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PROVINSIE WES-KAAP

IPHONDO LENTSHONA KOLONI

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The following Provincial Notices are published for general information.

ADV. B. GERBER,
DIRECTOR-GENERAL

Provincial Building,
Wale Street,
Cape Town.

PROVINSIALE KENNISGEWINGS

Die volgende Provinsiale Kennisgewings word vir algemene inligting gepubliseer.

ADV. B. GERBER,
DIREKTEUR-GENERAAL

Provinsiale-gebou,
Waalstraat,
Kaapstad.

ISIBHENGEZO

Ezi zaziso zilandelayo zipapashelwe ukunika ulwazi ngokubanzi.

ADV. B. GERBER,
UMLA WULI-JIKELELE

iSakhiwo sePhondo,
Wale Street,
eKapa.

PROVINCIAL NOTICE

P.N. 180/2012

2 July 2012

WESTERN CAPE AMBULANCE SERVICES REGULATIONS, 2012

The provincial Minister of Health in the Western Cape has made the regulations set out in the Schedule in terms of section 12 of the Western Cape Ambulance Services Act, 2010 (Act 3 of 2010).

SCHEDULE

ARRANGEMENT OF REGULATIONS

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Definitions

1. In this Schedule any word or expression to which a meaning has been assigned in the Act bears that meaning and, unless the context indicates otherwise—

“advanced life support” or **"ALS"** refers to the skills attributed to a person registered as—

- (a) a paramedic, emergency care practitioner or medical practitioner with the Health Professions Council; or
- (b) a professional nurse with the South African Nursing Council and who has a valid critical-care or advanced-life-support qualification or certificate, as the case may be;

“adverse patient incident” means an event or circumstance that leads to unintended harm to, or suffering, illness or injury of, a patient;

“ambulance” means a vehicle that is designed or adapted, equipped and used or intended to be used for the transportation of patients;

“ambulance service manager” means a person contemplated in regulation 17(1);

“basic life support” or **"BLS"** refers to the skills attributed to a person registered as a basic ambulance assistant with the Health Professions Council;

“committee” means the advisory committee appointed in terms of regulation 3(1);

“emergency care practitioner” means a person registered with the Health Professions Council as an emergency care practitioner;

“Health Professions Act” means the Health Professions Act, 1974 (Act 56 of 1974);

“Health Professions Council” or **“HPCSA”** means the Health Professions Council of South Africa, established by the Health Professions Act;

“intermediate life support” or **"ILS"** refers to the skills attributed to a person registered as an ambulance emergency assistant or emergency care technician with the Health Professions Council;

“licence holder” means the person or organ of state that has been granted a licence in accordance with section 2 of the Act;

“major medical incident” means an incident where the number of patients or the special nature of the incident requires extraordinary measures beyond routine ambulance response;

“mass casualty situation” means a casualty situation where the number of patients exceeds the capacity of a single ambulance service to rescue, treat and convey the patients;

“medical practitioner” means a person registered with the Health Professions Council as a medical practitioner;

“norms and standards” means the norms and standards determined by the Minister in terms of section 4 of the Act;

“Nursing Act” means the Nursing Act, 2005 (Act 33 of 2005);

“paramedic” means a person registered with the Health Professions Council as a paramedic;

“Priority One” means an emergency response classified as an emergency-at-once case by the call taker or dispatcher at the call receiving medical communication centre of an ambulance service;

“Priority Two” means an emergency response classified as urgent, for response as soon as possible, by the call taker or dispatcher at the call receiving medical communication centre of an ambulance service;

“register of ambulance services” means the register contemplated by regulation 6(7);

“rescue vehicle” means a vehicle that is designed or adapted and is equipped for, and is used or intended to be used by, an ambulance service to convey specialist rescue personnel and equipment;

“response time” means the time measured from the time an ambulance service receives an emergency call to the time the first medical resource arrives on scene;

“response vehicle” means a vehicle that is designed or adapted and is equipped for, and is used or intended to be used by, an ambulance service to convey specialist medical equipment;

“supervising medical practitioner” means a medical practitioner who—
(a) is contracted or employed by an ambulance service in a supervisory clinical capacity; and
(b) is regularly consulted by ambulance personnel;

“the Act” means the Western Cape Ambulance Services Act, 2010 (Act 3 of 2010);

“volunteer” means a person who, of his or her own free will and choice, without material or other compensation, undertakes tasks to the benefit of an ambulance service under the direction of that ambulance service.

Licensing of ambulance services

2. (1) A person, including an organ of state, who wishes to—
 - (a) conduct an ambulance service, must apply in accordance with Forms 1 and 2 of Annexure A; or
 - (b) alter the nature, scope or extent of an ambulance service, must apply in accordance with Forms 1 and 2 of Annexure A.
- (2) The application must be delivered by hand, or sent by email or registered post, to the Office of the Head of Department.
- (3) The applicant must pay the application fee set out in Annexure B when submitting an application for the licensing of an ambulance service.
- (4) An applicant may withdraw an application at any stage, but forfeits the application fee if the application is withdrawn.
- (5) The Head of Department must review the application within 30 days of receipt thereof in order to determine whether it has been properly completed and whether additional information is required.
- (6) If the Head of Department considers that the application has not been properly completed or that any additional information is required, he or she must request the applicant to correct the incompleteness, or supply the additional information required, by a specific date.
- (7) If an applicant fails to complete an incomplete application or to supply any additional information by the date specified by the Head of Department in terms of subregulation (6), the applicant must be regarded as having withdrawn the application.

(8) The Head of Department must, within 30 days after the expiry of the period of 30 days referred to in subregulation (5) or after the date referred to in subregulation (6), as the case may be—

(a) publish a notice of the receipt of the application in at least two newspapers in general circulation in the applicable area of the province and request written comments on such application; and

(b) submit a copy of the application to—

(i) all municipalities potentially affected by the application; and

(ii) other authorities or institutions regarded necessary by the Head of Department.

(9) A notice contemplated by subregulation (8)(a) must—

(a) be published in at least two official languages of the Province;

(b) specify that any interested party has 30 days from the date of publication of the notice to submit written comments to the Head of Department; and

(c) provide that a copy of the application may be obtained at a nominal fee from an office specified in the notice.

(10) A municipality, authority or institution referred to in subregulation 8(b) may submit written comments to the Head of Department within 30 days after receipt of the copy of the application.

(11) If comments are received in terms of subregulation of 9(b) or (10), the Head of Department must within 10 days of the expiry of the period permitted for the submission of the comments—

(a) notify the applicant in writing that comments have been received; and

(b) provide the applicant with a copy of the comments.

(12) The applicant has 15 days from receipt of a copy of the comments in terms of subregulation (11) in which to respond in writing to the Head of Department, failing which the applicant must be regarded as not wishing to respond.

Advisory committee

3. (1) The Head of Department must appoint an advisory committee to advise and to make recommendations on applications referred to in regulation 2(1).

(2) The advisory committee must be comprised of—

(a) one staff member of the Department, who must not be from the ambulance-services component of the Department;

(b) one person who is a specialist in emergency medicine;

(c) one person nominated by the organisation recognised in terms of the Organised Local Government Act, 1997 (Act 52 of 1997), to represent local government in the Province; and

(d) one person with extensive technical expertise of ambulance services.

(3) The Head of Department must designate one of the members as the chairperson of the committee.

(4) At the first meeting of the committee, the chairperson must determine meeting procedures, and the committee must appoint a deputy chairperson and establish a code of conduct for members.

(5) The chairperson may at any stage in the consideration of an application call upon any person to participate in the committee if the chairperson is satisfied that that person will be able to assist the committee to make a recommendation, but that person may not vote.

- (6) The chairperson must ensure that a full record is kept of attendance at, the proceedings of, and any resolutions taken at, any meeting of the committee.
- (7) A quorum for a meeting is three members of the committee, but either the chairperson or deputy chairperson must always be present.
- (8) A decision of the majority of members present at a meeting of the committee is a decision thereof, and in the event of an equality of votes the person presiding at that meeting has a casting as well as a deliberative vote.
- (9) The Head of Department must pay members who are not employed by the State—
- (a) remuneration; and
 - (b) allowances for reasonable actual subsistence and travelling expenses necessitated by the attendance of a meeting of the committee,
determined by the Minister with the concurrence of the provincial Minister responsible for finance.

Prohibition concerning members of committee

4. (1) A member of the committee may not be present during, or take part in, any discussion of or the making of decisions or recommendations on, any application before the committee in which—
- (a) that member or a spouse, immediate family member, business partner, associate or employer (other than the State) of that member; or
 - (b) a business partner, associate, immediate family member or employer (other than the State) of the spouse of that member,
- has a direct or indirect financial interest or has had such an interest during the previous 12 months.

- (2) For the purpose of subregulation (1)—
- (a) “spouse” includes a person with whom the member lives as if they were married or with whom the member habitually cohabits; and
 - (b) “immediate family member” means a parent, child, brother or sister, whether or not such a relationship results from birth, marriage or adoption.
- (3) A person may not, while he or she is a member of the committee, accept any form of employment, gift or reward from any person who has a direct financial interest in an ambulance service, or a person who has applied for a licence in terms of regulation 2.

Consideration of applications by committee

5. (1) The Head of Department must submit each application contemplated by regulation 2(1) and all comments and responses received in respect of the application, to the committee within 10 days of—
- (a) the closing date for comments, if no comments have been received; or
 - (b) the closing date for the applicant’s response to the comments, if comments have been received.
- (2) When considering an application, the committee must consider all comments and responses received in respect of the application, including written reports by the inspecting officer.
- (3) The committee may take into account any factors that it regards to be relevant to the application, including—
- (a) the need to promote equitable distribution and rationalisation of ambulance services with a view to correcting inequities based on racial, gender, economic and geographical factors;

- (b) the need to promote quality ambulance services which are accessible, affordable, cost-effective, and safe;
 - (c) the potential advantages and disadvantages of the application for existing ambulance services;
 - (d) the need to protect or advance people from designated groups as defined in the Employment Equity Act, 1998 (Act 55 of 1998), and the emerging small, medium and micro-enterprise sector; and
 - (e) the potential benefits of training, research and development to improve ambulance service delivery.
- (4) The committee must render its recommendation to the Head of Department within 60 days of receipt of the application concerned.
- (5) The committee may recommend that an application should be—
- (a) granted;
 - (b) granted subject to conditions which the committee considers appropriate, including conditions relating to—
 - (i) the nature, type or quantum of services to be provided by the ambulance service;
 - (ii) insurance cover and indemnity to be carried by the ambulance service;
 - (iii) personnel;
 - (iv) inspections or monitoring by the Department;
 - (v) appropriate complaints mechanisms which must be made available to all users of the ambulance service;
 - (vi) appropriate data-reporting mechanisms on key indicators; or
 - (c) refused.

Head of Department's decision on application

6. (1) The Head of Department must, within 10 days of receipt of a recommendation by the committee, decide about the application and—

- (a) grant the application; or
- (b) grant it subject to conditions; or
- (c) refuse the application.

(2) An application may be refused only if the Head of Department is satisfied that the applicant does not or will not comply with the requirements set out in paragraphs (a) to (g) of regulation 7.

(3) The Head of Department may, before taking a decision in terms of subregulation (1), refer an application back to the committee for reconsideration of its recommendation.

(4) The committee must make its final recommendation on an application referred back to it within 21 days of receipt thereof.

(5) The Head of Department must, within five days of receipt of a final recommendation in terms of subregulation (3), decide on the application in accordance with subregulation (1).

