

**OFFICIAL GAZETTE**  
EXTRAORDINARY  
OF SOUTH WEST AFRICA  
BUITENGEWONE  
**OFFISIËLE KOERANT**  
VAN SUIDWES-AFRIKA

PUBLISHED BY AUTHORITY

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**PROCLAMATION**

**PROKLAMASIE**

by the

van die

ADMINISTRATOR-GENERAL FOR THE  
TERRITORY OF SOUTH WEST AFRICA

ADMINISTRATEUR-GENERAAL VIR DIE  
GEBIED SUIDWES-AFRIKA

*(Approved by the State President on 8 December  
1989)*

*(Deur die Staatspresident goedgekeur op 8  
Desember 1989)*

No. AG. 70 1989

No. AG. 70 1989

PROVISION FOR THE AUTHORISATION OF  
PERSONS TO PRACTISE CERTAIN HEALTH  
SERVICE PROFESSIONS

VOORSIENING VIR DIE MAGTIGING VAN  
PERSONE OM SEKERE GESONDHEIDS-  
DIENSBEROEPE TE BEOEFEN

Under the powers vested in me by Proclama-  
tion 181 of 19 August 1977, I hereby make the  
laws set out in the Schedule.

Kragtens die bevoegdheid my verleen by Pro-  
klamasie 181 van 19 Augustus 1977, maak ek  
hierby die wette in die Bylae vervat.

L.A. Pienaar

Administrator-General

Windhoek, 12 December 1989

L.A. Pienaar

Administrateur-generaal

Windhoek, 12 Desember 1989

## SCHEDULE

## BYLAE

*Definitions*

1. In this Proclamation, unless the context indicates otherwise –

“Republic” means the Republic of South Africa;

“territory” means the Territory of South West Africa.

*Authorisation to practise as a medical practitioner, dentist, psychologist, intern or intern-psychologist*

2. (1) Notwithstanding anything to the contrary contained in any other law, but subject to the provisions of this Proclamation, the Administrator-General may on application of any person who is not registered under the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), as a medical practitioner, dentists or psychologist or an intern or an intern-psychologist, but who –

- (a) in terms of the laws of any other country or state approved by the Administrator-General for the purposes of this section, is registered or otherwise permitted to practise as a medical practitioner, dentist or psychologist, as the case may be, in that country or state; or
- (b) at any university or other institution situated outside the territory and the Republic –
  - (i) obtained a qualification which is a qualification prescribed under section 24 or 25 of the Medical, Dental and Supplementary Health Service Professions Act, 1974; or
  - (ii) obtained a qualification which is not so prescribed which is accepted by the Administrator-General for the purposes of this section by virtue thereof

*Woordomskrywings*

1. In hierdie Proklamasie, tensy uit die samehang anders blyk, beteken –

“gebied” die Gebied Suidwes-Afrika;

“Republiek” die Republiek van Suid-Afrika.

*Magtiging om as geneesheer, tandarts, sielkundige, intern of intern-sielkundige te praktiseer*

2. (1) Ondanks enige andersluidende bepalings van die een of ander wet, maar behoudens die bepalings van hierdie Proklamasie, kan die Administrateur-generaal op aansoek van iemand wat nie kragtens die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974), as 'n geneesheer, tandarts of sielkundige of 'n intern of 'n intern-sielkundige geregistreer is nie, maar wat –

- (a) ingevolge die wette van enige ander land of staat wat die Administrateur-generaal vir die doeleindes van hierdie artikel goedkeur, geregistreer of andersins toegelaat is om as 'n geneesheer, tandarts of sielkundige, na gelang van die geval, in daardie land of staat te praktiseer; of
- (b) aan 'n universiteit of ander inrigting wat buite die gebied en die Republiek geleë is –
  - (i) 'n kwalifikasie verwerf het wat 'n kwalifikasie is wat kragtens artikel 24 of 25 van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974, voorgeskryf is; of
  - (ii) 'n kwalifikasie verwerf het wat nie aldus voorgeskryf is nie, wat deur die Administrateur-generaal vir die doeleindes van hierdie artikel aanvaar word

that such qualification, in the opinion of the Administrator-General, indicates a satisfactory standard of professional education; and

- (c) complies with such further conditions or requirements as the Administrator-General may determine,

grant a written authority to such person to practise the profession of a medical practitioner, dentist or psychologist or to practise as an intern or an intern-psychologist, as the case may be.

(2) Any person to whom a written authority has been granted under subsection (1) –

- (a) shall only be entitled to practise the profession of a medical practitioner, dentist or psychologist or to practise as an intern or an intern-psychologist, as the case may be –

(i) in such area or areas within the territory or such hospital, clinic or other institution within the territory;

(ii) for the period; and

(iii) subject to –

(aa) such restrictions in respect of his professional activities; and

(bb) such further conditions,

as may be determined by the Administrator-General and specified in such written authority;

- (b) shall, subject to any restriction or condition imposed in respect of him under paragraph (a), be competent and entitled to perform any act falling within the scope of the profession of a person who is registered under the Medical, Dental and Supplementary Health Service Professions Act, 1974, as a medical practitioner, dentist or psychologist or an intern or an intern-psychologist, as the case may be, and which he could have performed if he had been registered as such under that Act.

op grond daarvan dat so 'n kwalifikasie, na die oordeel van die Administrateur-generaal, getuig van 'n bevredigende standaard van professionele opleiding; en

- (c) aan die verdere voorwaardes of vereistes voldoen wat die Administrateur-generaal bepaal,

aan daardie persoon 'n skriftelike magtiging verleen om die beroep van 'n geneesheer, tandarts of sielkundige te beoefen of as 'n intern of intern-sielkundige te praktiseer, na gelang van die geval.

