

DEPARTMENT OF HEALTH

NO. 2824

2 December 2022

ALLIED HEALTH PROFESSIONS ACT 63 OF 1982

DRAFT REGULATIONS RELATING TO THE SCOPE OF PRACTICE OF
AYUVERDA

The Minister of Health intends, in terms of section 38 of the Allied Health Professions Act, 1982 (Act No. 63 of 1982), after consultation with the Allied Health Professions Council, to amend the regulations set out in the Schedule.

Interested persons are invited to submit substantiated comments or representations in writing on the proposed amendments to the regulations, to the Director-General: Health, Private Bag X828, Pretoria, 0001, (for the attention of the Director: Public Entities Governance, Ms. M. Mushwana, mihloti.mushwana@health.gov.za), within one month of the date of the publication of this notice.



DR. MJ PHAAHLA, MP

MINISTER OF HEALTH

DATE: 14/11/2022

SCHEDULE

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

“Ayurveda” is a traditional system of healing, first recognised in the five thousand year old Sanskrit texts called the Vedas, also referred to as the science of life and longevity and which examines the physical constitution, emotional nature and spiritual outlook of a human being with reference to the three Doshas;

“Ayurveda practitioner” means a person registered as such in terms of the Act;

“council-accepted” or **“accepted by the council”** means that the recommendations of the relevant professional board have been accepted by the Council by way of due process;

“Doshas” means the three different energies called Vata, Pitta and Kapha respectively in which the universal life force manifests;

“Gandusha” is an ayurvedic treatment in which a medicated oil or medicated decoction is held by the patient in his mouth for a certain period;

“Greeva Basti” is an ayurvedic treatment in which warmed medicated oils or fats are poured within a retaining ring positioned on the patient’s cervical spinal region;

“Janu Basti” is an ayurvedic treatment in which warmed medicated oils or fats are poured within a retaining ring positioned on the patient’s knees;

“Kati Basti” is an ayurvedic treatment in which warmed medicated oils or fats are poured within a retaining ring positioned on the patient’s lumbar spinal region;

“Karna Purna” is an ayurvedic treatment in which warmed medicated oils or ghee are poured into the patient’s ears;

“medicine” bears the meaning ascribed to it in the Medicines and Related Substances Act No 101 of 1965;

“Netra Basti” is an ayurvedic treatment in which warmed medicated oils or fats are poured within a retaining ring positioned around the patient’s eyes;

“Patra Pinda Sweda” is an ayurvedic fomentation therapy carried out by heating a bolus of herbs tied in a cloth and massaged onto the patient’s body;

“Shamana Chikitsa” is a branch of Ayurveda that consists of palliative treatments intended to pacify the Doshas within the human body and which involve one or more of the following-

- (a) the consumption of digestive and carminative herbs by the patient;
- (b) the consumption of appetite enhancing herbs by the patient;
- (c) fasting or the avoidance of food;
- (d) the avoidance of alcohol;
- (e) physical exercise or yoga;
- (f) solar therapy;
- (g) wind therapy.

“Shasti Shali Pinda Sweda” is an ayurvedic fomentation therapy carried out using a bolus of red rice boiled together with prescribed medicinal herbs that is tied in a cloth, dipped in warmed milk and massaged onto the patient’s body;

“Shirobasti” is an ayurvedic treatment in terms of which warm medicated oil is kept over the patient’s head for a certain period with the aid of a leather cap;

“Shirodhara” is an ayurvedic treatment in which a specialised pot containing oil, ghee or buttermilk is suspended roughly four to five inches above a recumbent patient’s head and is poured out over the patient’s head for an extended period;

“Shiro Pichu” is an ayurvedic treatment in which a swab is dipped in medicated oil and placed over the anterior fontanelle of the patient’s head;

“Shodhana Chikitsa” is a branch of Ayurveda that consists of certain preliminary treatments and five different purification treatments which involve one or more of the following –

