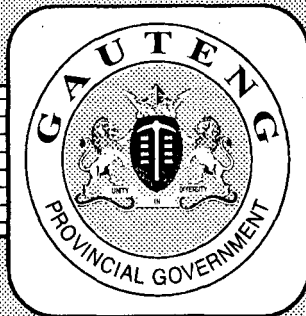


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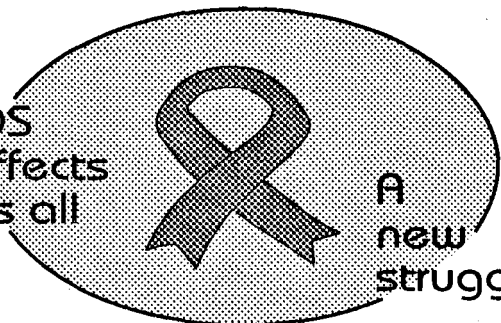
Vol. 8

PRETORIA, 8 MAY 2002
MEI

No. 124

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affects
us all



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GENERAL NOTICE

NOTICE 2229 OF 2002

GAUTENG PROVINCIAL LEGISLATURE

PUBLICATION OF GAUTENG AMBULANCE SERVICES BILL

Notice is hereby given that the Member of the Executive Council for Health intends to introduce the Gauteng Ambulance Services Bill, 2002 in the Legislature as published in this Extraordinary Gazette.

Any person or organisation wishing to comment on this proposed Legislation may lodge written comments on or before 28 May 2002 by posting, faxing or handing them in at the following address:

The Secretary to the Legislature
 Gauteng Provincial Legislature
 C/o Committee Co-ordinator (Ms D Mabaso)
 Private Bag X52
 Johannesburg
 2000

Physical Address
 Gauteng Provincial Legislature
 Corner President and Loveday Str
 Johannesburg
 Tel No: (011) 498-5474
 Fax No: (011) 498-5719

GAUTENG AMBULANCE SERVICES BILL, 2002

To provide for the regulation of the delivery of ambulance services in the Province; to establishment the Gauteng Ambulance Services Board; to provide for the accreditation, registration and licensing of ambulance services; and to provide for matters connected therewith.

Preamble

WHEREAS everyone has the constitutional right not to be refused emergency medical treatment.

AND WHEREAS the Gauteng Provincial Government is committed to ensure a healthy Gauteng community by regulating the provision of high quality, cost effective, professional, integrated and affordable emergency medical care;

BE IT THEREFORE ENACTED by the Provincial Legislature as follows:

1. Definitions

(1) In this Act, unless the context otherwise indicates –

“**Accreditation**” means compliance with criteria and standards prescribed by the MEC;

“**ambulance**” means an appropriately equipped vehicle, waterborne, airborne or land-based, designed or adapted for the purpose of providing emergency medical care and the transportation of patients. For the purposes of this Act vehicles operated by the South African National Defence Force are not considered ambulances;

“**ambulance personnel**” means personnel appropriately registered with the Health Professions Council of South Africa;

“**ambulance service**” means any person, organization or body that is dedicated, staffed and equipped to offer:

- (a) emergency medical care;
- (b) inter-hospital medical treatment;
- (c) transport of the ill and/or injured; and
- (d) the medical rescue of patients from a medical rescue situation;

“**Board**” means the Gauteng Ambulance Services Board;

“**Department**” means the Gauteng Department of Health;

“**disaster**” means a progressive or sudden, widespread or localised occurrence, due to natural or human causes resulting in a catastrophic situation whereby the day to day patterns of life are, or are threatened to be, disrupted and people are, or are threatened to be, plunged into helplessness and suffering;

“**emergency medical care**” means the rescue, evaluation, treatment and care of an ill or injured person in an emergency care situation and the continuation of treatment and care during the transportation of such patients to or between medical facilities in order to prevent loss of life aggravation of illness or injury;

“**emergency medical service**” means a complex and extensive organization of people, equipment and facilities specifically to respond to the emergency medical care needs of a community. Ambulance services are a major and integral part of an emergency medical service;

“**HOD**” means the Head of the department of Health;

“**inspecting officer**” means a registered medical practitioner or registered Paramedic appointed by MEC for the purpose of inspecting ambulance services;

“**MEC**” means the Member of the Executive Council for Health;

“**prescribe**” means prescribe by the regulations and prescribed has a corresponding meaning;

“Province” means the Gauteng Province as contemplated in Section 103 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996);

“this Act” includes the regulations.

(2) The provisions of this Act apply throughout the Province.

2. Interpretation of the Act

This Act must be interpreted-

- (a) to give effect to its purpose; and
- (b) in compliance with the Constitution, provincial and national health policies.

3. Purpose of the Act

The purpose of this Act is -

- (a) to regulate the delivery of ambulance services;
- (b) to establish the Board; and
- (c) to provide for the accreditation, registration and licensing of ambulance services.

4 Objectives of ambulance services

The objectives of an ambulance service are-

- (a) to respond rapidly to requests for assistance in an emergency situation;
- (b) to provide specialized medical skills to maintain life and to reduce injuries in emergency situations and while transporting patients;
- (c) to provide specialized transport facilities to transport patients requiring emergency medical care; and
- (d) to foster public education in emergency medical care.

5. Establishment of the Gauteng Ambulance Services Board

- (1) There is hereby established the Gauteng Ambulance Services Board.
- (2) The composition, appointment, remuneration, tenure of office and termination of membership of the Board shall be prescribed.

6. Powers and Functions of the Board

- (1) The functions of the Board are:

- (a) to advise the HOD on matters related to ambulance services including but not limited to accreditation, registration, licensing, adherence to prescribed norms and standards, and cancellation of licenses;
 - (b) to advise the MEC on all matters related to ambulance services referred to the Board by the MEC;
 - (c) to advise the MEC on inspections of ambulance services and appeals;
 - (d) to convene public forums at the request of the MEC in order to foster public awareness and public participation on matters related to ambulance services; and
 - (e) to advise the MEC on all matters raised at public forums for consideration by the MEC.
- (2) The Board shall report quarterly on its activities to the MEC.

7. Accreditation , Registration and Licensing

(1) No person or organisation shall establish, extend, conduct, maintain, manage, control or render an ambulance service or permit or arrange for such a service to be provided unless such an ambulance service has been accredited, registered and licensed in accordance with the provisions of this Act.

(2) The procedure and requirements for accreditation, registration and licensing shall be prescribed by the MEC .

(3) The HOD shall issue the prescribed licence which shall be valid for three (3) years from the date of issue and such license shall not be transferable.

(4) An application for renewal of licence shall be made in a manner and within time limits prescribed by regulation.

(5) An ambulance service must operate on a 24-hour basis, seven (7) days a week, and its infrastructure shall be capable of supporting it over the period of operation.

(6) Notwithstanding the provisions of subsection (5), an ambulance service may be accredited where it does not operate on a 24 hour basis, seven (7) days a week, provided that such accreditation shall only be valid for the period or event stipulated in the license.

8. Norms, Standards and Quality Assurance

(1) The MEC shall prescribe minimum norms and standards for the delivery of ambulance services which will include-

- (a) equitable access;
- (b) the use of volunteers;
- (c) personnel, vehicle and equipment requirements;
- (d) communication and co-ordination procedures; and

(e) systems to receive, investigate and remedy complaints.

(2) The MEC may appoint so many inspecting officers on prescribed terms and conditions of service and with prescribed powers and duties, as deemed necessary for inspection of ambulance services.

9. Fees

(1) The MEC may prescribe fees payable to the department for accreditation, registration, licensing, renewal of license and for appeal; and

(2) the MEC may adjust the prescribed fees by notice in the Provincial Gazette.

10. Cancellation of License

The HOD may at any time cancel a licence should the ambulance service-

(a) fail to comply with any conditions and requirements imposed in terms of this Act; and

(b) fail to furnish returns, particulars or information that it is required to furnish as prescribed.

11. Appeal

(1) Any person or organization whose application for accreditation, registration or licensing has been refused, or license cancelled in terms of this Act, may within thirty (30) days of the decision, appeal in writing to the MEC in terms of the provisions of this Act:

(a) stating clearly the decision against which such appeal is lodged, and

(b) the grounds upon which such appeal is made.

(2) After receipt of the appeal the MEC must request the HOD to forthwith furnish the MEC with reasons for the decision.

(3) The MEC must consider the appeal and notify the appellant of the outcome of the appeal within sixty (60) days after receipt of the appeal.

(4) The MEC may confirm the decision appealed against or substitute a new decision for it.

(5) The power to determine an appeal in terms of this section is not restricted to the merits of the decision appealed against, but includes the power to review any irregularity alleged regarding the decision.