(2) Iemand aan wie 'n skriftelike magtiging kragtens subartikel (1) verleen is, is –

- (a) slegs geregtig om die beroep van 'n geneesheer, tandarts of sielkundige te beoefen of as 'n intern of intern-sielkundige te praktiseer, na gelang van die geval –

(i) in die gedeelte of gedeeltes binne die gebied of 'n hospitaal, kliniek of ander inrigting binne die gebied;

(ii) vir die tydperk; en

(iii) onderworpe aan –

(aa) die beperkinge ten opsigte van sy professionele bedrywighede; en

(bb) die verdere voorwaardes,

wat deur die Administrateur-generaal bepaal en in sodanige skriftelike magtiging vermeld word;

- (b) behoudens enige beperking of voorwaarde wat kragtens paragraaf (a) ten opsigte van hom opgelê is, bevoeg en geregtig om enige handeling te verrig wat binne die omvang van die beroep van iemand val wat kragtens die Wet op Geneesheer, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974, as 'n geneesheer, tandarts of sielkundige of 'n intern of intern-sielkundige, na gelang van die geval, geregistreer is en wat hy sou kon verrig het indien hy as sodanig kragtens daardie Wet geregistreer was.

*Authorisation to practise a supplementary health service profession*

3. (1) Notwithstanding anything to the contrary contained in any other law, but subject to the provisions of this Proclamation, the Administrator-General may on application of any person who is not registered under the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), to practise a supplementary health service profession, as defined in section 1 of that Act, but who –

- (a) in terms of the laws of any other country or state approved by the Administrator-General for the purposes of this section, is permitted to practise any such supplementary health service profession in that country or state; or
- (b) at any university or other institution situated outside the territory and the Republic –
  - (i) obtained a qualification which is a qualification recognised in terms of the rules made under section 32(1)(c)(ii) of the said Act, as a qualification which may be accepted for registration as contemplated in that section; or
  - (ii) obtained a qualification other than a qualification referred to in subparagraph (i), which is accepted by the Administrator-General for the purposes of this section by virtue thereof that such qualification, in the opinion of the Administrator-General, indicates a satisfactory standard of professional education; and
- (c) complies with such further conditions or requirements as the Administrator-General may determine,

grant a written authority to such person to practise any such supplementary health service profession.

*Magtiging om 'n aanvullende gesondheidsdiensberoep te beoefen*

3. (1) Ondanks enige andersluidende bepalings van die een of ander wet, maar behoudens die bepalings van hierdie Proklamasie, kan die Administrateur-generaal op aansoek van iemand wat nie kragtens die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974), geregistreer is om 'n aanvullende gesondheidsdiensberoep, soos omskryf in artikel 1 van daardie Wet, te beoefen nie, maar wat –

- (a) ingevolge die wette van 'n ander land of staat wat deur die Administrateur-generaal vir die doeleindes van hierdie artikel goedgekeur word, toegelaat word om in daardie land of staat so 'n aanvullende gesondheidsdiensberoep te beoefen; of
- (b) aan 'n universiteit of ander inrigting wat buite die gebied en die Republiek geleë is –
  - (i) 'n kwalifikasie verwerf het wat 'n kwalifikasie is wat ingevolge die reëls uitgevaardig kragtens artikel 32(1)(c)(ii) van bedoelde Wet erken word as 'n kwalifikasie wat aanvaar kan word soos in daardie artikel beoog; of
  - (ii) 'n ander kwalifikasie verwerf het as 'n kwalifikasie in subparagraaf (i) bedoel, wat deur die Administrateur-generaal vir die doeleindes van hierdie artikel aanvaar word op grond daarvan dat so 'n kwalifikasie, na die oordeel van die Administrateur-generaal, getuig van 'n bevredigende standaard van professionele opleiding; en
- (c) aan die verdere voorwaardes of vereistes voldoen wat die Administrateur-generaal bepaal,

aan daardie persoon 'n skriftelike magtiging verleen om so 'n aanvullende gesondheidsdiensberoep te beoefen.

(2) Any person to whom a written authority has been granted under subsection (1) –

(a) shall only be entitled to practise the supplementary health service profession in respect of which he has been so authorised –

(i) in such area or areas within the territory or such hospital, clinic or other institution within the territory;

(ii) for the period; and

(iii) subject to –

(aa) such restrictions in respect of his professional activities; and

(bb) such further conditions,

as may be determined by the Administrator-General and specified in such written authority;

(b) shall, subject to any restriction or condition imposed in respect of him under paragraph (a), be competent and entitled to perform any act falling within the scope of the profession of a person who is registered under the Medical, Dental and Supplementary Health Service Professions Act, 1974, in respect of the supplementary health service profession concerned and which he could have performed if he had been registered under that Act in respect of the supplementary health service profession concerned.

