

070522 sc socials



**EASTERN CAPE PROVINCIAL LEGISLATURE**

Independence Avenue  
Private Bag X0051  
Bhisho  
5605

Tel: 040 608 0081 / 082 448 1208  
Fax: 040 636 4922  
Email: [inetshitumbu@ecleg.gov.za](mailto:inetshitumbu@ecleg.gov.za)

Date: 17 May 2007  
Enquiries: I Netshitumbu

**PORTFOLIO COMMITTEE ON HEALTH**

Final Mandate of Health Professions Amendment Bill

1. *Terms of reference*

The Health Professions Amendment Bill [B 10B - 2006] hereinafter referred to as the Bill has been referred to the Portfolio Committee on Health by the NCOP Business Committee for consideration.


2. *Report on negotiating mandates*

The Eastern Cape's Special Delegate could not attend the meeting on the negotiating mandates.

3. *Resolutions*

The Committee resolved that the following final mandate be conferred:

- (1) Vote for the adoption of the Bill without amendments that will alter the principle of the Bill.
- (2) The Eastern Cape Permanent Delegate to represent the Province of the Eastern Cape at the meeting of the final mandates.

  
\_\_\_\_\_

**PM BASOPU**  
Chairperson of the Portfolio Committee on Health  
Legislature of the Eastern Cape





FREE STATE-VRYSTAAT-FREISTATA

**Committee Services**

Our reference:  
Ons verwysing:  
Dikupo ya rona:

FREE STATE LEGISLATURE

PORTFOLIO COMMITTEE ON HEALTH AND SOCIAL SERVICES

---

Report on conferral of authority to vote on Health Professions Amendment  
Bill [B10B-2006]

---

**1. Consideration**

The Committee considered the Bill: Health Professions Amendment Bill [B10B-2006].

**2. Recommendations**

The Committee recommends that:

- (a) Authority is conferred to the Free State Delegation, to vote for the adoption of the Bill.

**Mr. M. Dukwana**  
The Speaker: Free State Legislature

18 May 2007

**Mrs. E. Rockman**  
Secretary to the Free State Legislature



# GAUTENG LEGISLATURE

## HEALTH COMMITTEE FINAL VOTING MANDATE ON THE

### HEALTH PROFESSIONS AMENDMENT BILL [B10B-2006] (Section 76)

18 May 2007,

**1. INTRODUCTION**

The Chairperson of the Health Committee, Dr. R A M Salojee, tables the Committee's Final voting mandate on the Health Professions Amendment Bill [B10B-2006], a Section 76 Bill, as follows:

**2. PROCESS FOLLOWED**

The Speaker formally referred the Health Professions Amendment Bill [B10B-2006] Section 76 Bill to the Portfolio Committee on Health, in terms of Rule 232 (1) for consideration and report on Wednesday, 31 January 2007.

On Thursday, 22 February 2007, the Health Portfolio Committee was briefed by the Honourable Permanent Delegate, Ms Maggie Madlala – Magubane from the National Council of Provinces on the intentions of the Bill, and Mr Tsopane Monyemgangene, a Legal Assistant from the Gauteng Department of Health on the legalities of the bill. The Committee had an opportunity to make deliberations on the Health Professions Amendment Bill [B10B-2006].

The Committee held a public hearing on 27 February 2007 at the Gauteng Provincial Legislature.

On Monday, 05 March 2007, the Committee deliberated on the technical and substantive amendments and adopted the Negotiating Mandate on the Health Professions Amendment Bill [B10B-2006], Section 76 Bill.

On Monday, 12 March 2007, the Committee received the Gauteng Department of Health views on the Bill and further deliberate and adopt the Negotiating Mandate on the Health Professions Amendment Bill [B10B-2006], Section 76 Bill.

On Friday, 18 May 2007, the Committee considered and adopted the Final Voting Mandate.

