

A Comparative Analysis and Development of Legislative Regulatory Framework of Naturopathy and Traditional Medicines Practices in Southern Africa Region.

ABSTRACT

Objectives. Law and policy are powerful tools that can improve health systems. Modern Medicine development cements on strict laws and policies. Furthermore, the legislative regulatory framework of naturopathy and traditional and complementary alternative medicines focuses on product and practitioner registration. The objective of this paper is to explore the legislative regulatory framework of naturopathic practices and other traditional complementary medicines in the Southern African region.

Methods. The study conducts a review of various health laws and policy documents in the Southern African regions. In each country, I conduct each country-specific healthcare legislation with keywords such as Naturopathic law, naturopathic Medicine practice, legislation, traditional medicine act, alternative medicine act, and healthcare laws.

Results.

The study found that Southern African countries have very well-developed laws on naturopathy and distinct laws for traditional medicine regulation. Southern African countries have recognized naturopathy and other complementary therapies under allied health professions or health professions.

Finally, there is a minimum educational requirement for registration as a traditional medicine healer as pertains to alternative complementary medicines.

Conclusions.

I found that specific laws on naturopathic practice are available in southern African countries. I herein present a commentary on the legislative regulatory framework of naturopathic and other traditional complementary medicines in the Southern Africa region to guide public health decisions in Africa.

Keywords: Naturopathy, Traditional Medicine, Southern Africa, Legislation, Regulatory

INTRODUCTION

Laws and policies are instrumental in the development of any sector (Burris et al. 2010; Teitelbaum et al. 2021). The medical professions have witnessed development through effective laws and policies. This is not the case in the traditional and complementary medicine landscape.

We do know that modern medicine has seen drastic development and recognition due to the legislative regulatory framework (E. Blythe Stason, 1967). In the profession of naturopathy and other traditional complementary medicine, there has been a public outcry about how these practitioners are regulated and who regulates their activities. Other concerns have been their standard and scope of practice. Besides, an unregulated profession is a public health threat.

The gaps in the law regulating modern medicine and traditional and complementary medicine have made traditional and alternative medicine unattractive in Africa.

In this commentary, I hereto explore how traditional and other complementary medicines are regulated in Southern African regions and the extent of the development.

Theoretical framework

Theory of Regulation

A theory of regulation is a set of propositions or hypotheses about *why* regulation emerges, *which actors* contribute to that emergence, and typical *patterns of interaction* between regulatory actors (Bronwen Morgan and Karen Yeung, 2012). Legislative regulation helps to maintain the public good or protect public interest.

The positive variant aims to provide economic explanations of regulation and to provide an effect analysis of regulation. The normative variant investigates which type of regulation is the most efficient or optimal.

Besides, regulatory compliance helps in fair competition in a particular field. It also helps to make rules and standards.

Regulation helps to define a clear framework within which health professionals acquire and maintain the competence needed to carry out their trade.

Objectives

1. To explore the legislative regulatory framework of naturopathy and other traditional complementary medicine practices in Southern Africa
2. To explore which Southern African countries have distinct laws on naturopathy
3. To explore the statutory definition and classification of naturopathy and traditional medicine
4. To explore the types of legislation in naturopathy and other traditional medicines
5. To explore the minimum requirements for statutory registration of naturopathy and other traditional complementary medicines

6. To propose recommendations for legislative regulations in Southern African naturopathy and other traditional complementary medicine

METHODOLOGY

This paper relies on the extant literature on healthcare laws, ministerial directives, orders, proclamations, or decrees across Southern African countries. Materials accessed for this research were obtained from several different databases opened to the public.

The databases used include policy documents, WHO documents, country-specific healthcare laws, regulations, ministerial reports, and Google search engines such as PUBMED, Google Scholar, Research Gate, and online news reports.

In searching the databases, different combinations of keywords were used. The initial search was done using the word, "health laws," "policy documents," "Naturopathic law", "naturopathic Medicine practice", "legislation", "traditional medicine act", "alternative medicine act", "complementary medicine act, " "Ministerial directives," "Public health laws," "Decrees", "Proclamations", "Orders, "and "Medical laws" in the five regions of Southern Africa.

The results of the searches included articles published in international peer-reviewed journals, legislations and regulations on health laws,WHO reports, and traditional complementary medicine Acts published online. Relevant articles from these sources were compiled and meta-analyzed.