(6) The Head of Department must, within 10 days of deciding an application, inform the applicant in writing of the decision and, if the application is refused, give written reasons for the refusal and inform the applicant of the right of appeal in terms of regulation 8.

(7) When the Head of Department has granted an application, he or she must cause the ambulance service to be registered in a register of ambulance services kept by the Department and inform the applicant in writing that this has been done.

Requirements for licensing of ambulance services

7. In order to qualify to be licensed as an ambulance service, a service must comply with the following:

- (a) The personnel, vehicles and equipment of the service must comply with the applicable minimum norms and standards.
- (b) Each vehicle of the service used as an ambulance, response vehicle or rescue vehicle must be clearly marked as such.
- (c) The vehicles must be roadworthy, modified, adapted and configured according to the minimum norms and standards for the category of emergency care that is to be provided by the unit concerned with regard to personnel, vehicle, and equipment.
- (d) The service must have adequate liability insurance cover.
- (e) The service must be supervised by an ambulance services manager.
- (f) The ratio of ambulances to response vehicles in a service must at least be one ambulance to one response vehicle.
- (g) The service must have a base in the province, from which it operates, and a communications system to receive requests for assistance and to dispatch vehicles.

Appeals

8. (1) An applicant may, within 14 days of being notified in terms of regulation 6 of the Head of Department's decision on the application, lodge an appeal in writing with the Minister and must include the grounds for the appeal.

(2) The Minister must, within seven days of receipt of an appeal, submit a copy thereof to the Head of Department.

(3) The Head of Department must within 30 days of receipt of a copy of an appeal, submit a response thereto to the Minister.

(4) The Minister may appoint up to three persons who are not staff members of the Department or members of the committee to advise the Minister on the appeal.

(5) The Minister may uphold or refuse an appeal and may, in the event that the appeal is upheld, replace the decision of the Head of Department with a decision to grant the application either unconditionally or subject to conditions determined by the Minister.

(6) An appeal must be finally adjudicated within 30 days of the date on which the Head of Department submits a response to the Minister in terms of subregulation (3).

(7) The Minister must communicate the decision on the appeal in writing to the appellant and, if the appeal is refused, give the reasons therefore.

(8) If the Minister upholds an appeal, the Head of Department must cause an appropriate entry to be made in the register of ambulance services.

Issuing of licence certificates and licence tokens

9. (1) If an application for an ambulance service is granted or conditionally granted, the Head of Department must—

(a) cause an inspecting officer to inspect the ambulance service concerned in order to establish that the service complies with the requirements of regulation 7; and

(b) issue the applicant with—

(i) a licence certificate to operate the service concerned; and

(ii) a licence token for each vehicle to be used by that service as an ambulance or a rescue or response vehicle.

(2) A licence certificate and a registration disc must have displayed on it the date from which it is effective and its expiry date.

(3) A licence is valid until 31 December of the year in which the licence certificate was issued in terms of subsection (1).

(4) A licence that has not been cancelled or suspended in terms of section 6 of the Act is, upon receipt by the Head of Department of the annual renewal fee referred to in Annexure B, regarded as having been automatically renewed until 31 December of the year in respect of which that fee has been paid.

Inspecting officers and inspections

10. (1) An inspecting officer may at any reasonable time inspect an ambulance service as contemplated in section 5(2)(a) of the Act.

(2) An inspecting officer must—

(a) be afforded reasonable access to an ambulance service, including its facilities, for the purposes of an inspection; and

(b) within 30 days of inspecting an ambulance service provide a report to the Head of Department.

(3) An inspecting officer may make recommendations to the Head of Department with respect to an ambulance service.

(4) A person may not—

(a) in any way obstruct an inspecting officer in the performance of his or her duties;

(b) refuse to furnish to the best of his or her knowledge any information requested by an inspecting officer; or

(c) refuse to show an inspecting officer at his or her request any equipment, apparatus or vehicle of an ambulance service, or purchase or maintenance records associated with such equipment, apparatus or vehicle.

(5) The Head of Department must ensure that every ambulance service is inspected at least annually.

(6) In addition to the annual inspection referred to in subregulation (5), the Head of Department may at any reasonable time, and without notice, cause an ambulance service to be inspected by an inspecting officer, but at no cost to that service.

Cancellation and suspension of licences

11. (1) If a licensed ambulance service contravenes or does not comply with any provision of these Regulations or of paragraph (a), (b), (c), (d) or (e) of section 6(1) of the Act, the Head of Department must give written notice of the defect or non-compliance to the licence holder.

(2) The notice must state—

- (a) the nature and extent of the defect or non-compliance which must be rectified;
- (b) that failure to rectify it within the time specified in the notice could lead to the cancellation or suspension of the licence; and
- (c) that the licence holder is entitled to make written representations to the Head of the Department within the time specified in the notice regarding the proposed cancellation or suspension of the licence.

(3) If, at the expiry of the time period specified in terms of subregulation (2)(c), the defect or non-compliance has not been rectified to the satisfaction of the Head of Department, he or she may, having regard to all relevant facts, including the report of an investigating officer and any representations by the licence holder, cancel or suspend the licence of the ambulance service in terms of section 6 of the Act.

(4) If the licence is cancelled or suspended, the Head of Department must within 10 days inform the licence holder in writing of the decision, of the reasons therefore and of the right of appeal to the Minister.

- (5) Regulation 8 applies, with the changes required by the context, to an appeal contemplated in subregulation (4).

Reinstatement of licence and lifting of suspension

12. (1) A person whose licence has been cancelled or suspended may at any time apply for the reinstatement of the licence or the lifting of its suspension as contemplated in section 6(2) of the Act.

(2) Regulation 2 applies, with the changes required by the context, in respect of an application for the reinstatement of a licence.

(3) Before the Head of Department reinstates a licence or lifts its suspension, an inspecting officer must inspect the ambulance service concerned and make a recommendation to the Head of Department.

Fees

13. (1) The fees referred to in section 8(1) of the Act are as set out in Annexure B.

(2) The fee for the renewal of a licence becomes payable each year on completion of the annual inspection contemplated in regulation 10(5).

Change of ownership

14. (1) A licence for an ambulance service may not be transferred.

(2) If an ambulance service is transferred or sold to a new owner, the new owner must submit an application in terms of regulation 2 (1)(a).

Display of licence certificates and licence tokens

15. The ambulance service manager must ensure that—

(a) the licence certificate referred to in regulation 9(1)(b)(i) is displayed in a conspicuous place at the base of the ambulance service referred to in regulation 7(g); and

- (b) the applicable licence token referred to in regulation 9(1)(b)(ii) is displayed in a conspicuous place on every vehicle used by the ambulance service as an ambulance or a rescue or response vehicle.

Information concerning ambulance service

16. (1) The ambulance-service manager of an ambulance service or his or her designee must furnish an inspecting officer upon his or her request with all the information necessary for the purposes of the licensing or continued licensing of that service.

(2) The ambulance-service manager must ensure that the following information is captured on a monthly basis, properly secured, and readily available to be provided at the request of an inspecting officer:

- (a) Priority-1 ambulance response-time performance within urban and rural areas;
- (b) Priority-2 ambulance response-time performance within urban and rural areas;
- (c) the number, names, qualifications, and relevant HPCSA or South African Nursing Council registration details of employees, contractors and volunteers;
- (d) the number of ambulances in the service; and
- (e) the number and nature of adverse patient incidents.

(3) The ambulance service manager must ensure that an individual patient care record is kept for every patient treated or conveyed by the service.

Management of ambulance service

17. (1) An ambulance service must appoint a person who is qualified and registered to at least intermediate life support level to manage and supervise the service.

- (2) The ambulance-service manager must—
- (a) ensure that the number of patients conveyed in an ambulance-service vehicle does not exceed the maximum number permitted in terms of the applicable norms and standards, except in the case of major medical incidents or mass casualty situations;
 - (b) ensure that the ambulance service is not operated in a way that compromises public, patient or personnel safety;
 - (c) keep confidential patient records as required by law, and have those records reviewed by the supervising medical practitioner or his or her delegate at frequent and regular intervals for both appropriate documentation and care;
 - (d) inform the Head of Department in writing, within 30 days, of any change in the particulars furnished by or on behalf of the licence holder in terms of these regulations;
 - (e) rely upon and defer to the judgement of the service's supervising medical practitioner in all matters of clinical care for the health protection of ambulance personnel and for the appropriate administration of medical care given to patients attended by that service;
 - (f) ensure that no patient is ever refused care or transport by the ambulance service on the basis of that person's inability to pay for the care or transportation;
 - (g) ensure that protocols exist for immediate medical intervention in the event of the exposure of ambulance personnel to situations of a biological, chemical, psychological or physical nature; and

Incident management and coordination of ambulance services

18. (1) The Head of Department must designate a staff member of the Department to manage mass casualty incidents.

(2) The Head: Ambulance Services in the Department must coordinate—

(a) the actions necessary for pre-hospital emergency care related to all major medical incidents; and

(b) a Major Incident Medical Management and Support System (MIMMS) within the Province.

Offences and penalties

19. A person who contravenes regulation 4(3) or 10(4) commits an offence and is liable to a fine or to imprisonment for a period not exceeding five years.

Short title

20. These regulations are called the Western Cape Ambulance Services Regulations, 2012.

- 1 A copy of the service plan for the geographic area(s) specified in the application.
- 2 Detailed reasons why this application should be approved with reference to regulations 7(a) to (g).
- 3 Further information as deemed necessary by the applicant.
- 4 Tax clearance certificate.

FORM 2: STATION DETAILS

To be completed per station

Service name																				
District of operation																				
Town of operation																				
Physical address																				
Telephone																				
Facsimile																				
Email																				
Contact officer																				
GIS coordinates	S																			

CLINICAL SCOPE OF SERVICE

MARK WITH AN X

BLS
 ILS
 ALS
 RESCUE
 AVIATION
 MARITIME

FLEET DETAILS

Number of ambulances		Number and type of aircraft	
Number of rescue vehicles		Number and type of boats	
Number of other vehicles			

PERSONNEL DETAILS

Total number of personnel	
---------------------------	--

Number of personnel with each type of qualification:

BAA		AEA		CCA		Doctor		Manager / supervisor	
NDIP		BTech		ECT		Nurse		Volunteer	
Other									

Applicant signature

Date

ANNEXURE B
FEES PAYABLE IN TERMS OF SECTION 8(1) OF THE ACT:

Item as per Regulation or Norms and Standards (where applicable)	Service	Fee
a) Application for an ambulance service		
Regulation 2(3)	Application fee	R10 000,00
b) Licensing of an ambulance service		
Items (a) to (c) in the Norms and Standards	Per ambulance	R300,00
Item (d) in the Norms and Standards	Per response vehicle	R300,00
Item (e) in the Norms and Standards	Per rescue vehicle	R500,00
c) Renewal of an ambulance service licence		
Items (a) to (c) in the Norms and Standards	Per ambulance	R300,00
Item (d) in the Norms and Standards	Per response vehicle	R300,00
Item (e) in the Norms and Standards	Per rescue vehicle	R500,00
d) Inspection of a licensed ambulance service		
Items (a) to (c) in the Norms and Standards	Per ambulance	R300,00
Item (d) in the Norms and Standards	Per response vehicle	R300,00
Item (e) in the Norms and Standards	Per rescue vehicle	R500,00

REGULASIES VIR DIE WES-KAAPSE AMBULANSDIENSTE, 2012

Die provinsiale Minister van Gesondheid in die Wes-Kaap het die regulasies uiteengesit in die Bylaag gemaak ingevolge artikel 12 van die Wes-Kaapse Wet op Ambulansdienste, 2010 (Wet 3 van 2010).