12. Powers of Ambulance Personnel

(1) Ambulance personnel may whenever they reasonably regard it as necessary or expedient in order to perform any act, and may also-

(a) temporarily close any road or street;

- (b) enter any premises by any reasonable means;
- (c) damage, destroy, pull down or utilise any property: Provided that the owner of such property so damaged, destroyed, pulled down or utilised shall be compensated therefore by the ambulance service concerned to an amount agreed upon by the ambulance service and the owner, or in the absence of such agreement, an amount determined by arbitration in accordance with the provisions of the Arbitration Act, 1965 (Act No.42 of 1965); and
- (d) cause to be removed from the scene any person who is dangerous, or in danger, or who obstructs that practitioner in the performance of his/her duties;

13. Powers of the MEC during a disaster

(1) During a disaster the MEC shall assume responsibility for the co-ordination of the medical rescue, treatment and distribution to appropriate medical facilities of all patients.

(2) In situations contemplated in subsection (1), or where urgent action is necessary in the public interest, the MEC may require any person, including a controlling authority, to make available his/her service, or equipment or material under his/her control, to a particular service or to employ it in a particular way.

14. Offences and Penalties

Any person or organization who-

- (a) establishes, extends, conducts, maintains, manages, controls or renders an ambulance service which is not registered in terms of the provisions this Act; or
- (b) extends or makes alterations to the vehicles of an ambulance service after accreditation without the prior written approval of the HOD; or
- (c) obstructs or hinders the Inspecting Officer or any person acting on his behalf in the performance of his duties in terms of this Act; or
- (d) obstructs or prevents access of ambulance personnel to a patient in an emergency medical care situation; or
- (e) wilfully summons an ambulance service without a valid reason to do so,
- (f) fits a vehicle with a siren, red flashing beacon and displays:
 - (i) the red Star of Life; and/or
 - (ii) the term "paramedic" or any other derivative thereof; and/or
 - (iii) the term "medical" or any other derivative; and/or
 - (iv) the phrases "advanced life support, "intermediate life support"

and "basic life support" without the vehicle being under control of an accredited ambulance service or

(v) impersonates any ambulance personnel,

shall be guilty of an offence and, on conviction, liable to a fine not exceeding R30 000.00 or to imprisonment for a period not exceeding 3 (three) years or to both such fine and or imprisonment.

15. Delegation

(1) The HOD may, for the effective execution of the provisions of this Act delegate a power conferred on him/her under this Act, to any officer of the Department.

(2) A person to whom a power has been delegated, must exercise a power or perform the duty subject to conditions that the HOD considers necessary.

(3) A delegation –

(a) must be in writing;

(b) does not prevent the HOD from exercising the power; and

(c) may at any time be withdrawn.

16. Regulations

The MEC may by notice in the Provincial Gazette prescribe regulations not inconsistent with this Act, regarding-

(a) any matters referred to in this Act, and

(b) any matters which the MEC deems necessary and appropriate to prescribe in order to achieve the objects of this Act.

17. Short Title

This Act is called the Gauteng Ambulance Services Act, 2002.

MEMORANDUM ON THE OBJECTS OF THE GAUTENG AMBULANCE SERVICES BILL, 2002

1. PURPOSE OF THE BILL

- 1.1 In terms of section 27(1) and (3) of the Constitution, 1996 everyone has the right to have access to-
- (a) Health care services, including reproductive health care; and
 - (b) No one may be refused emergency medical treatment and this is a functional area of exclusive provincial competence in terms of Schedule 5, part A of the Constitution.
- 1.2 The Constitution places an obligation on the State to take reasonable legislative and other measures within its available resources in order to achieve the progressive realisation of these rights. The Bill emanates from this constitutional obligation and purports to give effect to constitutional requirements.
- 1.3 The Gauteng Provincial Government in its commitment to ensuring high quality, cost effective, professional, integrated and affordable emergency medical care had to regulate the delivery of ambulance services as the only regulations that where in place refer as far back as 1994 and required that all emergency care practitioners to be registered with the South African Medical and Dental Council.
- 1.4 To facilitate the implementation of the delivery of ambulance services the Bill provides for the accreditation, inspection, registration and licensing of ambulance services and for incidental matters.

2. SOCIAL IMPACT

The regulating of the delivery of ambulance services is expected to enhance delivery, rapid response, foster education in emergency medical care as well as the use of specialised transport facilities and medical skills in emergency situations as is delivered to the communities.

3. OTHER DEPARTMENTS AND BODIES CONSULTED

The draft white paper was published in the Provincial Gazette for comment. It was circulated to stakeholders for comments and inputs. A workshop was held with all stakeholders where the draft Bill was presented and consulted and this included major present private operators of ambulance services.

4. FINANCIAL IMPLICATIONS

The adoption of affordable norms and standards together with strict control and efficiency will minimize any additional financial implications.

5. CLAUSE BY CLAUSE DESCRIPTION

5.1 Sections 1,2,3 and 4 of the Bill contains a list of definitions and deals with the interpretation, and purpose of the Act.

5.2 Section 4 deals with the objectives of the ambulance services.

3.3 Sections 5 and 6 provides for the establishment of the Gauteng Ambulance Services Board as an advisory body to the MEC on all matters related to ambulance services and further provides for the powers and functions of the Board.

3.4 Section 7 deals with the accreditation, registration, and licensing of persons or organisations providing ambulance services.

3.5 Section 8 and 9 provides for the prescription of norms, standards and quality assurance including payment of fees for registration, by the MEC.

3.6 Section 10 deals with circumstances under which licenses can be cancelled.

3.7 Section 11 provides for appeal procedures where a person has been refused accreditation, registration or renewal of license.

3.8 Section 12 deals with the powers and indemnity of ambulance personnel.

3.9 Section 13 deals with the powers of the MEC during a disaster.

3.10 Section 14 deals with offences that a person or organisation where applicable may commit, together with penalties that may be imposed.

3.11 Sections 15 and 16 deals with delegation by the HOD of certain powers; functions and duties to officers of the Department as well as the prescription by the MEC of Regulations on any matter referred to in this Act and/or that the MEC deems necessary to achieve the objective of this Act.

6. OFFICIAL TEXT

The English text of this Bill is the official text.

WETSONTWERP VIR GAUTENG SE AMBULANSDIENSTE, 2002

Om voorsiening te maak vir die regulering van ambulansdienste wat in die provinsie gelever moet word; om die Raad op Gauteng se Ambulansdienste te vestig; om voorsiening te maak vir die akkreditering, registrasie en lisensiëring van ambulansdienste; en om voorsiening te maak vir sake wat daarmee verband hou.

Aanhef tot die Wet (Konsiderans)

INSOVERRE elkeen die grondwetlike reg het om nie mediese noodbehandeling geweier te word nie;

EN INSOVERRE die Gautengse Provinsiale Regering verbind is daartoe om 'n gesonde Gautengse gemeenskap te vestig deur die regulering van kostedoeltreffende, professionele, geïntegreerde en bekostigbare mediese noodbehandeling van hoë gehalte;

BEPAAL die Provinsiale Wetgewer soos volg:

1. Omskrywings

(1) In die Wet het die volgende woorde die volgende betekenis, tensy die konteks anders aandui –

“akkreditering” beteken dat voldoen is aan die kriteria en standarde wat voorgeskryf is deur die LUR;

“ambulans” beteken 'n voertuig, vaartuig, lugvaartuig of padvoertuig wat behoorlik toegerus, ontwerp of aangepas is vir die doel om mediese noodbehandeling toe te pas en vir vervoer van pasiënte. Vir die doel van die Wet, word voertuie wat gebruik word deur die Suid-Afrikaanse Nasionale Weermag nie beskou as ambulans nie;

“ambulanspersoneel” beteken personeel wat behoorlik geregistreer is by die Raad op Gesondheidsberoep van Suid-Afrika;

“ambulansdiens” beteken enige persoon, organisasie of liggaam wat spesiaal ingerig is, beman word en toegerus is om die volgende aan te bied:

- (a) mediese noodbehandeling;
- (b) mediese behandeling tydens vervoer tussen hospitale;
- (c) vervoer van persone wat siek en/of beseer is; en
- (d) mediese redding van pasiënte in 'n mediese noodsituasie;

“Raad” beteken die Raad op Gauteng se Ambulansdienste;

“Departement” beteken die Gautengse Departement van Gesondheid;

“ramp” beteken 'n progressiewe of skielike, omvangryke of plaaslike gebeurtenis wat ontstaan weens natuurlike of mensgemaakte oorsake en lei tot 'n katastrofe wat die gewone daaglikse lewenspatrone bedreig, of in gevaar stel, onderbreek en menselewens bedreig, of veroorsaak dat mense hulpeloos is en ly onder die omstandighede wat ontstaan het;

“mediese noodbehandeling” beteken die redding, evaluering, behandeling en versorging van 'n siek of beseerde persoon in 'n mediese versorgingsituasie en die voortsetting van behandeling en versorging terwyl sodanige pasiënte na of tussen mediese fasiliteite vervoer word, om so lewensverlies, of erger besering of slegter gesondheid in die proses te voorkom;

“mediese nooddiens” beteken ’n komplekse en omvangryke organisasie van mense, toerusting en fasiliteite wat spesifiek reageer op die mediese noodbehandeling van ’n gemeenskap. Ambulansdienste is ’n belangrike en integrale deel van ’n mediese nooddiens;

“HD” beteken Hoof van die Departement van Gesondheid;

“inspekteur” beteken ’n geregistreerde mediese praktisyn of geregistreerde paramedikus wat deur die LUR aangestel word om ambulansdienste te ondersoek;

“LUR” beteken die Lid van die Uitvoerende Raad van Gesondheid;

“voorskrif” beteken voorskrif volgens die regulasies en “voorskriftelik” en “voorgeskrewe” het ’n ooreenstemmende betekenis;

“Provinsie” beteken die Gautengse Provinsie soos dit bedoel word in Artikel 103 van die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet 108 van 1996);

“die Wet” beteken dié Wet en dit sluit die regulasies in.

