



NHI Draft Bill Daily Analysis

The NHI Draft Bill was published in Government Gazette 41725 on 21 June 2018. The South African Private Practitioners' Forum will be sharing an analysis of the Draft NHI Bill with members, highlighting issues of importance and concern.

NHI Draft Bill – Day 17 Excerpt from the Draft Bill



Regulations

52. (1) The Minister may, after consultation with the National Health Council established in terms of section 22 of the National Health Act and the Fund, make regulations regarding-

c) the budget of the Fund, including the processes to be followed in drawing up the budget, in compliance with the provisions of the Public Finance Management Act;

Analysis

Under this section of the Bill the Minister has the exclusive authority to publish regulations regarding the budget of the NHI fund. It is therefore highly questionable that the Minister keeps denying any involvement or say in the Budget of the NHI, if he has express powers afforded to him in that regard under the NHI Bill. It also states in Section 46 of the NHI Bill that: "The Minister must, in consultation with the Minister of Finance, determine the budget and allocation of revenue to the Fund on an annual basis."

The absolute denial of the Minister of Health of any involvement or control over the NHI Budget is therefore not flowing from the contents of NHI Bill (which affords him such powers), but should rather be considered a personal statement by the Minister of Health.