



REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

## STAATSKOERANT

### VAN DIE REPUBLIEK VAN SUID-AFRIKA

*Registered at the Post Office as a Newspaper*

*As 'n Nuusblad by die Poskantoor Geregistreer*

VOL. 362

CAPE TOWN, 31 AUGUST 1995

No. 16643

KAAPSTAD, 31 AUGUSTUS 1995

#### PRESIDENT'S OFFICE

No. 1342.

31 August 1995

It is hereby notified that the President has assented to the following Act which is hereby published for general information:—

No. 40 of 1995: Chiropractors, Homeopaths and Allied Health Service Professions Amendment Act, 1995.

#### KANTOOR VAN DIE PRESIDENT

No. 1342.

31 Augustus 1995

Hierby word bekend gemaak dat die President sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 40 van 1995: Wysigingswet op Chiropraktisyne, Homeopate en Verwante Gesondheidsdiensberoepe, 1995

**GENERAL EXPLANATORY NOTE:**

- [ ]** Words in bold type in square brackets indicate omissions from existing enactments.
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- Words underlined with a solid line indicate insertions in existing enactments.
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**ACT**

To amend the Chiropractors, Homeopaths and Allied Health Service Professions Act, 1982, so as to amend certain definitions and to define certain expressions; to provide for the establishment of the Chiropractors, Homeopaths and Allied Health Service Professions Interim Council; to provide for the abolition of the Chiropractors, Homeopaths and Allied Health Service Professions Council; and to provide for the rationalisation of certain laws relating to chiropractors, homeopaths and allied health service professions that remained in force in various areas of the national territory of the Republic by virtue of section 229 of the Constitution; and to provide for matters connected therewith.

*(English text signed by the President.)  
(Assented to 23 August 1995.)*

**B**E IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

**Amendment of section 1 of Act 63 of 1982, as amended by section 1 of Act 108 of 1985, section 1 of Act 10 of 1990 and section 1 of Act 63 of 1993**

1. Section 1 of the Chiropractors, Homeopaths and Allied Health Service Professions Act, 1982 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the substitution for the definition of “council” of the following definition:

“ ‘council’ means the Chiropractors, Homeopaths and Allied Health Service Professions Interim Council established by section **[2(1)] 2 ;**”;

(b) by the insertion after the definition of “council” of the following definitions:

“ ‘Director-General’ means the Director-General: Health or his or her nominee;

‘former council’ means the Chiropractors, Homeopaths and Allied Health Service Professions Council established by section 2 of this Act prior to the amendment of the said section 2 by the Chiropractors, Homeopaths and Allied Health Service Professions Amendment Act, 1995;”; and

(c) by the substitution for the definition of “Minister” of the following definition:

“ ‘Minister’ means the Minister of **[National]** Health;”.

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**ALGEMENE VERDUIDELIKENDE NOTA:**

- [** Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordnings aan.
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- Woerde met 'n volstreep daaronder, dui invoegings in bestaande verordnings aan.

**WET**

**Tot wysiging van die Wet op Chiropraktisyne, Homeopate en Verwante Gesondheidsdiensberoep, 1982, ten einde sekere omskrywings te wysig en sekere uitdrukkings te omskryf; voorsiening te maak vir die instelling van die Interim Raad vir Chiropraktisyne, Homeopate en Verwante Gesondheidsdiensberoep; voorsiening te maak vir die afskaffing van die Raad vir Chiropraktisyne, Homeopate en Verwante Gesondheidsdiensberoep; en voorsiening te maak vir die rasionalisering van sekere wette met betrekking tot chiropraktisyne, homeopate en verwante gesondheidsdiensberoep wat uit hoofde van artikel 229 van die Grondwet van krag gebly het in verskeie gebiede van die nasionale grondgebied van die Republiek; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.**

*(Engelse teks deur die President geteken.)  
(Goedgekeur op 23 Augustus 1995.)*

**D**AAR WORD BEPAAL deur die Parlement van die Republiek van Suid-Afrika, soos volg:—

**Wysiging van artikel 1 van Wet 63 van 1982, soos gewysig deur artikel 1 van Wet 108 van 1985, artikel 1 van Wet 10 van 1990 en artikel 1 van Wet 63 van 1993**

