



Regulation Gazette

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CORRECTION NOTICES

Notice is hereby given that the **regulation number** in the preamble of *Government Gazette* No. 28181 of 28 October 2005, was incorrectly published. The number should read as follows: **Regulation Gazette No. 8338.**

Notice is hereby given that the **regulation number** in the preamble of *Government Gazette* No. 28187 of 1 November 2005, was incorrectly published. The number should read as follows: **Regulation Gazette No. 8339.**

Notice is hereby given that the **regulation number** in the preamble of *Government Gazette* No. 28188 of 31 October 2005, was incorrectly published. The number should read as follows: **Regulation Gazette No. 8340.**

Notice is hereby given that the **regulation number** in the preamble of *Government Gazette* No. 28190 of 1 November 2005, was incorrectly published. The number should read as follows: **Regulation Gazette No. 8341.**

Notice is hereby given that the **regulation number** in the preamble of *Government Gazette* No. 28191 of 4 November 2005, was incorrectly published. The number should read as follows: **Regulation Gazette No. 8342.**

GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF HEALTH DEPARTEMENT VAN GESONDHEID

No. R. 1089

11 November 2005

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

REGULATIONS RELATING TO FEES PAYABLE TO COUNCIL: AMENDMENT

The Minister of Health has, in terms of section 61(2) and (7)(b) of the Health Professions Act, 1974 (Act No. 56 of 1974), in consultation with the Health Professions Council of South Africa, made the regulations in the Schedule.

SCHEDULE

Definition

1. In these regulations "the Regulations" means the regulations published under Government Notice No. R. 1560 of 31 October 2003.

Amendment of regulation 3 of the Regulations

2. Regulation 3 of the regulations is hereby amended by the substitution for paragraph (a) of the following paragraph:

"(a) The restoration fee payable by a practitioner if he or she applies for the restoration of his or her name to the register from which it was removed under section 19(1)(a), (b) or (d) of the Act -

- (i) within a period of six months after the erasure date, shall be equivalent to twice the applicable annual fee for the current year, plus outstanding fees, if any;
- (ii) after a period of six months, but within 12 months of the erasure date, shall be equivalent to four times the applicable annual fee for the current year, plus outstanding fees, if any; or
- (iii) after a period of more than 12 months after the erasure date, shall be equivalent to five times the applicable annual fee for the current year, plus outstanding fees, if any."; and

(b) the insertion of the following paragraph after paragraph (a):

"(aA) An application for the restoration referred to in paragraph (a) and for the restoration of a name removed in terms of section 19(1)(c) of the Act shall be made on the application form set out in the Annexure."

No. R. 1089

11 November 2005

WET OP GESONDHEIDSBEROEPE, 1974 (WET NO. 56 VAN 1974)**REGULASIES BETREFFENDE GELDE BETAALBAAR AAN DIE RAAD: WYSIGING**

Die Minister van Gesondheid het kragtens artikels 61(2) en (7)(b) van die Wet op Gesondheidsberoepe, 1974 (Wet No. 56 van 1974), in oorleg met Die Raad vir Gesondheidsberoepe van Suid-Afrika die regulasies in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie regulasies beteken "die Regulasies" die regulasies gepubliseer by Goewermentskennisgewing No. R. 1560 van 31 Oktober 2003.

Wysiging van regulasie 3 van die Regulasies

2. Regulasie 3 van die regulasies word hierby gewysig deur paragraaf (a) deur die volgende paragraaf te vervang:

"(a) Die terugplasinggeld betaalbaar deur 'n praktisyn as hy of sy aansoek doen om die terugplasing van sy of haar naam op die register waaruit dit geskrap is ingevolge artikel 19(1)(a), (b) of (d) van die Wet -


- (i) binne 'n tydperk van ses maande na die skrapingsdatum, is gelyk aan twee maal die toepaslike jaarlikse geld vir die huidige jaar, plus uitstaande gelde, as daar is;
- (ii) na 'n tydperk van ses maande, maar binne 12 maande na die skrapingsdatum, is gelyk aan vier maal die toepaslike jaarlikse geld vir die huidige jaar, plus uitstaande gelde, as daar is; of
- (iii) na 'n tydperk van langer as 12 maande na die skrapingsdatum, is gelyk aan vyf maal die toepaslike geld vir die huidige jaar, plus uitstaande gelde, as daar is."; en

(b) deur na paragraaf (a) die volgende paragraaf in te voeg (a):

"(aA) 'n Aansoek om die terugplasing bedoel in paragraaf (a) en om die terugplasing van 'n naam geskrap ingevolge artikel 19(1)(c) van die Wet moet gedoen word op die aansoekvorm soos uiteengesit in die Aanhangsel."

