

(22 August 2011 - to date)

TRADITIONAL HEALTH PRACTITIONERS ACT 22 OF 2007

(Government Notice 42 in Government Gazette 30660 dated 10 January 2008. See Act for commencement dates)

REGULATION RELATING TO THE APPOINTMENT OF MEMBERS OF THE INTERIM TRADITIONAL HEALTH PRACTITIONERS COUNCIL OF SOUTH AFRICA

Government Notice R685 in Government Gazette 34546 dated 22 August 2011. Commencement date: 22 August 2011.

The Minister of Health has, in terms of section 7 of the Traditional Health Practitioners Act, 2007 (Act No. 22 of 2007), made the regulations in the Schedule.

SCHEDULE

TABLE OF CONTENTS

1. Definition
2. Nomination of members of the Council
3. Requirements of a valid nomination
4. Returning Officer
5. Selection Process
- 5.[sic] Appointment of members of the Council
6. Publication of names of members

ANNEXURE A

1. Definition

In these Regulations, “**the Act**” means the Traditional Health Practitioners Act, 2007 (Act No. 22 of 2007), and any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned, unless the context indicates otherwise -

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

“**Director-General**” means the head of the Department of Health; and

“**Returning Officer**” means the Director: Special Programmes and Entities Management or any person specifically appointed by the Director-General to assist with fulfilling this role.

2. Nomination of members of the Council

(1) The Minister must, by -

- (a) notice in the *Gazette*;
- (b) an advertisement placed in at least two newspapers with national and regional circulation; and
- (c) any other means considered necessary by him or her

invite nomination for persons to be considered for appointment to the Council.

(2) The notice contemplated in sub-regulation (1) must state -

- (a) the requirements for consideration for appointment;
- (b) the period within which the nominations must be submitted; and
- (c) an address to which the nominations must be sent.

(3) The Minister must request nominations of one person each from -

- (a) the Director-General for a person to be considered for appointed as a member contemplated in section 7(d) of the Act;
- (b) the Health Professions Council of South Africa for a persons *[sic]* to be considered for appointment as a member contemplated in section 7(f) of the Act; and
- (c) the South African Pharmacy Council of South Africa for a persons *[sic]* to be considered for appointment as members contemplated in section 7(g) of the Act.

3. Requirements of a valid nomination

(1) Every nomination must be submitted in writing in a form substantially similar to Annexure A and must contain at least -

- (a) the name and address of the nominee;
- (b) the category for which they are nominated;
- (c) the name and contact details of the person or interested party making the nomination; and

- (d) any other information or documentation required in the notice contemplated in regulation 2(1).
- (2) Each nomination form must propose only one person as a nominee.
- (3) A person submitting a nomination shall only nominate and sign a maximum of three nomination forms.
- (4) A person shall not be considered for nomination if -
 - (a) the Minister has extended his or her term of office as contemplated in section 4(3) of the Act; or
 - (b) he or she has served two consecutive terms on the Council.

4. Returning Officer

- (1) The Director: Special Programmes and Entities Management shall, until the Registrar is appointed be the returning officer at the nominations of members of the Council.
- (2) The returning officer must verify that each nomination complies with the provisions of these Regulations before accepting any nomination.

5. Selection Process

- (1) The returning officer must, not later than 21 days after the close of nominations, submit all valid nominations to the Minister.
- (2) The Minister may appoint a panel comprising of at least four people, whom at least two shall be persons who have experience in traditional health practice, to consider and advise the Minister on the nominations received.
- (3) The Minister may call for further nominations if no nominations are received in a particular category or an insufficient number of nominations were received within the period specified in the notice for invitation contemplated in regulation 2(1).
- (4) The panel may use a screening process and interviews of nominees in selecting candidates to be recommended for appointment by the Minister.
- (5) The panel must submit a report of the recommended candidates together with the list of all nominees and supporting documents to the Minister for consideration of appointment to the Council.
- (6) The Minister's power to appoint members of the board is not limited to the recommended candidates.

5.[sic] Appointment of members of the Council

- (1) The Minister shall appoint members contemplated under section 7(c) of the Act after consultation with the Member of the Executive Council responsible for health in the province in which the nominated traditional health practitioner predominately practices.

6. Publication of names of members

- (1) The Minister must publish in the *Gazette* -
 - (a) the names of person [sic] appointed in terms of these regulations;
 - (b) the date of commencement of their office;
 - (c) their period of office; and
 - (d) the category for which they are appointed.
- (2) The Minister must keep all valid nomination papers for a period of six months from the date on which the appointments were published in terms of sub-regulation (1).

DR. A MOTSOLEDI
MINISTER OF HEALTH

ANNEXURE A**NOMINATION FORM FOR APPOINTMENT AS MEMBER OF THE INTERIM COUNCIL OF TRADITIONAL HEALTH PRACTITIONERS**

I/We the undersigned hereby nominate the following person as a nominee for appointment by the Minister as a member of the Council

1. Full names of nominee or traditional health practitioner		
2. ID Number		
3. Physical address		
4. Postal address (if different to above)		
5. Province in which the practitioner predominantly practices (mark one with X and state town/city/village)	EASTERN CAPE	
	FREE STATE	
	GAUTENG	
	KWAZULU-NATAL	
	LIMPOPO	
	MPUMALANGA	
	NORTHERN CAPE	
	NORTH WEST	
	WESTERN CAPE	
6. Main area of practice (mark one with X)	Diviner	
	Herbalist	
	Traditional Birth Attendant	
	Traditional Surgeon	
7. Number of years in practice and place of practice		

I hereby declare that I am willing to accept the abovementioned nomination and am available to serve on the Interim Traditional Health Practitioners Council should the Minister of Health decide to appoint me to this position.

Signature or mark of Traditional Health Practitioner

Date

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

Signature or mark of person nominating

Date