

No. 10762

**BELGIUM
and
SOUTH AFRICA**

**Agreement for reciprocity with regard to admission to medical
practice. Signed at Cape Town on 25 May 1965**

Authentic texts: Afrikaans, English, Dutch and French.

Registered by Belgium on 21 September 1970.

**BELGIQUE
et
AFRIQUE DU SUD**

**Accord relatif à l'admission réciproque de médecins à la
pratique médicale. Signé au Cap le 25 mai 1965**

Textes authentiques: afrikaans, anglais, néerlandais et français.

Enregistré par la Belgique le 21 septembre 1970.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE KINGDOM OF BELGIUM AND THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA FOR RECIPROcity WITH REGARD TO ADMISSION TO MEDICAL PRACTICE

The Government of the Kingdom of Belgium and the Government of the Republic of South Africa.

Desiring to conclude an Agreement for reciprocity with regard to admission to medical practice.

Have agreed as follows :

Article 1

In this Agreement, unless the context otherwise requires :

- (a) the term "Belgium" means the Kingdom of Belgium;
- (b) the term "South Africa" means the Republic of South Africa and any other territory falling under the jurisdiction of the Republic of South Africa at the date of signature of this Agreement.

Article 2

The medical practitioners to whom this Agreement applies are :

- (a) In Belgium :

Belgian subjects who have obtained a Belgian diploma of doctor of medicine, surgery and obstetrics, and whose diploma has been visé by the medical commission of their province of residence.

- (b) In South Africa :

Citizens of the Republic of South Africa who have obtained a medical qualification in South Africa.

Article 3

The Contracting Parties reciprocally agree each to admit medical practitioners who are citizens of the other country to medical practice, but subject to the following conditions :

¹ Came into force on 8 August 1970, i.e., 30 days after the exchange of the instruments of ratification, which took place at Brussels on 9 July 1970, in accordance with article 11.

In Belgium :

Subject to the provisions of Article 2 above and the Articles hereinafter contained, the following persons shall be eligible for admission to the practice of medicine :

- (i) persons who have obtained the degrees of Bachelor of Medicine and Bachelor of Surgery at a South African university at which a faculty of medicine has been established; provided that such degrees are recognized by the South African Medical and Dental Council for the purpose of registration; and
- (ii) persons who, after having obtained the degrees referred to in sub-paragraph (i) above, have served as an intern for a period of at least twelve months in a hospital or other institution recognized for the purpose, as is required by South African Law; a certificate issued under the hand of a duly authorized officer of the South African Medical and Dental Council that an applicant for registration has complied with the requirements of this sub-paragraph shall be accepted as proof that he has so complied; and
- (iii) persons who, save as is provided for in this Agreement, comply in every aspect with the statutory and other requirements regulating the procedure and formalities in regard to the registration of medical practitioners in Belgium; and
- (iv) persons who are in good standing with the South African medical authorities; for this purpose the authorities in charge of registration in Belgium shall require a certificate issued under the hand of a duly authorized officer of the South African Medical and Dental Council certifying that the applicant is in good standing, that no disciplinary action is pending against him, and that he is entitled to practise his profession in South Africa.

In South Africa :

Subject to the provisions of Article 2 above and the Articles hereinafter contained, the following persons shall be eligible for admission to the practice of medicine :

- (i) persons who have obtained in Belgium the diploma of doctor of medicine, surgery and obstetrics in accordance with the conditions laid down under the co-ordinated laws relating to the conferring of academic degrees and the syllabus for university examinations, which include serving as an intern or completion of a probationary period of at least one year in a hospital; and
- (ii) persons whose diplomas have been viséd by the provincial medical commission, and who have been registered on the list of the Belgian "Ordre des Médecins"; and

- (iii) persons who, save as is provided in this Agreement, comply in every respect with the legal and other requirements regulating the procedure and formalities in regard to the registration of medical practitioners in South Africa; and
- (iv) persons who are in good standing with the Belgian medical authorities; for this purpose the registering authority in South Africa, being the South African Medical and Dental Council, shall require a certificate issued by the Belgian “Ordre des Médecins” certifying that the applicant is in good standing, that no disciplinary action is pending against him, and that he is entitled to practise his profession in Belgium.

