

OFFENCE RELATED TO...	DESCRIPTION	RELEVANT RULES
Advertising	Advertising that is untruthful, deceptive, or misleading or causes consumers unwarranted anxiety that they may be suffering from any health condition Canvassing Touting	Ethical Rule #3
Confidentiality	Divulging verbally or in writing information regarding a patient which ought not to be divulged	Ethical Rule #13 and 27A
Communication	Communication that fails to respect the dignity of the patient	Ethical Rule #27A
Professional stationery	Professional stationery(e.g. letterhead or business cards, invoices including electronic stationery)that do not contain information as prescribed in the Rules	Ethical Rule #4
Naming of Practices	Absence of the name of a practitioner and the use of expressions such as “Hospital”, “Clinic” or “Institute” or the use of descriptions in naming process	Ethical Rule #5
Accepting or giving commission	Accepting commission or material consideration in return for the purchase, sale or supply of any goods, etc. to act or not act in a particular way not scientifically, professionally or clinically indicated	Ethical Rule #5(1-3)
Sharing of fees	A case where a practitioner shares fees from the patient for services rendered with any person who did not take a commensurate part in the services for which such fees were charged.	Ethical Rule # 7(5)
Charging fees for services not rendered	Submission of claims or charging a patient for services not rendered.	Ethical Rule #7(5)
Offences related to covering	Employment of a professional assistant or locum tenens for a period exceeding 6 months or a person not registered in terms of the HPA to practice in independent practice or not registered	Ethical Rule #9
Supersession	Taking over a patient with a knowledge that the patient is under the treatment of another practitioner without taking reasonable steps to inform the treating practitioner	Ethical Rule # 10 Regulation 15 of Specialists’ Regulations
Patient impediment	Preventing a patient from obtaining a second opinion or from being treated by another practitioner	Ethical Rule #11
Professional reputation of colleagues	Casting reflections on the probity, professional reputation and/or skill of another person registered under any health professions act	Ethical Rule #12

Medical certificate	Medical certificate which does not meet the requirements e.g. A practitioner signing official documents such as reports, certificates or prescriptions without the name printed next to his/her signature	Ethical Rule # 16
Medical reports	Failure to issue a patient with a report or inadequate reporting	Ethical Rule # 16
Fraud	This includes fraudulent medical certificates and fraudulent medical aid claims	Ethical Rule # 7 and 16 Prevention and Combating of Corrupt Activities Act
Defeating or obstructing the Council or Board in the performance of its duties	Failure to co-operate and comply with any lawful instruction, directive or process of Council and its structures	Ethical Rule #20
Contempt of Council	Failure to submit a written response to a complaint or failure to appear before the committee of Preliminary Inquiry after being duly notified.	Regulations 4(4) and 4(5) of the Conduct Regulations
Performing professional acts for which one is not educated, trained and sufficiently experienced	Acting outside the competencies already acquired and/or certified.	Ethical Rule #21
Performance of professional acts under improper conditions or inappropriate surroundings.	These are subject to judgement of the Board as to what is considered reasonable for the circumstances and conditions, under which the intervention took place.	Ethical Rule 21
Incompetence	Inability to function at a level in line with the expectations of the education and training that led to certification to practice or professional performance that constantly falls below accepted standards of practice.	Ethical Rule #21
Business practices	Manufacture of medicine or medical devices for commercial purposes. Sale, advertising or promotion of medicines or medical devices. Advocating for preferential use of medicine or device which is not clinically appropriate or the most cost-effective option.	Ethical Rule #23
Reporting of impairment	Failure to report impairment of self, another student, intern or practitioner to the Board.	Ethical Rule # 25(1) (a&b)
Reporting of unprofessional, illegal and unethical conduct	Failure to report unprofessional, illegal or unethical conduct on the part of another student, intern or practitioner to the Board.	Ethical Rule #25(1)(c)
Conflict of interest(dual/multiple registration)	Practising on dual or multiple capacity without obtaining consent from the patient on the capacity on which the services are rendered to him/her	Ethical Rule #27

Dual practice	When a practitioner is employed by the state but also performs remunerative work outside public service (RWOPS)	Booklet 11(3.14)
Acting in the best interests of patients	Any conduct by a practitioner which lacks altruism.	Ethical Rule 27A(a)
Respecting patient's integrity	This includes disclosure of confidential information, infringing on the privacy of the patient, failure to respect the choices of patients and/or any conduct that infringes on the rights of patients.	Ethical Rule #13 Ethical Rule 27(A)(b)
Acting as a reasonable practitioner would act	Any conduct of a practitioner that demonstrates failure to maintain a reasonable standard of personal conduct and integrity.	Ethical Rule #27 (A) (c)
Informed consent	Failure to provide adequate information about the patient's diagnosis, treatment options and alternatives, costs associated with each alternative, and any other pertinent information to enable the patient to exercise a choice in terms of choice and decision making pertaining to his/her health and that of others.	Section 53 of the HPA Section 6 of the NHA Ethical Rule # 27(A) (d) Ethical Rule #7(6)
Continuing professional development	And conduct or lack thereof which demonstrates a practitioner's failure to keep his/her professional knowledge and skills up to date.	Ethical Rule 27A
Unacceptable relationships with patients.	Intimate or sexual relationships with patients or former patients (before the expiry of 24 months after the termination of a professional relationship) Conduct financial transactions with patients. Sexual relationships with a student, supervisee or trainee who is in his/her department, agency or training centre or over whom the practitioner has or is likely to have evaluative authority over.	Annexures to ethical rules