*Authorisation to practise as a pharmacist, trainee pharmacist or unqualified assistant*

4. (1) Notwithstanding anything to the contrary contained in any other law, but subject to the provisions of this Proclamation, the Administrator-General may on application of any person who is not registered under the Pharmacy Act, 1974 (Act 53 of 1974), as a pharmacist or trainee pharmacist or an unqualified assistant, but who –

(2) Iemand aan wie 'n skriftelike magtiging kragtens subartikel (1) verleen is, is –

(a) slegs geregtig om die aanvullende gesondheidsdiensberoep ten opsigte waarvan hy aldus gemagtig is, te beoefen –

(i) in die gedeelte of gedeeltes binne die gebied of 'n hospitaal, kliniek of ander inrigting binne die gebied;

(ii) vir die tydperk; en

(iii) onderworpe aan –

(aa) die beperkinge ten opsigte van sy professionele bedrywighede; en

(bb) die verdere voorwaardes,

wat deur die Administrateur-generaal bepaal en in sodanige skriftelike magtiging vermeld word;

(b) behoudens enige beperking of voorwaarde wat kragtens paragraaf (a) ten opsigte van hom opgelê is, bevoeg en geregtig om enige handeling te verrig wat binne die omvang van die beroep van iemand val wat kragtens die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974, ten opsigte van die betrokke aanvullende gesondheidsdiensberoep geregistreer is en wat hy sou kon verrig het indien hy kragtens daardie Wet ten opsigte van die betrokke aanvullende gesondheidsdiensberoep geregistreer was.

*Magtiging om as 'n apteker, kwekeling-apteker of ongekwalifiseerde assistent te praktiseer*

4. (1) Ondanks enige andersluidende bepalings van die een of ander wet, maar behoudens die bepalings van hierdie Proklamasie, kan die Administrateur-generaal op aansoek van iemand wat nie kragtens die Wet op Aptekers, 1974 (Wet 53 van 1974), as 'n apteker, kwekeling-apteker of ongekwalifiseerde assistent geregistreer is nie, maar wat –

- (a) in terms of the laws of any other country or state approved by the Administrator-General for the purposes of this section, is permitted to practise as a pharmacist in that country or state; or
- (b) at any university or other institution situated outside the territory and the Republic –
  - (i) obtained a degree, diploma or certificate which is a degree, diploma or certificate prescribed under section 16 or 17 of the Pharmacy Act, 1974; or
  - (ii) obtained a qualification other than a qualification referred to in subparagraph (i), or received education in pharmacy, which is accepted by the Administrator-General for the purposes of this section by virtue thereof that such qualification or education, in the opinion of the Administrator-General indicates a satisfactory standard of professional education; and
- (c) complies with such further conditions or requirements as the Administrator-General may determine,

grant a written authority to such person to practise as a pharmacist, or to serve as a trainee pharmacist or an unqualified assistant.

(2) Any person to whom a written authority has been granted under subsection (1) –

- (a) shall only be entitled to practise as a pharmacist or to serve as a trainee pharmacist or an unqualified assistant –
  - (i) in such area or areas within the territory or such hospital, clinic or other institution within the territory;
  - (ii) for the period; and
  - (iii) subject to –

- (a) ingevolge die wette van 'n ander land of staat wat die Administrateur-generaal vir die doeleindes van hierdie artikel goedkeur, toegelaat is om in daardie land of staat as 'n apteker te praktiseer; of
- (b) aan 'n universiteit of ander inrigting wat buite die gebied en die Republiek geleë is –
  - (i) 'n graad, diploma of sertifikaat verwerf het wat 'n graad, diploma of sertifikaat is wat kragtens artikel 16 of 17 van die Wet op Aptekers, 1974, voorgeskryf is; of
  - (ii) 'n ander kwalifikasie verwerf het as 'n kwalifikasie in subparagraaf (i) bedoel, of onderrig in farmasie ontvang het, wat deur die Administrateur-generaal vir die doeleindes van hierdie artikel aanvaar word op grond daarvan dat so 'n kwalifikasie of sodanige onderrig, na die oordeel van die Administrateur-generaal, getuig van 'n bevredigende standaard van professionele opleiding; en
- (c) aan die verdere voorwaardes of vereistes voldoen wat die Administrateur-generaal bepaal,

aan daardie persoon 'n skriftelike magtiging verleen om, na gelang van die geval, as 'n apteker te praktiseer of as 'n kwekeling-apteker of ongekwalifiseerde assistent te dien.

(2) Iemand aan wie 'n skriftelike magtiging kragtens subartikel (1) verleen is, is –

- (a) slegs geregtig om as 'n apteker te praktiseer of as 'n kwekeling-apteker of ongekwalifiseerde assistent te dien –
  - (i) in die gedeelte of gedeeltes binne die gebied, of 'n hospitaal, kliniek of ander inrigting binne die gebied;
  - (ii) vir die tydperk; en
  - (iii) onderworpe aan –

(aa) such restrictions in respect of his professional activities; and

(bb) such further conditions,

as may be determined by the Administrator-General and specified in such written authority;

(b) shall, subject to any restriction or condition imposed in respect of him under paragraph (a), be competent and entitled to perform any act falling within the scope of the profession or duties and functions of a person who is registered under the Pharmacy Act, 1974, as a pharmacist, trainee pharmacist or unqualified assistant, as the case may be, and which he could have performed if he had been registered as such under that Act.

