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**CONTENTS**

**PROVINCIAL NOTICE**

The following Draft Bill is hereby published for general information:

Western Cape Ambulance Services  
Draft Bill

P.N. 248/2008 18 July 2008

Any person or organization wishing to comment on the said Draft Bill is requested to lodge such comment in writing before or on 18 August 2008:

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*As 'n Nuusblad by die Poskantoor Geregistreer*

**INHOUD**

**PROVINSIALE KENNISGEWING**

Die volgende Konsepwetsontwerp word hierby vir algemene inligting gepubliseer:

Wes-Kaapse Konsepwetsontwerp op  
Ambulansdienste

P.K. 248/2008 18 Julie 2008

Enige persoon of organisasie wat kommentaar oor die genoemde Konsepwetsontwerp wens te lewer, word versoek om sodanige kommentaar skriftelik te lewer voor of op 18 Augustus 2008:

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**IZIQULATHO**

**ISAZISO SEPHONDO**

Lo Mthetho uSayilwayo ulandelayo upapashwa apha ukunika ulwazi ngokubanzi:

UMthetho oyilwayo weenkonzoo zee-nqwelo zezigulane eNtshona Koloni

P.N. 248/2008 18 Julayi 2008

Nabani na okanye nawuphi na umbutho onqwenela ukuphawula ngalo Mthetho uSayilwayo kuthethwa ngawo uyacelwa ukuba afake izimvo zakhe phambi okanye ngomhla wama-18 Agasti 2008:

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## WESTERN CAPE AMBULANCE SERVICES DRAFT BILL

# DRAFT BILL

**To provide for the licensing of ambulance services in the Province; and for matters connected therewith.**

**B**E IT ENACTED by the Provincial Parliament of the Western Cape, as follows:—

### Definitions

1. In this Act, unless the context indicates otherwise—
  - “**ambulance personnel**” means persons employed by a licensed ambulance service and registered, respectively—
    - (a) in terms of the Health Professions Act, 1974 (Act 56 of 1974), as a medical practitioner, paramedic, ambulance emergency assistant, basic ambulance assistant, operational emergency care orderly, or emergency care assistant; or
    - (b) in terms of section 31 of the Nursing Act, 2005 (Act 33 of 2005), as a professional nurse, a staff nurse or an auxiliary nurse;
  - “**ambulance service**” means any service that is intended to be employed and is held out to the public as available for the rescue, stabilisation or transportation of persons in need of emergency medical care, and includes the personnel, vehicles, equipment and administrative systems used for that purpose;
  - “**Head of Department**” means the Head of the Department responsible for health services in the Province;
  - “**inspecting officer**” means a person appointed as inspecting officer in terms of section 4;
  - “**licensed ambulance service**” means an ambulance service licensed in terms of section 2;
  - “**Minister**” means the provincial Minister responsible for health in the Province;
  - “**person**” includes an organ of state as defined in section 239 of the Constitution of the Republic of South Africa, 1996;
  - “**prescribe**” means prescribe by regulation;
  - “**Province**” means the Province of the Western Cape;
  - “**regulation**” means a regulation made in terms of section 11;
  - “**this Act**” includes the regulations;
  - “**vehicle**” includes any aircraft or water-borne conveyance.

### Licensing of ambulance services

2. (1) A person may not conduct an ambulance service unless the service is licensed in accordance with this Act.
- (2) The Minister must prescribe the procedure and requirements for licensing ambulance services and the renewal of licences.
- (3) Different procedures and requirements may be prescribed for different types of ambulance services.

### Norms and standards for ambulance services

3. The Minister must determine minimum norms and standards for the personnel, vehicles and equipment of each type of ambulance service, and may amend those norms and standards.

#### Inspecting officers

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4. (1) The Head of Department must designate staff members of the Department as inspecting officers.

(2) An inspecting officer—

- (a) must inspect ambulance services to ensure compliance with the requirements referred to in section 2(2) and the norms and standards determined in terms of section 3; and
- (b) has the other powers and duties as prescribed.

