

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

NO. 5531

8 November 2024

MS MICHÉLE CLARKE, MP

**NOTICE OF INTENTION TO INTRODUCE A PRIVATE MEMBER'S
BILL AND INVITATION FOR COMMENT ON THE DRAFT, NAMELY
THE HEALTH PROFESSIONS AMENDMENT BILL, 2024**

Ms Michéle Clarke, MP acting in accordance with section 73(2) of the Constitution of the Republic of South Africa, 1996, intends to introduce the Health Professions Amendment Bill, 2024 (“the draft Bill”) in Parliament. An explanatory summary of the Bill is hereby published in accordance with Rule 276(1)(c) of the Rules of the National Assembly (9th Edition).

The non-placement by the National Department of Health (“Department”) and the Internship and Community Service Placement (ICSP) of intern and community service medical practitioners has become a growing issue in South Africa due to insufficiently funded posts in public health facilities. To become a medical practitioner in South Africa, the Health Professions Act, 1974 (Act No. 56 of 1974) (“the Principal Act”) provides that a medical practitioner must complete 1 year of community service at a public health facility, and in the case of doctors, the community service must be preceded by a two-year internship at a public health facility before they can become qualified.

This requires the Department to ensure there are positions and the necessary budget allocated for these medical practitioners in training to be placed in public health facilities. Yet every year, leading up to the January and July placements, many doctors, and other medical practitioners, like nurses, physiotherapists and radiologists are placed late, last minute, or not at all, into public health facilities.

If not placed in community service or internship, there are no real alternatives for these medical practitioners in training, and they are left without recourse or employment. With no authority in the principal Act, and no provision in the regulations, this lack of alternatives to place every person who has applied through the proper channels, causes a gap in the law, either delaying or preventing medical practitioners from becoming qualified and registered. If the government wishes to enforce strict requirements to qualify and register as a medical practitioner, every person who suitably qualifies must be given alternatives to secure an internship position.

The Health Professions Amendment Bill (“the Bill”) seeks to provide an alternative means for the placement of interns through the assistance of private health facilities. The proposal is to provide options for all medical practitioners in training and who are suitably eligible, to be placed for internship or community service at private health facilities, in addition to public health facilities. Private health facilities would be included amongst the list of health facilities to which persons can apply to for placement. Should a person be placed at a private health facility, that facility will cover the cost of employment, rather than the Department of Health. With the addition of private health facilities, a strong private-public partnership will develop in the healthcare sector. It will allow private health facilities the opportunity to hire young,

junior staff with the possibility of future employment once they have completed their necessary training, leading to more job creation and reducing the skills deficit we see in this country. In essence, we will have more medical practitioners who can become accredited, benefitting both the public and private sectors where there is a shortage of medical practitioners.

Interested parties and institutions are invited to submit written representations on the proposed content of the draft Bill to the Speaker of the National Assembly within 30 days of the publication of this notice. Representations can be delivered to the Speaker, New Assembly Building, Parliament Street, Cape Town; mailed to the Speaker, P O Box 15 Cape Town 8000, or emailed to speaker@parliament.gov.za and copied to legislation@da.org.za.

Copies of the Health Professions Amendment Bill, 2024 may, after introduction, be obtained from:

The Democratic Alliance
PO Box 15, Cape Town, 8000
Attention: Ms Michéle Clarke
Email: legislation@da.org.za