DISCUSSIONS

To explore the legislative regulatory framework of naturopathy and other traditional complementary medicine practices in Southern Africa.

The first objective of this review is to explore the legislative regulatory framework of naturopathy and other traditional complementary medicine practices in Southern Africa. I herein provide the analysis:

Southern African Region

The Southern African Development Community (SADC) is a Regional Economic Community comprising 16 Member States; Angola, Botswana, Comoros, Democratic Republic of Congo, Eswatini, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, United Republic of Tanzania, Zambia and Zimbabwe. The mission of SADC is to promote sustainable and equitable economic growth and socio-economic development through efficient, productive systems, deeper cooperation and integration, good governance, and durable peace and security; so that the region emerges as a competitive and effective player in international relations and the world economy(SADC, 2024). I herein analyzed these countries' legislative regulatory frameworks about naturopathy and other traditional complementary therapies.

Angola

The Angolan government approved the National Policy of Traditional and Complementary Medicine (AllAfrica. 2020). However, there is no legislative regulatory framework for naturopathy and other traditional complementary therapies.

Botswana

Traditional medicine law

Section 14.86 of the National Development Plan of 1976–1981: provided some strides for the traditional healer (ngaka) in Botswana, in the rural areas (WHO, 2001).

Section 13.28 of Chapter 13 of the National Development Plan of 1979–1984 (10, 11) also admonished the fact that there are traditional healers in Botswana and there is the need to provide a policy framework (WHO, 2001).

As of 2024, no legislative regulatory framework for traditional medicine. However, the government plans to consider legislation (Xinhua, 2019).

Naturopathy and Other Complementary Therapies Law

On the other hand, Naturopaths, Chiropractors, Homeopaths, Osteopaths, and Acupuncturists are considered *Associated Health Professions* under Part 111 of the Botswana Health Professions Act, 17 of 2001 (Botswana Health Professions Act, 17 of 2001)

The long title of the Act reads: *“An Act to regulate and control the practice of medicine, dentistry, pharmacy, and allied health professions, and for matters connected and associated therewith”*. The Act was Assented on 19/10/2001 with Commencement on 2/11/2001.

The act did not provide for the definition of naturopathy or who is a naturopath. However, section 2 of Part I deals with interpretation, and considers a Naturopath as an associated medical practitioner”

An associated Medical Practitioner herein means *“ a duly qualified member of one of the professions referred to in Part III of Schedule B, and registered as such in terms of section 9, entitling him to practice that profession in Botswana.”*

This means that a Naturopath who intends to practice has to have the same requirements as a qualified Medical Practitioner under the same law. Section 9 is under part III of the act — Registration and Licensing of Practitioners.

An “intern” in Naturopathy also means a person registered as an intern in terms of section 9, who is required to complete a period of internship training in an approved hospital or institution to acquire practical skills and experience before becoming entitled to practice his profession without supervision.

In Part II of the Act— Botswana Health Professions Council, Committees and Professional Boards, there is only a slot for the associated medical practitioners such as Naturopath, Homeopaths, chiropractors, etc, and have to be elected amongst themselves.

Comoros

Traditional medicine law

Law No. 11-001/AU of 26 March 2011 on the Public Health Code in its Title III: Exercise and Organization of Traditional Medicine, particularly in Articles 262–279, of Comoros (Obu, 2023) provides the policy roadmap for traditional, complementary and alternative medicine. However, no legislative regulatory framework exists for traditional medicine.

Naturopathy and other complementary therapies law

On the other hand, there is no legislative regulatory framework for alternative medicine or a specific law on naturopathy.

Democratic Republic of Congo

Traditional medicine law

Decree of 19 March 1952 on the practice of medicine, as amended (WHO, 2005). The Decree grants exemplary status to traditional medicine practitioners but also places limitations on their practice. Section 15 states the following: The provisions of this Decree shall not apply to nationals of the Belgian Congo or of neighboring African territories who, in population groups where such customs prevail, carry out treatments and administer drugs by the usage custom provided they do not constitute a breach of public order.

The Second Ordinary Congress of the Popular Revolutionary Movement in Zaire adopted a resolution in November 1977 encouraging research into the rehabilitation and recognition of traditional medicine as a complement to allopathic medicine and urging the establishment of a division dedicated to traditional medicine within the Department of Health.