Addition of Annexure to the Regulations

3. Insert the following annexure at the end of the Regulations:

 <p>HPCSA Health Professions Council of South Africa</p>	<p align="center">APPLICATION FOR RESTORATION OF NAME TO REGISTER IN TERMS OF SECTION 19(5) OF THE HEALTH PROFESSIONS ACT, 1974 (ACT NO. 56 OF 1974)</p> <p>Senders and return to: The Registrar, PO Box 205, Pretoria 0001/ 553 Vermeulen Street, Arcadia, Pretoria, 0083</p>	<p align="center">FOR OFFICE USE ONLY</p>
<p>NB: AN INCOMPLETE FORM WILL DELAY REGISTRATION</p>		
<p>A. PERSONAL PARTICULARS:</p>		<p>Received on</p>
<p>HPCSA Registration No.:</p>		<p>Amount</p>
<p>I, (Dr, Mr, Mrs, Miss) Surname:</p>		<p>Receipt No.</p>
<p>Maiden name (if applicable):</p>		
<p>First names: Identity No.:</p>		<p>Removed under section 19(1)()</p>
<p>Postal address:</p>		<p>Date restored</p>
<p>..... Postal code:</p>		<p>Original reg. date</p>
<p>Residential address:</p>		<p>BANKING DETAILS:</p>
<p>..... Postal code:</p>		<p>ABSA BANK</p>
<p>Tel (H): (W):</p>		<p>Account No.: 0610000169</p>
<p>Cell: Fax:</p>		<p>Branch: <u>Arcadia</u></p>
<p>Email address:</p>		<p>Branch code: <u>334945</u></p>
<p>*Marital status: <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Single Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female</p>		<p>Please fax your application form and proof of payment to (012) 324 5726.</p>
<p>*Race: <input type="checkbox"/> Asian <input type="checkbox"/> African <input type="checkbox"/> Coloured <input type="checkbox"/> White Country of origin:</p>		<p>Verified</p>
<p>I request that my name be restored to the register of for the Republic of South Africa,</p>		<p>Date</p>
<p>and hereby make oath and declare that I was registered as a with the registration number and that my name was removed from the register under section 19 of the Act.</p>		<p>Prepared</p>
<p>I also declare that I have never been convicted of any criminal offence or been suspended from practice by reason of unprofessional conduct in any country and that, to the best of my knowledge and belief, no proceedings involving or likely to involve a charge of offence or misconduct are pending against me in any country at present.**</p>		<p>Date</p>
<p>.....</p>		<p>Verified</p>
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ME TSHABALALA-MSIMANG
MINISTER OF HEALTH

*PLEASE COMPLETE FOR STATISTICAL PURPOSES

No. R. 1090

11 November 2005

**FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972 (ACT NO. 54 OF
1972)**

**REGULATIONS RELATING TO OBJECTS PACKED IN FOODSTUFFS INTENDED
FOR CHILDREN**

The Minister of Health has, in terms of section 15(1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), made the regulations in the Schedule.

SCHEDULE

Definitions

1. In these regulations, any expression defined in the Act bears that meaning and, unless the context indicates otherwise –

"bioavailability" means a measure of the physicochemical access that an element or substance has to the biological processes of the human body;

"flammable" means the ability of any object or material to burn with a blaze under specific test conditions;

"hazard" means any object or material that may be detrimental or may contain a biological, chemical or physical agent capable of causing adverse effects to the health of its user or a third party or both its user and a third party;

"ISO" means the International Standards Organization;

"normal use" means expected favourable play conditions which are in accordance with the instructions that may accompany the toy, or evident from the appearance of the toy, or established by tradition;

"reasonably foreseeable abuse" means anticipated excessive play conditions, which are not normal use, to which a toy could be subjected by a child under the age of three years;

"SANS" means the South African National Standards, a division of the South African Bureau of Standards as defined in the Standards Act, 1993 (Act No. 29 of 1993);

"the Act" means the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972); and

"toy" means any object, product, material or part thereof designed or clearly intended for use in play or any activity by children under the age of three years, which is packaged in foodstuffs, and shall also include promotional articles intended for children.