*Authorisation to practise the profession of a registered nurse, midwife, enrolled nurse or nursing assistant or to practise as a student nurse, student midwife, pupil nurse or pupil nursing assistant*

5. (1) Notwithstanding anything to the contrary contained in any other law, but subject to the provisions of this Proclamation, the Administrator-General may on application of any person who is not registered or enrolled under the Nursing Act, 1978 (Act 50 of 1978), as a nurse, midwife, nursing assistant, student nurse, student midwife, pupil nurse or pupil nursing assistant, but who –

(a) in any country or state outside the territory and the Republic –

(i) approved by the Administrator-General for the purposes of this section, is permitted by virtue of qualifications obtained there, to practise the profession of a nurse, midwife or a nursing assistant; or

(aa) die beperkinge ten opsigte van sy professionele bedrywighe; en

(bb) die verdere voorwaardes,

wat deur die Administrateur-generaal bepaal en in sodanige skriftelike magtiging vermeld word;

(b) behoudens enige beperking of voorwaarde wat kragtens paragraaf (a) ten opsigte van hom opgelê is, bevoeg en geregtig om enige handeling te verrig wat binne die omvang van die beroep of pligte en werksaamhede van iemand val wat kragtens die Wet op Aptekers, 1974, as 'n apteker, kwekeling-apteker of ongekwalifiseerde assistent, na gelang van die geval, geregistreer is en wat hy sou kon verrig het indien hy as sodanig kragtens daardie Wet geregistreer was.

*Magtiging om die beroep van 'n geregistreerde verpleegkundige, vroedvrou, ingeskrewe verpleegkundige of verpleegassistent te beoefen of as studentverpleegkundige, studentevroedvrou, leerlingverpleegkundige of leerlingverpleegassistent te praktiseer.*

5. (1) Ondanks enige andersluidende bepalings van die een of ander wet, maar behoudens die bepalings van hierdie Proklamasie, kan die Administrateur-generaal op aansoek van iemand wat nie kragtens die Wet op Verpleging, 1978 (Wet 50 van 1978), as 'n verpleegkundige, vroedvrou, verpleegassistent, studentverpleegkundige, studentevroedvrou, leerlingverpleegkundige of leerlingverpleegassistent geregistreer of ingeskryf is nie, maar wat –

(a) in 'n land of staat buite die gebied en die Republiek –

(i) wat deur die Administrateur-generaal vir die doeleindes van hierdie artikel goedgekeur word, toegelaat is, op grond van kwalifikasies aldaar verworf, om die beroep van 'n verpleegkundige, vroedvrou of verpleegassistent te beoefen; of

(ii) although he is not so permitted, obtained a qualification or received education and training in nursing which is accepted by the Administrator-General by virtue thereof that such qualification or education and training, in the opinion of the Administrator-General, indicates a satisfactory standard of education and training; and

(b) complies with such further conditions or requirements as the Administrator-General may determine,

grant a written authority to such person to practise, as the case may be, the profession of a registered nurse, midwife, an enrolled nurse or a nursing assistant or as a student nurse, student midwife, pupil nurse or pupil nursing assistant.

(2) Any person to whom a written authority has been granted under subsection (1) –

(a) shall only be entitled to practise, as the case may be, the profession of a registered nurse, midwife, an enrolled nurse or a nursing assistant or as a student nurse, student midwife, pupil nurse or pupil nursing assistant –

(i) in such area or areas within the territory or such hospital, clinic or other institution within the territory;

(ii) for the period; and

(iii) subject to –

(aa) such restrictions in respect of his professional activities; and

(bb) such further conditions,

as may be determined by the Administrator-General and specified in such written authority;

(ii) alhoewel hy nie aldus toegelaat is nie, 'n kwalifikasie verwerf het of onderrig en opleiding in verpleegkunde ontvang het wat deur die Administrateur-generaal vir die doeleindes van hierdie artikel aanvaar word op grond daarvan dat sodanige kwalifikasie of onderrig en opleiding, na die oordeel van die Administrateur-generaal, getuig van 'n bevredigende standaard van onderrig en opleiding; en

(b) aan die verdere voorwaardes of vereistes voldoen wat die Administrateur-generaal bepaal,

aan daardie persoon 'n skriftelike magtiging verleen om, na gelang van die geval, die beroep van 'n geregistreerde verpleegkundige, vroedvrou, ingeskrewe verpleegkundige of verpleegassistent te beoefen, of as 'n studenteverpleegkundige, studentevroedvrou, leerlingverpleegkundige of leerlingverpleegassistent te praktiseer.