#### Cancellation of licences

5. The Head of Department may cancel or suspend the licence of an ambulance service, either wholly or to the extent determined by the Head of Department, if it— 15

- (a) fails to comply with any conditions or requirements imposed in terms of this Act or the regulations;
- (b) fails to comply with the norms and standards referred to in section 3;
- (c) fails to furnish the prescribed returns, particulars or information; or
- (d) is operated in a way that compromises public, patient or personnel safety. 20

#### Appeals

6. A person—

- (a) aggrieved by a decision on an application for the licensing of an ambulance service or for the renewal of a licence; or
- (b) whose licence has been cancelled or suspended in terms of section 5, 25  
may appeal to the Minister in accordance with the prescribed procedure.

#### Fees

7. The Minister may, with the concurrence of the Provincial Minister responsible for finance, prescribe fees payable in respect of—

- (a) the licensing of an ambulance service; 30
- (b) the renewal of a licence;
- (c) the inspection of a licensed ambulance service; and
- (d) an appeal in terms of section 6.

#### Powers of ambulance personnel

8. Ambulance personnel may, in the performance of their functions, whenever they reasonably regard it as necessary or expedient in the interest of the health or well-being of any person— 35

- (a) temporarily close any road or street;
- (b) access or enter any premises by any reasonable means;
- (c) remove or cause to be removed from the scene any person who— 40
  - (i) is in danger or poses a threat to himself or herself; or
  - (ii) obstructs or hinders ambulance personnel in the performance of their duties.

#### Offences and Penalties

9. A person who— 45

- (a) contravenes section 2(1); or
- (b) obstructs or hinders an inspecting officer or ambulance personnel in the performance of their duties; or
- (c) prevents access of ambulance personnel to a person in need of emergency medical care; or 50

- (d) wilfully summons a licensed ambulance service, without a valid reason for doing so; or
  - (e) impersonates any ambulance personnel; or
  - (f) uses a vehicle on which is displayed the term “paramedic”, “ambulance”, “medical rescue”, “medical response”, “advanced life support”, “intermediate life support” or “basic life support”, or any other term or sign indicating that the vehicle is used for emergency medical care, unless the vehicle is owned by or is under the control of a licensed ambulance service and displays the prescribed licence token, 5
- commits an offence and is liable to a fine or to imprisonment for a period not exceeding five years or to both the fine and the imprisonment. 10

### Delegation

- 10.** (1) The Head of Department may delegate any power and assign any duty conferred or imposed upon him or her in terms of this Act, to any employee of the Department, subject to conditions determined by the Head of Department. 15
- (2) An assignment or delegation in terms of subsection (1)—
- (a) must be in writing;
  - (b) does not prevent the Head of Department from performing the duty or exercising the power concerned;
  - (c) may be withdrawn at any time. 20

### Regulations

- 11.** The Minister may make regulations not inconsistent with this Act, regarding—
- (a) any matter which may or must be prescribed in terms of this Act;
  - (b) the management, control, supervision and operation of a licensed ambulance service; 25
  - (c) the management of any incident or situation requiring the provision of emergency medical care and where more than one ambulance service is involved;
  - (d) the records to be kept by a licensed ambulance service; and
  - (e) any matter which the Minister considers necessary and appropriate to prescribe in order to achieve the objective of this Act. 30

### Transitional Provisions

- 12.** For a period of 12 months after the commencement of this Act, section 2 does not apply to a person who, immediately before that date, conducted, maintained, managed or controlled an ambulance service. 35

### Short title and date of commencement

- 13.** This Act is called the Western Cape Ambulance Services Act, 2008, and comes into operation on a date fixed by the Premier by proclamation in the *Provincial Gazette*.