Naturopathy and other complementary therapies law

No specific legislation on naturopathic Medicine. However, naturopaths can take solace in

Eswatini

Traditional medicine law

No legislative regulation for traditional healers.

Naturopathy and other complementary therapies law

However, the Medical and Dental Practitioners Act, of 1970, which registers and licenses medical and dental practitioners under the Medical and Dental Council also extends to Naturopaths.

Section 32 of Part IV deals with Regulations. Section 32(b) gives the authority to the Minister based on the recommendation of the Council to make Regulations for the control of

chiropractors, homeopaths, naturopaths, and electropaths (Medical and Dental Practitioners Act, 1970).

Hence, in 1978, The Control of Natural Therapeutic Practitioners Regulations 1978 was made and commenced on 24th February 1978.

In this law, section 2 defines a “Natural Therapeutic Practitioner” as a person who practices as a chiropractor, homeopath, naturopath, or electropath.

The law also places restrictions on practitioners. It states that: “A person practicing as a natural therapeutic practitioner shall not;

- (a) perform any surgical operation or administer any injection to any person;
- (b) practice midwifery;
- (c) withdraw blood from any person;
- (d) treat or offer to treat cancer or prescribe a remedy for cancer or claim that any article, apparatus, or substance will or may be of value for the “alleviation of the effects of the curing or treatment of cancer;
- (e) perform any internal examination on any person;
- (f) claim or by any means whatsoever hold himself out, to be a medical practitioner or use the name medical practitioner, or doctor or any other name, title, description or symbol indicating or calculated to lead persons to infer that he has any qualifications of a medical practitioner, or
- (g) prevent any person from being treated by, or improperly influence any person to abstain from treatment by, a person registered in terms of the Act.

Lesotho

Traditional medicine law

The Lesotho Universal Medicinemen and Herbalists Council Act of 1978 followed the Act of 1976 (Abrams et al. 2019). This law regulates traditional healers and is distinct from naturopath statutes.

Naturopathy and other complementary therapies

The law that regulates naturopaths is the Natural Therapeutic Practitioners Act of 1976. Section 2 of the Natural Therapeutic Practitioners Act of 1976 (Abrams et al. 2019) defines natural therapeutics as the provision of services to prevent, heal, or alleviate sickness or disease or alleviating, preventing, or curing pain “by any means other than those normally recognized by the medical profession”.

In this law, Naturopaths, homeopaths, osteopaths, chiropractors, and acupuncturists are regulated. Section 3 prohibits non-registered persons from practicing as natural therapeutic practitioners.

Madagascar

Traditional medicine law

Decree N°221/02/MI/SPAT/ ANTA/ as of 3rd June 2002 formed the national association of traditional healers(IK Notes, 2006).

Decree N°2339/2002 dated 28th August 2002 provided the roadmap for setting up the National Advisory Committee on Traditional Medicine.

Traditional medicine is regulated by the public health code (**Law N° 2011 – 002**) With The Health Code. The explanatory memorandum on The Act to the Health Code, which is the subject of the Act replaces Order No. 62072 of 29 September 1962 codifying the laws regarding Public Health(Law No. 2011-002 With The Health Code).

Article 92 regulated traditional health practitioner

Article 95.- The exercise of Traditional Medicine is legally authorized and recognized, to any natural or legal person, individually or in combination, in the conditions determined by the provisions of this Code. Traditional practitioners engaged in the treatment of patients as part of traditional medicine can exercise according to local laws and regulations. But in any case, they can make a diagnosis by use of slang terminology or allopathic medicine, homeopathy, and osteopathy or manipulate prepared or classified chemicals "pharmaceutical" and outside the traditional pharmacopeia, prescribe any drug product or pharmaceutical specialties within the competence of pharmacists.

Article 96.- Under the terms of this Code is meant by: *Traditional Medicine: the sum total of all knowledge and practices used in diagnosis, prevention, and elimination of physical imbalances, and mental and social processes based solely on practical experiences and passed down from generation to generation observations orally or in writing, to prevent, cure diseases and alleviate suffering.*

Tradipraticien Health: anyone who practices Traditional Medicine as defined and the principles set out above. The traditional healer can be:

- ⊙ A traditional birth attendant: a term for anyone found to be competent to provide a woman and her newborn, before, during, and after delivery based health care on concepts prevailing in the community where she lives;
- ⊙ One or a traditional therapist: a term for any person recognized by the community in which she lives as competent to provide health care based on the concepts of disease and disability prevailing in the said community. These Traditional Healers are designated by different names depending on the region. A full list and details will be made by the Enforcement Decree of the Act;
- ⊙ one or Herbalist: a term for anyone selling medicinal plants;

© one or Medical-druggist: a term for anyone who sells medicinal substances other than plants (animal or mineral origin).