General specifications

2. (1) Toys that are wrapped before packaging in a foodstuff shall be properly wrapped, and the wrapping material shall not affect the chemical composition of the foodstuff.
- (2) A toy shall be regarded as safe for the purposes of these regulations if, when used in a foreseeable way and having regard to the normal behaviour of children under the age of three years, it does not jeopardize the safety or health of the user or any third party.

- (3) Foodstuffs that have toys packaged inside them shall be clearly labelled to indicate the presence of toys.

Essential safety requirements for toys

3. All toys in foodstuffs shall comply with the following safety requirements:
 - (1) Toys that are designed to be disassembled or pieces of which may break off during normal use or during reasonably foreseeable abuse, shall not be of a size that create a hazard if they are swallowed or inhaled, or come into contact with the skin, mucous tissues or eyes.
 - (2) Toys shall be visually clean and free from any kind of infestation.
 - (3) Toys shall conform to the SANS standard on the 'Safety of Toys' and shall be tested to simulate reasonably foreseeable abuse in order to ensure that hazards are not generated as a result of normal wear and tear or deterioration.
 - (4) Testing shall be done in accordance with the appropriate test methods outlined in clauses 5.1, 5.2 and 5.3 of the ISO 8124-1:2000 standard on the 'Safety of Toys (Part 1)'. Such tests shall be carried out in an anticipated use environment and shall be intended to expose potential hazards rather than to demonstrate the reliability of such a toy.
 - (5) Toys shall not contain flammable gases, flammable liquids or extremely flammable solids.

Bioavailability and concentration limits for certain elements in toys

4. Metals or elements in column I of the table below with their bioavailability as outlined in column II shall not exceed the corresponding concentration limits outlined in column III if used in toys.

Metal	Bioavailability (µg)	Maximum limit (g/kg)
Antimony	1,4	0,6
Arsenic	0,1	0,25
Barium	25	10
Cadmium	0,6	0,75
Chromium	0,3	0,6
Lead	0,7	0,9
Mercury	0,5	0,6
Selenium	5,0	5,0

Restrictions

5. With respect to these regulations, no person shall sell, manufacture or import for sale any foodstuff which contains toys that –
- (1) may generate potential hazards under normal use;
 - (2) may be detrimental to the health of users or third parties under reasonably foreseeable abuse;
 - (3) may affect the chemical composition of the foodstuff; or
 - (4) do not comply with the essential safety requirements contained in these regulations.


ME TSHABALALA-MSIMANG
MINISTER OF HEALTH

No. R. 1090

11 November 2005

**WET OP VOEDINGSMIDDELS, SKOONHEIDSMIDDELS EN
ONTSMETTINGSMIDDELS, 1972 (WET NO. 54 VAN 1972)**

**REGULASIES BETREFFENDE VOORWERPE VERPAK IN
VOEDINGSMIDDELS BEDOEL VIR KINDERS**

Die Minister van Gesondheid het kragtens artikel 15(1) van die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet No. 54 van 1972), die regulasies in die Bylae uitgevaardig.

BYLAE

WOORDOMSKRYWING

1. In hierdie regulasies het enige uitdrukking wat in die Wet omskryf is, daardie betekenis en, tensy uit die samehang anders blyk, beteken –

"biobeskikbaarheid" 'n meting van die fisiochemiese toegang wat 'n element of stof het tot die biologiese prosesse van die menslike liggaam;

"die Wet" die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet No. 54 van 1972);

"gevaar" enige voorwerp of materiaal wat nadelig kan wees of 'n biologiese, chemiese of fisiese agens bevat wat in staat is om nadelige uitwerkings te hê op die gesondheid van sy gebruiker of 'n derde party of sowel sy gebruiker as 'n derde party;

"ISO" die Internasionale Standaard-Organisasie;

"normale gebruik" die verwagte gunstige speeltoestande wat in ooreenstemming is met die instruksies wat die speelding vergesel, of duidelik is uit die voorkoms van die speelding, of deur tradisie gevestig is;

"redelik voorsienbare wangebruik" voorsiene buitensporige speeltoestande, wat nie normale gebruik is nie, waaraan 'n speelding onderwerp kan word deur 'n kind onder die ouderdom van drie jaar;

"SANS" die Suid-Afrikaanse Nasionale Standaard, 'n afdeling van die Suid-Afrikaanse Buro vir Standaard, soos omskryf in die Wet op Standaard, 1993 (Wet No. 29 van 1993);

"speelding" enige voorwerp, produk, materiaal of deel daarvan ontwerp of duidelik bedoel vir gebruik, in spel of enige aktiwiteit, deur kinders jonger as drie jaar, wat verpak is in voedingsmiddels, en omvat ook reklameartikels bedoel vir kinders; en

"vlambaar" die vermoë van 'n voorwerp of materiaal om in spesifieke toetstoestande te brand met 'n vlam.