**3. INTERACTION WITH STAKEHOLDERS**

The Committee held a public hearing on Health Professions Amendment Bill [B10B-2006], Section 76 Bill, on 27 February 2007 and received both verbal and written submissions from the South African Medical Association, South African Dental Association, Community Development Worker – Johannesburg Ward 16 representative, Aids Law Project and Life care. An opportunity was given to all stakeholders present to ask clarity seeking questions and answers were provided by the National Department of Health, Health Professions Council,

**4. PRINCIPLE AND DETAIL OF THE BILL**

The Bill seeks to transform the Health Professions Council of South Africa so, as to increase the protection of the interests of the public and to promote greater accountability by council members and the registrars. The Bill is also intended to encompass some of the provisions of the National Health Act of 2003, (Act No. 61 of 2003) and other relevant statutes. The Bill seeks to make consequential amendments to other legislation in order to update outdated references.

The following are the detailed aims that the Bill seeks to consider:

- (a) serve and protect the public in matters involving health services provided by the professions
- (b) foster close liaison between the council and the boards when considering certain matters
- (c) reduce the total number of council members from 52 to 25
- (d) further regulate the appointment of members of the council and the registrar
- (e) ensure accountability and transparency by the council and the registrar, particularly relating to financial management of the council
- (f) empower the Minister to appoint members of professional boards on the basis of nominations
- (g) make provision for an evaluation, quality assurance and accreditation process for teaching institutions and training facilities
- (h) empower the Minister to make regulations excluding certain persons from performing compulsory community service and generally
- (i) guide the professions.

**5. FINANCIAL IMPLICATIONS OF THE BILL AND SOCIAL IMPACT ASSESSMENT**

In respect of the financial implications of the Bill in the province as confirmed by the Gauteng Department of Health the Committee will not impose any cost implications as the Council will continue to source its funds mainly from prescribed fees and penalties.

With regards to the social impact of the Bill as also confirmed by the Gauteng Department of Health the Committee notes that the Bill will serve and protect the public in matters involving health services provided by the professions.

6. **FINAL VOTING MANDATE**

The Portfolio Committee on Health recommends that the House support the amendments to the Health Professions Amendment Bill [B10B-2006] – Section 76, as proposed by the Select Committee and mandates the Gauteng Provincial Delegation to the NCOP to **vote in favour** of the amendments.

IPHALAMENDE LAKWAZULU-NATALI



KWAZULU-NATAL PROVINSIALE PARLEMENT

KWAZULU-NATAL PROVINCIAL PARLIAMENT

TO: THE CHAIRPERSON,  
NATIONAL COUNCIL OF PROVINCES

**FINAL MANDATE**

PROVINCE : KWAZULU-NATAL  
BILL : HEALTH PROFESSIONS AMENDMENT  
BILL [B10B – 2006]  
DATE: : Wednesday, 25 April 2007

**PROVINCIAL PROCESS :**

Provincial Portfolio Committee/s : Health Portfolio Committee  
Portfolio Committee meeting date/s : Wednesday, the 25<sup>th</sup> of APRIL 2007  
Provincial NCOP meeting date/s : Wednesday, the 25<sup>th</sup> of APRIL 2007  
Consultation : Parliamentary Legal Advisors, Special & Permanent Delegates

**VOTE OF THE KWAZULU-NATAL PROVINCIAL LEGISLATURE:**

The Provincial Standing Committee on National Council of Provinces Matters met today, Wednesday, 25<sup>th</sup> April 2007, & agreed to mandate the KwaZulu-Natal delegation to the National Council of Provinces to *support* the Health Professions Amendment Bill [B10B – 2006].

The delegation is further mandated to consider any additional amendments, providing that-

- 1) the amendment/s does/do not alter the essential elements of the Bill; and
- 2) consensus is reached on the proposed amendment/s by the KwaZulu-Natal delegation.