Naturopathy and other complementary therapies law

Naturopathy, homeopathy, osteopathy, and acupuncture are regulated by the same public health code (**Law N° 2011 – 002**)

Article 72.- No person may practice the profession of physician acupuncturist (trice) of odonto oral surgeon and midwife if it is nationality Malagasy, holder of diplomas or certificates recognized by the Malagasy State, and registered in the Roll of the Order concerned.

Article 97.- The practice of HOMEOPATHY and OSTEOPATHIE, individually or in combination, is legally permitted and recognized in Madagascar by the provisions of this Code.

Article 98.- Under the terms of this Code is meant by:

- Homeopath: a physician who received training in homeopathy, the original processing method developed by Hahnemann in 1770 and based on the principle of pharmacological reversal of infinitesimal dose-effect or law of similars. In essence, homeopathic techniques enable a holistic and individualized therapeutic approach.

An osteopath is any person having received training in osteopathy, a manual therapy method developed in 1874 by Andrew T. STILL drawing on his observations and his knowledge of anatomy.

Malawi

Traditional medicine law

No specific information is available on laws regulating traditional and naturopathy. However, the Medical Practitioners and Dentists Act Chapter 36:01 Assented to on 28 August 1987 and Commenced on 5 February 1988 allowed the practice of African traditional medicines. This version of the Act was revised and consolidated in the Fourth Revised Edition of the Laws of Malawi (L.R.O. 1/2015), by the Solicitor General and Secretary for Justice under the authority of the Revision of the Laws Act (Malawilli, 2014)

The long title of the Act states: *“An Act to provide for the establishment of the Medical Council of Malawi, the registration and disciplining of medical practitioners and dentists, the licensing of private practice of medical practitioners and dentists, the regulation of training within Malawi of medical personnel and generally for the control and regulation of the medical profession and practice in Malawi and for matters incidental to or connected therewith.”*

Section 61 emphasized that African systems of therapeutics allowed. *“Nothing contained in this Act shall be construed to prohibit or prevent the practice of any African system of therapeutics by any*

person in Malawi: Provided that nothing in this section shall be construed to authorize the performance by a person practicing any African system of therapeutics of any act which is dangerous to life".

No law found to regulate naturopathy and other complementary therapies.

Mauritius

Traditional medicine law

The Ayurvedic and Other Traditional Medicines Act 37 of 1989 revised 3rd September 1990 is the principal that regulates Ayurvedic and other traditional medicine in Mauritius (The Ayurvedic and Other Traditional Medicines Act of 1989)

The Act interpretation sections define "Ayurvedic medicine" as an Indian system of medical practice.

Traditional medicine in this act is defined as "*the practice of systems of therapeutics according to homeopathy, Ayurvedic, and Chinese methods*".

Section 24 places illegality on any practitioner who uses any title that is not recognized by the Act.

Section 25 also mandates only titles authorized by the Minister are supposed to be used by the practitioners.

Also, once your name is removed from the registered, you are banned from practicing traditional medicine.

Section 27 also provides the regulations for the minister to make the requirement for education qualification to practice traditional medicine; the scope of practice and the universities to be recognized to deem to graduate from to practice traditional medicine.

Section 13 also mandates that the minimum qualification needed to practice traditional medicine is a Diploma.

Hence, Naturopathy is also regulated by The Ayurvedic and Other Traditional Medicines Act 37 of 1989 revised on 3rd September 1990.

Other complementary therapies law

The Allied Health Professionals Council ACT 2017 Act No. 9 of 2017 regulates only Chiropractors and Osteopaths (The Allied Health Professionals Council ACT 2017)

Chiropractors and Osteopaths are regarded as allied health professionals and regulated under the

General Chiropractor: One needs a Chiropractic degree (BAC or HSC + 5-6 years study) issued by an institution accredited by the Council on Chiropractic Education (CCE) Europe, USA, Canada or Australia (2) Chiropractic Specialist A General Chiropractor qualification and Post-

graduate Diploma (2 years issued by a recognized Board of Specialist Chiropractors or Master's Degree (3 years) issued by an institution accredited by the Council on Chiropractic Education (CCE) Europe, USA, Canada or Australasia.