BYLAAG

INDELING VAN REGULASIES

1. Woordomskrywings
2. Lisensiëring van ambulansdienste
3. Advieskomitee
4. Verbodsbepaling rakende lede van die komitee
5. Oorweging van aansoeke deur komitee
6. Departementshoof se beslissing oor aansoek
7. Vereistes vir lisensiëring van ambulansdiens
8. Appèlle
9. Uitreiking van lisensiesertifikate en lisensietekens
10. Inspeksiebeamptes en inspeksies
11. Kansellering en opskorting van lisensies
12. Herinstelling van lisensie en die opheffing van opskorting
13. Gelde
14. Eienaarskapsverandering
15. Vertoon van lisensiesertifikaat en lisensietekens
16. Inligting rakende ambulansdiens
17. Bestuur van ambulansdiens
18. Voorvalbestuur en koördinering van ambulansdienste
19. Misdrywe en strawwe
20. Kort titel

Woordomskrywings

1. In hierdie Bylaag dra enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg word daardie betekenis, en tensy dit uit die samehang anders blyk, word die onderstaande terme soos volg omskryf:

“ambulans” beteken 'n voertuig wat ontwerp of geskik gemaak is, toegerus is en gebruik word, of bedoel is om gebruik te word, vir die vervoer van pasiënte;

“ambulansdiensbestuurder” beteken 'n persoon beoog in regulasie 17(1);

“basiese lewensondersteuning” of **“BLO”** verwys na die vaardighede toegeskryf aan 'n persoon wat geregistreer is as 'n basiese ambulans-assistent by die Raad vir Gesondheidsberoepe;

“die Wet” beteken die Wes-Kaapse Wet op Ambulansdienste, 2010 (Wet 3 van 2010);

“gevorderde lewensondersteuning” of **“GLO”** verwys na die vaardighede toegeskryf aan 'n persoon wat geregistreer is as—

- (a) 'n paramedikus, nood sorgpraktisyn of mediese praktisyn by die Raad vir Gesondheidsberoepe; of
- (b) 'n professionele verpleegkundige by die Suid-Afrikaanse Raad op Verpleging en wat 'n geldige kwalifikasie of sertifikaat in kritieke sorg of gevorderde lewensondersteuning het, na gelang van die geval;

“groot mediese voorval” beteken 'n voorval waar die aantal pasiënte of die spesiale aard van die voorval buitengewone maatreëls buite die bestek van 'n roetine- ambulansreaksie vereis;

“intermediêre lewensondersteuning” of **“ILO”** verwys na die vaardighede toegeskryf aan 'n persoon wat geregistreer is as 'n ambulans- noodassistent of nood sorgtegnikus by die Raad vir Gesondheidsberoepe;

“komitee” beteken 'n advieskomitee aangestel ingevolge regulasie 3(1);

“lisensiehouer” beteken die persoon of staatsorgaan aan wie ’n lisensie toegestaan is ooreenkomstig artikel 2 van die Wet;

“massa-ongevallesituasie” beteken ’n ongevallesituasie waar die aantal pasiënte die kapasiteit van ’n enkele ambulansdiens om pasiënte te red, behandel en te vervoer, oorskry;

“mediese praktisyn” beteken ’n persoon wat as ’n mediese praktisyn by die Raad vir Gesondheidsberoepes geregistreer is;

“noodsorgpraktisyn” beteken ’n persoon wat as ’n noodsorgpraktisyn by die Raad vir Gesondheidsberoepes geregistreer is;

“norme en standaarde” beteken die norme en standaarde deur die Minister bepaal ingevolge artikel 4 van die Wet;

“paramedikus” beteken ’n persoon wat as ’n paramedikus by die Raad vir Gesondheidsberoepes geregistreer is;

“Prioriteit 1” beteken ’n noodgevalreaksie wat as ’n op-die-daad-noodgeval geklassifiseer is deur die oproepnemer of afsender by die oproep ontvangende mediese kommunikasiesentrum van ’n ambulansdiens;

“Prioriteit 2” beteken ’n noodgevalreaksie wat as dringend geklassifiseer is, vir reaksie so gou as moontlik, deur die oproepnemer of afsender by die oproep ontvangende mediese kommunikasiesentrum van ’n ambulansdiens;

“Raad vir Gesondheidsberoepes” of **“RGSA”** beteken die Raad vir Gesondheidsberoepes van Suid-Afrika, gestig deur die Wet op Gesondheidsberoepes;

“reaksietyd” beteken die gemete tyd vanaf die tyd wat ’n ambulansdiens ’n noodoproep ontvang tot die tyd wat die eerste mediese hulpbron op die toneel aankom;

"reaksievoertuig" beteken 'n voertuig wat ontwerp of geskik gemaak is en toegerus is vir, en gebruik word of bedoel is om gebruik te word deur, 'n ambulansdiens om spesialis- – mediese toerusting te vervoer;

"reddingsvoertuig" beteken 'n voertuig wat ontwerp of geskik gemaak is en toegerus is vir, en gebruik word of bedoel is om gebruik te word deur, 'n ambulansdiens om spesialis- reddingspersoneel en -toerusting te vervoer;

"register van ambulansdienste" beteken die register beoog deur regulasie 6(7);

"teenspoedige pasiëntvoorval" beteken 'n gebeurtenis of omstandigheid wat aanleiding gee tot die onopsetlike skade aan, of leed, siekte of besering van, 'n pasiënt;

"toesighoudende mediese praktisyn" beteken 'n mediese praktisyn wat—

- (a) gekontrakteer is deur, of werksaam is by, 'n ambulansdiens in 'n toesighoudende, kliniese kapasiteit; en
- (b) gereeld gekonsulteer word deur ambulanspersoneel;

"vrywilliger" beteken 'n persoon wat, uit sy of haar eie vrye wil en keuse, sonder materiële of ander vergoeding, take tot die voordeel van 'n ambulansdiens onderneem onder die leiding van daardie ambulansdiens;

"Wet of Gesondheidsberoep" beteken die Wet op Gesondheidsberoep, 1974 (Wet 56 van 1974);

"Wet op Verpleging" beteken die Wet op Verpleging, 2005 (Wet 33 van 2005).

Lisensiëring van ambulansdienste

2. (1) 'n Persoon, met inagneming van 'n staatsorgaan, wat—
 - (a) 'n ambulansdiens wil bedryf, moet ooreenkomstig Vorms 1 en 2 van Aanhangsel A aansoek doen; of

(b) die aard, bestek of omvang van 'n ambulansdiens wil verander, moet ooreenkomstig Vorms 1 en 2 van Aanhangsel A aansoek doen.

(2) Die aansoek moet per hand afgelewer word by, of per e-pos of geregistreerde pos gestuur word aan, die Kantoor van die Departementshoof.

(3) Die aansoeker moet die aansoekgelde uiteengesit in Aanhangsel B betaal wanneer 'n aansoek om die lisensiëring van 'n ambulansdiens ingedien word.

(4) 'n Aansoeker kan in enige stadium 'n aansoek onttrek, maar verbeur die aansoekgelde indien die aansoek onttrek word.

(5) Die Departementshoof moet die aansoek binne 30 dae van ontvangs daarvan hersien ten einde vas te stel of dit behoorlik voltooi is en of bykomende inligting vereis word.

(6) Indien die Departementshoof meen dat die aansoek nie behoorlik voltooi is nie of dat enige bykomende inligting vereis word, moet hy of sy die aansoeker versoek om die onvolledigheid te korrigeer of die bykomende vereiste inligting te voorsien, teen 'n spesifieke datum.

(7) Indien 'n aansoeker versuim om die onvolledige aansoekvorm te voltooi of om enige bykomende inligting te voorsien teen die datum wat gespesifiseer is deur die Departementshoof ingevolge subregulasie (6), moet die aansoeker geag word die aansoek te onttrek het.

(8) Die Departementshoof moet, binne 30 dae na die verstryking van die 30 dae soos bedoel in subregulasie (5) of na die datum soos bedoel in subregulasie (6), na gelang van die geval—

(a) 'n kennisgewing van die ontvangs van die aansoek in ten minste twee koerante in algemene sirkulasie in die toepaslike area van die provinsie publiseer en geskrewe kommentaar op so 'n aansoek aanvra; en

(b) 'n afskrif van die aansoek voorlê aan—

- (i) alle munisipaliteite wat moontlik geraak word deur die aansoek; en
- (ii) ander owerhede of instellings wat die Departementshoof nodig ag.

(9) 'n Kennisgewing beoog deur subregulasie (8)(a) moet—

- (a) in ten minste twee amptelike tale van die Provinsie gepubliseer word;
- (b) vermeld dat enige belangstellende party 30 dae het van die datum van die kennisgewing se publikasie om geskrewe kommentaar aan die Departementshoof voor te lê; en
- (c) bepaal dat 'n afskrif van die aansoek teen 'n nominale fooi verkry kan word van 'n kantoor wat in die kennisgewing gespesifiseer is.

(10) 'n Munisipaliteit, owerheid of instelling soos bedoel in subregulasie 8(b) mag geskrewe kommentaar aan die Departementshoof voorlê binne 30 dae na ontvangs van die afskrif van die aansoek.

(11) Indien kommentaar ontvang word ingevolge subregulasie 9(b) of (10), moet die Departementshoof binne 10 dae vanaf die verstryking van die periode toegelaat vir die voorlegging van die kommentaar—

- (a) die aansoeker skriftelik in kennis stel dat kommentaar ontvang is; en
- (b) die aansoeker van 'n afskrif van die kommentaar voorsien.

(12) Die aansoeker het 15 dae vanaf ontvangs van 'n afskrif van die kommentaar ingevolge subregulasie (11) om 'n geskrewe antwoord aan die Departementshoof te rig, met versuim waarvan die aansoeker geag moet word nie te wil antwoord nie.

Advieskomitee

3. (1) Die Departementshoof moet 'n advieskomitee aanstel om raad te gee en aanbevelings te maak oor aansoeke soos bedoel in regulasie 2(1).

(2) Die advieskomitee moet bestaan uit—

(a) een personeellid van die Departement, wat nie van die Departement se komponent vir ambulansdienste mag wees nie;

(b) een persoon wat 'n spesialis is in noodgeneeskunde;

(c) een persoon benoem deur die organisasie ingevolge die Wet op Georganiseerde Plaaslike Regering, 1997 (Wet 52 van 1997), om plaaslike regering in die Provinsie te verteenwoordig; en

(d) een persoon met uitgebreide tegniese kundigheid van ambulansdienste.

(3) Die Departementshoof moet een van die lede as die voorsitter van die komitee aanwys.

(4) By die eerste vergadering van die komitee, moet die voorsitter vergaderingsprosedures bepaal, en moet die komitee 'n ondervoorsitter aanstel en 'n gedragskode vir lede bepaal.

(5) Die voorsitter mag in enige stadium in die oorweging van 'n aansoek 'n beroep doen op enige persoon om deel te neem aan die komitee indien die voorsitter tevrede is dat daardie persoon die komitee sal kan bystaan om 'n aanbeveling te maak, maar daardie persoon mag nie stem nie.

(6) Die voorsitter moet toesien dat 'n volledige rekord gehou word van aanwesigheid by, die verrigtinge van, en enige besluite wat geneem word by, enige vergadering van die komitee.

(7) 'n Kworum vir 'n vergadering is drie lede van die komitee, maar òf die voorsitter òf die ondervoorsitter moet altyd teenwoordig wees.

(8) 'n Besluit van die meerderheid van die teenwoordige lede by 'n vergadering is 'n besluit daarvan, en in die geval van 'n gelykheid van stemme het die persoon wat die vergadering lei 'n beslissende asook 'n gewone stem.