- (2) Die voorwaardes van die Wet geld vir die hele Provinsie.

2. Interpretasie van die Wet

Die Wet moet geïnterpreteer word -

- (a) om uitvoer te gee aan die doel daarvan; en
- (b) om te voldoen aan die vereistes van die Grondwet, asook enige provinsiale en nasionale gesondheidsbeleid.

3. Doel van die Wet

Die doel van die Wet is -

- (a) om die lewering van ambulansdienste te reguleer;
- (b) om die Raad te vestig; en
- (c) om voorsiening te maak vir die akkreditering, registrasie en lisenasiering van ambulansdienste.

4. Doelstellings van ambulansdienste

Ambulansdienste is daarop gerig om -

- (a) vinnig te reageer op versoeke om hulp in ’n noodsituasie;
- (b) gespesialiseerde mediese vaardighede te verskaf om lewens te bewaar, om beserings te verminder in noodsituasies en beskerming te verleen terwyl pasiënte vervoer word;

- (c) gespesialiseerde vervoerfasiliteite te voorsien om pasiënte wat mediese noodbehandeling nodig het te vervoer; en
- (d) openbare opvoeding in mediese noodbehandeling aan te moedig.

5. Vestiging van die Raad op Gauteng se Ambulansdienste

- (1) Die Raad op Gauteng se Ambulansdienste word hiermee gestig.
- (2) Die samestelling, aanstelling, vergoeding, ampstermyn en beëindiging van lidmaatskap van die Raad sal volgens voorskrif geskied.

6. Magte en Funksies van die Raad

- (1) Die funksies van die Raad is:
 - (a) Om die HD te adviseer oor sake wat verband hou met ambulansdienste. Dit sluit akkreditering, registrasie, lisensiëring, die mate waartoe voldoen word aan die norme en standarde wat voorgeskryf is, asook die kansellasië van lisensies in, hoewel dit nie beperk is daartoe nie;
 - (b) Om die LUR te adviseer oor alle sake wat verband hou met ambulansdienste, wat deur die LUR na die Raad verwys word;
 - (c) Om die LUR te adviseer oor inspeksies van ambulansdienste en enige appèlsake wat aangemeld word;
 - (d) Om openbare forums op versoek van die LUR saam te roep, om so openbare bewustheid en openbare deelname aan sake wat verband hou met ambulansdienste aan te wakker; en
 - (e) Om die LUR te adviseer oor alle sake wat geopper word by openbare forums sodat die LUR dit kan oorweeg.
- (2) Die Raad moet kwartaaliks by die LUR verslag doen oor sy aktiwiteite.

7. Akkreditering, registrasie en lisensiëring

- (1) Geen persoon of organisasie mag 'n ambulansdiens vestig, uitbrei, bedryf, bestuur, in stand hou, beheer of lewer, toelaat of reël dat sodanige diens verskaf word nie, tensy sodanige ambulansdiens geakkrediteer, geregistreer en gelisensieer is volgens die voorwaardes van die Wet.
- (2) Die prosedure en vereistes vir akkreditering, registrasie en lisensiëring sal deur die LUR voorgeskryf word.
- (3) Die HD sal die lisensie volgens voorskrif uitreik, welke lisensie geldig sal wees vir drie (3) jaar na die datum waarop dit uitgereik is en sodanige lisensie is nie oordraagbaar nie.
- (4) 'n Aansoek vir die hernuwing van 'n lisensie moet volgens voorskrif ingedien word binne die tydperke wat per regulasie voorgeskryf

word.

- (5) 'n Ambulansdiens moet 24 uur per dag, sewe (7) dae per week bedryf word en die infrastruktuur moet sodanig wees dat dit op 'n volgehoue grondslag bedryf kan word.
- (6) Ongeag die voorwaardes van subartikel (5), kan 'n ambulansdiens geakkrediteer word al word dit nie 24 uur per dag, sewe (7) dae per week bedryf nie, maar met dien verstande dat die akkreditering net geldig is vir die tydperk of vir die gebeure wat in die lisensie uiteengesit word.

8. Norme, standaard en gehalteversekering

- (1) Die LUR skryf die minimum norme en standaard voor vir die lewering van ambulansdienste wat die volgende moet insluit -
 - (a) gelyke toegang;
 - (b) die gebruik van vrywilligers;
 - (c) voldoende personeel, voertuie en toerusting;
 - (d) kommunikasie en koördineringsprosedures; en
 - (e) stelsels om klagtes te ontvang, te ondersoek en reg te stel.
- (2) Die LUR kan soveel inspekteurs aanstel op grond van die voorgeskrewe diensbepalings en -voorwaardes, met inbegrip van voorgeskrewe magte en pligte, as wat nodig geag word vir die inspeksie van ambulansdienste.

9. Betaalbare bedrae

- (1) Die LUR kan bepaal watter bedrae aan die departement betaal moet word vir akkreditering, registrasie, lisensiëring, hernuwing van lisensies en vir sake wat op appèl verhoor moet word; en
- (2) die LUR kan die voorgeskrewe betaalbare bedrae per kennisgewing in die Provinsiale Koerant aankondig.

10. Kansellasië van lisensies

Die HD kan te eniger tyd 'n lisensie kanselleer as die ambulansdiens -

- (a) versuim om te voldoen aan enige van die voorwaardes en vereistes wat afgedwing word deur dié Wet; en
- (b) versuim om opgawes, besonderhede of inligting wat volgens voorskrif ingedien moet word, in te dien.

11. Appèl

- (1) As enige persoon of organisasie se aansoek om akkreditering, registrasie of lisensiëring geweier word, of die lisensie gekanselleer word kragtens die Wet, kan die persoon of organisasie binne dertig

(30) dae na die besluit skriftelik appèl aanteken by die LUR soos dit deur die Wet vereis word en:

- (a) duidelik stel teen watter besluit die appèl aangeteken word; en
 - (b) noem op grond waarvan die appèl aangeteken word.
- (2) Nadat die LUR die kennisgewing van appèl ontvang het, moet die LUR die HD versoek om onmiddellik die LUR in te lig oor die redes vir die besluit.
- (3) Die LUR moet die appèl oorweeg en die appelleerder binne sestig (60) dae na ontvangs van die kennisgewing van appèl in kennis stel van die uitslag van die appèl.
- (4) Die LUR kan volstaan by die besluit waarteen die appèl aangeteken is, of 'n nuwe besluit neem.
- (5) Die gesag om 'n appèl aan te hoor kragtens die artikel is nie beperk tot die meriete van die besluit waarteen die appèl aangeteken word nie, maar dit sluit die mag in om enige beweerde onreëlmatigheid met betrekking tot die besluit, te ondersoek.

12. Magte van ambulanspersoneel

- (1) Ambulanspersoneel kan optree wanneer hulle dit redelikerwys nodig ag, of optree om hulle plig te doen en mag ook die volgende doen -
- (a) tydelik enige pad of straat sluit;
 - (b) enige perseel op enige redelike wyse betree;
 - (c) enige eiendom beskadig, vernietig, afbreek of benut, mits die eienaar van die eiendom wat so beskadig, vernietig, afgebreek of benut is, kompensasie van die ambulansdiens ontvang vir sodanige eiendom. Die ambulansdiens moet met die eienaar van sodanige eiendom ooreenkom oor die bedrag wat as kompensasie betaal sal word, of waar daar nie ooreengekom word oor die betaalbare bedrag nie, moet 'n bedrag deur middel van arbitrasie bereken word volgens die voorwaardes van die Wet op Arbitrasie, 1956 (Wet 42 van 1965); en
 - (d) sorg dat enige persoon wat gevaarlik is, in gevaar verkeer, of wat die praktisyn verhoed om sy/haar pligte uit te voer, van die perseel verwyder word.

13. LUR se magte tydens 'n rampsituasie

- (1) Tydens 'n rampsituasie moet die LUR verantwoordelikheid aanvaar vir die koördinasie van die mediese redding, behandeling en

vervoer van pasiënte na gepaste mediese fasiliteite.

- (2) In die soort situasies wat in subartikel (1) voorsien word, of waar dringende optrede noodsaaklik is in openbare belang, kan die LUR opdrag gee dat enige persoon, insluitend 'n owerheid wat in beheer is van dienste, toerusting of materiaal, sy/haar diens of toerusting of materiaal onder sy/haar beheer beskikbaar moet stel aan 'n bepaalde diens of dat dit op 'n bepaalde manier gebruik moet word.

