| No.                                                                                                    | Page<br>No. | Gazette<br>No. | No.                                                                                                             | Bladsy<br>No. | Koerant<br>No. |
|--------------------------------------------------------------------------------------------------------|-------------|----------------|-----------------------------------------------------------------------------------------------------------------|---------------|----------------|
| <b>Minerals and Energy, Department of</b>                                                              |             |                | <b>Minerale en Energie, Departement van</b>                                                                     |               |                |
| <i>Government Notices</i>                                                                              |             |                | <i>Goewermentskennisgewing</i>                                                                                  |               |                |
| R. 1324 Mine Health and Safety Act (29/1996):<br>Amendment of regulation.....                          | 72          | 20606          | R. 1324 Mine Health and Safety Act (29/1996):<br>Amendment of regulation.....                                   | 72            | 20606          |
| R. 1325 do.: do .....                                                                                  | 73          | 20606          | R. 1325 do.: do .....                                                                                           | 73            | 20606          |
| <b>South African Revenue Service</b>                                                                   |             |                | <b>Suid-Afrikaanse Inkomstediens</b>                                                                            |               |                |
| <i>Government Notices</i>                                                                              |             |                | <i>Goewermentskennisgewings</i>                                                                                 |               |                |
| R. 1340 Customs and Excise Act (91/1964):<br>Amendment of Schedule No. 1<br>(No. 1/1/1016) .....       | 78          | 20606          | R. 1340 Doeane- en Aksynswet (91/1964):<br>Wysiging van Bylae No. 1 (No. 1/1/1016)                              | 78            | 20606          |
| R. 1341 do.: Amendment of Schedule No. 3<br>(No. 3/445) .....                                          | 79          | 20606          | R. 1341 do.: Wysiging van Bylae No. 3<br>(No. 3/445) .....                                                      | 79            | 20606          |
| <b>Water Affairs and Forestry, Department of</b>                                                       |             |                | <b>Waterwese en Bosbou, Departement van</b>                                                                     |               |                |
| <i>Government Notice</i>                                                                               |             |                | <i>Goewermentskennisgewing</i>                                                                                  |               |                |
| R. 1352 National Water Act (36/1998):<br>Regulations requiring that a water use be<br>registered ..... | 80          | 20606          | R. 1352 Nasionale Waterwet (36/1998):<br>Regulasies wat vereis dat watergebruik<br>geregistreer moet word ..... | 85            | 20606          |