(9) Die Departementshoof moet lede wat nie in die Staatsdiens werksaam is nie—

(a) vergoeding betaal; en

(b) toelaes betaal vir redelike werklike reis- en verblyf-uitgawes genoodsaak deur die bywoning van 'n vergadering van die komitee,

bepaal deur die Minister met die instemming van die provinsiale Minister verantwoordelik vir finansies.

Verbodsbepaling rakende lede van die komitee

4. (1) 'n Lid van die komitee mag nie teenwoordig wees nie gedurende, of deelneem aan, enige bespreking of die neem van besluite of die maak van aanbevelings oor enige aansoek voor die komitee waarin—

(a) daardie lid of 'n eggenoot, naastefamilielid, sakevennoot, medewerker of werkgewer (buiten die Staat) van daardie lid; of

(b) 'n sakevennoot, medewerker, naastefamilielid of werkgewer (buiten die Staat) van die eggenoot van daardie lid,

'n direkte of indirekte finansiële belang het of so 'n belang gehad het in die voorafgaande 12 maande.

(2) Vir die toepassing van subregulasie (1)—

(a) sluit "eggenoot" 'n persoon in saam met wie die lid woon asof hulle getroud is of met wie die lid gewoonlik saamwoon; en

(b) beteken "naastefamilielid" 'n ouer, kind, broer of suster, ongeag of so 'n verhouding die gevolg is van geboorte, huwelik of aanneming.

(3) 'n Persoon mag nie, terwyl hy of sy 'n lid is van die komitee, enige vorm van werk, geskenk of beloning aanvaar nie van enige persoon wat 'n direkte finansiële belang het in 'n ambulansdiens, of van 'n persoon wat aansoek gedoen het om 'n lisensie ingevolge regulasie 2.

Oorweging van aansoeke deur komitee

(5) (1) Die Departementshoof moet elke aansoek beoog deur regulasie 2(1) en alle kommentaar en antwoorde ontvang ten opsigte van die aansoek, aan die komitee voorlê binne 10 dae van—

(a) die sluitingsdatum vir kommentaar, indien geen kommentaar ontvang is nie; of

(b) die sluitingsdatum vir die aansoeker se antwoord op die kommentaar, indien kommentaar ontvang is.

(2) Wanneer 'n aansoek oorweeg word, moet die komitee alle kommentaar en antwoorde ontvang ten opsigte van die aansoek, ingeslote geskrewe verslae deur die inspeksiebeampte, oorweeg.

(3) Die komitee mag enige faktore wat dit as relevant tot die aansoek ag, in aanmerking neem, waaronder—

(a) die noodsaaklikheid om die billike verdeling en rasionalisering van ambulansdienste te bevorder, ten einde ongelykhede gebaseer op ras, geslag, ekonomiese en geografiese faktore reg te stel;

(b) die noodsaaklikheid om gehalte ambulansdienste wat toeganklik, bekostigbaar, kostedoeltreffend en veilig is, te bevorder;

(c) die moontlike voordele en nadele van die aansoek vir bestaande ambulansdienste;

- (d) die noodsaaklikheid om mense van aangewese groepe, soos omskryf in die "Employment Equity Act", 1998 (Wet 55 van 1998)¹, en die ontluikende klein-, medium- en mikro-ondernemingsektor te beskerm of bevorder; en
 - (e) die moontlike voordele van opleiding, navorsing en ontwikkeling om ambulansdienslewering te verbeter.
- (4) Die komitee moet sy aanbevelings aan die Departementshoof lewer binne 60 dae van ontvangs van die betrokke aansoek.
- (5) Die komitee mag aanbeveel dat 'n aansoek—
- (a) toegestaan word;
 - (b) toegestaan word behoudens voorwaardes wat die komitee as toepaslik ag, waaronder voorwaardes wat verband hou met—
 - (i) die aard, tipe en kwantum van dienste wat deur die ambulansdiens verskaf moet word;
 - (ii) versekeringsdekking en vrywaring wat gedra gaan word deur die ambulansdiens;
 - (iii) personeel;
 - (iv) inspeksies of monitering deur die Departement;
 - (v) toepaslike klagtemeganismes wat aan alle gebruikers van die ambulansdiens beskikbaar gemaak moet word;
 - (vi) toepaslike dataverslagleweringmeganismes oor sleutel-aanwysers; of
 - (c) afgewys word.

Departementshoof se beslissing oor aansoek

6. (1) Die Departementshoof moet, binne 10 dae van ontvangs van 'n aanbeveling deur die komitee, beslis oor die aansoek en—
- (a) die aansoek toestaan; of

¹Hierdie Wet is nie in Afrikaans vertaal nie.

(b) dit toestaan behoudens voorwaardes; of

(c) die aansoek afwys.

(2) 'n Aansoek mag geweier word slegs indien die Departementshoof tevrede is dat die aansoeker nie voldoen of nie wil voldoen aan die vereistes uiteengesit in paragrawe (a) tot (g) van regulasie 7 nie.

(3) Die Departementshoof mag, alvorens hy of sy 'n beslissing maak ingevolge subregulasie (1), 'n aansoek na die komitee terugverwys vir die heroorweging van sy aanbeveling.

(4) Die komitee moet sy finale aanbeveling op 'n aansoek wat na hom terugverwys is maak binne 21 dae van die ontvangs daarvan.

(5) Die Departementshoof moet, binne vyf dae van ontvangs van 'n finale aanbeveling ingevolge subregulasie (3), beslis oor die aansoek ooreenkomstig subregulasie (1).

(6) Die Departementshoof moet, binne 10 dae van beslissing oor 'n aansoek, die aansoeker skriftelik in kennis stel van die beslissing en, indien die aansoek afgewys is, skriftelike redes vir die afwysing gee en die aansoeker in kennis stel van die reg tot appèl ingevolge regulasie 8.

(7) Wanneer die Departementshoof 'n aansoek toegestaan het, moet hy of sy die ambulansdiens laat registreer in 'n register van ambulansdienste gehou deur die Departement en die aansoeker skriftelik in kennis stel dat dit gedoen is.

Vereistes vir lisensiëring van ambulansdienste

7. Ten einde te kwalifiseer om gelisensieer te word as 'n ambulansdiens, moet 'n diens aan die volgende voldoen:

(a) Die personeel, voertuie en toerusting van die diens moet voldoen aan die toepaslike minimum norme en standaarde.

- (b) Elke voertuig van die diens wat gebruik word as 'n ambulans, reaksievoertuig of reddingsvoertuig moet duidelik as sodanig gemerk wees.
- (c) Die voertuie moet padvaardig wees en moet gemodifiseer, aangepas en gekonfigureer wees volgens die minimum norme en standarde vir die kategorie van nood sorg wat deur die betrokke eenheid verskaf moet word ten opsigte van personeel, voertuig en toerusting.
- (d) Die voertuig moet voldoende aanspreeklikheidsversekeringsdekking hê.
- (e) Die diens moet onder die toesig van 'n ambulansdiensbestuurder wees.
- (f) Die verhouding van ambulans tot reaksievoertuie in 'n diens moet ten minste een ambulans tot een reaksievoertuig wees.
- (g) Die diens moet in die provinsie 'n basis hê waarvandaan dit bedryf word en 'n kommunikasiestelsel om versoeke om bystand te ontvang en om voertuie uit te stuur.

Appèlle

8. (1) 'n Aansoeker mag, binne 14 dae vandat hy of sy ingevolge regulasie 6 kennis gegee is van die Departementshoof se beslissing oor die aansoek, skriftelik appèl aanteken by die Minister en moet die gronde vir die appèl insluit.
- (2) Die Minister moet, binne sewe dae van ontvangs van 'n appèl, 'n afskrif daarvan aan die Departementshoof voorlê.
- (3) Die Departementshoof moet binne 30 dae van ontvangs van 'n afskrif van 'n appèl, 'n antwoord daarop voorlê aan die Minister.
- (4) Die Minister mag tot drie mense wat nie personeellede van die Departement of lede van die komitee is nie aanstel om die Minister raad te gee oor die appèl.

(5) Die Minister mag 'n appèl handhaaf of afwys en mag, in die geval waar die appèl gehandhaaf word, die beslissing van die Departementshoof vervang met 'n beslissing om die aansoek toe te staan hetsy onvoorwaardelik of behoudens voorwaardes bepaal deur die Minister.

(6) 'n Appèl moet finaal beslis word binne 30 dae van die datum waarop die Departementshoof 'n antwoord aan die Minister ingevolge subregulasie (3) voorlê.

(7) Die Minister moet die beslissing oor die appèl skriftelik aan die appellant kommunikeer en, indien die appèl afgewys word, die redes daarvoor gee.

(8) Indien die Minister 'n appèl handhaaf, moet die Departementshoof 'n toepaslike inskrywing in die register van ambulansdienste laat maak.

Uitreiking van lisensiesertifikate en lisensietekens

9. (1) Indien 'n aansoek om 'n ambulansdiens toegestaan of voorwaardelik toegestaan word, moet die Departementshoof—

(a) 'n inspeksiebeampte die betrokke ambulansdiens laat inspekteer ten einde vas te stel dat die diens die vereistes van regulasie 7 nakom; en

(b) aan die aansoeker—

(i) 'n lisensiesertifikaat om die betrokke diens te bedryf, uitreik; en

(ii) 'n lisensieteken vir elke voertuig wat deur daardie diens as 'n ambulans of 'n reddings- of reaksievoertuig gebruik gaan word, uitreik.

(2) 'n Lisensiesertifikaat en 'n registrasieskyf moet die ingangsdatum en vervaldatum van die geldigheid daarvan vertoon.

(3) 'n Lisensie is geldig tot 31 Desember van die jaar waarin die lisensiesertifikaat ingevolge subartikel (1) uitgereik is.

(4) 'n Lisensie wat nie ingevolge artikel 6 van die Wet gekanselleer of opgeskort is nie word, by ontvangs deur die Departementshoof van die jaarlikse hernuwingsgelde bedoel in Aanhangsel B, geag vanself hernu te wees tot 31 Desember van die jaar ten opsigte waarvan daardie gelde betaal is.

Inspeksiebeamptes en inspeksies

10. (1) 'n Inspeksiebeampte mag te eniger redelike tyd 'n ambulansdiens inspekteer soos beoog in artikel 5(2)(a) van die Wet.

(2) 'n Inspeksiebeampte moet—

(a) redelike toegang tot 'n ambulansdiens gegee word, ingeslote sy fasiliteite, vir die doeleindes van 'n inspeksie; en

(b) binne 30 dae van die inspeksie van 'n ambulansdiens 'n verslag aan die Departementshoof lewer.

(3) 'n Inspeksiebeampte mag aanbevelings aan die Departementshoof maak ten opsigte van 'n ambulansdiens.

(4) 'n Persoon mag nie—

(a) op enige manier die inspeksiebeampte in die vervulling van sy of haar pligte verhinder nie;

(b) weier om na sy of haar beste wete enige inligting wat deur 'n inspeksiebeampte versoek word, te verstrek; of

(c) weier om aan 'n inspeksiebeampte op sy of haar versoek enige toerusting, apparaat of voertuig van 'n ambulansdiens, of enige aankoop- of instandhoudingsrekords wat verband hou met sodanige toerusting, apparaat of voertuig te wys nie.

(5) Die Departementshoof moet toesien dat elke ambulansdiens ten minste jaarliks geïnspekteer word.

(6) Benewens die jaarlikse inspeksie bedoel in subregulasie (5), mag die Departementshoof te eniger redelike tyd, en sonder kennisgewing, 'n ambulansdiens laat inspekteer deur 'n inspeksiebeampte, maar sonder enige koste aan die diens.

