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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF HEALTH

NO. 6130 **16 April 2025**

NATIONAL HEALTH ACT, 2003 (ACT No. 61 of 2003)

ESTABLISHMENT OF THE MINISTERIAL ADVISORY COMMITTEE ON HUMAN RESOURCES FOR HEALTH POLICY REVIEW

I, Pakishe Aaron Motsoaledi, Minister of Health after consultation with the National Health Council, in terms of section 91(1) of the National Health Act, 2003 (Act No. 61 of 2003), read with sections 91(2) of the Act, hereby establish a Ministerial Advisory Committee on Human Resources for Health Policy Review and determine its composition, functions and working procedure, and in consultation with the Minister of Finance, determine the terms, conditions, remuneration and allowances payable to its members.

DR PAKISHE AARON MOTSOALEDI, MP
MINISTER OF HEALTH
DATE: 11/4/2025

1. Definitions

In this Notice, a word or expression to which a meaning has been assigned in the Act shall bear such meaning and, unless the context otherwise indicates-

***"ad hoc* sub-committee"** means a committee appointed by the Ministerial Advisory Committee on Human Resources for Health Policy Review;

"Committee" means the Ministerial Advisory Committee on Human Resources for Health Policy Review;

"Department" means the National Department of Health; and

"the Act" means the National Health Act, 2003 (Act No. 61 of 2003).

2. Background

2.1 The Ministerial Advisory Committee on Human Resources for Health Policy Review will advise the Minister on all matters related to Commuted Overtime, Community Service, Remunerative Work Outside the Public Service (RWOPS) and Rural Allowance in line with Section 91(1) of the National Health Act, 2003 (Act No. 61 of 2003).

2.2 The Committee will review the Commuted Overtime, Community Service, RWOPS and Rural Allowance policies and make recommendations to the Minister.

3. Purpose and mandate

The Committee shall review existing Human Resources for Health (HRH) Polices, namely:-

(a) Community Service;
(b) Commuted overtime;

(c) Remunerative Work Outside the Public Service for Health Professionals; and

(d) Rural and related allowances.

4. Composition of the committee

4.1 The Committee consists of the following members: -

MEMBER	PROFILE
1. Dr C Lubisi	Former Director-General: Presidency
2. Ms S Mchunu	Former Registrar: South African Nursing Council
3. Prof L Rispel	Professor of Public Health: University of the Witwatersrand
4. Prof E Buch	Former Dean of Health Sciences: University of Pretoria
5. Dr T Carter	Former Deputy Director-General: Hospital Services National Department of Health
6. Dr R Morar	Director of Medical School: Nelson Mandela University
7. Prof B Luke	Former member of the Medical and Dental Board: Health Professions Council of South Africa
8. Ms N Marawa	Strategy and Policy Specialist
9. Prof B Ncama	Deputy Vice-Chancellor and Head of UKZN College of Health Sciences
10. Prof S Fikeni	Chairperson of the Public Service Commission
11. Vacant	HR Specialist: To be appointed

4.2 In appointing members of the Committee, the factors which include, but are not limited to the appropriate representation of race, gender, and disability, were taken into account.

5. Appointment of members of the Committee

5.1 A member of the Committee is appointed for a period of two years.

5.2 A member of the Committee, excluding a member who is in full-time employment of the State, must be appointed on such terms and conditions, as the Minister may determine, with the concurrence of the Minister of Finance.

6. Chairperson and Vice-Chairperson of Committee

6.1 The Minister must appoint a Chairperson and Vice-Chairperson of the Committee from the members contemplated in paragraph 4.

6.2 Whenever the Chairperson of the Committee is absent or unable to perform his or her functions as the Chairperson, the Vice-Chairperson must act as Chairperson.

6.3 If the Vice-Chairperson is absent or unable to act as the Chairperson, the members present must designate another member of the Committee to act as Chairperson until the Chairperson or Vice-Chairperson is available.

6.4 A person acting as the Chairperson of the Committee in terms of paragraphs 6.2 and 6.3 exercises the powers and performs the duties of the Chairperson.