(2) Iemand aan wie 'n skriftelike magtiging krachtens subartikel (1) verleen is, is –

(a) slegs geregtig om, na gelang van die geval, die beroep van 'n geregistreerde verpleegkundige, vroedvrou, ingeskrewe verpleegkundige of verpleegassistent te beoefen, of om as 'n studenteverpleegkundige, studentevroedvrou, leerlingverpleegkundige of leerlingverpleegassistent te praktiseer –

(i) in die gedeelte of gedeeltes binne die gebied, of 'n hospitaal, kliniek of ander inrigting binne die gebied;

(ii) vir die tydperk; en

(iii) onderworpe aan –

(aa) die beperkinge ten opsigte van sy professionele bedrywighede; en

(bb) die verdere voorwaardes,

wat deur die Administrateur-generaal bepaal en in sodanige skriftelike magtiging vermeld word;



(b) shall, subject to any restriction or condition imposed in respect of him under paragraph (a), be competent and entitled to perform any act falling within the scope of the profession or duties and functions of a person registered or enrolled under the Nursing Act, 1978, as a nurse, midwife, nursing assistant, student nurse, student midwife, pupil nurse or pupil nursing assistant, as the case may be, and which he could have performed if he had been registered as such under that Act.

(b) behoudens enige beperking of voorwaarde wat kragtens paragraaf (a) ten opsigte van hom opgelê is, bevoeg en geregtig om enige handeling te verrig wat binne die omvang van die beroep of die pligte en werksaamhede van iemand val wat kragtens die Wet op Verpleging, 1978, as 'n verpleegkundige, vroedvrou, verpleegassistent, studenteverpleegkundige, studentevroedvrou, leerlingverpleegkundige of leerlingverpleegassistent, na gelang van die geval, geregistreer of ingeskryf is en wat hy sou kon verrig het indien hy as sodanig kragtens daardie Wet geregistreer of ingeskryf was.

#### *Application for authorisation*

6. (1) Any person desiring to obtain a written authority under any provisions of this Proclamation, shall apply therefor in such manner and such form as the Administrator-General may determine and such application shall be accompanied by –

- (a) the qualification or qualifications on account of which the applicant so applies;
- (b) such proof of the applicant's identity and good character and of the authenticity and validity of the qualification or qualifications submitted as may be required by the Administrator-General;
- (c) such application fees as may be determined by the Administrator-General; and
- (d) any further documents or information as may be required by the Administrator-General.

(2) The Administrator-General may, before granting an application referred to in subsection (1), require the applicant concerned to sit for an examination (whether oral, written or practical or two or more such examinations) before an examiner or examiners appointed by the Administrator-General for the purpose of ascertaining whether the applicant possesses sufficient professional knowledge and skill.

#### *Aansoek om magtiging*

6. (1) Iemand wat verlang om 'n skriftelike magtiging kragtens 'n bepaling van hierdie Proklamasie te verkry, moet op die wyse en in die vorm wat die Administrateur-generaal bepaal daarom aansoek doen en sodanige aansoek moet vergesel gaan van –

- (a) die kwalifikasie of kwalifikasies op grond waarvan die aansoeker aldus aansoek doen;
- (b) die bewys van identiteit en goeie karakter van die applikant en van die egtheid en geldigheid van die voorgelegde kwalifikasie of kwalifikasies wat die Administrateur-generaal vereis;
- (c) die aansoekgelde wat die Administrateur-generaal bepaal; en
- (d) enige verdere stukke of inligting wat die Administrateur-generaal vereis.

(2) Die Administrateur-generaal kan voordat hy 'n in subartikel (1) bedoelde aansoek toestaan, vereis dat die betrokke aansoeker 'n eksamen (hetsy mondeling, geskrewe of prakties of twee of meer sodanige eksamens) voor 'n eksaminator of eksaminatore deur die Administrateur-generaal aangestel, aflê met die doel om vas te stel of die aansoeker oor genoegsame professionele kennis en vaardigheid beskik.

*Amendment or withdrawal of authorisation*

7. The Administrator-General may –

(a) on application of any person to whom a written authority has been granted under this Proclamation, and on such conditions as the Administrator-General may determine –

(i) revoke any condition or restriction imposed in respect of such person under section 2(2)(a), 3(2)(a), 4(2)(a) or 5(2)(a), as the case may be, or amend any such condition or restriction to make it less onerous to the extent as the Administrator-General may determine;

(ii) extend from time to time the period for which such authority has been granted to him;

(b) at any time withdraw any written authority granted under this Proclamation or amend any condition or restriction contemplated in paragraph (a)(i), or impose any further condition or restriction as the Administrator-General may deem necessary.

*Application of the Medical, Dental and Supplementary Health Service Professions Act, 1974*

8. (1) Subject to the provisions of this section, the provisions of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), except section 16 thereof, shall not be applicable to or in relation to any person authorised under section 2 to practise the profession of a medical practitioner, dentist or psychologist or to practise as an intern or intern-psychologist or any person authorised under section 3 to practise any supplementary health service profession.