- 5    1. Artikel 1 van die Wet op Chiropraktisyne, Homeopate en Verwante Gesondheidsdiensberoep, 1982 (hieronder die Hoofwet genoem), word hierby gewysig—  
     (a) deur na die omskrywing van "beroepsraad" die volgende omskrywing in te voeg:  
 10    "‘Direkteur-generaal’ die Direkteur-generaal: Gesondheid of sy of haar genomineerde;";  
     (b) deur die omskrywing van "Minister" deur die volgende omskrywing te vervang:  
 15    "‘Minister’ die Minister van **Nasionale** Gesondheid;";  
     (c) deur die omskrywing van "raad" deur die volgende omskrywing te vervang:  
       "‘raad’ die Interim Raad vir Chiropraktisyne, Homeopate en Verwante Gesondheidsdiensberoep by artikel **2(1)** 2 ingestel;";  
       en  
 20    (d) deur die volgende omskrywing by te voeg:  
       "‘voormalige raad’ die Raad vir Chiropraktisyne, Homeopate en Verwante Gesondheidsdiensberoep ingestel by artikel 2 van hierdie Wet voordat vermelde artikel 2 deur die Wysigingswet op Chiropraktisyne, Homeopate en Verwante Gesondheidsdiensberoep, 1995, gewysig is".

**Act No. 40, 1995 CHIROPRACTORS, HOMEOPATHS AND ALLIED HEALTH SERVICE PROFESSIONS AMENDMENT ACT, 1995**

**Substitution of heading to Chapter 1 of Act 63 of 1982, as substituted by section 2 of Act 63 of 1993**

2. The following heading is hereby substituted for the heading to Chapter 1 of the principal Act:

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“The Chiropractors, Homeopaths and Allied Health Service Professions Interim Council: Objects and Functions”.

**Substitution of section 2 of Act 63 of 1982, as substituted by section 3 of Act 63 of 1993**

3. The following section is hereby substituted for section 2 of the principal Act:

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“Establishment of Chiropractors, Homeopaths and Allied Health Service Professions Interim Council

2. There is hereby established a juristic person to be known as the Chiropractors, Homeopaths and Allied Health Service Professions Interim Council and the first meeting of the council shall be convened by the Director-General.”.

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**Amendment of section 3 of Act 63 of 1982**

4. Section 3 of the principal Act is hereby amended—

- (a) by the deletion of the word “and” at the end of paragraph (c); and
- (b) by the addition of the following paragraphs:

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“(e) to make recommendations to the Minister on the constitution of a new council within a period not exceeding two years from the date of the commencement of the Chiropractors, Homeopaths and Allied Health Service Professions Amendment Act, 1995; and

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(f) to advise the Minister on the amendment or adaptation of this Act so as to place greater emphasis on professional practice, democracy, transparency, equity, accessibility and community involvement.”.

**Amendment of section 4 of Act 63 of 1982, as amended by section 2 of Act 10 of 1990 and section 4 of Act 63 of 1993**

5. Section 4 of the principal Act is hereby amended by the deletion of subsection (2).

**Substitution of section 5 of Act 63 of 1982**

6. The following section is hereby substituted for section 5 of the principal Act:

**“Constitution of council**

5. (1) The council shall consist of the following members, appointed 35  
by the Minister, namely—

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(a) three persons registered or deemed to be registered as chiropractors in terms of this Act, designated by the former council;

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(b) three persons registered or deemed to be registered in terms of this Act as homeopaths, naturopaths, osteopaths or herbalists, designated by the former council;

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(c) six other persons;

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(d) one person appointed on account of his or her knowledge of the law;

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(e) one person who, in the opinion of the Minister, has knowledge of tertiary education;

**Vervanging van opskrif by Hoofstuk 1 van Wet 63 van 1982, soos vervang deur artikel 2 van Wet 63 van 1993**

2. Die opskrif by Hoofstuk 1 van die Hoofwet word hierby deur die volgende opskrif vervang:
- 5 "Die Interim Raad vir Chiropraktisyns, Homeopate en Verwante Gesondheidsdiensberoepes: Oogmerke en Werksaamhede".

**Vervanging van artikel 2 van Wet 63 van 1982, soos vervang deur artikel 3 van Wet 63 van 1993**

3. Artikel 2 van die Hoofwet word hierby deur die volgende artikel vervang:
- 10 **"Instelling van Interim Raad vir Chiropraktisyns, Homeopate en Verwante Gesondheidsdiensberoepes"**
- 15 2. Hierby word 'n regspersoon met die naam die Interim Raad vir Chiropraktisyns, Homeopate en Verwante Gesondheidsdiensberoepes ingestel en die eerste vergadering van die raad word deur die Direkteur-generaal belê.".

**Wysiging van artikel 3 van Wet 63 van 1982**

4. Artikel 3 van die Hoofwet word hierby gewysig—
- (a) deur die woord "en" aan die einde van paragraaf (c) te skrap; en
- (b) deur die volgende paragrawe by te voeg:
- 20 "(e) om binne 'n tydperk van hoogstens twee jaar vanaf die datum van die inwerkingtreding van die Wysigingswet op Chiropraktisyns, Homeopate en Verwante Gesondheidsdiensberoepes, 1995, aanbevelings aan die Minister te doen oor die samestelling van 'n nuwe raad; en
- 25 (f) om die Minister van advies te dien aangaande die wysiging of aanpassing van hierdie Wet ten einde groter klem te lê op professionele praktyk, demokrasie, deursigtigheid, gelykheid, toeganklikheid en gemeenskapsbetrokkenheid.".