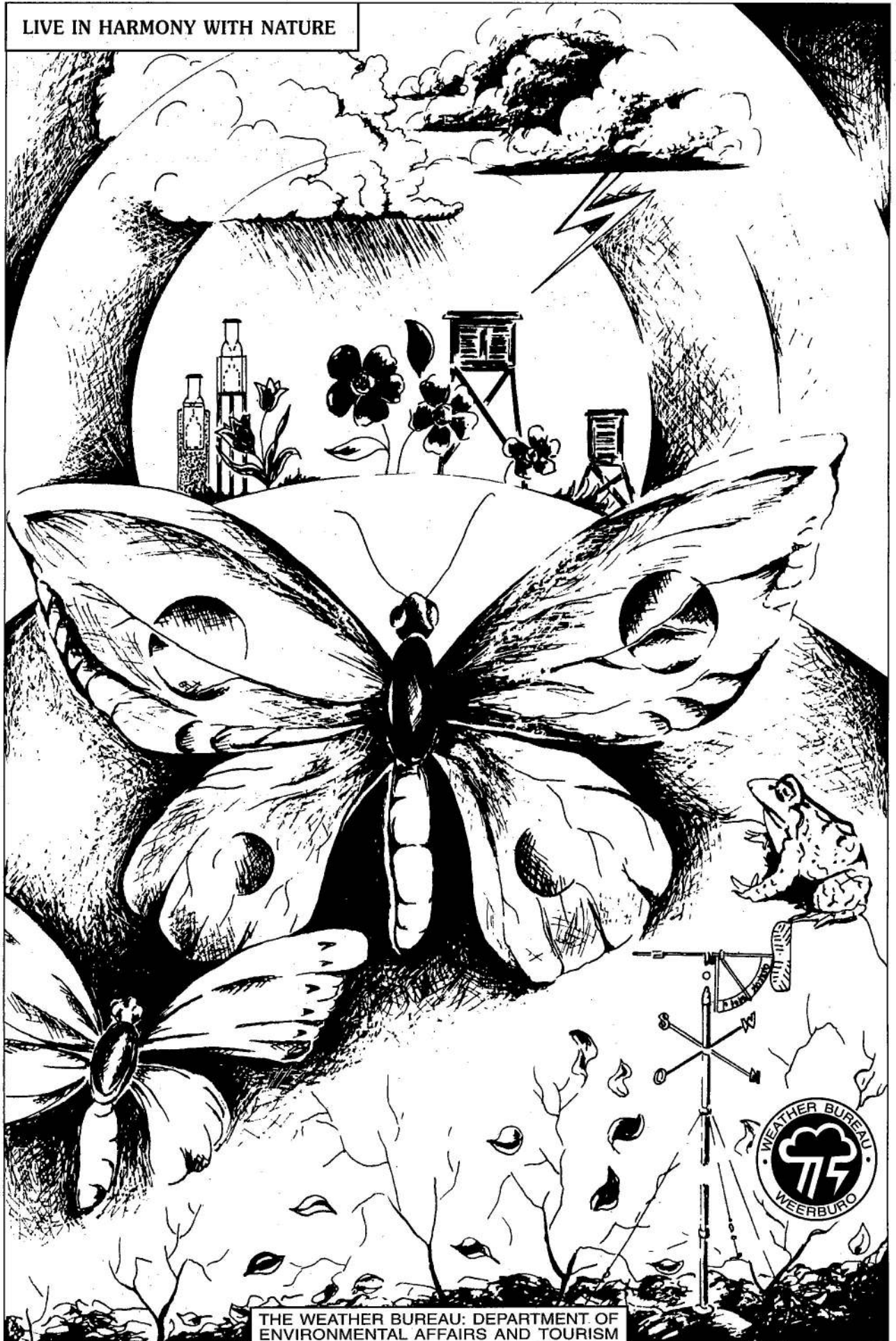


# THE WEATHER BUREAU HELPS FARMERS TO PLAN THEIR CROP



THE WEATHER BUREAU: DEPARTMENT OF ENVIRONMENTAL AFFAIRS & TOURISM  
DIE WEERBURU: DEPARTEMENT VAN OMGEWINGSAKE EN TOERISME

LIVE IN HARMONY WITH NATURE



THE WEATHER BUREAU: DEPARTMENT OF  
ENVIRONMENTAL AFFAIRS AND TOURISM

*Looking for back copies and out of print issues of  
the Government Gazette and Provincial Gazettes?*

## The State Library has them!

Let us make your day with the information you need ...

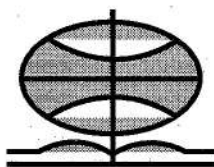
The State Library Reference and Information Service

PO Box 397

0001 PRETORIA

Tel./Fax (012) 321-8931

E-mail: [infodesk@statelib.pwv.gov.za](mailto:infodesk@statelib.pwv.gov.za)



*Soek u ou kopieë en uit druk uitgawes van die  
Staatskoerant en Provinsiale Koerante?*

## Die Staatsbiblioteek het hulle!

Met ons hoef u nie te sukkel om inligting te bekom nie ...

Die Staatsbiblioteek Naslaan- en Inligtingdiens

Posbus 397

0001 PRETORIA

Tel./Faks (012) 321-8931

E-pos: [infodesk@statelib.pwv.gov.za](mailto:infodesk@statelib.pwv.gov.za)