Osteopath: Minimum of 4 years of study for a Diploma in Osteopathy from a recognized osteopathic training school approved by the Ministry of Health of the country in which courses are dispensed

Mozambique

Though a national policy exists (WHO, 2005), no law exists to regulate both traditional and alternative complementary practices.

Namibia

Traditional medicine law

Two public policy documents acknowledged traditional healers – the National Health Policy Framework (MHSS 2010a) and the Community-Based Health Care (CBHC) Policy (MHSS 2009, 2007) (Meincke, 2018)

There exists a Namibian traditional medicine programme within the Department of Primary Health Care of the Ministry of Health and Social Services (MHSS) (Meincke, 2018).

In the case of the National Health Policy Framework, the definition of traditional medicine was regarded as one of the alternative medicine systems, that is cemented on culture.

Traditional healers previously were given the needed recognition as a profession by the Allied Health Services Professions Act in 1993 under 'any other profession' relevant to healthcare provision. This led to the creation of the Traditional Medical Practitioners Board. The board was later dissolved after the amendment of the Allied Health Services Professions Act in 1993 as the amendment did not recognize them to be regarded as allied health professionals (Meincke, 2018).

There is a draft proposal in 2010 for the development of the Traditional Health Practitioners Bill. This bill intends to set up the National Traditional Health Practitioners Council (Meincke, 2018).

In the absence of a law on tradition, The Namibia Eagle Traditional Healers Association (NETHA) established in 1990, provides self-regulation.

Naturopathy and other complementary therapies law

On the other hand, the Allied Health Professions Act 7 of 2004 (Act No. 7 of 2004) Section 55 is the principal law that regulates naturopathy in Namibia. The act also regulates homeopaths, chiropractors, osteopaths, and other complementary practitioners in Namibia.

The long title of the Act states that it *“provides for the establishment and constitution of a professional Council for the allied health professions; to determine the powers, duties, and functions of such Council; to regulate the registration of persons practicing the allied and complementary health professions; to specify the education, training, and qualifications of persons practicing such professions; to prohibit the practicing of such professions without being registered; and to provide for matters incidental thereto”.*

Furthermore, there are specific Regulations relating to the Scope of Practice of a Naturopath enshrined in Government Notice 351 of 2022 (GG 7951) that came into force on the date of publication: 10 November 2022.

The Government Notice which publishes these regulations notes that they were made on the recommendation of the Allied Health Professions Council of Namibia. It also repeals the regulations contained in GN 90/ 2014 (GG 5503).

The law defines “Naturopathy” to mean a *“system of healing, treating diseases and promoting health in which neither surgical nor medical agents are used, but which is based on the use of - (a) non-toxic natural substances, other than medicines; and (b) the human body’s inherent biological healing mechanisms to self-heal, for the treatment of a disease.”*

Also, there is a Regulation relating to the Minimum Requirements of Study for Registration as a Naturopath in Government Notice 73 of 2011 (GG 4730) that came into force on the date of publication: 8 June 2011. In this subsidiary legislation, the minimum requirement to practice naturopathy is a degree or a Diploma in Naturopathy with not less than 5 years of study from an accredited university.

The regulations further recognized schools such as the University of the Western Cape and, the Republic of South Africa-Bachelors Degree in Science: Complementary Medicine(Naturopathy).

Seychelles

Traditional medicine law

No legislative regulations exist for traditional and alternative medicines. Though, national policies are being developed (WHO, 2005).

Naturopathy and other complementary therapies law

In Seychelles, Acupuncturists are regulated under the Health Professionals Act which came into force on 20th June 2006 and later consolidated on 30th June 2012. The act did not recognize Naturopaths, homeopaths, and other complementary healers.

South Africa

Naturopathy and other complementary therapies law

The Health Professions Act 56 (South Africa) 1974 No. 31825 was amended in 2009 with the insertion of rule 8A provided a platform for practitioners to cohabite with other practitioners

who are also registered under the Act. However, regulation averted complementary givers as workers in the public health system.

As time progressed, the Chiropractors, Homeopaths, and Allied Health Service Professions Council became the Allied Health Professions Council of South Africa in 2000.