Kansellering en opskorting van lisensies

11. (1) Indien 'n gelisensieerde ambulansdiens enige bepaling van hierdie Regulasies of paragraaf (a), (b), (c), (d) of (e) van artikel 6(1) van die Wet oortree of nie daaraan voldoen nie, moet die Departementshoof aan die lisensiehouer skriftelike kennis gee van die gebrek of nievoldoening.

(2) Die kennisgewing moet die volgende vermeld:

(a) die aard en omvang van die gebrek of nievoldoening wat reggestel moet word;

(b) dat die versuim om dit binne 'n tyd vermeld in die kennisgewing reg te stel, kan lei tot die kansellering of opskorting van die lisensie; en

(c) dat dit die lisensiehouer se reg is om binne die tyd vermeld in die kennisgewing geskrewe verstoë tot die Departementshoof te rig ten opsigte van die voorgestelde kansellering of opskorting van die lisensie.

(3) Indien, by die verstryking van die tydperk wat ingevolge subregulasie (2)(c) gespesifiseer is, die gebrek of nievoldoening nie tot bevrediging van die Departementshoof reggestel is nie, mag hy of sy, met inagneming van alle relevante feite, waaronder die verslag van 'n ondersoekbeampte en enige verstoë deur die lisensiehouer, die lisensie van die ambulansdiens ingevolge artikel 6 van die Wet kanselleer of opskort.

(4) Indien die lisensie gekanselleer of opgeskort word, moet die Departementshoof die lisensiehouer binne 10 dae skriftelik in kennis stel van die beslissing, van die redes daarvoor en van die reg om appèl aan te teken by die Minister.

(5) Regulasie 8 is van toepassing, met die veranderinge deur die samehang vereis, op 'n appèl beoog in subregulasie (4).

Herinstelling van lisensie en opheffing van opskorting

12. (1) 'n Persoon wie se lisensie gekanselleer of opgeskort is, mag te eniger tyd aansoek doen vir die herinstelling van die lisensie of die opheffing van die opskorting daarvan soos beoog in artikel 6(2) van die Wet.

(2) Regulasie 2 is van toepassing, met die veranderinge wat die samehang vereis, ten opsigte van 'n aansoek vir die herinstelling van 'n lisensie.

(3) Alvorens die Departementshoof 'n lisensie herinstel of die opskorting daarvan ophef, moet 'n inspeksiebeampte die betrokke ambulansdiens inspekteer en 'n aanbeveling aan die Departementshoof maak.

Gelde

13. (1) Die gelde soos bedoel in artikel 8(1) van die Wet is soos uiteengesit in Aanhangsel B.

(2) Die gelde vir die hernuwing van die lisensie word elke jaar betaalbaar by die voltooiing van die jaarlikse inspeksie bedoel in regulasie 10(5).

Eienaarskapsverandering

14. (1) 'n Lisensie vir 'n ambulansdiens mag nie oorgedra word nie.

(2) Indien 'n ambulansdiens oorgedra of verkoop word aan 'n nuwe eienaar, moet die nuwe eienaar 'n aansoek ingevolge regulasie 2(1)(a) indien.

Vertoon van lisensiesertifikate en lisensietekens

15. Die ambulansdiensbestuurder moet toesien dat—

(a) die lisensiesertifikaat bedoel in regulasie 9(1)(b)(i) vertoon word op 'n opsigtelike plek by die basis van die ambulansdiens bedoel in regulasie 7(g); en

- (b) die toepaslike lisensieteken bedoel in regulasie 9(1)(b)(ii) vertoon word op 'n opsigtelike plek op elke voertuig wat deur die ambulansdiens as 'n ambulans of 'n reddings- of reaksievoertuig gebruik word.

Inligting rakende ambulansdiens

16. (1) Die ambulansdiensbestuurder van 'n ambulansdiens of die persoon wat deur hom of haar aangewys is, moet die inspeksiebeampte op sy of haar versoek voorsien van alle inligting wat noodsaaklik is vir die toepassing van die lisensiëring of die voortgesette lisensiëring van daardie diens.

(2) Die ambulansdiensbestuurder moet verseker dat die volgende inligting vasgelê word op 'n maandelikse grondslag en behoorlik beveilig word en geredelik beskikbaar is om op versoek van die inspeksiebeampte verskaf te word:

- (a) Prioriteit-1-ambulansreaksietyd-prestasie binne stedelike en landelike gebiede;
- (b) Prioriteit-2-ambulansreaksietyd-prestasie binne stedelike en landelike gebiede;
- (c) die getal, name, kwalifikasies en relevante registrasie-besonderhede van werknemers, kontrakteurs en vrywilligers ten opsigte van die RGSA of die Suid-Afrikaanse Raad op Verpleging;
- (d) die getal ambulanse in die diens; en
- (e) die getal en aard van teenspoedige pasiëntvoorvalle.

(3) Die ambulansdiensbestuurder moet verseker dat 'n afsonderlike pasiëntsorgrekord gehou word vir elke pasiënt behandel of vervoer deur die diens.

Bestuur van ambulansdiens

17. (1) 'n Ambulansdiens moet 'n persoon aanstel wat gekwalifiseer en geregistreer is op die vlak van ten minste intermediêre lewensondersteuning om die diens te bestuur en daarvoor toesig te hou.

(2) Die ambulansdiensbestuurder moet—

- (a) verseker dat die getal pasiënte wat in die ambulansdiensvoertuig vervoer word nie die maksimum toegelate getal ingevolge die toepaslike norme en standaarde oorskry nie, behalwe in die geval van groot mediese voorvalle of massa-ongevallesituasies;
- (b) toesien dat die ambulansdiens nie op 'n manier bedryf word wat openbare, pasiënt- of personeelveiligheid in gevaar stel nie;
- (c) vertroulike pasiëntrekords hou soos deur die wet vereis, en daardie rekords dikwels en op vaste tye laat hersien deur die toesighoudende mediese praktisyn of 'n persoon deur laasgenoemde aangewys vir toepaslike dokumentering en sorg;
- (d) die Departementshoof binne 30 dae skriftelik in kennis stel van enige verandering aan die besonderhede verskaf deur of namens die lisensiehouer ingevolge hierdie regulasies;
- (e) reken op die oordeel van die diens se toesighoudende mediese praktisyn en dit eerbiedig in alles rakende kliniese sorg vir die gesondheidsbeskerming van ambulanspersoneel en vir die toepaslike toediening van mediese sorg wat aan pasiënte bedien deur daardie diens gegee word;
- (f) toesien dat geen pasiënt ooit sorg of vervoer deur die ambulansdiens geweier word op grond van die persoon se onvermoë om te betaal vir die sorg of vervoer nie;

- (g) toesien dat protokolle vir onmiddellike mediese ingryping bestaan in geval van die blootstelling van ambulanspersoneel aan situasies van 'n biologiese, chemiese, sielkundige of fisieke aard; en
- (h) toesien dat toepaslike standaard- bedryfsprosedures bestaan wat die werking van die ambulansdiens lei; en dat hierdie prosedures beskikbaar is aan elke werknemer van die ambulansdiens en aan die inspeksiebeamptes.

Voorvalbestuur en koördinerings van ambulansdienste

18. (1) Die Departementshoof moet 'n personeelid van die Departement aanwys om voorvalle van massa-ongevalle te bestuur.

(2) Die Hoof van Ambulansdienste in die Departement moet die volgende koördineer:

- (a) die nodige optrede vir prehospital- noodsoorg wat verband hou met alle groot mediese voorvalle; en
- (b) 'n bestuur- en steunstelsel vir groot mediese voorvalle (MIMMS) binne die Provinsie.

Misdrywe en strawwe

19. 'n Persoon wat regulasie 4(3) of 10(4) oortree, begaan 'n misdryf en is onderhewig aan 'n boete of aan gevangenisstraf van nie meer as vyf jaar nie.

Kort titel

20. Hierdie regulasies heet die Wes-Kaapse Regulasies op Ambulansdienste, 2012.



AANHANGSEL A TOT AMBULANSDIENSTEREGULASIES

VORM 1: BESONDERHEDE VAN AANSOEKER

Naam van maatskappy																				
Registrasienuommer van maatskappy																				
Belastingertifikaatnommer																				
Straatadres																				
Posadres																				
e-pos-adres																				
Faksnommer																				
Naam van bestuurder																				

DIENSBESONDERHEDE

Naam van diens																				
Bedieningsdistrik (merk met 'n X)	Stad Kaapstad	Overberg	Weskus	Kaapse Wynland	Sentraal- Karoo	Eden														

HOE OM DIE AANSOEK TE VOLTOOI

Elke aansoek moet uit 'n Vorm 1, 'n Vorm 2 vir elke stasie, en die aanhangsels bestaan, ongeag of die aansoek om 'n nuwe diens of om die verlenging van 'n bestaande diens is.

PERSONEELBESONDERHEDE

Totale getal personeel	
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Getal personeel vir elke tipe kwalifikasie:

Basiese Ambulans- Assistent		Ambulans- Noodassistent		Kritiekesorgassistent		Dokter		Bestuurder / Toesighouer	
NDIP		BTech		Noodsorgtegnikus		Verpleeg- Kundige		Vrywilliger	
Ander									

Handtekening van aansoeker

Datum

AANHANGSEL B**GELDE BETAALBAAR INGEVOLGE ARTIKEL 8(1) VAN DIE WET:**

Item soos per Regulasie of Norme en Standaarde (waar van toepassing)	Diens	Gelde
a) Aansoek om 'n ambulansdiens		
Regulasie 2(3)	Aansoekgelde	R10 000,00
b) Lisensiëring van 'n ambulansdiens		
Items (a) tot (c) in die Norme en Standaarde	Per ambulans	R300,00
Item (d) in die Norme en Standaarde	Per reaksievoertuig	R300,00
Item (e) in die Norme en Standaarde	Per reddingsvoertuig	R500,00
c) Hernuwing van 'n ambulansdienslisensie		
Items (a) tot (c) in die Norme en Standaarde	Per ambulans	R300,00
Item (d) in die Norme en Standaarde	Per reaksievoertuig	R300,00
Item (e) in die Norme en Standaarde	Per reddingsvoertuig	R500,00
d) Inspeksie van 'n gelisensieerde ambulansdiens		
Items (a) tot (c) in die Norme en Standaarde	Per ambulans	R300,00
Item (d) in die Norme en Standaarde	Per reaksievoertuig	R300,00
Item (e) in die Norme en Standaarde	Per reddingsvoertuig	R500,00

IMIMISELO YENTSHONA KOLONI YEENKONZO ZE-AMBULENSII, 2012

UMphathiswa wezeMpilo wePhondo eNtshona Koloni ubeke imimiselo njengoko ichaziwe kwiShedyuli ngokwecandelo 12 lomthetho oyiWestern Cape Ambulance Services Act, 2010 (Act 3 of 2010).