Article 4

The Contracting Parties reciprocally agree to grant medical practitioners who qualify for registration under this Agreement permission to practise their profession without restriction in their respective countries, subject only to those statutory and other rules governing the practice of medicine and the medical profession in their respective countries.

Article 5

For the time being this Agreement provides for the registration of a minimum of five medical practitioners of each country, in each calendar year : Provided that, if this quota is not utilized in a calendar year, the balance shall not be carried over to the next succeeding year.

The Contracting Parties agree to register the said number of medical practitioners in each calendar year on condition that such medical practitioners also otherwise comply with the statutory and other requirements relating to registration and operative within the territory of each Contracting Party. Each Contracting Party shall have the right to register a greater number of medical practitioners from the other country, but this shall be in the sole discretion of each Contracting Party.

In South Africa the South African Medical and Dental Council shall determine by resolution at its first ordinary meeting in each calendar year the number of holders of Belgian qualifications to be registered during the next succeeding calendar year in terms of this Agreement : Provided that this number shall not be less than five; and provided further that in respect of the calendar year in which this Agreement becomes operative such number shall be determined by the South African Medical and Dental Council at its first ordinary meeting subsequent to the date on which this Agreement becomes operative.

In Belgium the Belgian medical authorities shall determine the number of holders of South African qualifications to be registered each year in terms of this Agreement and in such manner as is prescribed by Belgian Law : Provided that this number shall not be less than five.

If in any calendar year the number of applications for registration as medical practitioner in terms of this Agreement received by one country does not reach the aforesaid minimum of five medical practitioners to be registered in such calendar year, or if no applications are received, the other country shall nevertheless be obliged to register the minimum of five medical practitioners in terms of this Agreement if five applications are received, or, if less than five, such lesser number as may apply, and may, in its own discretion, register more than five, should the number of applications for registration in such calendar year exceed the minimum of five.

Article 6

In the event of either country receiving more than five applications for registration as medical practitioner in a particular calendar year, each country will select in accordance with a procedure which it will establish, those persons whom it will register, but shall :

- (i) in the case of applicants from Belgium for registration in South Africa, consult the Belgian authorities;
- (ii) in the case of applicants from South Africa for admission to medical practice in Belgium, consult the South African Medical and Dental Council.

Article 7

The Contracting Parties agree that any person admitted to medical practice in one of the countries in terms of this Agreement who desires recognition as a specialist, shall comply with all the requirements prescribed for such recognition :

- (i) in Belgium, by the laws and regulations in force;
- (ii) in South Africa, by the South African Medical and Dental Council.

Article 8

The Contracting Parties undertake to amend their laws, rules, regulations and so forth to the extent necessary to give effect to the provisions of this Agreement.

Article 9

This Agreement shall continue in force indefinitely, but either of the Contracting Parties may, on or before 30th June in any calendar year not earlier than the year 1968, give to the other Contracting Party, through diplomatic channels, written notice of termination, and, in such event, this Agreement shall cease to be effective with effect from the first day of January first following the date of such termination.

Article 10

This Agreement shall be ratified, and the instruments of ratification shall be exchanged at Brussels.

Article 11

This Agreement shall come into force thirty days after the exchange of the instruments of ratification and shall be published in accordance with the procedure prescribed by the Laws of the Contracting Parties.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments, have signed these presents and have affixed their seals thereto.

DONE at Cape Town on 25 May 1965 in the Afrikaans, English, Dutch and French languages, all texts being equally authentic.

For the Government of the Kingdom of Belgium :

[Signed]
J. SMETS

For the Government of the Republic of South Africa :

[Signed]
A. HERTZOG

[SEAL]