It was further amended and published in Government Gazette No. 21825 of 2000 and subsequently promulgated as the *Allied Health Professions Act 63* (South Africa) R127 2001 No. 22052.

It paved the way for the setting up of professional boards, thus allowing naturopaths and others to have their registration with their various professional boards.

A previous law, The Associated Health Service Professions Act 63 (South Africa) 1982 No. 8160 also provided for legal recognition and registration and created the Associated Health Services Professions Board. When the law was passed, those who were registered in 1974 were allowed to further register again (Ericksen-Pereira et al. 2020) as part of the savings and transitional provisions under any statutory obligations.

The law did not make room for new registration of naturopaths after 1982. However, the register was opened to chiropractors and homeopaths with the establishment of the Associated Health Service Professions Amendment Act 105 (South Africa) 1985 No. 9867. This Act further allowed the new board the power to control and regulate the education of allied registered practitioners (Ericksen-Pereira et al. 2020).

Courses for training chiropractors and homeopaths were approved by the Minister of Education in 1987 and started in 1989 (Ericksen-Pereira et al. 2020).

In its current form, The Allied Health Professions Act 63 Of 1982 as amended is the legal framework that regulates naturopaths, homeopaths, chiropractors, and other complementary medicine practitioners in South Africa. Thus the law consolidates the following laws;

Chiropractors Act, 76 of 1971, Chiropractors Amendment Act, 96 of 1972, Homeopaths, Naturopaths, Osteopaths and Herbalists Act, 52 of 1974, Chiropractors Amendment Act, 20 of 1976, Health Laws Amendment Act, 20 of 1977, Sections 4 up to and including 8, and Homeopaths, Naturopaths, Osteopaths and Herbalists Amendment Act, 1980 (The Allied Health Professions Council of South Africa, 2015).

The Act created the Allied Health Professions Council of South Africa (AHPCSA) as a statutory health body to regulate all allied health professions, such as Ayurveda, Chinese Medicine and Acupuncture, Chiropractic, Homeopathy, Naturopathy, Osteopathy, Phototherapy, Therapeutic Aromatherapy, Therapeutic Massage Therapy, Therapeutic Reflexology, and Unani-Tibb.

The long title of the act states: *"To provide for the control of the practice of allied health professions, and for that purpose to establish an Allied Health Professions Council of South Africa and to determine its functions, and to provide for matters connected therewith"*.

The act also defines 'allied health profession' "means the profession of ayurveda, Chinese medicine and acupuncture, chiropractic, homeopathy, naturopathy, osteopathy, phytotherapy, therapeutic aromatherapy, therapeutic massage therapy or therapeutic reflexology, or any other profession contemplated in section 16(1) to which this Act applies."

The act did not define what accounts for naturopathy. The act created different professional bodies to oversee the affairs of the profession. One is the Professional Board for Homeopathy, Naturopathy, and Phytotherapy (PBHNP). The Act allows the registration of all students in accredited institutions to be registered as students and interns. The act also stipulates the educational requirements for registration. For those who obtained their qualification outside South Africa, the Act allows for registration if only the said qualifications would allow the holder to obtain a license to practice in the said country.

New Development in South Africa

In its current form, The Allied Health Professions Act 63 Of 1982 as amended did not provide the legal definition of naturopathy. After forty(42) years, a clearer definition of naturopathy was developed through Section 38 of the Act which allows the Minister to make regulations based on the recommendation of the Council in the Schedule Section and Gazette on 9th February 2024.

The regulation is cited as Regulations Relating to the Profession of Naturopathy, (2023).

It defines naturopathy as " As a system of medicine that involves the diagnosis and treatment of a physical or mental defect, illness, disease, deficiency or abnormality in any person, or in the promotion and maintenance of health based on a holistic approach which uses the healing power of nature to stimulate the body's ability to heal itself supported by natural and traditional medicine systems, together with the use of various therapies, including, but not limited to, nutritional and herbal therapy, hydrotherapy, thermal therapy, massage therapy, exercise therapy, vibration therapy, reflex therapy, light therapy, electrotherapy, and magnetic therapy."

The Regulation further spelled out what modalities constitute naturopathy in South Africa and the scope of practice. The diagnostic scope of naturopathy extends beyond conventional procedures such as laboratory investigation, diagnostic imaging, and clinical examination. It includes naturopathic diagnosis and assessment tools such as iridology and others once the practitioner is qualified to use them.