14. Oortredings en boetes

Enige persoon of organisasie wat -

- (a) 'n ambulansdiens vestig, uitbrei, bedryf, in stand hou, bestuur, beheer of lewer, maar nie geregistreer is kragtens die voorwaardes van die Wet nie; of
- (b) voertuie van 'n ambulansdiens uitbrei of verander nadat akkreditering toegestaan is, sonder die voorafgoedkeuring van die HD; of
- (c) die inspekteur of enige persoon wat namens die inspekteur optree verhinder om sy pligte kragtens die Wet uit te voer; of
- (d) ambulanspersoneel verhinder of verhoed om toegang te kry tot 'n pasiënt in 'n mediese noodsituasie; of
- (e) doelbewus 'n ambulansdiens ontbied sonder 'n geldige rede om die diens te ontbied; of
- (f) 'n voertuig toerus met 'n sirene, rooi flitsende lig en enige van die volgende vertoon:
 - (i) die rooi Ster van die Lewe; en/of
 - (ii) die woord "paramedikus" of enige ander vorm van die woord; en/of
 - (iii) die woord "medies" of enige ander vorm daarvan; en/of
 - (iv) die woorde "gevorderde lewensondersteuning", "tussentydse lewensondersteuning" en "basiese lewensondersteuning" terwyl die voertuig nie onder beheer is van 'n geakkrediteerde ambulansdiens nie; of
 - (v) iets wat voorgee dat die personeel ambulanspersoneel is;

is skuldig aan 'n oortreding en sodra die persoon skuldig bevind word, kan 'n vonnis van hoogstens R30 000,00 of tronkstraf van hoogstens drie (3) jaar of albei op gelê word.

15. Delegering

- (1) Die HD kan, magte wat aan hom toegesê word vir die doeltreffende nakoming van die voorwaardes van die Wet, deleger aan enige amptenaar in diens van die Departement.
- (2) Indien magte aan iemand gedelegeer word, moet die persoon die mag of die plig uitvoer volgens die voorwaardes wat die HD nodig ag.
- (3) Enige gedelegeerde mag –
 - (a) moet skriftelik gedoen word;
 - (b) mag nie die HD verhoed om mag uit te oefen nie; en
 - (c) kan te eniger tyd onttrek word.

16. Regulasies

Die LUR kan per kennisgewing in die Provinsiale Koerant regulasies voorskryf wat nie in stryd is met die Wet nie en die regulasies kan betrekking hê op die volgende -

- (a) enige sake waarna verwys word in die Wet, en
- (b) enige sake wat na mening van die LUR nodig en toepaslik is om die doelstellings van die Wet te verwesenlik.

17. Kort titel

Die Wet word die Wet op Gauteng se Ambulansdienste, 2002 genoem.

UMTHETHOSIVIVINYO WEZINKONZO ZAMA- AMBULANCE E-GAUTENG, 2002

Ukuhlinzeka ngomthetho wekulethwa kwezinkonzo zama-ambulance esiFundazweni; ukusungula iBhodi yeZinkonzo zama-Ambulance e-Gauteng; ukuhlinzeka ngezigu nyaziso (accreditation), ngokubhaliswa kanye nokukhishwa kwamalaysensi ezinkonzo zama-ambulance; kanye nokunikezela ngezinye izinto ezingayanyaniswa nawo.

Isendulelo

NAKUBA wonke umuntu enelungelo langokomthethosisekelo lokuthi anganqatshelwa usizo oluphuthumayo lwezokwelashwa.

FUTHI NAKUBA uHulumeni wesiFundazwe sase-Gauteng ezibophezele ekuqinisekiseni ukubasempilweni okukahle komphakathi wase-Gauteng ngokuthi ashaye umthetho osezingeni eliphezulu, izinkonzo zonakekelo lwezokwelashwa oluphuthumayo ezingabizi kakhulu, ezisebenza ngendlela efanele, ezididiyelwe futhi ezifinyelelekayo;

NJENGOBA UMISIWE yisiShayamthetho sesiFundazwe kanjena:

1. Izincazelo

(1) KuloMthetho, ngaphandle uma kuchazwe ngenye indlela –

“**Isigunyaziso**” kusho ukuhambisana nemibandela kanye namazinga amiswe nguNgqngqoshe wesiFundazwe (MEC);

“**i-ambulance**” kushiwo inqola efanelekile, ehamba emanzini, emoyeni noma ezweni, eyakhiwe yalungiswa kahle ukuze inikezele unakekelo lwezokwelashwa oluphuthumayo kanye nokuhambisa iziguli. Ngokwenhloso yaloMthetho izinqola ezisetshenziswa nguMkhosi wezokuVikela kaZwelonke eNingizimu Africa azithathwa njengama-ambulance;

“**osebenza kuma-ambulance**” kushiwo umsebenzi ofanelekile abhalise ngokusemthethweni ku-Health Professions Council of South Africa;

“**inkonzo yama-ambulance**” kushiwo noma imuphi umuntu, inhlango noma ngabe ubani ozibophezele, onabasebenzi kanye nempahla yokunikezela:

- (a) unakekelo lwezokwelashwa lwezimo eziphuthumayo;
- (b) unakekelo lwezokwelashwa ezibhedlela ezahlukene;
- (c) okokuhamba kwabagulayo kanye/noma abalimele; kanye
- (d) ukuhlangula ngakwezokwelashwa iziguli kuzimo zokuhlangulwa kwezokwelashwa ezisuke zikuzo;

“**Ibhodi**” kushiwo iBhodi yeziNkonzo zama-Ambulance e-Gauteng;

“**uMnyango**” kushiwo uMnyango wezeMpilo e-Gauteng;

“**inhlekelele**” kushiwo isehlo esenzekayo noma esenzeke ngokuphazima kwehlo, ezindaweni ezehlukene noma endaweni eyodwa, ngengxa yendalo noma yembangela yomuntu esiholela esimeni esibi lapho kuthi khona indlela izinto ezenzeka ngayo nsuku zonke isabeke, iphazamiseke, bese kuthi abantu basabiseke ekutheni angeke bazi ukuthi bazokwenza ini ukuzisiza bese behlukumezeka;

“**unakekelo lwezokwelashwa oluphuthumayo**” kushiwo ukupheshiswa, ukuhlolwa, ukwelashwa kanye nonakekelo labo bonke abagula noma abalimele kusimo esidinga unakekelo oluphuthumayo kanye nokuqhubeka kokwelashwa kanye nokunakekelwa ngesikhathi kuthuthwa iziguli zisiwa noma zihanjiswa kuzikhungo zezokwelashwa ukuze kuvikelwe ukuphuma komphefumulo ngengxa yokuqhubekela phambili kokugula noma ukulimala;

“**inkonzo yezokwelashwa okuphuthumayo**” kushiwo inhlango edidiyele futhi ebanzi yabantu, impahla kanye nezidingo eziqondene ngqo nokubhekana nonakekelo lwezokwelashwa lomphakathi. Izinkonzo zama-ambulance ziyingxenye enkulu futhi edidiyele yenkonzo yezokwelashwa;

“**I-HOD**” kushiwo oyiNhloko yomnyango weZempilo;

“**umsebenzi ohlodayo**” kushiwo udokotela wezokwelapha noma i-Paramedic ebhaliswe ngokusemthethweni ekhethwe ngu-MEC ngenhloso yokuhlola izinkonzo zama-

ambulance;

“u-MEC” kushiwo iLunga loMkhandlu oThatha iziNqumo kwezeMpilo;

“misiwe” kushiwo okumiswe yimithetho futhi okumisiwe kunencazelo ekuhambisana nayo;

“IsiFundazwe” kushiwo isiFundazwe sase-Gauteng njengoba kukhulunywa ngaso kusiGaba 103 soMthethosisekelo weRiphabliki yaseNingizimu Afrika, 1996 (uMthetho onguNombolo 108 ka 1996);

“loMthethothis” ubandaka nya eminye imitheshwana.

(2) Izimiso zaloMthetho zisebenza kusona sonke isifundazwe.

2. Ukuhunyushwa/ukuchazwa koMthetho

LoMthetho kufanele uhunyushwe-

- (a) ukuze ufezekise inhloso yawo; futhi
- (b) uhambisane noMthethosisekelo, nemigomo yezempilo yesifundazwe kanye nekazwelonke.

3. Inhloso yoMthetho

Inhloso yaloMthetho -

- (a) ukumisa ngokusemthethweni ukulethwa kwezinkonzo zama-ambulance;
- (b) ukusungula iBhodi; kanye
- (c) nokunikezela ngesigunyaziso, ukubhaliswa kanye namalayisensi ezinkonzo ze-ambulance.

4. Izinhloso zezinkonzo zama-ambulance

Izinhloso zenkonzo yama-ambulance-

- (a) ukubhekana njalo nezidingo zokusiza kuzimo eziphuthumayo;
- (b) ukunikezela ngamasu akhethekile kwezokwelashwa ukugcina impilo kanye nokwehlisa izinga lokulimala kuzimo eziphuthumayo ngesikhathi kuhanjishwa iziguli;
- (c) ukunikezela ezokuthutha ezikhethekile zokuhambisa iziguli ezidingekayo kunakekelo lezimo eziphuthumayo; kanye
- (d) nokugququzela imfundo kuzimo eziphuthumayo zonakekelo lwezempilo.