Algemene spesifikasies

2. (1) Speelgoed wat verpak is voor verdere verpakking in 'n voedingsmiddel, moet behoorlik verpak wees en die

verpakkingsmateriaal mag nie 'n uitwerking op die chemiese samestelling van die voedingsmiddel hê nie.

- (2) 'n Speelding word as veilig beskou vir die doeleindes van hierdie regulasies indien, wanneer dit op 'n voorsienbare wyse gebruik word en met inagneming van die normale gedrag van kinders onder die ouderdom van drie jaar, dit nie die veiligheid of gesondheid van die gebruiker of enige derde party in gevaar stel nie.
- (3) Voedingsmiddels wat verpakte speelgoed binne het, moet duidelik gemerk wees om die aanwesigheid van speelgoed aan te dui.

Noodsaaklike veiligheidsvereistes vir speelgoed

3. Alle speelgoed in voedingsmiddels moet aan die volgende veiligheidsvereistes voldoen:
 - (1) Speelgoed wat ontwerp is om uitmekaargehaal te word of waarvan dele kan afbreek tydens normale gebruik of tydens redelik voorsienbare wangebruik, mag nie van 'n grootte wees wat 'n gevaar kan laat ontstaan indien dit ingesluk of ingesem word nie, of met die vel, slymvliese of oë in aanraking kom nie.
 - (2) Speelgoed moet sigbaar skoon wees en vry van enige soort besmetting.
 - (3) Speelgoed moet voldoen aan die SANS-standaard, "Safety of Toys", vir die veiligheid van speelgoed, en moet getoets wees om voorsienbare wangebruik na te boots ten einde te verseker dat gevare nie ontstaan as gevolg van normale slytasie of agteruitgang nie.

- (4) Toetsing moet gedoen word ooreenkomstig die toepaslike toetsmetodes soos uiteengesit in klousules 5.1, 5.2 and 5.3 van die ISO 8124-1:2000-standaard, 'Safety of Toys (Part 1)', rakende die veiligheid van speelgoed. Sodanige toetse moet uitgevoer word in 'n verwagte gebruiksomgewing en moet bedoel wees om potensiële gevare bloot te lê eerder as om die betroubaarheid van sodanige speelding te toon.
- (5) Speelgoed mag nie vlambare gasse, vlambare vloeistowwe of uiters vlambare vaste stowwe bevat nie.

Biobeskikbaarheid en konsentrasieperke vir sekere elemente in speelgoed

4. Metale of elemente in kolom 1 van die tabel hieronder, met hulle biobeskikbaarheid soos uiteengesit in kolom II, mag nie die ooreenstemmende perke soos uiteengesit in kolom III oorskry nie.

Metaal	Biobeskikbaarheid (µg)	Maksimum perk (g/kg)
Antimoon	1,4	0,6
Arseen	0,1	0,25
Barium	25	10
Chroom	0,3	0,6
Kadmium	0,6	0,75
Kwik	0,5	0,6
Lood	0,7	0,9
Seleen	5,0	5,0

Beperkings

5. Met betrekking tot hierdie regulasies mag niemand enige voedingsmiddel verkoop, vervaardig of vir verkoop invoer nie wat speelgoed bevat wat –
- (1) potensiële gevare kan laat ontstaan tydens normale gebruik;
 - (2) nadelig kan wees vir die gesondheid van gebruikers of derde partye tydens redelik voorsienbare wangebruik;
 - (3) 'n uitwerking kan hê op die chemiese samestelling van die voedingsmiddel; of
 - (4) nie aan die noodsaaklike veiligheidsvereistes in hierdie regulasies vervat, voldoen nie.


ME TSHABALALA-MSIMANG
MINISTER VAN GESONDHEID