The Naturopath in South Africa also has a wider scope to prescribe naturopathic substances accepted by their Council. The law further makes room for the Naturopath to incorporate other naturopathic substances into practice once it is recognized in literature or references in any other naturopathic law or Council outside the scope of South Africa.

Traditional Medicine law

Traditional healers in South Africa are also regulated by the Traditional Health Practitioners Act No. 22 of 2007. The Act came into force on 7 January 2008 after receiving Presidential assent and establishing the Traditional Health Practitioners Council of South Africa.

The Act allows the Minister to make regulations on the minimum educational requirements for training and prior registration. The training could be under a traditional tutor or educational institution.

United Republic of Tanzania

Unified law

The United Republic of Tanzania has Traditional and Alternative Medicine No. 23 of Act 2002 that regulates both traditional and Alternative Medicines and established the Traditional and Alternative Health Practice Council.

The long title of the Act states: *"An Act to make provisions for promotion, control, and regulation of traditional and alternative medicines practice, to establish the Traditional and Alternative Health Practice Council and to provide for related matters"*.

The Act defines an alternative health practitioner" as *"a person formally trained and has acquired knowledge, skills and competence in alternative medicine practices and disciplines as recognized internationally"*;

"alternative medicine" means "the total sum of knowledge and practice used in diagnostic, prevention and elimination of physical, mental and social imbalance relying exclusively on various established alternative medicine system of respective disciplines";

"traditional health practitioner" means a person who is recognized by the community in which he lives as competent to provide health care by using plants, animals, mineral substances, and other methods based on the social, cultural, and religious background as well as on the knowledge, attitudes, and beliefs that are prevalent in the community regarding physical, mental and social well being and the cause of disease and disability; "traditional medicine" means a total combination of knowledge and practice, whether applicable or not, used in diagnosing, preventing or eliminating a physical, mental or social disease and which may rely exclusively on experience and observation handed down from one generation to another orally or in writing;

The Act has no educational requirement to practice traditional medicine. However, for alternative medicine, the mandate is that a degree or certificate is needed to practice alternative medicine from an accredited school.

Zambia

Traditional medicine law

The Health Professions Act. No 24 of 2009 regulates osteopaths only and not other complementary practitioners.

For traditional and alternative medicine there is a proposed draft bill.

Zimbabwe

Traditional medicine law

Traditional medicine is regulated by the Traditional Medical Practitioners Act [Chapter 27:14]. The law came into force on 16th October 1981, except for s. 31 (2) and (3): 1st June 2000. The Act established the Traditional Medical Practitioners Council.

The long title states " *AN ACT to establish a Traditional Medical Practitioners Council; to provide for the registration and regulation of the practice of traditional medical practitioners; and to provide for matters incidental to or connected with the foregoing.*"

The law defines the practice of traditional medical practitioners as " *means every act, the object of which is to treat, identify, analyze or diagnose, without the application of operative surgery, any illness of body or mind by traditional methods.*"

The Act specifies the title to be given to the practitioners. Section 32 mandates practitioners to use the title "Registered Traditional Medical Practitioner" or by the initials "R.T.M.P." It also gives a platform for those giving honorary traditional medicine practice titles to use "Honorary" or the abbreviation "Hon."

Naturopathy and other complementary therapies law

There is a different law for naturopathic practitioners and others outside traditional medicine (ZW, 2020).

The Health Professions Act Chapter 27: 19, Act 6/2000, 22/2001 (s. 4), 14/2002 (s. 43), 28/2004 (s. 29), provided the framework for the regulations of naturopaths, homeopaths, chiropractors, and others.

Section 37 of Part VI of the Act established the Natural Therapists Council of Zimbabwe; to provide for the registration and regulation of the practice of homeopaths, naturopaths, and osteopaths in Zimbabwe, and to provide for matters incidental to or connected with the foregoing.

The second objective is to explore which countries have distinct laws on naturopathy.

Lesotho for instance, considers naturopaths as natural therapeutic practitioners under the Act. On the other hand, the Herbalist Council regulates traditional medicine practitioners.

Eswatini, though has no legislative regulatory framework for traditional medicine, has a separate law for naturopaths. The Medical and Dental Council regulates naturopaths under the Health Professions Act.