ISHEDYULI

UCWANGCISO LWEMIMISELO

1. Inkcazelo
2. Ukunikwa kweenkonzo ze-ambulensi isigunyaziso
3. Ikomiti yeengcebiso
4. Izithintelo ezijolise kumalungu ekomiti
5. Ukuqwalaselwa kwezicelo yikomiti
6. Isigqibo seNtloko yeSebe mayela nesicelo
7. Imiqathango yokunikwa kwenkonzo ye-ambulensi isigunyaziso
8. Izibheno
9. Ukukhutshwa kweziqinisekiso zesigunyaniso nemiqondiso yezigunyaziso
10. Amagosa ahlolayo nenkqubo yohlolo
11. Ukuhluthwa nokurhoxiswa kwezigunyaziso
12. Ukubuyiselwa kwesigunyaziso nokuphelisa urhoxiso
13. INtlawulo
14. Ukutshintshwa kobunini
15. Ukuboniswa kwesiqinisekiso nemiqondiso yesigunyaziso
16. Iinkcukacha ezimalunga nenkonzo ye-ambulensi
17. Ulawulo lwenkonzo ye-ambulensi
18. Ulawulo lwesihlo nonxibelelaniso lweenkonzo ze-ambulensi
19. Amatyala nezohlwayo
20. Isihloko esifutshane

INkcazelo

1. Kule Shedyuli naliphi na igama okanye ibinzana linentsingiselo ecacisiweyo kuyo libhekiselela kuloo nto ithethwayo kula Mthetho, ngaphandle kokuba okuqulathiweyo kuchaza nto yimbi—

“i-advanced life support” okanye **i“ALS”** ibhekiselela kwizakhono anazo umntu okuluhlu oluvunyiweyo njenge—

(a) pharmedikhi, igosa lononophelo-nyango olungxamisekileyo okanye ugqirha oqinisekiswa kwi Health Professions Council; okanye

(b) unesi oqinisekisiweyo kwiSouth African Nursing Council;

“i-adverse patient incident” kuthetha isihlo okanye imeko ezikhokelela kumonakalo, intlungu, ukugula okanye ukwenzakala kwesigulane ebekungalindelekanga ;

“i-ambulensi” ithetha isithuthi esenzelwe okanye esilungiselelwe, esifakwa izixhobo zonyango kwaye sisetyenziselwa okanye kujongwe ukuba sisetyenziselwe ukuthutha izigulane;

“umanejala wenkonzo ye-ambulensi” uthetha umntu ochaziweyo kummiselo 17(1);

“i-basic life support” okanye **i“BLS”** ibhekiselela kwizakhono anazo umntu okuluhlu oluvunyiweyo njengomncedisi kwinkqubo esisiseko ye-ambulensi oqinisekiswa kwi Health Professions Council;

“ikomiti” ithetha ikomiti yeengcebiso anyulwe ngokommiselo 3(1);

“umsebenzi wonyango olungxamisekilyo” uthetha umntu okuluhlu oluvunyiweyo njengegosa lononophelo-nyango olungxamisekileyo oqinisekiswa kwiHealth Professions Council;

“umthetho oyi-Health Professions Act” uthetha umthetho oyi-Health Professions Act, 1974 (Act 56 of 1974);

“I-Health Professions Council” okanye i**“HPCSA”** ithetha iHealth Professions Council of South Africa, eyasekwa ngumthethi oyi Health Professions Act;

“i-intermediate life support” okanye i **“ILS”** ibhekiselela kwizakhono anazo umntu okuluhlu oluvunyiweyo njengomncedisi kwinkqubo esisiseko ye-ambulensi okanye igcisa kwezoonophelo-nyango olungxamisekileyo Health Professions Council;

“umntu onesigunyaziso”kuthethwa umntu okanye iqumrhu loburhulumente elinikwe isigunyaziso ngokwecandelo 2 loMthetho;

“isihlo esikhulu esifuna unyango” kuthethwa inani lezigulane okanye imeko exhalabisa ngokukodwa yesihlo efuna ukuthatyathelwa amanyathelo abanzi angaphaya kokusebenza kwe-ambulensi ngokwesiqhelo;

“imeko yeengxwelerha ezininzi” ithetha imeko yongxwelerheko lweqwela lezigulane ezidlulileyo kwinani elinokusetyenzwa yi-ambulensi enye yohlangulo, unyango nokuthuthwa kwezigulane;

“ugqirha” uthetha umntu okuluhlu oluvunyiweyo ngokwe Health Professions Council njengogqirha;

“imimiselo nemigangatho” ithetha imimiselo nemigangatho emiselwe nguMpathiswa ngokwecandelo 4 loMthetho;

“umthetho oyiNursing Act” uthetha umthetho oyiNursing Act, 2005 (Act 33 of 2005);

“ipharamedikhi” ithetha umntu okuluhlu oluvunyiwe ngokweHealth Professions Council njengepharamedikhi;

“Inqanaba lokuqala loBaluleko” othetha ukuleqisa ngokukhawuleza ubalelwa kwizinto ezifuna ukukhawulezelwa ngoko nangoko emva kokufumana umnxeba kumsabeli-minxeba okanye kumkhuphi-zithuthi osemsebenzini kwiziko lonxibelelwano lonyango lenkonzo ye-ambulensi ;

“Inqanaba lesiBini loBaluleko” othetha ukuleqisa ngokukhawuleza ubalelwa kwizinto ezingxamisekileyo, ezifuna ukukhawulezelwa ngoko nangoko, ngumsabeli-minxeba okanye umkhuphi-zithuthi osemsebenzini kwiziko lonxibelelwano lonyango lenkonzo ye-ambulensi;

“iinkonzo ze-ambulensi ezikuluhlu oluvunyiweyo” ithetha ukuba kuluhlu oluvunyiweyo njengoko kuchaziwe kumaqathango 6(7);

“isithuthi sohlangulo” sithetha isithuthi esenzelwe okanye esilungiselelwe, safakwa izixhobo zonyango kwaye sisetyenziselwa okanye injongo kukuba sisetyenziselwe inkonzo ye-ambulensi ukuthutha iingcali zohlangulo kunye nezixhobo zonyango;

“ixesha elithathwa ziinkonzo zokungxamisekileyo” lithetha ixesha elibalwa ukususela kwixesha abenkonzo ye-ambulensi befumana bebizelwa okungxamisekileyo ukuya kwixesha lo lokufika koncedo lonyango kwindawo yexhwayelo;

“isithuthi sokungxamisekileyo” sithetha isithuthi esenzelwe okanye esilungiselelwe, safakwa izixhobo zonyango kwaye sisetyenziselwa okanye injongo kukuba sisetyenziselwe yinkonzo ye-ambulensi ukuthutha izixhobo zonyango zeengcali;

“ugqirha ophetheyo” uthetha ugqirha—

- (a) onesivumelwano sexeshana okanye oqeshelwe kwisikhundla sonyango; kananjalo
- (b) ekudityanwa naye rhoqo ngabasebenzi be-ambulensi;

“uMthetho” uthetha umthetho oyiWestern Cape Ambulance Services Act, 2010 (Act 3 of 2010);

“ivoluntiya” lithetha umntu othi ngokuzithandela nangokuzikhethela, enge-nezixhobo okanye engafumani mbuyekezo, enze umsebenzi wokunceda kwinkonzo ye-ambulensi, ekwenza oko ngokomgaqo olandelwayo kwinkonzo ye-ambulensi.

Ukunikwa kweenkonzo ze-ambulensi isigunyaziso

2. (1) Umntu, kuqukwa nequrhu laseburhulumenteni, onqwenela—
 - (a) ukusebenza inkonzo ye-ambulensi, kufuneka enze isicelo kwii-Fom 1 neFom 2 zeSihlomelo A; okanye
 - (b) enze izilungiso kubunjani, ubungakanani benkonzo ye-ambulensi, kufuneka kwiiFom 1 no 2 weSihlomelo A.
- (2) Isicelo kufuneka siziswe, okanye sithunyelwe nge-imeyili okanye siposwe ngerejista, kwi-ofisi yeNtloko yeSebe.
- (3) Umfaki-sicelo kufuneka akhuphe imali eyintlawulo yesicelo njengoko kuchaziwe kwiSihlomelo B xa engenisa isicelo sokufumana isigunyaziso senkonzo ye-ambulensi.
- (4) Umfaki-sicelo angasirhoxisa isicelo sakhe nangaliphi na ixesha, kodwa akayi kuyibuyiselwa imali eyintlawulo yesicelo xa sithe sarhoxiswa isicelo.
- (5) Ntloko yeSebe kufuneka isiphonononge isicelo kwisithuba seentsuku ezingama-30 yakuba izifumene ukuze ibone ukuba ingaba izaliswe ngokufanelekileyo na okanye kusafuneka enye inkcazo.
- (6) Ukuba iNtloko yeSebe isifumanise ukuba sizaliswe ngokupheleleyo isicelo okanye akukho nto iyenye ifuna ukwangezwa, iya kumcela umfaki-sicelo ukuba alungise oko kungagqitywanga, okanye ibeke umhla othile efuna kungeniswe ngawo loo nkcazo isafunekayo.

(7) Ukuba ngaba umfaki-sicelo uyasilela ukuzalisa isicelo sakhe esingagqibekanga kakuhle okanye uyasilela ukunika enye inkcazo ngomhla omiselweyo yiNtloko yeSebe ngokwecandelwana lomqathango (6), umfaki-sicelo uya kuthathwa njengosirhoxisileyo isicelo.

(8) INtloko yeSebe iya kuthi kwisithuba seeNtsuku ezingama- 30 emva kokuphelelwa kwexesha elingangeentsuku ezingama-30 ekubhekiselelwe kuzo kwicandelwana lomqathango(5) okanye emva komhla emva komhla ekubhekiselelwe kuwo kwicandelwana (6), njengoko kunjalo kwezi meko—

(a) ipapashe isaziso sokufunyanwa kwesicelo kumaphephandaba amabini ubuncinane akhoyo kuloo ndawo yePhondo ize icele kungeniswe izimvo ezibhaliweyo ngesicelo esinjalo; kananjalo

(b) ithumele ikopi yesicelo—

(i) kubo bonke oomasipala abanolwazi nobuchule obufunekayo ngokwesicelo; kananjalo

(ii) nakumagunya okanye amaziko athathwa njengafanelekileyo yiNtloko yeSebe.

(9) Isilumkiso esichazwe kwicandelwana lomqathango (8)(a) liya -

(a) kupapashwa ngeelwimi ezisemthethweni ezimbini zePhondo ubuncinane;

(b) kunika inkcazo ephathelele ekubeni naliphi na iqumrhu elichaphazelekayo lineentsuku ezingama- 30 ukusuka kumhla wokupapashwa kwesilumkiso ukuba lingenise izimvo ezibhaliweyo kwiNtloko yeSebe; kananjalo

(c) kuthi xa ngaba ikopi yesicelo inokufumaneka ngentlawulo engumlinganiselo othile kwi-ofisi echazwe kwesi saziiso.

(10) Umasipala, igunya okanye iziko ekubhekiselelwa kulo kwicandelwana lomqathango 8(b) uya kungenisa izimvo kwiNtloko yeSebe kwisithuba see-Ntsuku ezingama- emva kokufuma ikopi yesicelo.

(11) Ukuba izimvo ziye zafunyaniwa ngokwecandelwana lomqathango 9(b) okanye (10), iNtloko yeSebe iya kuthi, kwisithuba seentsuku ezili-10 zokuphelelwa kwexesha elimiselweyo avumele ukuba kungeniswe izimvo –

(a) ukwazisa umfaki-sicelo ngembalelwano ngezimvo ezifunyenweyo; kananjalo

(b) nokunika umfaki-sicelo ikopi yogxeko-ncomo.

(12) Umfaki-sicelo uneentsuku ezili-15 emva kokufumana ikopi yezimvo ngokwecandelwana lomqathango (11) zokuba aphenidule ngembalelwano kwiNtloko yeSebe, xa athe akakwenza oko umfaki-sicelo uya kuthathwa njengongenanjongo yokuphendula

IKomiti yeeNgcebiso

3. (1) iNtloko yeSebe kufuneka inyule ikomiti yeengcebiso eya kunika iingcebiso neyakwenza isigxeko-ncomo kwizicelo ekubhekiselelwa kuzo kumqathango 2(1).