5. Ukusungulwa kweBhodi yeziNkonzo zama-Ambulance

- (1) Lapha kusungulwa iBhodi yeziNkonzo zama-Ambulance e-Gauteng.
- (2) Ukwakheka, ukukhethwa, ukuholelwa, kanye nobude besikhathi kanye nesokuphela kobulunga beBhodi kufanele kumiswe.

6. Amandla kanye nemisebenzi yeBhodi

- (1) Imisebenzi yebhodi:
 - (a) ukululeka i-HOD ezindabeni eziphathelele nezinkonzo zama-ambulance kubandakanya kodwa kungagcini kuphela kuzigunyaziso, ukubhaliswa, ukunikezwa kwamalaysensi, kanye nokuthobela inqubo kanye namazinga amisiwe, kanye nokwesula amalaysensi;
 - (b) ukululeka u-MEC kuzona zonke izindaba eziphathelele nezinkonzo zama-ambulance u-MEC azindlulisele kuBhodi;
 - (c) Ukululeka u-MEC ngokuhlola izinkonzo zama-ambulance kanye nokudluliswa kwesikhalazo;
 - (d) Ukumisa izigcawu zomphakathi ngokuyalelwa ngu-MEC ukuze kwaziswe umphakathi futhi ubambe iqhaza kuzindaba eziphathelele nezinkonzo zama-ambulance; kanye
 - (e) Ukululeka u-MEC kuzona zonke izindaba eziphakanyiswe kuzigcawu zomphakathi ukuze athathe izinqumo ngazo.
- (2) IBhodi kufanele ibike njalo ngekota ku-MEC ngalokho ekwenzayo.

7. Ukugunyaziswa, Ukubhaliswa kanye nokunikezelwa kwamalaysensi

(1) Akekho umuntu noma inhlangothi ekufanele basungule, bandise, balawule noma banikezele ngenkonzo yezama-ambulance noma imvume noma bahlele ukuthi leyonkonzo inikezelwe ngaphandle uma leyonkonzo yama-ambulance ingunyaziswe, yabhaliswa futhi yanikezwa ilayisensi ngokwezimiso zaloMthetho.

(2) Inqubo kanye nezidingo zokugunyaziswa, zokubhaliswa kanye nokunikezwa kwelayisensi kufanele imiswe ngu-MEC .

(3) I-HOD kufanele yenze ilayisensi ezosebenza iminyaka emithathu (3) kusukela osukwini enikezelwe ngalo bese kuthi leyo layisensi ingakwazi ukuthi indluliselwe komunye umuntu.

(4) Isicelo sokuvuselela ilayisensi kufanele senziwe ngendlela futhi esikhathini esibekwe ngumthetho.

(5) Inkonzo yama-ambulance kufanele isebenze amahora angu-24-hour, izinsuku ezingu-7 ngesonto, bese kuthi ingqalasizinda yayo ikwazi ukuyesekela ngesikhathi

sokusebenza.

(6) Kube kungamelwa izimiso zesigatshana (5), inkonzo ye-ambulance ingagunyaziswa uma ingezu kusebenza amahora angu-24, izinsuku ezingu-7 esontweni, inqobo nje uma lokokugunyazwa kuzosebenza kuphela esikhathini kanye nasesimeni esibhalwe kulayisensi.

8. Inqubo, amazinga kanye nokuqinisekisa ikhwalithi

(1) U-MEC kufanele abeke inqubo kanye namazinga ekuyiwona esezingeni eliphansi elibekiwe ekulethweni kwezinkonzo zama-ambulance okuzobandakanya -

- (a) ukufinyeleleka okulinganayo;
- (b) ukusetshenziswa kwamavolontiya;
- (c) izidingo zabasebenzi, zezimoto kanye nempahla;
- (d) izinqubo zokuxoxisana kanye nezokusebenza ngokubambisana; kanye
- (e) nezinhlelo zokuthola, zokuphenya kanye nokulungisa izikhalazo.

(2) U-MEC angakhetha inani elithile labasebenzi abahlolayo kumibandela kanye nezimo zomsebenzi bese kuthi ngamandla abekiwe kanye nemisebenzi, njengoba kubonakala kunesidingo sokuhlola inkonzo yama-ambulance.

9. Imali ekhokhwayo

(1) U-MEC angamisa imali ezokhokhwa kumnyango yokugunyazisa, ukubhalisa, ukukhishwa kwamalayisensi, ukuvuselelwa kwamalayisensi kanye nokudlulisela phambili udaba; futhi

(2) U-MEC angamisa kabusha imali emisiwe ngokuthi afake isaziso kuGazethi yesiFundazwe.

10. Ukukhanselwa kwelayisensi

I-HOD ingathi noma ngasiphi isikhathi ikhansele ilayisensi uma kungukuthi inkonzo ye-ambulance -

- (a) ihluleka ukuhambisana nezimiso kanye nezidingo ezibekiwe ngokusho kwaloMthetho; futhi
- (b) ihluleka ukubuyisa ekumele ikulethe, imininingwane edingekela ukugcwalisa loko okumisiwe.

11. Ukundlulisela phambili udaba

(1) Noma imuphi umuntu noma inhlango ekuthi isicelo sakhe sokugunyaziswa, sokubhalisa noma sokunikezwa selayisensi sangavunywa, noma ilayisensi yakhanselwa ngokusho kwaloMthetho, angathi zingakapheli izinsuku ezingu-30 zesinqumo, andlulisele phambili udaba ngokubhalela u-MEC ngokusho kwezimisele zoMthetho:

- (a) abhale ngokucacile isinqumo ekuthi kuso ufake isicelo sokundlulisa udaba, futhi
 - (b) kanye nezizathu ezenza ukuba undlulisele phambili udaba.
- (2) Ngemuva kokumukela isicelo sokundlulisela udaba u-MEC kufanele acele i-HOD ukuba enze ngokunjalo anikeze izizathu zesinqumo.
- (3) U-MEC kufanele abheke ukundluliswa kodaba bese azisa ondlulisa udaba ngomphumela zingakapheli izinsuku ezingu-60 emukele isicelo sokundlulisa udaba.
- (4) U-MEC angaqinisekisa isinqumo esithathiwe noma ezenesinye isinqumo esikhundleni sesokuqala.
- (5) Amandla okubheka isikhalazo sokundlulisa udaba ngokusho kwalesi sigaba akugcinisiwe ekutheni undlulisa udaba ngesinqumo esithathiwe, kodwa kubandakanya amandla okubukeza noma yini okungahambanga kahle ngokuphathelene nesinqumo.

12. Amandla abasebenza bama-ambulansi

- (1) Abasebenzi bama-ambulance bangathi noma inini uma bebona kunesidingo noma kufanelekile ukuze benze noma yini, futhi -
- (a) bangathi okwesikhashana bavale umngwaqo noma isitaladi;
 - (b) bangene noma kuyiphi indawo nganoma iyiphi indlela efanelekile;
 - (c) bonakalise, bacekele phansi, badilize noma basebenzise noma isiphi isakhiwo: Inqobo nje uma umnikazi waleso sakhiwo esonakaliswe kanjalo, esicekelwe phansi, esidiliziwe noma esisetshenzisiwe ezobuyekwezwa ngokunjalo inkonzo yama-ambulance ethintekayo ngenani lemali ekuvunyelwane ngalo phakathi kwenkonzo yezama-ambulance kanye nomnikazi, noma uma singekho lesi sivumelwano, inani elizonqunywa ngokwezimiso zoMthetho wezokuXolelanisa, 1965 (uMthetho onguNombolo 42 ka 1965); futhi
 - (d) benze ukuba kususwe enkundleni yengozi noma imuphi umuntu oyingozi, noma osengozini, noma ophazamisa lowomsebenzi ekwenzeni umsebenzi wakhe;

13. Amandla ka-MEC ngesikhathi senhlekelele

- (1) Ngesikhathi senhlekelele u-MEC kufanele athathe umsebenzi wokuhambisa kahle umsebenzi wezokusindisa abagulayo noma abalimele, wokwelapha, wokuphephisa kanye nokwabiwa ngendlela efanele yezidingo zezokwelapha kuzona zonke iziguli.
- (2) Ezimeni ezike zabalulwa kusigatshana (1), noma lapho isimo esiphuthumayo sidingekile ukuncenda umphakathi, u-MEC angadinga noma imuphi umuntu, umkhandlu olawulayo, wenze kutholakale inkonzo, noma impahla noma izidingo abazilawulayo,

kunkonzo ethile noma aqashe ngendlela ethile.