- (a) **“Purvakama”**, which are preliminary treatments employing sweating methods and the use of fats or oils, including one or more of the following-
 - (i) internal oleation, (Snehapana - consumption of medicated fats);
 - (ii) external oleation (Bahya Snehana - massage with oils); or
 - (iii) sweating or sudation therapy (Swedana, with or without the addition of herbal medicines to the steam);
- (b) **“Panchakarma”** which are purification treatments involving the use of emesis, purgation, enemas or nasal therapy, including –
 - (i) Vamana (the induction of vomiting which may or may not be a medication-induced emetic process);
 - (ii) Virechana (the induction of purgation with the aid of medications that stimulate bowel movements);
 - (iii) **“Nasya”** (nasal cleansing by the application of medicated oils or powders);
 - (iv) **“Vasti”** (medicated enemas using decoctions (Niruha Vasti) or medicated fats (Anuvasana Vasti);

- (v) “**Rakthamokshana**” using leech therapy or similar methods to remove impurities from the blood ;
 - (c) “**Paschat Karma**” the use of special diets to assist the body in recovery, especially after Panchakarma treatment, and prevent recurrence of disease.
- 2. The following acts pertain specifically to the profession of Ayurveda –
 - (a) The physical and psychological examination of a person for the purpose of diagnosing a defect; illness, disease or deficiency in such person, including but not limited to pulse and tongue diagnosis, evaluation of temperament, urine and stool analysis;
 - (b) The treatment or prevention of any physical defect, illness, disease or deficiency in a human being with the aid of medicines or substances recognised in Ayurvedic teachings, and on the basis of and in accordance with Ayurvedic, principles including –
 - (i) Purvakama in the form of -
 - (a) internal oleation, also called Snehapana;
 - (b) external oleation, also called Bahya Snehana;
 - (c) fomentation, also called Swedana;
 - (ii) Panchakarma in the form of –
 - (a) Vamana;
 - (b) Virechana;
 - (c) Nasya;
 - (d) Vasti (either Niruha Vasti or Anuvasana Vasti);
 - (e) Rakthamokshana;
 - (iii) Paschat Karma;
 - (iv) Shirodhara;
 - (v) Shirobasti;
 - (vi) Shiro Pichu;
 - (vii) Kati Basti;
 - (viii) Greeva Basti;

- (ix) Janu Basti;
 - (x) Netra Basti;
 - (xi) Karna Purna;
 - (xii) Gandusha;
 - (xiii) Patra Pinda Sweda;
 - (xiv) Shasti Shali Pinda Sweda;
 - (xv) any other act specifically pertaining to the profession of Ayurveda based on the education and training of practitioners of Ayurveda as accepted by the council from time to time at the recommendation of professional board.
3. Subject to the provisions of the Medicines and Related Substances Act, 1965, a practitioner registered as an Ayurvedic practitioner may for the purposes of his or her practice and within the scope of practice relevant to his or her profession -
- (a) formulate, compound, prepare, manipulate or dispense-
 - i. scheduled and unscheduled substances
 - ii. any Ayurvedic substance or preparation, or mixture of Ayurvedic substances, or medicine or substances containing Ayurvedic substances, or anything Ayurvedic or which is Ayurvedic in form in any Ayurvedic dosage, that are scheduled or unscheduled.
 - (b) possess or have under his or her control, prescribe for, administer to, or dispense to, a patient –
 - i. substances, preparations and mixtures of substances that are scheduled or unscheduled substances;
 - ii. any Ayurvedic substance or preparation, or mixture of Ayurvedic substances, or medicine or substances containing Ayurvedic substances, or anything Ayurvedic or which is Ayurvedic in form in any Ayurvedic dosage;
 - iii. injection therapies, recognised by Ayurvedic teachings, administered by subcutaneous, intradermal or intramuscular means only.
 - iv. vitamins;
 - v. minerals;

- vi. amino acids;
- vii. animal extracts, products and derivatives;
- viii. fats, oils and fatty acids;
- ix. carotenoids;
- x. polyphenols and bioflavonoids;
- xi. amino-saccharides;
- xii. saccharides (including prebiotics);
- xiii. probiotics; and
- xiv. health supplements.

Short title

4. These regulations are called the Regulations Relating Specifically to the Profession of Ayurveda