**Wysiging van artikel 4 van Wet 63 van 1982, soos gewysig deur artikel 2 van Wet 30 10 van 1990 en artikel 4 van Wet 63 van 1993**

5. Artikel 4 van die Hoofwet word hierby gewysig deur subartikel (2) te skrap.

**Vervanging van artikel 5 van Wet 63 van 1982**

6. Artikel 5 van die Hoofwet word hierby deur die volgende artikel vervang:

- "Samestelling van raad**
- 35 5. (1) Die raad bestaan uit die volgende lede wat deur die Minister aangestel word, naamlik—
- (a) drie persone wat ingevolge hierdie Wet as chiropraktisyns geregistreer is of geag word aldus geregistreer te wees, aangewys deur die voormalige raad;
- 40 (b) drie persone wat ingevolge hierdie Wet geregistreer is of geag word geregistreer te wees as homeopate, naturopate, osteopate of kruiekundiges, aangewys deur die voormalige raad;
- (c) ses ander persone;
- (d) een persoon aangestel op grond van sy of haar kennis van die reg;
- 45 (e) een persoon wat na die mening van die Minister oor kundigheid beskik aangaande tersiêre onderwys;

**Act No. 40, 1995 CHIROPRACTORS, HOMEOPATHS AND ALLIED HEALTH SERVICE PROFESSIONS AMENDMENT ACT, 1995**

- (f) an officer of the Department of Health;  
 (g) a medical practitioner registered in terms of the Medical, Dental and Supplementary Health Service Professions Act, 1974.

(2) The former council shall, within 14 days of the date of the commencement of the Chiropractors, Homeopaths and Allied Health Service Professions Amendment Act, 1995, inform the Director-General in writing of the names of the persons designated by it in terms of the relevant provisions of subsection (1).

(3) (a) If the former council fails to designate persons in terms of the relevant provisions of subsection (1) or fails to inform the Director-General under subsection (2) of the names of the persons so designated, the Minister shall appoint any qualified persons up to the number required, as members of the council.

(b) The Director-General shall, in the case of a failure contemplated in paragraph (a), immediately inform the Minister thereof in writing.

(4) As soon as possible after the appointment of the members of the council the Minister shall inform the Director-General of the names of the persons appointed by him or her.

(5) The names of the members of the council and the date of commencement of their period of office shall be published by the Director-General in the *Gazette* as soon as possible after the constitution of the council.

(6) Subject to the provisions of section 6, the members of the council shall hold office as from the date contemplated in subsection (5) until the date of the constitution of a new council but not exceeding a period of two years.”.

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**Amendment of section 6 of Act 63 of 1982**

7. Section 6 of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection:

“(3) Any vacancy on the council arising from a circumstance referred to in subsection (2) or caused by the death of a member shall be filled by appointment by the Minister of a person in the vacancy, [with, in the case of a member who was appointed in accordance with section 5(1)(b) or (c), observance mutatis mutandis of the provision concerned] and every member appointed in terms of this subsection shall hold office for the unexpired portion of the period of office of the member whose office became vacant.”.

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**Amendment of section 16C of Act 63 of 1982, as inserted by section 6 of Act 108 of 1985 and substituted by section 9 of Act 63 of 1993**

8. Section 16C of the principal Act is hereby amended—

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- (a) by the deletion of subparagraph (i) of paragraph (a) of subsection (2);  
 (b) by the deletion of paragraph (b) of subsection (2); and  
 (c) by the substitution for subsection (5) of the following subsection:

“(5) If at the expiration of the period referred to in subsection (2)(a) the council is satisfied that a person registered in terms of subsection (1) complies with the requirements of subsection (2)(a)[(i) and] (ii), it shall exempt such person from all restrictions imposed in respect of him or her under this section, and if the council is not so satisfied, [he] it shall remove the name of such person from the register.”.