14. Amacala kanye nezinhlawulo

Noma imuphi umuntu noma inhlango-

- (a) ingaqalisa, yandise, iqhube, ingcine, iphathe, ilawule noma inikezele inkonzo yama-ambulance ebhaliswe ngokusho kwezimiso zaloMthetho; noma
- (b) andise noma aguqule imoto yenkonzo yezama-ambulance ngemuva kokugunyaziswa ngaphambi kokuba athole imvume ebhalwe phansi ye-HOD; noma
- (c) avimbe noma aphazamise umsebenzi ohlodayo noma imuphi umuntu osebenzela ohlodayo ekwenzeni umsebenzi wakhe ngokusho kwaloMthetho; noma
- (d) avimbele noma avimbe ukufinyelela komsebenzi we-ambulance kusiguli esisesimeni esiphuthumayo kwezikwelashwa; noma
- (e) ngokuthanda kwakhe abize inkonzo yama-ambulance ngaphandle kwesizathu esibonakalayo,
- (f) afakele isayirini, ilambu elibomvubese eveza:
 - (i) inkanyezi ebomvu yempilo; kanye/noma
 - (ii) igama elithi "paramedic(pharmedikhi)" noma elinye elisuselwe kulo; futhi/noma
 - (iii) igama elithi "medical(ezokwelapha)" noma elinye elisuselwe kuko; futhi/noma
 - (iv) imishwana "advanced life support (ukusekelwa empilweni okusezingeni eliphezulu), "intermediate life support(ukusekelwa empilweni kwangaphakathi)" kanye "basic life support(nokusekelwa kwempilo okuyisidingo esisemqoka)" ngaphandle kokuthi imoto ibengaphansi kolawulo lenkonzo yezama-ambulance egunyaziwe noma
 - (v) azenze umsebenzi wezama-ambulance,

uyoba necala futhi, ekugwetshweni, abhekane nenhlawulo engengaphezulu kuka-R30 000.00 noma aboshwe isikhathi esingeqi eminyakeni engu-3 noma kokubili inhlawulo kanye/noma nokuboshwa.

15. Ukundluliselwa kwamandla

- (1) I-HOD, ukuze ifeze kahle izimiso zayo zaloMthetho ingandlulisela amandla

enikwe wona ngaphansi kwaloMthetho, kunoma imuphi umsebenzi woMnyango.

(2) Umuntu kuthi amandla anikezwe yena, kufanele awasebenzise noma enze umsebenzi ngokubheka izimo i- HOD ezibona zinesidingo.

(3) Ukundluliselwa kwamandla –

- (a) kufanele kubhalwe phansi;
- (b) akuvimbeli i-HOD ekutheni isebenzise amandla ayo; futhi
- (c) noma ngasiphi isikhathi angawahoxisa.

16. Imitheshwana

U-MEC angathi ngokufaka isaziso kuGazethi yesiFundazwe amise imitheshwana okungenzeka engashayisani naloMthetho, ngokuphathelene-

- (a) nanoma iluphi udaba olubalulwe kuloMthetho, kanye
- (b) nanoma iluphi udaba ekuzothi u-MEC alubone ludingekile futhi lifanelekile ukuba lumiswe ukuze kufezeke izinhloso zaloMthetho.

17. Isifinyezi

LoMthetho ubizwa ngokuthi nguMthetho weziNkonzo zama-Ambulance e-Gauteng, 2002.

MOLAOKAKANYWA, 2002 WA TIRELO YA DIAMPULANTSHE WA GAUTENG

Go beakanyetša molawana wa kabelo ya ditirelo tša diampulantshe mo Profenseng, go hloma Lekgotla la Ditirelo tša Diampulantshe la Gauteng, go tlabakela ka go hwetša tumelelo ya semmušo (accreditation), go ingwadiša le go abelwa laesense ga ditirelo tša diampulantshe le go tlabakela ditaba tseo di kgokaganego le tšona.

Matseno

Motho mang le mang o na le tokelo ya semolao ya go hwetša kalafo ya tšhoganetšo

GAPE.mmušo wa Profense ya Gauteng o ikgafetše go kgonthišiša gore setšhaba sa Gauteng se phela gabotse, ka go lekanyetša ditlabakelo tša maemo a godimo, tša go rekega tša profesešonale, tše kopantšwego le go hwetšagala ga bonolo tša tlhokomelo ya tšhoganetšo ya kalafo.

KA FAO MOLAO WO O BEILWE ke LEKGOTLATHERAMELAO la Profense ka mokgwa wo:

1. Dithalošo

- (1) Mo molawaneng wo, ka ntle ga ge e le gore go šupša ka tsela ye nngwe--
“Go dumelwa ka molao”(accreditation) e šupa tumelelano le khraeteria le maemo ao a beilwego ke Setho sa Lekgotla la Khuduthamaga;
“Ampulantshe”e šupa senamelwa seo se sepelago fase,moyeng goba ka meetseng seo se tlabaketšwego go fana ka thušo ya tšhoganetšo ya kalafo le go rwala balwetši. Go ya ka molawana wo, dinamelwa tseo di šomišwago ke ba kgoro ya Afrikaborwa ya Tšhireletšo, ga di tšewe bjalo ka diampulantshe;

“Bašomedi ba diampulantshe” re šupa bašomedi bao ba ingwadišitšego le Lekgotla la tša Maphelo la Afrikaborwa.

“tirelo ya diampulantshe” e šupa motho, mokgahlo goba lekgotla leo le ikemišeditšego leo le tlabaketšwego le itokišeditšego go ka thuša ka tše di latelago:

- (1) thušo ya tšhoganetšo ya tša kalafo;
- (2) kalafo ya ka sepetlele;
- (3) go rwala balwetši goba bagobadi; le
- (4) thušo ya kalafo go balwetši bao ba tšwago mafelong a thušo ya tša kalafo;

“lekgotla” re šupa lekgotla/komiti ya Tirelo ya Diampulantshe ya Gauteng;

“kgoro” re šupa Kgoro ya tša Maphelo ya Gauteng;

“kotsi” ke tiragalo ya bonako ye e tšwelelago yeo e diregago naga ka bophara goba lefelong le itseng, yeo e hlolwago ke tlhago goba motho, yeo e tlišago dipelo tše kotsi tšeo di tšhošetšago le go hlakahlakanya maphelo a batho tšatši ka tšatši, moo e bilego batho ba tšhoga go ka ikhwetša ba le seemong sa go nolega mooko le go hlorišega.

“Thušo ya tšhoganetšo ya kalafo” re šupa thušo, tekanyetšo kalafo le tlhokomelo ya motho yo a lwalago goba a gobetšego mo nakong ya thušo ya tšhoganetšo le tšwetšopele ya kalafo le tlhokomelo ya nakong ya go rwalwa ga molwetši wa mohuta woo go ya goba magareng ga ditlabakelo tša kalafi le madirelo go thibela go lahlegelwa ke maphelo le go godiša bolwetši goba kgobalo.

“Tirelo ya tšhoganetšo ya kalafo” re šupa mokgahlo wo o hlakahlakanego le wo o katološitšwego wa batho, didirišwa le kgonego ya tšeo di beakanyeditšwego go arabela dinyakwa tša setšhaba tša thušo ya tšhoganetšo ya kalafo. Tirelo ya diampulantshe ke karolo ye kgolo ya Tirelo ya tšhoganetšo ya kalafo;

“hlogo ya lefapha” re šupa Hlogo ya Kgoro ya tša Maphelo.

“mohlalobi” re šupa ngaka ye e ingwadišitšego goba moparametikala yo a ingwadišitšego yo a kgethilwego ke Setho sa komiti ya khuduthamaga go tša Maphelo.

“bea/šupetša” e ra go bea molawana gape e ka ba le tlhaloso ye nngwe.

“Profense” re šupa Profense ya Gauteng ye e akantšwego ka go karolwana 103 ya Molaotheo wa Repapoliki ya Afrikaborwa, wa 1996 (molawana 108 wa 1996);

“molawana wo” o akaretša melawana.

2. Tlhaloso ya molawana

Molawana wo o swanetše go hlaloswa-

- (1) go fa sephetho go nepo ya ona; le
- (2) go dumelelaneng le kwano ya tša maphelo ya Molaotheo, profense le setšhaba.

3. Nepo ya molawana

Nepo ya molawana wo ke-

- (1) go laola tshepedišo ya tirelo ya diampulantshe;
- (2) go hloma Lekgotla, le
- (3) go tšweletša tumelelo ya semmušo (accreditation) go ngwadiša le go hwetša laesense ya tirelo ya diampulantshe.

4. Maikemišetšo a tirelo ya diampulantshe

Maikemišetšo a tirelo ya diampulantshe ke-

- (1) go fetola ka pela dikgopelong tša thušo,
- (2) go fana ka bokgoni bja kalafo bja maleba ka go hlokomela bophelo le go fokotša dikgobalo mo mafelong a tšhoganetšo le ge go rwalwa balwetši.
- (3) go fana ka dinamelwa tša maleba go rwala balwetši bao ba nyakago tlhokomelo ya tšhoganetšo ya kalafo ; le go godiša thuto ya setšhaba ka tlhokomelo ya kalafo ya tšhoganetšo.