## WES-KAAPSE KONSEPWETSONTWERP OP AMBULANSDIENSTE

# KONSEPWETSONTWERP

**Om voorsiening te maak vir die lisensiering van ambulansdienste in die Provinsie; en vir aangeleenthede wat daarmee in verband staan.**

**D**AAR WORD BEPAAL deur die Provinsiale Parlement van die Provinsie Wes-Kaap, soos volg:—

### Woordomskrywing

1. In hierdie Wet, tensy dit uit die samehang anders blyk, beteken—
  - “**ambulansdiens**” ’n diens wat bedoel is om aangewend te word en aan die publiek voorgehou word as beskikbaar vir die redding, stabilisering of vervoer van persone wat nood mediese sorg nodig het, en ook die personeel, voertuie, toerusting en administratiewe stelsels wat vir daardie doel gebruik word;
  - “**ambulanspersoneel**” persone in diens van ’n gelisensieerde ambulansdiens en geregistreer ingevolge onderskeidelik—
    - (a) die Wet op Gesondheidsberoepes, 1974 (Wet 56 van 1974), as ’n mediese praktisyn, paramedikus, ambulansnoodassistent, basiese ambulansassistent, operasionele noodorgordonnans of noodorgassistent; of
    - (b) artikel 31 van die Nursing Act, 2005 (Wet 33 van 2005), as ’n professionele verpleegkundige, ’n stafverpleegkundige of ’n hulpverpleegkundige;
  - “**Departementshoof**” die Hoof van die Departement verantwoordelik vir gesondheidsdienste in die Provinsie;
  - “**gelisensieerde ambulansdiens**” ’n ambulansdiens wat ingevolge artikel 2 gelisensieer is;
  - “**hierdie Wet**” ook die regulasies;
  - “**inspeksiebeampte**” ’n persoon wat ingevolge artikel 4 as inspeksiebeampte aangestel is;
  - “**Minister**” die provinsiale Minister verantwoordelik vir gesondheid in die Provinsie;
  - “**persoon**” ook ’n staatsorgaan soos omskryf in artikel 239 van die Grondwet van die Republiek van Suid-Afrika, 1996;
  - “**Provinsie**” die Provinsie Wes-Kaap;
  - “**regulasie**” ’n regulasie ingevolge artikel 11 uitgevaardig;
  - “**voertuig**” ook ’n lugvaartuig of watergebaseerde vervoermiddel;
  - “**voorskryf**” by regulasie voorskryf.

### Lisensiering van ambulansdienste

2. (1) ’n Persoon mag nie ’n ambulansdiens bedryf nie tensy die diens ooreenkomstig hierdie Wet gelisensieer is.
- (2) Die Minister moet die prosedure en vereistes vir die lisensiering van ambulansdienste en die hernuwing van lisensies voorskryf.

(3) Verskillende prosedures en vereistes kan vir verskillende tipes ambulansdienste voorgeskryf word.

### **Norme en standaard vir ambulansdienste**

3. Die Minister moet minimum norme en standaard bepaal vir die personeel, voertuie en toerusting van elke tipe ambulansdiens, en kan daardie norme en standaard wysig. 5

### **Inspeksiebeamptes**

4. (1) Die Departementshoof moet personeellede van die Departement as inspeksiebeamptes aanwys.  
 (2) 'n Inspeksiebeampte— 10  
 (a) moet ambulansdienste inspekteer ten einde te verseker dat voldoen word aan die vereistes in artikel 2(2) bedoel en die norme en standaard ingevolge artikel (3) bepaal; en  
 (b) het die ander bevoegdhede en pligte soos voorgeskryf.

### **Kansellering van lisensies** 15

5. Die Departementshoof kan die lisensie van 'n ambulansdiens kanselleer of opskort, hetsy in geheel of in die mate wat die Departementshoof bepaal, indien die ambulansdiens—  
 (a) versuim om te voldoen aan enige voorwaardes of vereistes wat ingevolge hierdie Wet of die regulasies gestel word; 20  
 (b) versuim om te voldoen aan die norme en standaard in artikel 3 bedoel;  
 (c) versuim om die voorgeskrewe opgawes, besonderhede of inligting te verstek; of  
 (d) bedryf word op 'n wyse wat die veiligheid van die publiek, pasiënte of personeel in die gedrang bring. 25

### **Appèlle**

6. 'n Persoon—  
 (a) wat gegrief is deur 'n besluit oor 'n aansoek vir die lisenasiering van 'n ambulansdiens of vir die hernuwing van 'n lisensie; of  
 (b) wie se lisensie ingevolge artikel 5 gekanselleer of opgeskort is, 30  
 kan ooreenkomstig die voorgeskrewe prosedure na die Minister appelleer.

