



health

Department:
Health
REPUBLIC OF SOUTH AFRICA

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STATEMENT FROM THE COUNCIL ON PROCLAMATION OF S71 OF NATIONAL HEALTH ACT

1. The NHREC wishes to inform stakeholders that s71 of the National Health Act (NHA) (2003) was proclaimed with effect from 01 March 2012.
2. S71 introduces a number of new requirements for health research, including (1) written consent (2) consent from a parent or guardian for research with children (3) 'therapeutic research' should be in a child's best interests and (4) consent from the Minister must be obtained for 'non-therapeutic research with children.
3. Regulations are yet to be issued providing greater detail and operational guidance to RECs, particularly for the latter requirement.
4. The NHREC is in the process of obtaining clarity on how RECs can meet the new requirements, particularly the latter requirement.
5. The NHREC is aware that there is conflict between the legal requirements and current national ethical guidelines.
6. Regular updates will be posted on this website informing research stakeholders of new developments.

Please feel free to contact us if you require any additional information.

Yours sincerely,

Prof. D. du Toit
Chairperson: National Health Research Ethics Council



**NATIONAL HEALTH
RESEARCH ETHICS COUNCIL**



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RESEARCH ETHICS COUNCIL**

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