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**Insertion of section 41A in Act 63 of 1982**

9. The following section is hereby inserted in the principal Act after section 41:

- (f) 'n beampie van die Departement van Gesondheid;  
 (g) 'n geneesheer wat ingevolge die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974, geregistreer is.
- 5 (2) Die voormalige raad moet binne 14 dae na die datum van die inwerkingtreding van die Wysigingswet op Chiropraktisys, Homeopate en Verwante Gesondheidsdiensberoep, 1995, die Direkteur-generaal skriftelik in kennis stel van die name van die persone wat ingevolge die toepaslike bepalings van subartikel (1) deur hom aangewys is.
- 10 (3)(a) Indien die voormalige raad versuim om ingevolge die toepaslike bepalings van subartikel (1) persone aan te wys of versuim om die Direkteur-generaal kragtens subartikel (2) in kennis te stel van die name van die persone aldus aangewys, moet die Minister geskikte persone, tot die vereiste getal, aanstel as lede van die raad.
- 15 (b) In die geval van 'n versuim in paragraaf (a) beoog, moet die Direkteur-generaal die Minister onmiddellik skriftelik daarvan in kennis stel.
- 20 (4) Die Minister moet so spoedig moontlik na die aanstelling van die lede van die raad die Direkteur-generaal in kennis stel van die name van die persone wat hy of sy aangestel het.
- 25 (5) Die name van die lede van die raad en die datum van aanvang van hulle ampstermy moet so spoedig moontlik na die samestelling van die raad deur die Direkteur-generaal in die *Staatskoerant* bekend gemaak word.
- (6) Behoudens die bepalings van artikel 6 beklee die lede van die raad hulle amp vanaf die datum in subartikel (5) beoog tot die datum van die samestelling van 'n nuwe raad, maar vir 'n tydperk van hoogstens twee jaar."

### 30 Wysiging van artikel 6 van Wet 63 van 1982

7. Artikel 6 van die Hoofwet word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:

- 35 "3) 'n Vakature in die raad wat ontstaan as gevolg van 'n omstandigheid in subartikel (2) vermeld of wat veroorsaak word deur die dood van 'n lid, word gevul by wyse van aanstelling deur die Minister van iemand in daardie vakture, **[met, in die geval van 'n lid wat aangestel was ooreenkomsdig artikel 5(1)(b) of (c), nakoming mutatis mutandis van die betrokke bepaling]** en elke lid wat ingevolge hierdie subartikel aangestel is, beklee sy of haar amp vir die onverstreke gedeelte van die ampstermy van die lid wie se amp 40 vakant geword het."

### Wysiging van artikel 16C van Wet 63 van 1982, soos ingevoeg deur artikel 6 van Wet 108 van 1985 en vervang deur artikel 9 van Wet 63 van 1993

8. Artikel 16C van die Hoofwet word hierby gewysig—  
 45 (a) deur subparagraph (i) van paragraaf (a) van subartikel (2) te skrap;  
 (b) deur paragraaf (b) van subartikel (2) te skrap; en  
 (c) deur subartikel (5) deur die volgende subartikel te vervang:  
 50 "(5) Indien die raad by verstryking van die tydperk bedoel in subartikel (2)(a) oortuig is dat 'n persoon wat ingevolge subartikel (1) geregistreer is aan die vereistes van subartikel (2)(a)**[(i) en] (ii)** voldoen, moet hy sodanige persoon vrystel van alle beperkings wat ten opsigte van hom of haar kragtens hierdie artikel opgelê is, en indien die raad nie aldus oortuig is nie, moet hy so 'n persoon se naam uit die register skrap."

### Invoeging van artikel 41A in Wet 63 van 1982

- 55 9. Die volgende artikel word hierby in die Hoofwet na artikel 41 ingevoeg:

**"Abolition of former council, and transitional arrangements**

**41A.** The former council shall cease to exist on the day immediately preceding the date of the first meeting of the council, and all rights, obligations, assets and liabilities acquired or incurred, as the case may be, by the former council shall immediately vest in the council and the council shall be deemed to have acquired or incurred such rights, obligations, assets and liabilities in terms of this Act.”.

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**Substitution of long title of Act 63 of 1982**

**10.** The following long title is hereby substituted for the long title of the principal Act:

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**"ACT"**

To provide for the control of the practice of the professions of chiropractor and homeopath and allied health professions, and for that purpose to establish a Chiropractors, Homeopaths and Allied Health Service Professions Interim Council and to determine its functions; and for matters connected therewith.”.

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**Repeal of laws, and savings**

**11.** (1) Subject to the provisions of this section, the laws mentioned in the second column of the Schedule are, from the date on which the Chiropractors, Homeopaths and Allied Health Service Professions Council is abolished in terms of section 41A of the Chiropractors, Homeopaths and Allied Health Service Professions Act, 1982 (Act No. 63 of 1982) (in this section referred to as the principal Act), repealed as indicated in the third column of the Schedule, to the extent that such laws were in force in the various areas of the national territory of the Republic as set out in the fourth column of the Schedule, immediately prior to the commencement of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993).