### **Gelde**

7. Die Minister kan, met die instemming van die Provinsiale Minister verantwoordelik vir finansies, gelde voorskryf wat betaalbaar is ten opsigte van— 35  
 (a) die lisenasiering van 'n ambulansdiens;  
 (b) die hernuwing van 'n lisensie;  
 (c) die inspeksie van 'n gelisensieerde ambulansdiens; en  
 (d) 'n appèl ingevolge artikel 6.

### **Bevoegdhede van ambulanspersoneel**

8. Ambulanspersoneel kan, by die uitvoering van hulle funksies, telkens wanneer hulle dit in belang van die gesondheid of welsyn van 'n persoon redelikerwys as noodsaaklik of dienstig beskou— 40  
 (a) 'n pad of straat tydelik sluit;  
 (b) 'n perseel op enige redelike wyse binnegaan of betree;  
 (c) 'n persoon van die toneel verwyder of laat verwyder wat— 45  
 (i) in gevaar verkeer of 'n bedreiging vir homself of haarself inhou; of  
 (ii) ambulanspersoneel by die verrigting van hulle pligte dwarsboom of hinder.

**Misdrywe en strawwe****9.** 'n Persoon wat—

- (a) artikel 2(1) oortree; of
- (b) 'n inspeksiebeampte of ambulanspersoneel by die verrigting van hulle pligte dwarsboom of hinder; of 5
- (c) toegang van ambulanspersoneel tot 'n persoon wat nood mediese sorg nodig het, voorkom; of
- (d) 'n gelisensieerde ambulansdiens opsetlik ontbied sonder 'n geldige rede om dit te doen; of
- (e) hom of haar as enige ambulanspersoneel voordoen; of 10
- (f) 'n voertuig gebruik waarop die term vertoon word “paramedikus”, “ambulans”, “mediese redding”, “mediese reaksie”, “gevorderde lewensondersteuning”, “intermediêre lewensondersteuning” of “basiese lewensondersteuning”, of enige ander term of teken wat aandui dat die voertuig vir nood mediese sorg gebruik word, tensy die voertuig besit word deur of onder 15

begaan 'n misdryf en is strafbaar met 'n boete of gevangenisstraf vir 'n tydperk van hoogstens vyf jaar of sowel daardie boete as daardie gevangenisstraf.

**Delegasie**

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**10.** (1) Die Departementshoof kan enige bevoegdheid en enige plig wat ingevolge hierdie Wet aan hom of haar verleen of opgedra is, delegeer of oordra aan 'n werknemer van die Departement, behoudens voorwaardes wat die Departementshoof bepaal.

(2) 'n Oordrag of delegasie ingevolge subartikel (1)—

- (a) moet skriftelik wees; 25
- (b) verhinder nie dat die Departementshoof die betrokke plig of bevoegdheid verrig of uitvoer nie; en
- (c) kan te eniger tyd ingetrek word.

**Regulasies**

**11.** Die Minister kan regulasies wat nie met hierdie Wet strydig is nie, uitvaardig 30 betreffende—

- (a) 'n aangeleentheid wat ingevolge hierdie Wet voorgeskryf kan of moet word;
- (b) die bestuur, beheer en bedryf van en toesig oor 'n gelisensieerde ambulansdiens;
- (c) die bestuur van 'n voorval of situasie wat die verskaffing van nood mediese 35 sorg vereis en waarby meer as een ambulansdiens betrokke is;
- (d) die rekords wat deur 'n gelisensieerde ambulansdiens gehou moet word; en
- (e) enige aangeleentheid wat die Minister as nodig en gepas beskou om voor te skryf ten einde die oogmerk van hierdie Wet te bereik.