7. Appointment of ad hoc sub-committee(s)

7.1 The Committee may appoint one or more *ad hoc* sub-committees from among its members to assist the Committee to perform its functions and exercise its powers.

7.2 The Committee will assign or appoint a Chairperson of the *ad hoc* sub-committee from amongst its members.

8. Disqualification from membership of the Committee and vacation of office

8.1 A person may not be appointed as a member of the Committee if that person-

(a) is not a citizen of South Africa and ordinarily resident in the Republic;
(b) is an un-rehabilitated insolvent;
(c) has at any time been convicted of an offence involving dishonesty, whether in the Republic or elsewhere, and sentenced to imprisonment without the option of a fine;

(d) has been removed from an office of trust; or

(e) is suffering from an infirmity of mind or body which prevents him or her from properly discharging his or her duties as a member of the Committee.

8.2 A member of the Committee must vacate his or her office if-

(a) he or she becomes disqualified in terms of paragraph 8.1, from being appointed or serving, as a member of the Committee;

(b) he or she submits his or her resignation to the Minister in writing; or

(c) he or she has, without the leave of the Committee, been absent from more than two consecutive meetings of the Committee without an apology.

8.3 If a member of the Committee dies or vacates his or her office in terms of paragraph 8.1 or 8.2, the Minister may, subject to paragraph 5, appoint a person to fill the vacancy for the unexpired portion of the period for which that member was appointed.

9. Functions of the Committee

The Committee will review existing HRH policies referred to in paragraph 3 and make recommendations to the Minister.

10 Working procedures

10.1. The Committee must, in its first sitting, determine the rules for the conduct of proceedings at its meetings.

10.2. Secretariat support will be provided by the National Department of Health Human Resources for Health Chief Directorate.

10.3. A quorum for a meeting of the Committee is the simple majority (50% plus 1) of its members.

10.4. A decision of the majority of the members of the Committee present at a meeting constitutes a decision of the Committee and, in the event of equality of votes, the member presiding at the meeting must have a casting vote in addition to his or her deliberative vote.

10.5. A decision taken, or an act authorised, by the requisite majority of the members of the Committee who were present at the time and entitled to sit as members, is not invalid by reason only of a vacancy on the Committee, or that a person who is not entitled to sit as a member of the Committee sat as a member at the time when the decision was taken, or the act was authorised.

10.6. Minutes of the proceedings of a meeting of the Committee must be properly prepared and recorded.

10.7. Minutes of the proceedings of a meeting must be submitted at the next meeting of the Committee and, if approved as correct, must be confirmed by the signature of the Chairperson or that of a member who chaired the meeting and may, when so confirmed, be evidence, in a court of law, of the proceedings of the meeting.

10.8. Members must disclose their conflict of interest in each case discussed and possibly excuse herself or himself for all matters affecting them in terms of paragraph 11.

11. Conflict of interest

A member of the Committee may not take part in a discussion of, or the making of decisions, on a matter before the Committee in which he or she or any family member may have direct or indirect interest.

12. Remuneration and allowances of Committee members

The members of the Committee who are not employed by the State, State Agencies or State Entities are entitled to be remunerated in accordance with the Department

of Public Service and Administration annual rates.

13 Termination of membership

13.1 A member of the Committee may, at any time, resign as a member of the Committee by giving not less than 30 days' written notice to the Minister.

13.2 Despite paragraph 13.1, the Minister may terminate the appointment of a member of the Committee with immediate effect if the member-

(a) is or becomes an un-rehabilitated insolvent;
(b) is suffering from an infirmity of mind or body which prevents him or her from properly discharging his or her duties as a member of the Committee;
(c) has been removed from an office of trust; or
(d) is suffering from an infirmity of mind or body which prevents him or her from properly discharging his or her duties as a member of the Committee.

13.3 The Minister may terminate the appointment of a member of the Committee after consultation with the Committee member, if the member:-

(a) fails to perform duties and functions of the Committee to the best of his or her ability;
(b) has engaged in conduct, which, in the opinion of the Minister, brings or may bring the Department of Health or the activities of the Committee into disrepute or threatens the integrity of the Committee or Department of Health; and
(c) is, in the opinion of the Minister, incompetent or unfit to fulfil his or her duties.

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