In Botswana, Naturopaths are considered as associated health Professionals under the Botswana Health Professions Act. Traditional medicine practitioners have no legislative regulatory framework.

Zimbabwe also has a distinct law that regulates naturopaths and other complementary therapy practitioners under the Health Professions Act. Traditional Medicine practitioners are also regulated under the Traditional Medical Practitioners Act.

Zambia only regulates osteopaths under the Health Professions Act. No legislative regulatory framework exists for naturopathy and other traditional complementary medicine practitioners.

In South Africa, naturopaths are regarded as allied health professionals. They are regulated under the Allied Health Professions Act. Traditional Medicine Practitioners are also regulated differently under the Traditional Health Practitioners Act.

Finally, in Namibia, naturopaths are also considered allied health professionals and are regulated under the Allied Health Professions Act. Traditional healers have no legislative regulatory framework.

Namibia on the other hand, has been able to develop its laws using the regulations sections.

Table 1 :SOUTHERN AFRICAN COUNTRIES WITH IDENTIFIABLE LAWS ON TRADITIONAL AND ALTERNATIVE MEDICINES

S/NO.	AFRICAN COUNTRIES	LAW ON (NATUROPATHY)	LAW ON TRADITIONAL MEDICINE
1.	Botswana	Associated Health Professionals Act, 17 of 2001	N/A
2.	Comoros	N/A	Public Health code (Title III)
3.	DR. Congo	N/A	Decree of 19 th March, 1952
4.	Eswatini	Medical and dental practitioners Act, 1970 (regulation 1978 on control of natural therapeutics)	N/A
5.	Lesotho	Natural Therapeutic Practitioners Act of (1976)	Universal Medicinemen and Herbalist Council Act (1978)

6.	Madagascar	Public Health code (law no. 2011.002) with the Health Code.	Public Health code (law no. 2011.002) with the Health Code.
7.	Mauritius	Ayurvedic and other traditional medicine Act 37 of 1989 revised 3 rd September 1990 Allied Health Professionals Council Act no.9 of 2017 for only Chiropractic and Osteopaths.	Ayurvedic and other traditional medicine Act 37 of 1989 revised 3 rd September 1990
8.	Namibia	Allied Health Professions Act 7 of 2004	N/A
9.	Seychelles	Health Professionals Act 2006 for only acupuncturists	N/A
10.	South Africa	Allied Health Professions Act 63 of 1982 Regulations Relating to the Profession of Naturopathy(2023)	Traditional Health Practitioners Act no.22 of 2007
11.	Tanzania	Traditional and Alternative medicine no. 23 of Act 2002	Traditional and Alternative medicine no. 23 of Act 2002
12.	Zambia	The Health Professions Act no. 24 of 2009 for only Osteopaths	N/A
13.	Zimbabwe	The Health Professions Act Chapter 27:19, Act 6/2000, 22/2001 (s.4), 14/2002 (s.43), 28/2004 (s.29)	Traditional Medical Practitioners Act 1981 chapter 27:14

Source: Author's Construct- Tab 1-Southern African countries have distinct laws on Naturopathy & Traditional Medicine.

N/A-means not applicable

CONCLUSION

I found that legislative regulatory frameworks in traditional & naturopathy in the southern African region are different. However, some countries define naturopathic modalities such as homeopathy, osteopathy, ayurvedic, and the rest as part of traditional medicines.

This notwithstanding, naturopathic practices have focused on a more scientific means. Whereas traditional medicines have been left to the country's specific customary practices.

Finally, a traditional medicine practitioner can use the same traditional or natural healing modalities used by naturopathic practitioners.

RECOMMENDATIONS

To propose recommendations for legislative regulations in southern African regions of naturopathy and other traditional complementary medicine

Finally, the last objective is to propose recommendations for legislative regulations in Southern African naturopathy and other traditional complementary medicine.

I recommend that those countries with no identifiable definitions of naturopathy should provide a clear definition of naturopathy.

I further recommend titles for traditional medicine practitioners should be protected by statutes.

Finally, South Africa's legislative regulatory framework provides a roadmap for the legislative regulatory model in traditional and alternative medicine frameworks for others to incorporate.

DECLARATIONS

Disclaimer (Artificial intelligence)

Option 1:

Author(s) hereby declare that NO generative AI technologies such as Large Language Models (ChatGPT, COPILOT, etc.) and text-to-image generators have been used during the writing or editing of this manuscript.

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