**Oorgangsbepalings**

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**12.** Vir 'n tydperk van 12 maande na die inwerkingtreding van hierdie Wet is artikel 2 nie van toepassing nie op 'n persoon wat onmiddellik voor daardie datum 'n ambulansdiens bedryf, onderhou, bestuur of beheer het.

**Kort titel en datum van inwerkingtreding**

**13.** Hierdie Wet heet die Wes-Kaapse Wet op Ambulansdienste, 2008, en tree in 45 werking op 'n datum wat die Premier by proklamasie in die *Provinsiale Koerant* bepaal.

**UMTHETHO OYILWAYO WEENKONZO ZEENQWELO  
ZEEZIGULANE ENTSHONA KOLONI**

**UMTHETHO OYILWAYO**

**Ukugunyaziswa kweenkonzo zeenqwelo zezigulane kwiphondo; kunye nezinto ezingqamene noko.** 5

**X**A LO MTHETHO UTHE WAPHUNYEZWA yiPalamente yePhondo leNtshona Koloni, uyakuma ngolu hlobo lulandelayo:—

**Iinkcazelo**

1. Kulo Mthetho, ngaphandle kokuba umxholo usibonisa okunye—
  - “**Abasebenzi kwiinqwelo zezigulane**” kuthetha ukuba ngabantu abaqeshwe yinkonzo evunyiweyo yeenqwelo zezigulane—
    - (a) Ngokwe-Health Professions Act, 1974 (Act 56 ka 1974), njengomsebenzi wezonyango, umqhubi wenqwelo yezigulane, umncedisi kwinqwelo yezigulane, umncedisi onyanzelekileyo kwinqwelo yezigulane, unonophelo olusoloko lulungiselelwe iimeko ezingxamisekileyo, okanye umncedisi wokunonophela iimeko ezingxamisekileyo, okanye
    - (b) ngokwe-solotya 31 ye-Nursing Act, 2005 (Act 33 ka 2005), njengomongikazi oqeqeshiweyo, ustafu nesi okanye umongikazi oncedisayo;
  - “**Iinkonzo zeenqwelo zezigulane**” kuthetha ukuba nayiphina inkonzo ekucetywa ukuba zisetyenziselwe yona ukunceda nokuhlangula uluntu, ziyazinzisa okanye zithutha abantu abafuna unyango olungxamisekileyo, oku kuhlenganisa abasebenzi, izithuthi, izixhobo nenkqubo yolawulo esetyenziselwa oko;
  - “**Intloko yesebe**” kuthetha ukuba intloko yesebe ijongene neenkonzo zempilo kwiphondo;
  - “**igosa elihlolayo**” kuthetha ukuba umntu oqeshelwe ukuba abe ligosa lokuhlola ngokwe solotya 4;
  - “**Iinkonzo zeenqwelo zezigulane ezigunyazisiweyo**” kuthetha ukuba ziinkonzo zeenqwelo zezigulane ngokwe solotya 2;
  - “**Umphathiswa**” kuthetha ukuthi umphathiswa wephondo onoxanduva lwemicimbi yezempilo kwiphondo;
  - “**Umntu**” kuquka isebe loburhulumente njengoko kuchaziwe kwi solotya 239 woMgaqo Siseko weRiphabliki yoMzantsi Afrika, ka 1996;
  - “**Ukugunyazisa**” kuthetha ukugunyazisa ngokokumisela;
  - “**Iphondo**” kuthetha ukuthi iphondo leNtshona Koloni;
  - “**Imimiselo**” kuthetha ummiselo owenziwe ngokwe solotya 11;
  - “**Lo mthetho**” uquka imimiselo;
  - “**Isithuthi**” kuhlengene iintlobo zezithuthi iinqwelo moya okanye iinqanawa.