5. Go hlongwa ga Lekgotla la Tirelo ya diampulantshe la Gauteng.

- (1) Le hlomilwego go ba Lekgotla la Tirelo la diampulantshe la Gauteng.
- (2) Tlhophišo, kgetho, tefelo, pakatiro le nako ya go rola modiro ya maloko a Lekgotla di tla bewa.

6. Maatla le mehola ya Lekgotla

- (1) Mehola ya Lekgotla ke-
 - (a) go eletša hlogo ya Lefapha ka ditaba tšeo di amanago le tirelo ya diampulantshe go akaretšwa e bile go sa lebelelwa fela tumelelo ya semolao, go ingwadiša, laesense, go latela mekgwa le melawana, le go phumulwa ga ditumelelo.
 - (2) go eletša Setho sa Komiti ya Khuduthamaga ka ditaba ka moka tšeo di amago tirelo ya diampulantshe tšeo di fetišeditšwego go Lekgotla ke Setho sa Komiti ya Khuduthamaga.
 - (3) go eletša Setho sa Komiti ya Khuduthamaga ka ga tlhahlobo ya tirelo ya diampulantshe le dikgopelo
 - (4) go lokiša mafelo ao go ona setšhaba se ka kopanelago go tšweletša dikgopolo tša sona ka kgopelo ya Setho sa Komiti ya Khuduthamaga, go tšwetša pele tlhokomedišišo le botšeakarolo bja setšhaba ditabeng tšeo di amago le tirelo ya diampulantshe
le
 - (5) go eletša Setho sa Komiti ya Khuduthamaga ka ga ditaba ka moka tšeo di tšweleditšwego mo dikopanong tša sešhaba gore di lekolwe ke Setho sa Komiti ya Khuduthamaga.
- (2) Lekgotla le tla tliša pego ya ditiro tša lona ka kotara go Setho sa Komiti ya Khuduthamaga.

7. Tumelelo ya molao, Boingwadišo le go humana laesense

- (1) Ga go motho goba mokgahlo wo o ka hlomago; katološago, hlahlago, bolokago, sepetšago, laolago, goba wa fana ka tirelo ya diampulantshe goba go fa tumelelo goba go rulaganya tshepetšo ya tirelo ya go swana le ye ntle le ge tirelo yeo ya diampulantshe e dumeletšwe, e ngwadišitšwe e filwe laesense go ya ka tšhupetšo ya melawana

8. Mekgwa, maemo le Kgonthišišo ya Khwaliti

- (1) Leloko la Khuduthamaga le tla bea tekanyetšo ya mekgwa le melawana ya kabo ya tirelo ya diampulantshe tšeo di tla akaretšago:
 - (1) tšhomišo ye e lekanego;
 - (2) tšhomišo ya baihaopi;
 - (c) bašomi, dinamelwa, le didirišwa tšeo di nyakegago;
 - (4) tshapedišo ya kgokagano le ditsela tša go kopanya;
 - (5) ditsela tša go amogela, go nyakišiša le go fodiša dipelaelo.
- (2) Leloko la Komiti ya Khuduthamaga le ka kgetha bahlahlobo ba bantši ka mabaka a a beilwego le maemo a tiro le maatla le mehola yeo e filwego, tšeo di nyakegago go hlahloba tirelo ya diampulantshe.

9. Ditefelo

- (1) Setho sa Komiti ya Khuduthamaga se ka bea ditefelo tšeo di lefelwago kgoro tša tumelalano ya molao, go ingwadiša, laesense le, mpshafatšo ya laesense le tša boipiletšo, gape
- (2) Setho sa Komiti ya Khuduthamaga se ka lokiša tefo yeo e kgethilwego ka tsebišo ya kasete ya profense.

10. Go khansela laesense

Hlogo yaLefapha e ka khansela laesense nako ye nngwe le ye nngwe ge tirelo ya diampulantshe e ka:

- (1) šitwa go sepedišana le maemo le dinyakwa tšeo di beilwego go ya ka molawana wo
- (2) šitwa go fana ka dipoelo, ditlhalošo goba ditsebišo tšeo di nyakegago go ya ka fao go beilwego.

11. Boipiletšo

- (1) Motho mang le mang goba mokgahlo woo kgopelo ya ona ya tumelelo ya molao, boingwadišo, goba laesense e gannwego, goba laesense e khansetšwego go ya ka molawana wo, e ka dira boipiletšo ka go ngwalela Setho sa Komiti ya Khuduthamaga mo matsatšing a masome-tharo(30) go tloga mola sephetho se tšerwego go ya ka karolo ya molawana.
 - (1) a bolele sephetho seo a dirago boipiletšo kgahlanong le sona; le
 - (2) mabaka ao a dirago boipiletšo ka ona.
- (2) Morago ga kamogelo ya boipiletšo Setho sa Komiti ya Khuduthamaga se swanetše go kgopela Hlogo ya Lefapha go mo fa mabaka a sephetho ka bonako.
- (3) Setho sa Komiti ya Khuduthamaga se swanetše go lebedišiša boipiletšo, a tsebiše moipiletši ka ga dipoelo tša boipiletšo mo matsatšing a masometshela (60) morago ga go amogela boipiletšo.
- (4) Setho sa Komiti ya Khuduthamaga se ka kgonthiša sephetho seo go dirilwego boipiletšo kgahlanong le sona goba sa tšea sephetho se sefsa legatong la seo.
- (5) Maatla a go tliša boipiletšo, go ya ka molawana wo, ga a thibelwe ke sephetho seo se šetšego se tšerwe seo go dirwago boipiletšo kgahlanong le sona, eupša se akaretša maatla a go sekaseka diphošo tšeo di umakwago malebana le sephetho.

12. Maatla a bašomedi ba diampulantshe

- (1) Bašomedi ba diampulantshe ge ba bona go nyakega go dira sengwe ba ka:
 - (a) tswalela tsela goba seterata nakonyana;
 - (1) tsena meagong tlase ga mabaka a a kwešišegago;
 - (2) senya, thuba, uša, goba ba šomiša thoto: Ge eba mongthoto yeo e sentšwego, e thubilwego, e ušitšwego goba e šomišitšwego, o tla llišwa ke ba tirelo ya diampulantshe yeo e amegago, ka tefo yeo go dumelelanwego ka yona, goba ge go se tumelelano ya mohuta woo, tefo yeo e kwanetšwego moo go bego go na le molebeledi, go ya ka molawana wa abitereišene wa 1965, (Act No.42 of 1965);
 - (3) gapeletšega go tlošwa kgauswi le motho yo kotsi, goba kotsing, goba go motho yo a thibelago ngaka go dira mošomo wa gagwe.

13. Maatla a Setho sa Komiti ya Khuduthamaga nakong ya kotsi.

- (1) Nakong ya kotsi, Setho sa Komiti ya Khuduthamaga se tla tšea maikarabelo a go kopanya phološo, kalafo le kabo ya ditirelo tša kalafo tše di swanetšego balwetši.
- (2) Mo mafelong a a akantšwego mo karolwaneng (1), goba moo kgato e swanetšego go tšewa ka bonako ka kgahlego ya setšhaba, Setho sa Komiti ya Khuduthamaga se ka nyaka motho mang le mang go akaretšwa molaodi, go aba tirelo goba didirišwa tšeo di lego tlase ga taolo ya gagwe go tirelo ye e itšeng goba go di šomiša ka tsela ye itšego.

14. Melato le Dikotlo

Motho mang le mang goba mokgahlo wo o:

- (1) hlomago, katološago, hlahlago, bolokago, sepedišago tirelo ya diampulantshe o sa ingwadiša go ya ka dinyakwa tša molawana;
 - goba
- (2) wa katološa goba wa dira diphetogo mo senamelweng sa tirelo ya diampulantshe ka morago ga ge o filwe tumelelo ya semmušo (*accreditation*) ka ntle ga go kgopela tumelelo ya go dira seo ka go ngwalela Hlogo yaLefapha goba

- (3) wa šitiša goba wa palediša mohlalobi goba motho mang le mang yo a dirago legatong la gagwe , go ya ka molawana,goba
- (4) wa šitiša goba go thibela bašomedi ba diampulantshe go ya go molwetši mo nakong ya thušo ya tšhoganetšo ya kalafo goba
- (5) ka boithaopo wa bitša tirelo ya diampulantshe ntle le lebaka la go kwagala;
- (6) wa tsenya senamelwa saerini,lebone le lehubedu,wa bontšha
 - (1) leswao la naledi le lehubedu la bophelo goba
 - (2) lentšu le "paramedic" goba lentšu le lengwe le le lengwe leo le tšwago go lona, goba
 - (3) lentšu le "medical" goba lentšu le lengwe le le lengwe leo le tšwago go lona.
 - (4) mafoko a "advanced life support","intermediate life support"le "basic life support"ka ntle ga gore senamelwa se be tlase ga taolo ya tumelelo ya semmušo ya tirelo ya diampulantshe
goba
 - (5) o itire mošomedi yo mongwe le yo mongwe wa diampulantshe

o tla bonwa molato, wa otlwa wa swanelwa ke go lefa faene yeo e sa fetego dikete tše masome a mararo tša diranta(R30 000,00) goba wa golegwa lebaka la mengwaga ye meraro (3) goba wa ahlololwa dikotlo ka pedi ga tšona.