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(2) Any proclamation, notice, regulation, authorisation or order issued, made, granted or done in terms of a provision of any law repealed in terms of subsection (1) shall, unless inconsistent with any provision of the principal Act, be deemed to have been issued, made, granted or done under the corresponding provision of the principal Act, and shall remain in force until withdrawn or repealed, as the case may be, by the Chiropractors, Homeopaths and Allied Health Service Professions Interim Council established by section 2 of the principal Act (in this section referred to as the interim council).

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(3) Any registration of a person, or any removal from a register, or any appointment or any other thing done in terms of a provision of any law repealed in terms of subsection (1) shall be deemed to have been done under the principal Act.

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(4) The registers kept in terms of a provision of any law repealed in terms of subsection (1) shall be kept up to the date of the first meeting of the interim council, and shall then be incorporated with and form part of the appropriate registers required to be kept in terms of the principal Act.

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(5) Notwithstanding the provisions of subsection (1), an inquiry into alleged improper or disgraceful conduct by a chiropractor, homeopath or a person who practises in an allied health service profession and which has not been concluded at the date of the first meeting of the interim council shall be continued and concluded by the interim council in accordance with the provisions of the law under which the inquiry was instituted, as if such law had not been repealed.

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(6) Notwithstanding the provisions of subsection (1), the interim council shall have the power to institute and conclude disciplinary proceedings under the relevant provisions of the repealed laws in accordance with the procedures as prescribed by regulations made under section 38 of the principal Act, against any person who, at any time prior to the first meeting of the interim council, is alleged to have committed an act which may have constituted improper or disgraceful conduct in terms of the provisions of the repealed acts or any regulation made thereunder: Provided that the interim council shall not institute proceedings

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**“Afskaffing van voormalige raad, en oorgangsmaatreëls**

**41A.** Die voormalige raad hou op om te bestaan op die dag onmiddellik voor die dag waarop die eerste vergadering van die raad gehou word, en alle regte, verpligte, bates en skulde wat deur die voormalige raad verkry of aangegaan is, na gelang van die geval, gaan onmiddellik oor op die raad en die raad word geag sodanige regte, verpligte, bates en skulde kragtens hierdie Wet te verkry of aan te gegaan het.”.

**Vervanging van lang titel van Wet 63 van 1982**

- 10 **10.** Die lang titel van die Hoofwet word hierby deur die volgende lang titel vervang:

**“WET**

15 Om voorsiening te maak vir beheer oor die beoefening van die beroepe van chiropaktisyen en homeopaat en verwante gesondheidsdiensberoep, en om vir daardie doel 'n Interim Raad vir Chiropaktisyen, Homeopate en Verwante Gesondheidsdiensberoep in te stel en om sy werkzaamhede te bepaal; en vir aangeleenthede wat daarmee in verband staan.”.

**Herroeping van wette, en voorbehoudé**

- 20 **11.** (1) Behoudens die bepalings van hierdie artikel word die wette genoem in die tweede kolom van die Bylae vanaf die datum waarop die Raad vir Chiropaktisyen, Homeopate en Verwante Gesondheidsdiensberoep ingevolge artikel 41A van die Wet op Chiropaktisyen, Homeopate en Verwante Gesondheidsdiensberoep, 1982 (Wet No. 63 van 1982) (in hierdie artikel die Hoofwet genoem), afgeskaf word, herroep soos aangedui in die derde kolom van die Bylae, in die mate waarin sodanige wette van krag was onmiddellik voor die inwerkingtreding van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), in die onderskeie gebiede van die nasionale grondgebied van die Republiek soos uiteengesit in die vierde kolom van die Bylae.
- (2) 'n Proklamasie, kennisgewing, regulasie, magtiging of bevel uitgereik, uitgevaardig, verleen of gegee ingevolge 'n bepaling van 'n wet wat ingevolge subartikel (1) herroep word, word, tensy onbestaanbaar met 'n bepaling van die Hoofwet, geag kragtens die ooreenstemmende bepaling van die Hoofwet uitgereik, uitgevaardig, verleen of gegee te gewees het, en bly van krag totdat dit deur die Interim Raad vir Chiropaktisyen, Homeopate en Verwante Gesondheidsdiensberoep ingestel by artikel 2 van die Hoofwet (in hierdie artikel die interim raad genoem), ingetrek of herroep word, na gelang van die geval.
- (3) 'n Registrasie van 'n persoon of 'n skrapping uit 'n register of 'n aanstelling of enigiets anders gedoen ingevolge 'n bepaling van 'n wet wat ingevolge subartikel (1) herroep word, word geag kragtens die Hoofwet gedoen te gewees het.
- (4) Die registers wat ingevolge 'n bepaling van 'n wet wat ingevolge subartikel (1) herroep word, gehou is, moet gehou word tot op die datum van die eerste vergadering van die interim raad, en word dan ingelyf by en maak deel uit van die toepaslike registers wat ingevolge die Hoofwet gehou moet word.
- 25 (5) Ondanks die bepalings van subartikel (1) word 'n ondersoek na beweerde onbetaamlike of skandelike gedrag deur 'n chiropaktisyen, homeopaat of 'n persoon wat 'n verwante gesondheidsdiensberoep beoefen en wat teen die datum van die eerste vergadering van die interim raad nie voltooi is nie, deur die interim raad voortgesit en afgehandel ooreenkomsdig die bepalings van die wet waarkragtens die ondersoek ingestel is, asof sodanige wet nie herroep is nie.
- (6) Ondanks die bepalings van subartikel (1), het die interim raad die bevoegdheid om dissiplinêre verrigtinge kragtens die betrokke bepalings van die herroep wette in te stel en af te handel ooreenkomsdig die procedures soos voorgeskryf deur regulasies wat kragtens artikel 38 van die Hoofwet uitgevaardig is, teen 'n persoon wat op enige tydstip voor die eerste vergadering van die interim raad na bewering 'n handeling verrig het wat onbetaamlike of skande-

