

No. R. 579

22 May 2009

HEALTH PROFESSIONS ACT, 1974 (ACT NO. 56 OF 1974)

REGULATIONS DEFINING THE SCOPE OF THE PROFESSION OF MEDICAL SCIENCE

The Minister of Health has, on the recommendation of and after consultation with the Health Professions Council of South Africa, in terms of section 33(1), read with section 61(2) of the Health Professions Act, 1974 (Act No. 56 of 1974), made the regulations in the Schedule.

SCHEDULE

1. Definitions

In these regulations “**the Act**” means the Health Professions Act, 1974 (Act No. 56 of 1974), and 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 Professions Board established in terms of section 15(1) of the Act; and

“**medical science**” means the profession of a person registered as a medical scientist or an intern in medical science in terms of the Act;

Scope of the profession

2. The following acts are hereby specified as acts which, for purposes of section 33 of the Act, shall be deemed to be acts pertaining to the profession of medical science, which acts shall be performed as an auxiliary and supporting service to medicine and in line with

the scopes of practice for medical scientists as prescribed under the medical and dental professions board Annexure 6 to the Ethical Rules published as Government Notice No. R. 717 of 4 August 2007:

- (a) the development;
- (b) the evaluation; and
- (c) the practice

of scientific procedures which involve humans, human biological material or medical equipment subject thereto that such acts will lead to or impact on treatment, diagnosis and genetic counseling of humans and, where appropriate, interpretation, quality management, patient genetic counseling and consultation with other registered and appropriately qualified health practitioners.

3. The provisions of regulation 2 must not be construed as prohibiting the performance of the acts specified therein by-

- (a) any person registered under the Act from performing such acts, in accordance with the prescribed scope of their profession or scope of practice;
- (b) a student or intern medical scientist under the supervision of a medical scientist or medical specialist in the course of his or her education and training; and
- (c) any person in the course of a bona fide research at any institution approved for that purpose by the Minister.

Registration a prerequisite to practice

4. Any person who wishes to perform any of the acts prescribed in regulation 2 shall apply in the prescribed manner to the board for registration as a medical scientist in the relevant discipline to which that act pertains and submit proof of having complied with the prescribed requirements for such registration.

Repeal and Commencement

5. The Regulations published as Government Notice No. R. 072 of 17 May 1991 are hereby repealed.

Short title and commencement

6. These Regulations are called Regulations Defining the Scope of the Profession of Medical Science, 2009, made in terms of the Health Professions Act, 1974.