**Ukugunyaziswa kweenkonzo zeenqwelo zezigulane**

2. (1) Akukho mntu unelungelo lokunikezela iinkonzo zeenqwelo zezigulane ngaphandle kokuba unesiqinisekiso esivumelana nalo mthetho. 35



(2) Umphathiswa makamisele inkqubo nezinto eziyimfuno xa kugunyaziswa iinkonzo zeenqwelo zezigulane nokuhlaziywa kwazo.

(3) Iinkqubo ezahlukeneyo nezinto eziyimfuno zingamisela iinkonzo ezahlukeneyo zeenqwelo zezigulane.

#### **Imimiselo namanqanaba eenkonzo zenqwelo zezigulane** 5

3. Umphathiswa makamisele aqinisekise umgangatho namanqanaba abasebenzi, izithuthi nezixhobo zohlobo ngalunye lwenkonzo yenqwelo yezigulane, neziyakuthi zilungise lomimiselo namanqanaba.

#### **Amagosa ahlolayo**

4. (1) Intloko yesebe mayonyule abasebenzi besebe ukuba babe ngamagosa okuhlola. 10  
 (2) Igosa lokuhlola—  
 (a) malihlole iinkonzo zeenqwelo zezigulane ukuqinisekisa ukuvumelana nezinto eziyimfuno ezigunyaziswe li soloty 2(2) nemimiselo namanqanaba ngokwe soloty 3; kwaye  
 (b) linamagunya nemisebenzi njengoko kuvunyelwene. 15

#### **Ukurhoxiswa kwezigunyaziso**

5. Intloko yesebe isenokurhoxisa okanye isimise singasebenzi isigunyaziso senkonzo yeenqwelo zezigulane, mhlawumbi irhoxiswe kwaphela okanye ukuya kutsho kwinqanaba elimiselwe yintloko yesebe, xa—

- (a) ingaphumeleli ukuvumelana neemeko okanye izinto eziyimfuno 20  
 ezinyanzelekileyo ngokwalomthetho okanye imiqathango;  
 (b) ingaphumeleli ukuvumelana nemiqathango namanqanaba ekubhekiswa kuwo kwi soloty 3;  
 (c) ingaphumeleli ukunikezela ngenkcukacha ekuvunyelwene ngazo ukuba zibuyiswe; okanye 25  
 (d) yenziwa ngohlobo oluyakuthi luhlangabezane nokhuseleko loluntu, lwezigulane okanye abasebenzi.

#### **Izibheno**

6. Umntu—  
 (a) ochaphazelekayo sisigqibo esikwisicelo sokugunyazisa inkonzo yeenqwelo 30 yezigulane okanye ukuhlaziya isigunyaziso; okanye;  
 (b) isiqinisekiso sakhe esithe sarhoxiswa okanye esisamisiweyo ukuba singasebenzi ngokwe soloty 5, angebhenela kuMphathiswa ngokomgaqo- nkqubo omiselweyo.

#### **Intlawulo** 35

7. Umphathiswa angathi, avumelane nomphathiswa wephondo onoxanduva lwezimali, ngentlawulo-mali egunyazisiweyo malunga noku—

- (a) gunyaziswa kweenkonzo zeenqwelo zezigulane;  
 (b) hlaziywa kwesiqinisekiso;  
 (c) hlolwa kweenkonzo ezigunyazisiweyo zeenqwelo zezigulane; kunye 40  
 (d) nokubhena ngokwe soloty 6.

#### **Amagunya abasebenzi kwiinqwelo zezigulane**

8. Abasebenzi kwiinqwelo zezigulane basenokuthi xa besenza umsebenzi wabo, nangaliphina ixesha xa kukho imfuneko okanye kufuneka uncedo lwezempilo ngokweemfuno zempilo nakuye nawuphina umntu— 45

- (a) bangathi bavale indlela okwexeshana;  
 (b) bangene nakwisiphina isakhiwo xa kukho imfuneko yoko;  
 (c) bakhuphe umntu okwindawo yexhwayela xa kubonakala ukuba lomntu—  
 (i) usengozini okanye indawo akuyo yenza uloyiko kuye; okanye  
 (ii) uphazamiseko okanye uthinteleko lweenkonzo zabasebenzi kwiinqwelo 50 zezigulane ekwenzeni umsebenzi wazo.