against any person, unless the nature of the contravention which such person is alleged to have committed in terms of the repealed laws or any regulation made thereunder, is substantially the same as that of a contravention contemplated in the corresponding provisions of the principal Act or any regulation made thereunder.

(7) Any act performed or decision taken in terms of a provision of any law repealed in terms of subsection (1) shall be deemed to have been performed or to have been taken, as the case may be, in terms of the corresponding provisions of the principal Act.

(8) Any person who was employed by the Chiropractors, Homeopaths and Allied Health Service Professions Council immediately prior to the date referred to in subsection (1), shall be deemed to have been appointed by the interim council in terms of section 11 of the principal Act.

(9) The person who was the registrar of the Chiropractors, Homeopaths and Allied Health Service Professions Council immediately prior to the date referred to in subsection (1), shall continue to hold office and to perform the functions assigned to him or her in terms of the principal Act, as well as such functions as may be or may have been assigned to him or her by the said council or the interim council, until a registrar has been appointed by the interim council in accordance with the provisions of section 11 of the principal Act.

(10)(a) The person referred to in subsection (9) shall, within 14 days after the commencement of this Act, furnish the Director-General: Health with the registers, minutes, financial statements and any other relevant documents of his or her council.

(b) The Director-General of the Department of Health of the former Republic of Transkei shall, within 14 days after the commencement of this Act, furnish the Director-General: Health with the registers with regard to homeopaths registered in the said former Republic.

#### **Extension of application of Act 63 of 1982**

**12. The Chiropractors, Homeopaths and Allied Health Service Professions Act, 1982 (Act No. 63 of 1982), as it was in force immediately prior to the date of commencement of the Chiropractors, Homeopaths and Allied Health Service Professions Amendment Act, 1995, in the national territory of the Republic excluding the areas which comprised the former Republics of Transkei, Bophuthatswana, Venda and Ciskei and the areas which comprised the territories declared under section 26 of the Self-governing Territories Constitution Act, 1971 (Act No. 21 of 1971), to be self-governing territories shall, from the date referred to in section 11(1) of the Chiropractors, Homeopaths and Allied Health Service Professions Amendment Act, 1995, also apply in all the aforesaid areas of the national territory of the Republic.**

#### **General provision**

**13. During the period of existence of the Chiropractors, Homeopaths and Allied Health Service Professions Interim Council the name "Chiropractors, Homeopaths and Allied Health Service Professions Council" shall be deemed to be the name of the said interim council, for the purpose of the issue of certificates, diplomas and distinguishing devices, as well as for the use on letterheads or on any other place where the emblem and name of the Chiropractors, Homeopaths and Allied Health Service Professions Council is used.**

#### **Short title**

**14. This Act shall be called the Chiropractors, Homeopaths and Allied Health Service Professions Amendment Act, 1995.**

like gedrag sou uitmaak ingevolge die bepalings van die herroepe wette of 'n regulasie daarkragtens uitgevaardig: Met dien verstande dat die interim raad geen verrigtinge teen 'n persoon instel nie tensy die aard van die oortreding wat die persoon na bewering gepleeg het ingevolge die herroepe wette of enige regulasie daarkragtens uitgevaardig, wesenlik ooreenstem met dié van 'n oortreding bedoel in die ooreenstemmende bepalings van die Hoofwet of enige regulasie daarkragtens uitgevaardig.

(7) Enige handeling verrig of besluit geneem ingevolge 'n bepaling van 'n wet wat ingevolge subartikel (1) herroep word, word geag verrig of geneem te 10 gewees het, na gelang van die geval, ingevolge die ooreenstemmende bepalings van die Hoofwet.