(2) Ikomiti yeengcebiso kufuneka ibe –

(a) nelungu elinye leSebe, ekufuneka libe aliphumi kwicandelo lenkonzo ye-ambulensi loburhulumente okanye elizimeleyo leSebe;

(b) umntu omnye oyingcali kunyango olungxamisekileyo;

(c) umntu omnye otyunjwe liqumrhu elivunyiweyo ngokomthetho oyiOrganised Local Government Act, 1997 (Act 52 of 1997), ukuze limele urhulumente wommandla kwiPhondo; kananjalo

- (d) Umntu omnye onolwazi nobuchule obumandla kwiinkonzo ze-ambulensi.
- (3) INTloko yeSebe iya kunyula elinye lamalungu njengosihlalo wekomiti.
- (4) Kwintlanganiso yokuqala yekomiti, usihlalo kufuneka ibe nguye omisela iinkqubo zentlanganiso, ize ikomiti inyule usekela-sihlalo aqulunqe indlela yokuziphatha yamalungu.
- (5) Usihlalo uya kuthi nakwesiphi na isithuba xa kuqwalaselwa isicelo abize nawuphi umntu ukuba abe yinxalenye yekomiti xa usihlalo anelisekile kukuba umntu lowo uya kukwazi ukuyinceda ikomiti kisigxeko-ncomo, kodwa umntu lowo akayi kuvota yena.
- (6) Usihlalo kufuneka aqinisekise ukuba ziyagcinwa zonke iinkcukacha zobukho entlanganisweni, amanqaku, nazo zonke izisombululo ezenziweyo, kuyo nayiphi intlanganiso yekomiti.
- (7) Ikhoram yentlanganiso ngamalungu amathathu ekomiti, kodwa kufuneka nokuba ngusihlalo okanye isekela-sihlalo lisoloko likho entlanganisweni.
- (8) Isigqibo esenziwe ngamalungu amaninzi entlanganisweni yekomiti iya kuba sisigqibo, kanti ukuba zithe zalingana iivoti umntu owongameleyo kuloo ntlanganiso uya kuvota njengelungu lentlanganiso leyo.
- (9) INTloko yeSebe iya kuwahlawula amalungu angaqeshwanga ngu-Rhulumente—
- (a) umvuzo; kananjalo
- (b) imali efanelekileyo evunyelweyo yokuzinceda eluhambeni engummiselo wokuya entlanganisweni yekomiti,
- emiselwa nguMphathiswa ngaxeshanye noMphathiswa wePhondo onoxanduva lwezemali.

Isithintelo esichaphazela amalungu ekomiti

4. (1) Ilungu lekomiti aliyi kubakho ngexesha okanye aliyi kuthabatha nxa-xheba ekwenzeni izigqibo okanye isigxeko-ncomo nakwesiphi isicelo ngaphambi kwekomiti apho -
- (a) ilungu okanye umlingane, isizalwane, ihlakani kwezomsebenzi, umncedisi okanye umqeshi (kodwa ingelilo elasebuRhulumenteni) welo lungu; okanye
 - (b) ihlakani kwezomsebenzi, umncedisi, isizalwana okanye umqeshi (ingelilo elasebuRhulumenteni) lomlingane welo lungu, ochaphazeleka ngokungqalileyo okanye ngokungangqalanga kwezemali okanye okhe wachaphazeleka kwisithuba seenyanga ezili-12 ezidlulileyo.
- (2) Ngokwenjongo yecandelwana lomqathango (1) -
- (a) "umlingane" uquka umntu elihlala naye ilungu ngokokude babe ngathi batshatile okanye umntu elihlalisana naye ilungu; kananjalo
 - (b) "isizalwana" sithetha umzali, umntwana, umnakwabo, udadewabo, nokuba ukuzalana oko akubangelwa kukuzalwa, ngumtshato okanye ukukhuliswa ngomnye umntu.
- (3) Akuvumelekanga ukuba umntu athi, ngeli xesha elilungu lekomiti amkele naluphi na uhlobo lomsebenzi, isipho okanye ibhaso kuye nawuphi umntu ochaphazeleka ngokungqalileyo kwezemali kwinkonzo ye-ambulensi, okanye umntu owenze isicelo sogunyaziso ngokommiselo 2.

Ukuqwalaselwa kwezicelo yikomiti

5. (1) INTloko yeSebe iya kungenisa isicelo ngasinye esichazwe kumqathango 2(1) kwakunye nezimvo neempendulo ezifunyenweyo malunga nezicelo, kwikomiti kwisithuba seentsuku ezili-10—

(a) zomhla wokuvala ukungeniswa kwezimvo, ukuba akukho zimvo zifunyenweyo; okanye

(b) zomhla wokuvala ukungeniswa kweempendulo zamfaki-sicelo malunga nezimvo, xa izimvo zithe zafunyanwa.

(2) Xa kuqwalaselwa isicelo, ikomiti iya kuziqwalasela izimvo neempendulo ezifunyenweyo mayela neziscelo, kuqukwa neengxelo ezibhaliweyo ligosa lohlolo.

(3) Ikomiti iya kuzithabathela ingqalelo naziphi izinto ezibona ngathi zihambelana nesicelo, kuqukwa –

(a) imfuneko yokukhuthaza ukuzaba ngokulungeleleneyo nangenqiqo iinkonzo ze-ambulensi ngeenjongo zokulungisa ukungalingani ngokubhekiselele kubuhlanga, isini, uqoqosho nangokwemimandla;

(b) imfuneko yokukhuthaza umgangatho weenkono ze-ambulensi ezifikelekayo, ezinokuxhanyulwa, ezingabizi kakhulu nezikhuselekileyo;

(c) izinto esele zikho ezintle nezigxekekayo kwisicelo seenkonzo ze-ambulensi;

(d) imfuneko yokukhusela okanye ukuphucula phambili abantu abasuka kumaqela achazwe kumthetho oyi-Employment Equity, 1998 (Act 55 of 1998) kananjalo necandelo loshishino elisathukuzayo elincinane, eliphakathi kunye nelikhulu; kananjalo

- (e) Uncedo olufumaneka kuqeqesho, uphando nophuhliso ukuphucula ukusebenza kwenkonzo ye-ambulesni.
- (4) Ikomiti iya kuthumela iziphakamiso zayo kwiNtloko yeSebe kwisithuba seentsuku ezingama-60 sifunyenwe isicelo esichaphazelakayo.
- (5) Ikomiti iyakwenza isiphakamiso esithi isicelo kufuneka –
 - (a) samkelwe;
 - (b) samkelwe phantsi kweemeko ezibona zifanelekile ikomiti, kuqukwa neemeko eziphathelele –
 - (i) kubunjani, uhlobo okanye ubungakanani beenkonzo eziyakwenziwa yinkonzo ye-ambulensi;
 - (ii) i-inshorensi kunye nembuyekezo iya kuba luxanduva lwenkonzo ye-ambulensi;
 - (iii) kubasebenzi;
 - (iv) kuhlolo nobeko-liso oluyakwenziwa liSebe;
 - (v) ukunikwa kwabo bonke abasebenzisi benkonzo ye-ambulensi iindlela ezilandelwayo ezifanelekileyo zokukhalaza
 - (vi) iindlela ezifanelekileyo zokunika ingxelo kwizalathisi eziphambili; okanye
 - (c) sikhatywe.

Isigqibo seNtloko yeSebe ngesicelo

6. (1) INtloko yeSebe iya kuthi kwisithuba seentsuku ezili- ifumene isiphakamiso sekomiti, yenze isigqibo ngesicelo ize –
- (a) isamkele isicelo; okanye

(b) yamkele umxholo phantsi kweemeko ezithile; okanye

(c) isikhabe isicelo.

(2) isicelo sinokukhatywa kuphela xa iNtloko yeSebe yanelisekile ukuba umfaki-sicelo akakhawulelani okanye akuyi kukhawulelana nemimiselo echa-zwe kwimihlathi (a) ukuya (g) womqathango 7.

(3) INtloko yeSebe iya kuthi phambi kokuthatha isigqibo ngokwecandelwana lomqathango (1), isibuyisele isicelo kwikomiti iphinde isiqwalsele yenze isigxeko-ncomo.

(4) Ikomiti iyakwenza isigxeko-ncomo esigqibeleleyo ngesicelo ebesijoliswe kwakuyo kwisithuba seentsuku ezingama-21 sifunyenwe.

(5) INtloko yeSebe iya kuthi kwisithuba seentsuku ezintalnu zeziphakamiso ezigqibeleleyo ngokwecandelwana lommiselo (3), yenze isigqibo ngesicelo ngokwecandelwana lommiselo (1).

(6) INtloko yeSebe iya kuthi kwisithuba seentsuku ezili-10 sokwenziwa kwesigqibo ngesicelo, imazise umfaki-sicelo ngembalelwano malunga nesigqibo, ize ithi ukuba sikhathiwe isicelo, inike izizathu zokukhatywa kwaso imazisa umfaki-sicelo ukuba unelungelo lokubhena ngokommiselo 8.

(7) Ukuba iNtloko yeSebe isamkele isicelo, iya kuyalela inkonzo ye-ambulensi ukuba ibhalise kwirejista yeenkonzo ze-ambulensi egcinwa kwiSebe ize imazise umfaki-sicelo ngembalelwano ukuba oku kwenziwe.

21. Imiqathango yokunikwa kweenkonzo ze-ambulensi isigunyaziso

7. Ukuze inkonzo ikulungele ukufumana isigunyaziso njengenkonzo ye-ambulensi, kufuneka ibe iyakhawulelana noku kulandelayo:

(a) Abasebenzi, izithuthi nezixhobo zokusebenza zenkonzo kufuneka zibe ziyahambelana nemimiselo nemigangatho elindelekileyo.

- (b) Isithuthi ngasinye senkonzo esisetyenziswe njenge-ambulensi, isithuthi sokungxamisekileyo, okanye isithuthi sohlangulo kufuneka siphawulwe ngokwaloo msebenzi siwenzayo.
- (c) Izithuthi kulindeleke ukuba zikulungele ukuba sendleleni kwaye kufuneka zitshintshwe ubume bazo, zilungiselelwe kananjalo ziyileke ngokwemeko elindelekileyo yononophelo-nyango olungxamisekileyo oluyakwenziwa yiloo yunithi ichaphazelekayo ngokubhekiselele kubasebenzi, isithuthi nezixhobo.
- (d) Kulindeleke ukuba inkonzo ibe ne-inshorensi eya kuthwala uxanduva.
- (e) Kulindeleke ukuba inkonzo ibekwe phantsi kweliso lomanejala weenkono ze-ambulensi.
- (f) Umlinganiselo wezithuthi zokungxamisekileyo kwinkonzo kulindeleke ukuba ibe yi-ambulensi enye kwisithuthi sokungxamisekileyo esinye.
- (g) Inkonzo kulindeleke ukuba ibe ikwiPhondo elo iya kusebenza kulo kananjalo neenkqubo zonxibelelwano zokwamkela izicelo zoncedo kananjalo nokukhutshwa kwezithuthi zokungxamisekileyo.

izibhenno

8. (1) Umfaki-sicelo uya kuthi, kwisithuba seentsuku ezili-14 exelelwe ngokomqathango 6 ngesigqibo seNtloko yeSebe malunga nesicelo, afake isibhenno ngembalelwano kuMphathiswa kwaye kufuneka acahze izizathu zokuba enze isibhenno.