(2) For the purposes of sections 36, 37, 38, 39 and 40 of the Medical, Dental and Supplementary Health Service Professions Act, 1974 –

*Wysiging of intrekking van magtiging*

7. Die Administrateur-generaal kan –

(a) op aansoek van iemand aan wie 'n skriftelike magtiging kragtens hierdie Proklamasie verleen is, en op die voorwaardes wat die Administrateur-generaal bepaal –

(i) enige voorwaarde of beperking wat ten opsigte van sodanige persoon kragtens artikel 2(2)(a), 3(2)(a), 4(2)(a) of 5(2)(a), na gelang van die geval, opgelê is, ophef of so 'n voorwaarde of beperking wysig om dit minder beswarend te maak in die mate wat die Administrateur-generaal bepaal;

(ii) die tydperk waarvoor sodanige magtiging aan hom verleen is, van tyd tot tyd verleng;

(b) te enige tyd 'n skriftelike magtiging wat kragtens hierdie Proklamasie verleen is, intrek of enige voorwaarde of beperking in paragraaf (a)(i) beoog, wysig of enige verdere beperking of voorwaarde oplê wat die Administrateur-generaal nodig ag.

*Toepassing van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974*

8. (1) Behoudens die bepalings van hierdie artikel, is die bepalings van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974), behalwe artikel 16 daarvan, nie op of met betrekking tot iemand wat kragtens artikel 2 gemagtig is om die beroep van 'n geneesheer, tandarts of sielkundige te beoefen of as 'n intern of intern-sielkundige te praktiseer of iemand wat kragtens artikel 3 gemagtig is om 'n aanvullende gesondheidsdiensberoep te beoefen, van toepassing nie.

(2) By die toepassing van die bepalings van artikels 36, 37, 38, 39, en 40 van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974, word –

- (a) any person authorised under section 2 of this Proclamation to practise the profession of a medical practitioner, dentist or psychologist or to practise as an intern or intern-psychologist, as the case may be, or any person authorised under section 3 to practise any supplementary health service profession, shall be deemed to have been registered as such under that Act; and
- (b) any reference in those sections to a medical practitioner, dentist, psychologist, intern or intern-psychologist registered under that Act or any person so registered in respect of a supplementary health service profession or to a pharmacist registered under the Pharmacy Act, 1974 (Act 53 of 1974), or a nurse registered or enrolled under the Nursing Act, 1978 (Act 50 of 1978), shall be construed as including a reference to any person authorised under this Proclamation to practise as such, but subject to any condition or restriction imposed under this Proclamation.
- (3) (a) The provisions of sections 52, 52A and 57 of the Medical, Dental and Supplementary Health Service Professions Act, 1974, shall *mutatis mutandis* be applicable to or in relation to a medical practitioner authorised under this Proclamation.
- (b) For the purposes of the said sections 52, 52A and 57 any reference therein to a medical practitioner, dentist, pharmacist or nurse, as the case may be, shall be construed as including a reference to a person authorised as such under this Proclamation.
- (4) The provisions of section 53, except subsection (5) thereof, shall *mutatis mutandis* apply to or in relation to a medical practitioner, dentist or psychologist authorised as such under this Proclamation and any person so authorised to practise any supplementary health service profession and for the purposes of that section, any reference therein –
- (a) iemand wat kragtens artikel 2 van hierdie Proklamasie gemagtig is om die beroep van 'n geneesheer, tandarts of sielkundige te beoefen of as 'n intern of intern-sielkundige te praktiseer, na gelang van die geval, of iemand wat kragtens artikel 3 gemagtig is om 'n aanvullende gesondheidsdiensberoep te beoefen, geag as sodanig kragtens daardie Wet geregistreer te wees; en
- (b) 'n verwysing in daardie artikels na 'n geneesheer, tandarts, sielkundige, intern of intern-sielkundige geregistreer kragtens daardie Wet, of iemand aldus ten opsigte van 'n aanvullende gesondheidsdiensberoep geregistreer of na 'n apteker geregistreer kragtens die Wet op Aptekers, 1974 (Wet 53 van 1974), of 'n verpleegkundige geregistreer of ingeskryf kragtens die Wet op Verpleging, 1978 (Wet 50 van 1978), uitgelê om 'n verwysing in te sluit na iemand wat kragtens hierdie Proklamasie gemagtig is om as sodanig te praktiseer, maar behoudens enige voorwaarde of beperking kragtens hierdie Proklamasie opgelê.
- (3) (a) Die bepalings van artikels 52, 52A en 57 van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974, is *mutatis mutandis* van toepassing op of met betrekking tot 'n geneesheer of tandarts wat as sodanig kragtens hierdie Proklamasie gemagtig is.
- (b) By die toepassing van bedoelde artikels 52, 52A en 57, word die verwysing daarin na 'n geneesheer, tandarts, apteker of verpleegkundige, na gelang van die geval, uitgelê om 'n verwysing in te sluit na iemand wat as sodanig kragtens hierdie Proklamasie gemagtig is.
- (4) Die bepalings van artikel 53, behalwe subartikel (5) daarvan, is *mutatis mutandis* van toepassing op of met betrekking tot 'n geneesheer, tandarts of sielkundige wat as sodanig kragtens hierdie Proklamasie gemagtig is en iemand wat aldus gemagtig is om 'n aanvullende gesondheidsdiensberoep te beoefen en by die toepassing van daardie artikel word 'n verwysing daarin na –

- (a) to a practitioner, shall be construed as including a reference to a person so authorised; and
- (b) to the South African Medical and Dental Council, shall, in relation to any person so authorised, be construed as a reference to the Administrator-General.