(8) Enige persoon wat onmiddellik voor die datum bedoel in subartikel (1) in 15 diens was by die Raad vir Chiropraktisyne, Homeopate en Verwante Gesondheidsdiensberoep word geag ingevolge artikel 11 van die Hoofwet deur die interim raad aangestel te wees.

(9) Die persoon wat onmiddellik voor die datum bedoel in subartikel (1) die 20 registrator van die Raad vir Chiropraktisyne, Homeopate en Verwante Gesondheidsdiensberoep was, gaan voort om die amp te beklee en om die werkzaamhede te verrig wat ingevolge die Hoofwet aan hom of haar toegewys is, 25 sowel as die werkzaamhede wat deur vermelde Raad of die interim raad aan hom of haar toegewys is of word, totdat 'n registrator ooreenkomsdig die bepalings van artikel 11 van die Hoofwet deur die interim raad aangestel is.

(10)(a) Die persoon bedoel in subartikel (9) moet binne 14 dae na die 30 inwerkingtreding van hierdie Wet die Direkteur-generaal: Gesondheid voorsien van die registers, notules, finansiële state en enige ander relevante dokumente van sy of haar raad.

(b) Die Direkteur-generaal van die Departement van Gesondheid van die voormalige Republiek van Transkei moet binne 14 dae na die inwerkingtreding van hierdie Wet die Direkteur-generaal: Gesondheid voorsien van die registers met betrekking tot homeopate wat in die genoemde voormalige Republiek 35 geregistreer is.

### **Uitbreiding van toepassing van Wet 63 van 1982**

12. Die Wet op Chiropraktisyne, Homeopate en Verwante Gesondheidsdiensberoep, 1982 (Wet No. 63 van 1982), soos dit onmiddellik voor die datum 35 van die inwerkingtreding van die Wysigingswet op Chiropraktisyne, Homeopate en Verwante Gesondheidsdiensberoep, 1995, van krag was in die nasionale grondgebied van die Republiek, met die uitsluiting van die gebiede wat die voormalige Republieke van Transkei, Bophuthatswana, Venda en Ciskei uitgemaak het en die gebiede wat die gebiede uitgemaak het wat kragtens artikel 26 40 van die Grondwet van die Selfregerende Gebiede, 1971 (Wet No. 21 van 1971), tot selfregerende gebiede verklaar is, is vanaf die datum bedoel in artikel 11(1) van die Wysigingswet op Chiropraktisyne, Homeopate en Verwante Gesondheidsdiensberoep, 1995, ook van toepassing in al die voormalde gebiede van die nasionale grondgebied van die Republiek.

### **45 Algemene bepaling**

13. Vir die tydperk van die bestaan van die Interim Raad vir Chiropraktisyne, Homeopate en Verwante Gesondheidsdiensberoep word die benaming "Raad vir Chiropraktisyne, Homeopate en Verwante Gesondheidsdiensberoep" geag 50 die benaming van vermelde interim raad te wees vir doeleindes van die uitreiking van sertifikate, diplomas en kentekens, asook vir die gebruik op skryfbehoefte of op enige ander plek waar die embleem en naam van die Raad vir Chiropraktisyne, Homeopate en Verwante Gesondheidsdiensberoep gebruik word.

### **Kort titel**

55 14. Hierdie Wet heet die Wysigingswet op Chiropraktisyne, Homeopate en Verwante Gesondheidsdiensberoep, 1995.

**Act No. 40, 1995 CHIROPRACTORS, HOMEOPATHS AND ALLIED HEALTH SERVICE PROFESSIONS AMENDMENT ACT, 1995****SCHEDULE****LAWS REPEALED BY SECTION 10**

