

# Limpopo Legislature

## OFFICE OF THE SECRETARY

**Physical Address:**

Lebowakgomo  
Government Complex

**Postal Address:**

Private Bag X9309  
Polokwane  
0700

11 September 2007

Ref. 13/7

Enquiries: NCOP Officer

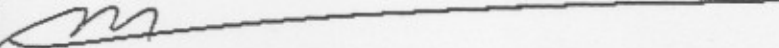
The Chairperson  
National Council of Provinces  
P.O. Box 85  
CAPE TOWN  
8000

**CONFERRAL OF VOTING MANDATE TO THE NCOP PERMANENT DELEGATES ON THE TRADITIONAL HEALTH PRACTITIONERS BILL [B20-2007]**

Kindly be informed that the Limpopo Legislature has at its sitting held at the Lebowakgomo Legislative Chamber on Tuesday, 11 September 2007, resolved to adopt the Report of the Portfolio Committee on Health and Social Development on the Traditional Health Practitioners Bill [B20-2007].

The Honourable House further confer a mandate to its NCOP Permanent delegates to vote in favour of the Bill.

The Report of the Portfolio Committee on Health and Social Development is attached herewith for easy reference.

  
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**DR. T.S FARISANI**  
**SPEAKER: LIMPOPO LEGISLATURE**

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### REPORT OF THE PORTFOLIO COMMITTEE ON HEALTH AND SOCIAL DEVELOPMENT ON THE TRADITIONAL HEALTH PRACTITIONERS BILL [B20-2007]

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#### 1. INTRODUCTION

The Traditional Health Practitioners Bill [B20-2007] was referred by the National Council of Province (NCOP) to the Provincial Legislature for input. The Legislature referred the Bill to the Portfolio Committee on Health and Social Development for consideration and to report to this Honourable House. The Committee having considered the Bill begs to report as follows.

#### 2. THE PURPOSE OF THE BILL

The purpose of the Bill is to establish the Interim Health Practitioners Council of South Africa, to provide a regulatory framework to ensure efficacy, safety and quality of traditional health care service; to provide for the management and control over the registration, training and conduct of practitioners, students and specified categories in the traditional health practitioners profession; and to provide for matters connected therewith.

#### 3. CONSIDERATION OF THE BILL BY THE COMMITTEE.

The Committee met with NCOP Permanent Delegate, officials from the Department of Health and Social Development as well as the Legal Advisor from the Legislature for briefing on the Bill on 03 August 2007. The Committee scrutinized the Bill and its provisions. The committee resolved to conduct public hearings in order to bring stakeholders and the public on board and to ensure that the provisions of the Bill met the requirements of traditional health practitioners in the province and South Africa in general.

The Committee has, after the briefing and having gone through the provisions of the Bill, agreed to the Bill and supported the establishment and governance of the interim Traditional Health Practitioners Council of South Africa

#### 4. PUBLIC HEARINGS ON THE BILL

Public Hearings on the Bill were held on 20 August 2007 in Vhembe and Mopani Districts, 21 August 2007 in Capricorn, Waterberg and Sekhukhune Districts. The hearings were well attended in all the Districts. The participants at the hearings indicated that the Bill was long overdue and supported the Bill. The feeling of the participants was that the Bill would better their lives and will also make people to understand that traditional health practice is based on traditional philosophy, which is defined amongst other things by "ideologies, beliefs, opinions and customs". Traditional medicines are communicated from ancestors to descendants or from generations to generations.

Furthermore; the government's effort to promote traditional health practice which should comply with universally accepted health care norms and values with a view to improve the quality of life of the people. Participants indicated that their services cannot be wished away and will continue to provide their services to the society.

#### 5. IMPACT OF THE BILL TO THE PROVINCE

The Bill attempts to bring the traditional health practice into par with other professions by establishing an Interim Traditional Health Practitioners Council for South Africa. The Traditional Health Practitioners will therefore be required to subscribe to this Council. The Council will also provide a regulatory framework with regard to traditional health practitioners and traditional health practice such as education, fees, finance, registration, professional conduct, ethics, disciplinary procedure, scope of traditional health practice, inter-professional matters and the maintenance of professional competence and standards by traditional healers.

People have the right to choose their trade, occupation or profession freely and that a practice of the trade, occupation or profession be regulated by law. The Bill will bring traditional health practice into par with other professions and this will give the Traditional Practitioners the status they deserve. Furthermore the council will protect and serve the interests of members of the public who use or are affected by the services of traditional health practitioners.

The Bill seeks to establish the interim Traditional Health Practitioner council, which once established, will promote cooperation between the various fields of training within traditional health practice in the republic and to set standards for such training.

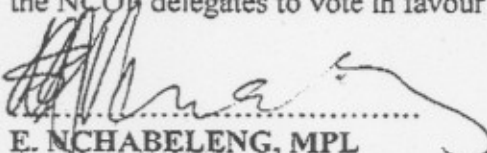
## 6. RECOMMENDATIONS

With regard to Chapter 2, Clause 7(a), (b), (c) and (h), the Committee recommends as follows:

- that a Traditional Health Practitioner who is appointed as a Chairperson and Vice-Chairperson of the Council respectively must have been a traditional health practitioner for a period of not less than five years.
- that a person appointed on account of his or her knowledge of the law must be an admitted attorney or advocate with five years experience in dealing with matters relating to Traditional Health Practices
- that a community representative appointed into Council must be a person who has knowledge about Traditional Health Practices.
- that in other categories of Traditional Health Practitioners, a person appointed to Council must have been practicing as such (in that specific category) for a period of not less than five years prior to the date of such an appointment.
- that the Council should meet on quarterly basis(four times per year)
- that the definition of traditional healer should be inclusive of spiritual healers (prophets)

## 7. CONCLUSION

The Committee, having considered and scrutinized the Bill, is satisfied with the provisions of the Bill and that the Bill is constitutional. In conclusion, Honourable Speaker, on behalf of the Committee, I move that this report be adopted as a report of this august House and that a mandate be conferred to the NCOP delegates to vote in favour of the Bill. I move accordingly.



E. NCHABELENG, MPL  
CHAIRPERSON: PORTFOLIO COMMITTEE ON HEALTH AND  
SOCIAL DEVELOPMENT