#### *Application of the Pharmacy Act, 1974*

9. (1) Subject to the provisions of this section, the provisions of the Pharmacy Act, 1974 (Act 53 of 1974), except section 33 thereof, shall not be applicable to or in relation to any person authorised under section 4 to practise as a pharmacist or to serve as a trainee pharmacist or unqualified assistant.

(2) For the purposes of section 29 of the Pharmacy Act, 1974 –

- (a) any person authorised under section 4 of this Proclamation to practise as a pharmacist, shall be deemed to have been registered under that Act; and
- (b) any reference therein to a pharmacist, trainee pharmacist or unqualified assistant registered under that Act or to a medical practitioner or dentist registered under the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), or to a person registered or enrolled under the Nursing Act, 1978 (Act 50 of 1978), shall be construed as including a reference to a person authorised under this Proclamation to practise or serve as such, but subject to any condition or restriction imposed under this Proclamation.

(3) (a) The provisions of sections 35, 36, 37, 42 (except subsection (2) thereof) and 43 of the Pharmacy Act, 1974, shall *mutatis mutandis* apply to or in relation to a pharmacist authorised under this Proclamation.

(a) 'n praktisyn, uitgelê om 'n verwysing in te sluit na iemand wat aldus gemagtig is; en

(b) die Suid-Afrikaanse Geneeskundige en Tandheelkundige Raad, met betrekking tot iemand wat aldus gemagtig is, uitgelê as 'n verwysing na die Administrateur-generaal.

#### *Toepassing van die Wet op Aptekers, 1974*

9. (1) Behoudens die bepalings van hierdie artikel, is die bepalings van die Wet op Aptekers, 1974 (Wet 53 van 1974), behalwe artikel 33 daarvan, nie op of met betrekking tot iemand wat kragtens artikel 4 gemagtig is om as 'n apteker te praktiseer of as 'n kwekeling-apteker of ongekwalifiseerde assistent te dien, van toepassing nie.

(2) By die toepassing van die bepalings van artikel 29 van die Wet op Aptekers, 1974, word –

- (a) iemand wat kragtens artikel 4 van hierdie Proklamasie gemagtig is om as 'n apteker te praktiseer, geag kragtens daardie Wet geregistreer te wees; en
- (b) 'n verwysing daarin na 'n apteker, kwekeling- apteker of ongekwalifiseerde assistent geregistreer kragtens daardie Wet, of na 'n geneesheer of tandarts geregistreer kragtens die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974), of na iemand geregistreer of ingeskryf kragtens die Wet op Verpleging, 1978 (Wet 50 van 1978), uitgelê om 'n verwysing in te sluit na iemand wat kragtens hierdie Proklamasie gemagtig is om as sodanig te praktiseer of te dien, maar behoudens enige voorwaarde of beperking kragtens hierdie Proklamasie opgelê.

(3) (a) Die bepalings van artikels 35, 36, 37, 42 (behalwe subartikel (2) daarvan) en 43 van die Wet op Aptekers, 1974, is *mutatis mutandis* van toepassing op of met betrekking tot 'n apteker wat kragtens hierdie Proklamasie gemagtig is.

- (b) For the purposes of the sections referred to in paragraph (a), any reference therein –
- (i) to a pharmacist registered under the said Act or to a medical practitioner, shall be construed as including a reference to a pharmacist or medical practitioner authorised under this Proclamation;
- (ii) to the South African Pharmacy Board, shall, in relation to a pharmacist so authorised, be construed as a reference to the Administrator-General.

*Application of the Nursing Act, 1978*

10. Subject to the provisions of this section, the provisions of the Nursing Act, 1978 (Act 50 of 1978), except section 15 thereof, shall not apply to or in relation to any person authorised under section 5 of this Proclamation.

(2) For the purposes of the provisions of sections 26 and 27 of the Nursing Act, 1978 –

- (a) any person authorised under section 5 of this Proclamation, shall be deemed to have been registered or enrolled under that Act; and
- (b) any reference therein to a person registered or enrolled under that Act in a particular capacity, shall be construed as including a reference to a person authorised under section 5 of this Proclamation in the capacity concerned.
- (3) (a) The provisions of section 39 (except paragraph (c) of subsection (3) thereof) of the Nursing Act, 1978, shall *mutatis mutandis* be applicable to or in relation to a person authorised under section 5 of this Proclamation.
- (b) For the purposes of the said section 39, any reference therein to –

(b) By die toepassing van die artikels in paragraaf (a) bedoel, word 'n verwysing daarin –

(i) na 'n apteker wat kragtens bedoelde Wet geregistreer is of na 'n geneesheer, uitgelê om 'n verwysing in te sluit na 'n apteker of geneesheer kragtens hierdie Proklamasie gemagtig; en

(ii) na die Suid-Afrikaanse Aptekersraad, met betrekking tot 'n apteker wat aldus gemagtig is, uitgelê as 'n verwysing na die Administrateur-generaal.