<b>Number and year of law</b>	<b>Short title</b>	<b>Extent of repeal</b>	<b>Area of national territory in respect of which law is repealed</b>
Act No. 76 of 1971	Chiropractors Act, 1971	The whole	The territories of the former Republics of Ciskei and Venda and the territories of the former self-governing territories of Lebowa, Gazankulu, Qwaqwa, KwaZulu and KwaNdebele
Act No. 96 of 1972	Chiropractors Amendment Act, 1972	The whole	The territories of the former Republics of Ciskei and Venda and the territories of the former self-governing territories of Lebowa, Gazankulu, Qwaqwa, KwaZulu and KwaNdebele
Act No. 52 of 1974	Homeopaths, Naturopaths, Osteopaths and Herbalists Act, 1974	The whole	The territories of the former Republics of Ciskei and Venda and the territories of the former self-governing territories of Lebowa, Gazankulu, Qwaqwa, KwaZulu and KwaNdebele
Act No. 20 of 1976	Chiropractors Amendment Act, 1976	The whole	The territories of the former Republics of Ciskei and Venda and the territories of the former self-governing territories of Lebowa, Gazankulu, Qwaqwa, KwaZulu and KwaNdebele
Act No. 45 of 1979 (Bophuthatswana)	Associated Health Practices Registration Act, 1979	The whole	The territory of the former Republic of Bophuthatswana
Act No. 40 of 1980	Homeopaths, Naturopaths, Osteopaths and Herbalists Amendment Act, 1980	The whole	The territory of the former self-governing territory of KwaNdebele
Act No. 15 of 1982 (Transkei)	Health Professions and Related Health Practices Amendment Act, 1982	In so far as the provisions thereof relate to chiropractors, homeopaths, naturopaths and osteopaths	The territory of the former Republic of Transkei
Act No. 63 of 1982	Chiropractors, Homeopaths and Allied Health Service Professions Act, 1982	The whole	The territory of the former self-governing territory of KaNgwane
Act No. 9 of 1984 (Venda)	Homeopaths, Naturopaths, Osteopaths and Herbalists Amendment Act, 1984	The whole	The territory of the former Republic of Venda
Act No. 36 of 1984 (Ciskei)	Health Professions and Related Health Practices Act, 1984	In so far as the provisions thereof relate to homeopaths, naturopaths and osteopaths	The territory of the former Republic of Ciskei
Decree No. 18 of 1989 (Transkei)	Homeopaths, Naturopaths, Osteopaths and Herbalists Decree, 1989	The whole	The territory of the former Republic of Transkei

## BYLAE

## WETTE HERROEP DEUR ARTIKEL 10

Nommer en jaar van wet	Kort titel	In hoeverre herroep	Gebied van nasionale grondgebied ten opsigte waarvan wet herroep word
Wet No. 76 van 1971	Wet op Chiropraktisyne, 1971	Die geheel	Die gebiede van die voormalige Republieke van Ciskei en Venda en die gebiede van die voormalige selfregerende gebiede van Lebowa, Gazankulu, Qwaqwa, KwaZulu en KwaNdebele
Wet No. 96 van 1972	Wysigingswet op Chiropraktisyne, 1972	Die geheel	Die gebiede van die voormalige Republieke van Ciskei en Venda en die gebiede van die voormalige selfregerende gebiede van Lebowa, Gazankulu, Qwaqwa, KwaZulu en KwaNdebele
Wet No. 52 van 1974	Wet op Homeopate, Naturopate, Osteopate en Kruiekundiges, 1974	Die geheel	Die gebiede van die voormalige Republieke van Ciskei en Venda en die gebiede van die voormalige selfregerende gebiede van Lebowa, Gazankulu, Qwaqwa, KwaZulu en KwaNdebele
Wet No. 20 van 1976	Wysigingswet op Chiropraktisyne, 1976	Die geheel	Die gebiede van die voormalige Republieke van Ciskei en Venda en die gebiede van die voormalige selfregerende gebiede van Lebowa, Gazankulu, Qwaqwa, KwaZulu en KwaNdebele
Wet No. 45 van 1979 (Bophuthatswana)	Wet op Registrasie van Geassosieerde Gesondheidsberoep, 1979	Die geheel	Die gebied van die voormalige Republiek van Bophuthatswana
Wet No. 40 van 1980	Wysigingswet op Homeopate, Naturopate, Osteopate en Kruiekundiges, 1980	Die geheel	Die gebied van die voormalige selfregerende gebied van KwaNdebele
Wet No. 15 van 1982 (Transkei)	“Health Professions and Related Health Practices Amendment Act, 1982”	Vir sover die bepalings daarvan op chiropraktisyne, homeopate, naturopate en osteopate betrekking het	Die gebied van die voormalige Republiek van Transkei
Wet No. 63 van 1982	Wet op Chiropraktisyne, Homeopate en Verwante Gesondheidsdiensberoep, 1982	Die geheel	Die gebied van die voormalige selfregerende gebied van KaNgwane
Wet No. 9 van 1984 (Venda)	“Homeopaths, Naturopaths, Osteopaths and Herbalists Amendment Act, 1984”	Die geheel	Die gebied van die voormalige Republiek van Venda
Wet No. 36 van 1984 (Ciskei)	“Health Professions and Related Health Practices Act, 1984”	Vir sover die bepalings daarvan op homeopate, naturopate en osteopate betrekking het	Die gebied van die voormalige Republiek van Ciskei
Dekreet No. 18 van 1989 (Trans- kei)	“Homeopaths, Naturopaths, Osteopaths and Herbalists Decree, 1989”	Die geheel	Die gebied van die vormalige Republiek van Transkei