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## GOVERNMENT NOTICE GOEWERMENSKENNISGEWING

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### DEPARTMENT OF HEALTH DEPARTEMENT VAN GESONDHEID

No. R. 993

16 September 2008

### HEALTH PROFESSIONS ACT, 1974

#### REGULATIONS DEFINING THE SCOPE OF THE PROFESSION OF PSYCHOLOGY

The Minister of Health has, in terms of section 33(1) of the Health Professions Act 56 of 1974, as amended by Act No. 29 of 2007 and on the recommendation of the Health Professions Council of South Africa, made the regulations in the Schedule.

#### SCHEDULE

##### Definitions

1. In these regulations unless the context otherwise indicates, "**the Act**" shall mean the Health Professions Act, 1974 (Act No. 56 of 1974) as amended, 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 Professional Board of Psychology established in terms of section 15(1) of the Act;

"**psychology**" means the profession of a person registered under the Act as a psychologist, psychometrist, registered counsellor, psycho technician or in any other category of registration as may be established by the board; and

"**section**" means a section of the Act.

##### Scope of the profession

2. The following acts shall be deemed to be acts specially pertaining to the profession of psychology:-

(a) the evaluation of behaviour or mental processes or personality adjustments or adjustments of individuals or of groups of persons, through the use or interpretation

of any psychological test, questionnaire, instrument, apparatus, device or similar method for the determination of intellectual abilities, aptitude, interests, personality make-up or personality functioning, and the diagnosis or measurement of personality and emotional functions, neuropsychological disorders and mental functioning deficiencies according to a recognised scientific system for the classification of mental deficiencies;

- (b) the use of any psychological method or practice aimed at aiding persons or groups of persons in the adjustment of personality, emotional or behavioural problems or at the promotion of positive personality change, growth and development, and the identification and evaluation of personality dynamics and personality functioning according to scientific psychological methods;
- (c) the evaluation of emotional, behavioural and cognitive processes or adjustment of personality of individuals or groups of persons by the usage and interpretation of psychological questionnaires, tests, projections, or other techniques or any apparatus, whether of South African origin or imported, for the determination of intellectual abilities, aptitude, personality make-up, personality functioning psycho-physiological functioning or psychopathology;
- (d) the exercising of control over prescribed psychological questionnaires or tests or prescribed techniques, apparatus or instruments for the determination of intellectual abilities, aptitude, personality make-up, personality functioning, psychophysiological functioning or psychopathology;
- (e) the development of and control over the development of psychological questionnaires, tests, techniques, apparatus or instruments for the determination of intellectual abilities, aptitude, personality make-up, personality functioning, psychophysiological functioning or psychopathology;
- (f) the use of any psychological questionnaire, test, prescribed techniques, instrument, apparatus, device or similar method for the determination of intellectual abilities, aptitude, personality make-up, personality functioning, temperament, psycho-physiological functioning, psycho-pathology or personnel career selection, and for this purpose the board will publish a Board Notice listing the tests which are classified by the board for use by registered psychologists;

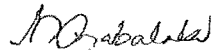
- (g) the use of hypnotherapy;
  - (h) the use of any psychotherapeutic method, technique or procedure to rectify, relieve or change personality, emotional, behavioural or adjustment problems or mental deficiencies of individuals or groups of people; and
  - (i) the use of any psychological method or psychological counselling to prevent personality, emotional, cognitive, behavioural and adjustment problems or mental illnesses of individuals or groups of people.
3. These regulations shall not prohibit an intern-psychologist actually undergoing an internship training from-
- (a) performing any function or issuing any certificate or other document which in terms of any law, other than the Act, may be or is required to be performed or issued by a psychologist whether described in such law as a psychologist or by any other name or designation; or
  - (b) describing himself or herself as a psychologist in connection with the performance of any such function or the issuing of any such certificate or other document, and any reference in any such law to such a psychologist shall be deemed to include a reference to an intern-psychologist.
4. These regulations shall not be construed as prohibiting the following-
- (a) the use of a method or technique, referred to in regulation 2, by
    - (i) an educational, a training or a research institution recognized by the board and the council; or
    - (ii) a member of the academic staff of a higher educational or training institution recognized by the board or council.
  - (b) anything necessary or required to be done by a student psychologist in the course of and for the purposes of his or her studies at a university or other prescribed institution, provided it is done under the supervision of a psychologist.

**Registration a prerequisite to practice**

5. 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 psychologist and submit proof of having complied with the prescribed requirements for such registration.

**Repeal**

6. The regulations published under Government Notices Nos. R.1862, R.1863 and R.1864 of 16 September 1977 are hereby repealed.

**M E TSHABALALA MSIMANG****MINISTER OF HEALTH**