**PROVINCIAL ENDORSMENT**



**Mrs LF Shabalala**  
**CHAIRPERSON:**  
**KWAZULU-NATAL STANDING COMMITTEE ON**  
**NATIONAL COUNCIL OF PROVINCES MATTERS**

Wednesday, the 25<sup>th</sup> April 2007

-----  
**DATE**

-----

<b>Northern Cape Provincial Legislature Noord-Kaap Provinsiale Wetgewer Kgotlha Peo Molao Ya Kapa Bokone PRIVATE BAG X5066 KIMBERLEY, 8300</b>		<b>OFFICE of the SPEAKER KANTOOR van die SPEAKER KANTORO ya SPEAKER</b>
<b>ENQUIRIES:</b> M Mongwe	<b>E-MAIL</b> mmongwe@leg.ncape.gov.za	
<b>TEL NO:</b> (053) 839 8004	<b>FAX NO:</b> (053) 831 7931	
<b>REFERENCE:</b> 17. 05. 07	<b>DATE:</b> 17 May 2007	

**FINAL MANDATE: HEALTH PROFESSIONS AMENDMENT BILL [B10B-2006]**

**1 INTRODUCTION**

The Chairperson of the Portfolio Committee on Health, Hon IWI Stadhouer tables the Committee's final mandate as adopted by the Portfolio Committee on 17 May 2007, on the *Health Professions Amendment Bill [B10B-2006]*.

**2 PROCESS FOLLOWED**

The Speaker of the Northern Cape Provincial Legislature has on receipt of the Bill referred the *Health Professions Amendment Bill [B10B-2006]* to the Portfolio Committee on Health on 13 February 2007.

The Portfolio Committee received a briefing on the Bill from the Northern Cape's Permanent Delegate to the NCOP Hon MA Sulliman at its meeting on 22 February 2007.

The Portfolio Committee resolved at its meeting held on 22 February 2007, to hold public hearings on the referred Bill in the areas of Frances Baard, Pixley ka Seme, Kgalagadi, Siyanda and Namaqua to solicit the views of the affected beneficiary communities and stakeholders with regard to the *Health Professions Amendment Bill*.

Five (5) Public Hearings were held on 27 February 2007 and one (1) in Kimberley on 28 February 2007 as per Committee resolution and both written and oral submissions were called for. The Public engaged with the Members of the Provincial Legislature on their views.

On 1 & 8 March 2007 the Portfolio Committee on Health deliberated and considered the *Health Professions Amendment Bill [B10B-2006]*.

**3 PUBLIC INPUT ON THE BILL**

- People requested clarity on the process to be followed with regard to nominating persons to serve on the council
- The bill does not indicate how unqualified Health Care Workers would be affected
- Section 56, which deals with the death of a person whilst under the influence of a general or local anaesthetic, is not clear as to how this would affect dentists who administer local



anaesthetics daily; whether every patient should be tested for allergies to a particular anaesthetic

- There should be mention of Traditional Healers in the bill
- The bill should address high prices for medication
- Racial barriers should be addressed
- There should be no favouritism when electing board members.

**4 PORTFOLIO COMMITTEE POSITION ON THE BILL**

After due deliberation and taking note of the Public's input the Portfolio Committee on Health in principle supports the Bill.

**5 COMMITTEE ADOPTION OF THE BILL**

The Committee adopted this Final Mandate duly signed by the Chairperson of the Committee.

In terms of Section 65 of the Constitution, the Portfolio Committee on Health recommends that the House confer authority on the Head of its Delegation to the NCOP to vote in support of the *Health Professions Amendment Bill [B10B-2006]*.



Hon G Cjickella  
Deputy Speaker

Ref: 11/4/1/5/12

Wes-Kaapse Provinsiale Parlement  
Western Cape Provincial Parliament  
IPalamente yePhondo leNtshona Koloni



## Final Mandate of the Western Cape Provincial Parliament

Report of the Standing Committee on Social Development, on the *Health Professions Amendment Bill [B10B -2006] (NCOP)*, dated 02 May 2007, as follows:

The Standing Committee on Social Development, having considered the subject of the *Health Professions Amendment Bill [B10B -2006] (NCOP)*, referred to the Provincial Parliament in terms of the rules of the National Council of Provinces (NCOP), begs to report that it confers on the Western Cape's delegation in the NCOP the authority to support the Bill.

**N C PHENDUKA**  
**ACTING CHAIRPERSON**  
**02 MAY 2007**