

## **2026 ATTACHMENT 2 PPREV JAN – JUN**

### **UPDATE ON NHI NEWS**

#### ***Motsoaledi apologises for comments regarding judges***

Following the ConCourt ruling Minister Motsoaledi accused judges of not being objective.

He suggested that judges might not be objective because they are "beneficiaries" of the current private healthcare system - specifically citing a medical scheme for judges called Parmed - which the NHI Act aims to restructure.

The advocacy group **Judges Matter** criticised Motsoaledi's comments, calling them an "attack on judges' character" and urging the Minister to retract his remarks and apologise, citing potential unconstitutional interference with the judiciary.

Opposition parties, including the Democratic Alliance (DA), have referred Motsoaledi's comments to President Cyril Ramaphosa, arguing that questioning judicial impartiality undermines the rule of law and is a "smokescreen" to hide deficiencies in the NHI proposal.

This resulted in the Minister apologising for his comments.

However, he maintained he did not intend to personally attack the judges but expressed concern about the structural bias of those who benefit from private healthcare.

#### ***Health Department considering alternatives for CoN***

Following the ConCourt's rejection of the Certificate of Need (CoN) provisions, the National Department of Health is considering alternative ways to regulate where medical professionals practice.

The Department stressed that the ruling does not affect the NHI Act itself, although it acknowledged the need for alternative approaches to healthcare planning, including structured licensing of facilities.

Alternatives include the structured licensing models used in countries such as Canada and Denmark where health facilities are licensed according to planning needs while doctors and other practitioners apply to work at approved establishments. – **Daily Maverick** (20 May 2026)