*Toepassing van die Wet op Verpleging, 1978*

10. (1) Behoudens die bepalings van hierdie artikel, is die bepalings van die Wet op Verpleging, 1978 (Wet 50 van 1978), behalwe artikel 15 daarvan, nie op of met betrekking tot iemand wat kragtens artikel 5 van hierdie Proklamasie gemagtig is, van toepassing nie.

(2) By die toepassing van die bepalings van artikels 26 en 27 van die Wet op Verpleging, 1978, word –

- (a) iemand wat kragtens artikel 5 van hierdie Proklamasie gemagtig is, geag kragtens daardie Wet geregistreer of ingeskryf te wees; en
- (b) 'n verwysing daarin na iemand wat in 'n bepaalde hoedanigheid kragtens daardie Wet geregistreer of ingeskryf is, uitgelê om 'n verwysing in te sluit na iemand wat kragtens artikel 5 van hierdie Proklamasie in die betrokke hoedanigheid gemagtig is.
- (3) (a) Die bepalings van artikel 39 (behalwe paragraaf (c) van subartikel (3) daarvan) van die Wet op Verpleging, 1978, is *mutatis mutandis* van toepassing op of met betrekking tot iemand wat kragtens artikel 5 van hierdie Proklamasie gemagtig is.
- (b) By die toepassing van bedoelde artikel 39 word 'n verwysing daarin –

- |   |   |
|---|---|
| <p>(i) a practitioner, shall be construed as including a reference to a person so authorised; and</p> <p>(ii) to the South African Nursing Council, shall, in relation to a person so authorised, be construed as a reference to the Administrator-General.</p> | <p>(i) na 'n praktisyn, uitgelê om 'n verwysing in te sluit na iemand wat aldus gemagtig is; en</p> <p>(ii) na die Suid-Afrikaanse Raad op Verpleging, met betrekking tot iemand wat aldus gemagtig is, uitgelê as 'n verwysing na die Administrateur-generaal.</p> |
|---|---|

#### *Application of other laws*

11. For the purposes of the provisions of any law other than the laws referred to in sections 8, 9 and 10, any reference, as the case may be, to –

- (a) a medical practitioner, dentist, psychologist, intern or intern-psychologist registered as such under the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), or to a person so registered to practise a supplementary health service profession;
- (b) a pharmacist, trainee pharmacist or unqualified assistant registered as such under the Pharmacy Act, 1974 (Act 53 of 1974);
- (c) any person registered or enrolled in a particular capacity under the Nursing Act, 1978 (Act 50 of 1978),

shall be construed as including a reference to a person authorised under this Proclamation to practise or serve as such, but subject to any condition or restriction imposed under this Proclamation.

#### *Offences and penalties*

12. (1) Any person who –

- (a) makes any false or misleading statement, whether verbally or in writing, in connection with any application for the grant of a written authority under this Proclamation;

#### *Toepassing van ander wette*

11. By die toepassing van die bepalings van enige ander wet as die wette in artikels 8, 9 en 10 bedoel, word 'n verwysing, na gelang van die geval, na –

- (a) 'n geneesheer, tandarts, sielkundige, intern of intern-sielkundige wat as sodanig kragtens die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974), geregistreer is of na iemand wat aldus geregistreer is om 'n aanvullende gesondheidsdiensberoep te beoefen;
- (b) 'n apteker, kwekeling-apteker of ongekwalifiseerde assistent wat as sodanige kragtens die Wet op Aptekers, 1974 (Wet 53 van 1974), geregistreer is;
- (c) iemand wat kragtens die Wet op Verpleging, 1978 (Wet 50 van 1978), in 'n bepaalde hoedanigheid geregistreer of ingeskryf is,

uitgelê om 'n verwysing in te sluit na iemand wat kragtens hierdie Proklamasie gemagtig is om as sodanig te praktiseer of te dien, maar behoudens enige voorwaarde of beperking kragtens hierdie Proklamasie opgelê.

#### *Misdrywe en strawwe*

12. (1) Iemand wat –

- (a) in verband met 'n aansoek om die verlening van 'n skriftelike magtiging kragtens hierdie Proklamasie 'n vals of misleidende verklaring, hetsy mondeling of skriftelik, maak;

(b) forges or, knowing it to be forged, utters any document purporting to be a written authority or other document issued in terms of this Act;

(c) impersonates any person authorised under this Proclamation,

shall be guilty of an offence and liable on conviction to a fine not exceeding R2 000 or to imprisonment for a period not exceeding twelve months or to both such fine and such imprisonment.

*Short title and commencement*

13. This Proclamation shall be called the Health Service Professions Proclamation, 1989, and shall be deemed to have come into operation on 1 November 1989.

(b) 'n dokument wat heet 'n skriftelike magtiging of ander dokument te wees wat ingevolge hierdie Proklamasie uitgereik is, vervals of, wetende dat dit vervals is, uitgee;

(c) iemand wat kragtens hierdie Proklamasie gemagtig is, personeer,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R2 000 of gevangenisstraf vir 'n tydperk van hoogstens twaalf maande of met daardie boete sowel as daardie gevangenisstraf.

*Kort titel en inwerkingtreding*

13. Hierdie Proklamasie heet die Proklamasie op Gesondheidsdiensberoep 1989, en word geag op 1 November 1989 in werking te getree het.

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