15. **Go fa maatla**

- (1) Go diriša dinyakwa tša molawana ka bokgoni,Hlogo ya Lefapha e ka fa mohlankedi yo mongwe le yo mongwe wa kgoro maatla ao a a filwego ke molawana.
- (2) Motho yoo a filwego maatla, o swanetše go a šomiša go ya ka moo Hlogo ya Lefapha e nyakago.
- (3) Go fiwa maatla:
 - (1) go swanetše go ngwalwa fase,
 - (2) ga go thibele Hlogo yaLefapha go šomiša maatla a gagwe, gape
 - (3) go ka bušetšwa morago nako ye nngwe le ye nngwe

16 **Melawana**

Setho sa Komiti ya Khuduthamaga se ka tsenya tsebišo ka gare ga kasete ya profense go šupa melawana yeo e sa sepelelanego le molawana go ya ka:

- (1) ditaba tše dingwe le tše dingwe tšeo di tsebišwago ke molawana
- (2) ditaba tše dingwe le tše dingwe tšeo Setho sa Komiti ya Khuduthamaga se bonago di le bohlokwa e bile di swanetše go ka laetša go kgonagatšwa ga dinyakwa tša molawana wo.

17. **Thaetlele ye kopana**

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New contact persons: Awie van Zyl Tel.: (012) 334-4523
Mrs H. Wolmarans Tel.: (012) 334-4591

Fax number: (012) 323-8805

E-mail address: awvanzyl@print.pwv.gov.za

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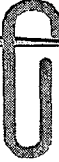
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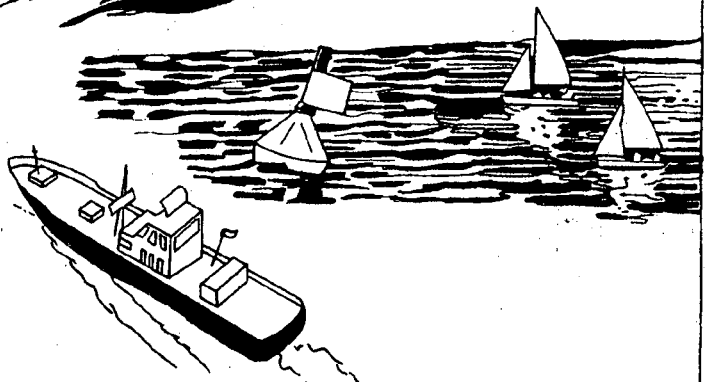
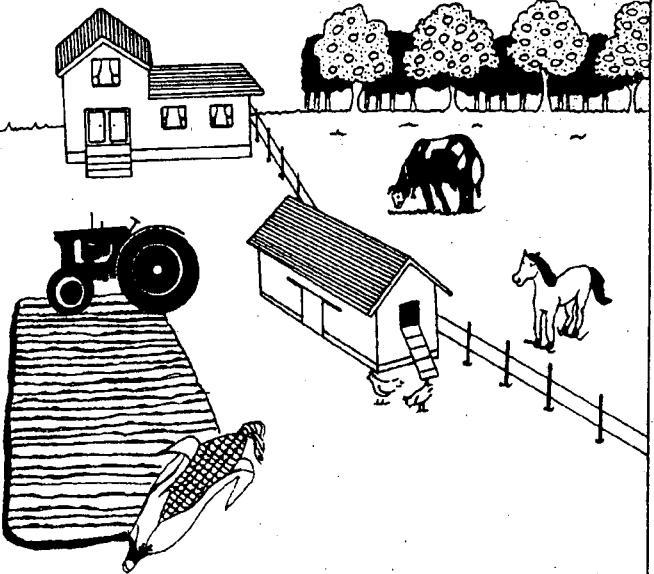
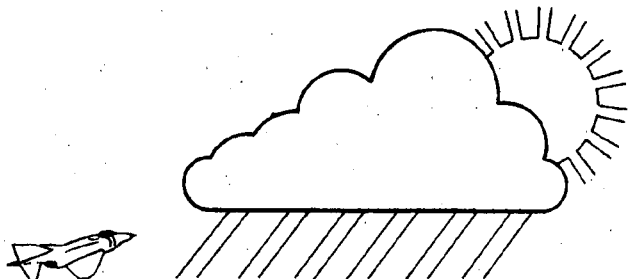
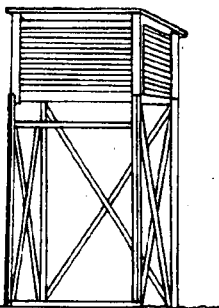
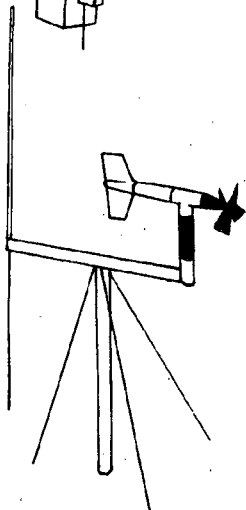
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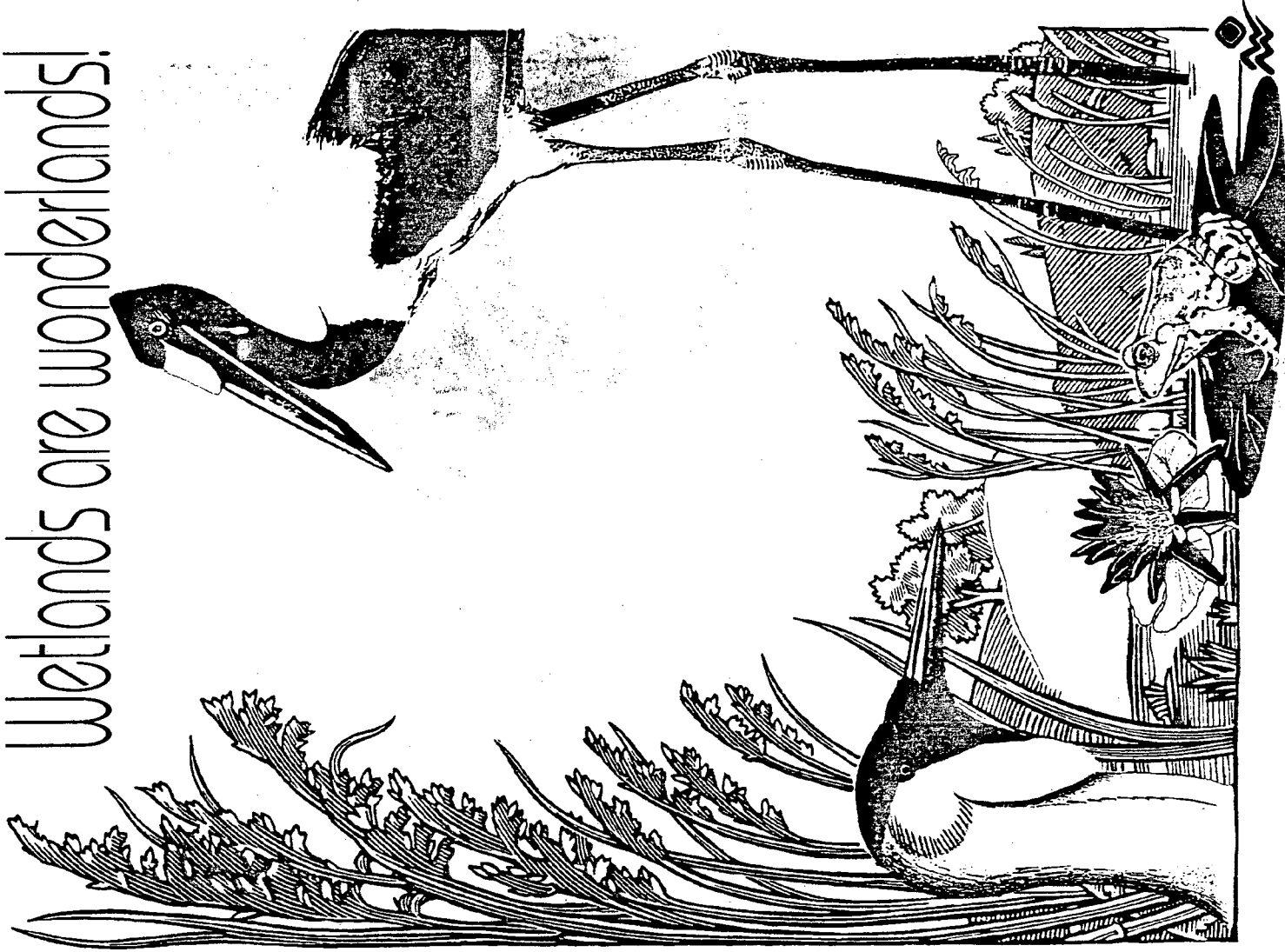
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