## Ulwaphulo-mthetho neziGwebo

### 9. Umntu—

- (a) owophula isoloty 2(1); okanye
- (b) ophazamisa okanye othintela igosa elihlodayo okanye umsebenzi weenqwelo zezigulane ukuba enze umsebenzi wakhe; okanye 5
- (c) ovalela umsebenzi weenqwelo zezigulane ukuba angene kwindawo enomntu ofuna unyango olukhawulezileyo; okanye
- (d) othumela imisila yengwe kungekho zizathu zokwenza oko kwiinqwelo zezigulane, okanye
- (e) ukuzenza omnye umntu okumsebenzi weenqwelo zezigulane; okanye 10
- (f) ukusebenzisa isithuthi esincanyatheliselwe igama elithi “paramedic”, “ambulance”, “medical rescue”, “medical response”, “advanced life support”, “intermediate life support” okanye “basic life support”, okanye naliphina igama okanye uphawu olukhombisa ukuba isithuthi sisetenziselwa unonophelo lonyango olungxamisekileyo, ngaphandle kokuba isithuthi siphantsi kolawulo lweenkonzo zeenqwelo zezigulane ezigunyazisiweyo nezinophawu lwesiqinisekiso esigunyazisiweyo,

wophula umthetho kwaye uyakuhlulula intlawulo yesigwebo okanye avalelwe entolongweni ithuba elingayikudlula kwiminyaka emihlanu okanye isigwebo sentlawulo okanye ukuvalelwa entolongweni. 20

### Ukwabiwa komsebenzi

10. (1) Intloko yesebe isenokunikezela amagunya ize yabe imisebenzi ebekwe emagxeni ayo ngokwalo mthetho, nakuwuphina umsebenzi weli Sebe, iyakuxhomekeka kwimiqathango ebekwe yintloko yesebe.
- (2) Ukwabiwa komsebenzi ngokwesoloty 1— 25
- (a) oko makubhalwe phantsi;
  - (b) oko akuyinqandi intloko yesebe ukuba ingenzi umsebenzi okanye isebenzise amagunya ayo; kwaye
  - (c) oko kungarhoxiswa nangaliphina ithuba.

### Imimiselo 30

11. Umphathiswa uyakuthi enze imimiselo engaphazamisaniyo nalo mthetho, ngoku bhokiselele—

- (a) nayiphina imeko engathi okanye egunyaziswa ngulo mthetho;
- (b) kulawulo, ukubeka iliso, nokusebenza kweenkonzo zeenqwelo zezigulane ezigunyazisiweyo; 35
- (c) ukulawulwa kwaso nasiphina isiganeko okanye imeko efuna ulungiselelo ngonyango olungxamisekieleyo nalapho iinkonzo zeenqwelo zezigulane ezingaphezulu kwesinye zibandakanyekayo;
- (d) amaxwebhu ayakugcinwa ngabenkonzo ezigunyazisiweyo zeenqwelo zezigulane; ize 40
- (e) nayiphina into umphathiswa ayibona kuyimfuneko ukuba imiselwe ukuze kuphunyezwe iinjongo zalo mthetho.

### AmaLungiselelo eNguqu

12. Kwiinyanga ezili-12 emva kokuba uqalisile lomthetho, isoloty 2 alisayi kusebenza kumntu oye wathi, phambi kwalo mhla wanikezela, waxhasa, walawula iinkonzo zeenqwelo zezigulane. 45

### Isihloko esifutshane nomhla wokuqalisa

13. Lo mthetho ubizwa ngokuba yiWestern Cape Ambulance Services Act, 2008, kwaye uyakusebenza ngomhla oyakuchongwa yiNkulumbuso uze upapashwe kwiGazethi yePhondo. 50



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