(2) UMphathiswa uya kuthi kwisithuba seentsuku ezisi-7 sifunyenwe isibhenno, athumele ikopi kwiNtloko yeSebe.

- (3) INtloko yeSebe iya kuthi kwisithuba seentsuku ezingama-30 eyifumene ikopi yesibheno, athumele impendulo kuMphathiswa.
- (4) UMphathiswa uya kunyula abantu abathathi abangengobasebenzi beSebe okanye ekomiti ukuba bacebise uMphathiswa ngesibheno.
- (5) UMphathiswa uya kusixhasa okanye asikhabe isibheno kananjalo uya kuthi, kwimeko yokusixhasa isibheno, asitshintshe isigqibo seNtloko yeSebe ngesigqibo sakhe sokwamkela isicelo nokuba usamkela phantsi kweemeko okanye ngokuxhomekeke kwiimeko ezimiselwe nguMphathiswa.
- (6) Isibheno kufuneka kugqitywe ngaso kwisithuba seentsuku ezingama-30 ukusuka kumhla esingenise ngawo iNtloko yeSebe kuMphathiswa ngokwecandelwana lomqathango (3).
- (7) UMphathiswa uya kusichaza isigqibo sobheno ngembalelwano kulowo wenze isibheno kananjalo athi, xa ngaba sikhathiwe isibheno, anike izezathu ke ngoko.
- (8) Ukuba uMphathiswa uyasixhasa isibheno, iNtloko yeSen iyakwenza ukuba zifakwe ngokufanelekileyo iinkonzo ze-ambulensi kwirejitsa.

Ukukhutshwa kweziqinisekiso zogunyaziso kunye nemiqondiso yezigunyaziso

9. (1) Ukuba isicelo senkonzo ye-ambulensi samkelwe okanye samkelwe phantsi kwemiqathango, iNtloko yeSebe iyakwenza -
 - (a) ukuba igosa lihlole inkonzo echaphazelekayo ukuze libone inkonzo leyo ukuba iyahambelana na nemimiselo yomqathango 7; kananjalo
 - (b) likhuphele umfaki-sicelo—
 - (i) isiqinisekiso sogunyaziso sokusebenza loo nkonzo ichaphazelekayo ; kananjalo

(ii) umqondiso wesigunyaziso wesithuthi ngasinye uya kusetyenziswa yiloo nkonzongenjenge-ambulensi okanye isithuthi sohlangulo okanye esokungxamisekileyo.

(2) isiqinisekiso sesigunyaziso nediski yobhaliso lwesithuthi kufuneka kubekwe kuzo umhla eya kuqalisa neya kuphelelwa ngawo.

(3) isigunyaziso siya kusebenza de ibe ngumhla wama-31 kuDisemba wonyaka ebesikhutshwe ngawo isigunyaziso ngokwecandelwana (1).

(4) Isigunyaziso esiye sahluthwa okanye samiswa ngokwecandelo 6 loMthetho siya kuthi, sakuba sifunyenwe yiNtloko yeSebe ngokomrhumo wokuhlaziya okhutshwa qho ngonyaka ekubhekiselelwe kuwo kwiShedyuli B, sithathwe njengesihlaziyiweyo de ibe ngumhla wama-31 kuDisemba waloo nyaka besihlawulelwa wona isigunyaziso.

Amagosa ohlolo nenkqubo yohlolo

10. (1) igosa liya kuthi ngexesha elifanelekileyo lihlole inkonzo ye-ambulensi njengoko kuchaziwe kwicandelo 5(2)(a) loMthetho.

(2) Igosa elihlolayo kufuneka -

(a) livunyelwe lingene liphonononge kwinkonzo ye-ambulensi kuqukwa nezinto zayo, ngeenjongo zokuhlola; kananjalo

(b) lithi kwisithuba seentsuku ezingama-30 zohlolo i-ambulensi linike ingxelo kwiNtloko yeSebe.

(3) Igosa liyakwenza isigxeko-ncomo kwiNtloko yeSebe ngokuphathelele kwinkonzo ye-ambulensi.

(4) Umntu akanako—

(a) nangayiphi na indlela ukuthintela igosa ekubeni lingayenzi imisebenzi yalo;

- (b) ukwala ukunika inkcazo kangangoko ngolwazi lwakhe xa lufunwa ligosa ; okanye
 - (c) ukwala xa licela igosa elihlodayo ukuboniswa isixhobo, izixhotyana zokusebenza okanye isithuthi senkonzo ye-ambulensi, okanye iirekhodi zentengo okanye zokulondolozwa kwezinto ezifana nezixhobo, izixhotyana zokusebenza okanye isithuthi
- (5) INtloko yeSebe kufuneka iqinisekise yonke inkonzo ye-ambulensi ukuba iyahlolwa kube kanye ngonyaka ubuncinane.
- (6) Ukwangeza koku, uhlolo olwenziwa rhoqo ngonyaka ekubhekiselelwa kulo kwicandelwana lomqathango (5), iNtloko yeSebe iya kuthi nangaliphi ixesha elifanelekileyo, ngaphandle kokuchaza, iyalele ukuba inkonzo ye-ambulensi ihlolwe ligosa elihlodayo, kodwa akukho zindleko ziya kukhutshwa yinkonzo leyo.

Ukurhoxiswa nokumiswa kwezigunyaziso

11. (1) Ukuba ngaba inkonzo ye-ambulensi ityeshela okanye iyasilela ukuthobela nawuphi na ummiselo wale Miqathango okanye umhlathi (a), (b), (c), (d) okanye (e) wecandelo 6(1) lalo Mthetho, iNtloko yeSebe iya kumnika isilumkiso esibhalweyo sotyeshelo okanye sokungathobeli komntu onesigunyaziso.

(2) Isilumkiso kufuneka sichaze –

- (a) ubunjani nobungakanani besenzo sotyeshelo okanye sokusilela ukuthobela ekufuneka silungisiwe;
- (b) ukuba uyasilela ukulungisa kwixesha elichazwe kwisilumkiso, oko kungakhokelela ekurhoxisweni okanye ekumisweni kwesigunyaziso; kananjalo

(c) Ukuba umntu onesigunyaziso unelungelo lokwenza ulwandlalo-nkcazo olubhaliweyo kwiNtloko yeSebe kwixesha elichaziweyo kwisilumkiso malunga nsindululo sorhoxiso okanye sokumiswa kwesigunyaziso.

(3) Ukuba kuthe ngexesha lokuphela kwexesha elichaziweyo ngokwecandelwana lomqathango (2)(c), utyeshelo okanye ukusilela ukuthobela akuthanga kwalungiswa ngendlela eyanelisa iNtloko yeSebe, iya kuthi ibhekiselele kuwo onke amanaqaku abalulekileyo, kuqukwa nengxelo yegosa lophando kwanolwandlalo-nkcazo olwenziwa ngumntu onesigunyaziso, iyihluthe okanye ayirhoxise isigunyaziso senkonzo ye-ambulensi ngokwecandelo 6 loMthetho.

(4) Ukuba isigunyaziso sithe yahluthwa okanye yarhoxiswa, iNtloko yeSebe kufuneka ithi kwisithuba seentsuku ezili-10 imazise ngembalelwano ngesigqibo, ngezizathu umntu onesigunyaziso aze ke ngoko yena enze izibheno kuMphathiswa.

(5) UMqathango 8 uya kusebenza, kunye notshintsho olufunekayo ngokwento ekuthethwa ngayo, ngokubhekiselele kubheno oluchaziweyo kweicandelwana lomqathango (4).

Ukubuyiselwa kwesigunyaziso nokuyekiswa kokumiswa kwesigunyaziso

12. (1) Umntu onesigunyaziso esiye sahluthwa okanye samiswa angafaka isicelo nangaliphi na ixesha ukuba sibuyiselwe isigunyaziso okanye kuyekiswe ukumiswa kwaso njengoko kuchaziwe kwicandelo 6(2) lalo Mthetho.

(2) UMqathango 2 uya kusebenza kunye notshintsho olufunekayo ngokwento ekuthethwa ngayo, ngokubhekiselelwe kwisicelo sokubuyiselwa kwesigunyaziso.

(3) Ngaphambi kokuba iNtloko yeSebe isibuyisele isigunyaziso okanye iyekise ukumiswa kwaso, igosa elihlodayo liya kuyihlola inkonzo ye-ambulensi echaphazele-kayo ze lenze isigxeko-ncomo kwiNtloko yeSebe.

Inflawulo

13. (1) Inflawulo ekubhekiselelwa kuwo kwicandelo 8(1) lalo Mthetho njengoko kuchaziwe kwiSihlomelo B.

(2) inflawulo yokuhlaziya isigunyaziso ikhutshwa rhoqho ngonyaka emva kokugqitywa kohloko ekuthethwa ngalo kumqathango 10(5).

Ukutshintshwa kobunini

14. (1) Isigunyaziso senkonzo ye-ambulensi asiyi kukhutshwa

(2) Ukuba inkonzo ye-ambulensi igqithiselwe okanye yathengiswa kumntu oya kuba nobunini obutsha, loo mnini-sigunyaziso mtsha kufuneka angeniswe isicelo ngokomqathango 2 (1)(a).

Ukuboniswa kweziqinisekiso zesigunyaziso nemiqondiso yezigunyaziso

15. Umanejala wenkonzo ye-ambulensi kufuneka aqinisekise ukuba—

(a) Isiqinisekiso sesigunyaziso ekubhekiselelwa kuso kumqathango 9(1)(b)(i) sibekwe kwindawo ebonakalayo kwinkonzo ye-ambulensi ekubhekiselwe kuyo kumqathango 7(g); kananjalo

(b) Umqondiso wesigunyaziso esebenzayo ekubhekiselelwa kuyo kumqathango 9(1)(b)(iii) ubekwe kwindawo ebonakalayo kwisithuthi ngasinye esisetyenziswa yonkonzo ye-ambulensi njenge-ambulensi okanye isithuthi sohlangulo okanye isithuthi sokungxamisekileyo.

Iingcombolo eziphathelele kwinkonzo ye-ambulensi

16. (1) Umanejala wenkonzo ye-ambulensi wenkonzo ye-ambulensi okanye lowo amnyulileyo kufuneka adlulisele kwigosa elihlodayo lakuba lizifunile zonke iingcombolo eziyimfuneko ngenjongo yokunika isigunyaziso okanye aqhubeke nokunika imvume yesigunyaziso kuloo nkonzo.

(2) Umanejala wenkonzo ye-ambulensi kufuneka aqinisekise ukuba ezi ngcombolo zilandelayo zifakwa rhoqo ngenyanga, zikhuseleke ngokufanelekileyo, kananjalo zifumaneke xa zicelwa kwigosa elihlodayo;

- (a) Inqanaba 1 loBaluleko ixesha elithathwa yi-ambulensi ukukhawulelana nengxaki efuneka kuyo kwimimandla yeedolophu neyamaphandle;
- (b) Inqanaba 2 loBaluleko lixesha elithathwa yi-ambulensi ukusebenza kwimimandla yeedolophu neyamaphandle;
- (c) inombolo, amagama, iimfanelo zemfundo nengcombolo ezichaphazelekayo ze-HPCSA okanye ezeSouth African Nursing Council zabasebenzi, abaniki-nkonzo nama-voluntiya;
- (d) inombolo ye-ambulensi esemsebenzini; kananjalo
- (e) nombolo kwanobunkenenkene beemeko ezikubo izigulane.

(3) Umanejala wenkonzo ye-ambulensi kufuneka aqinisekise ukuba iyangcinwa irekhodi yesigulane ngasinye esinyangwayo okanye esithuthwayo ngale nkonzo.

Ulawulo lwenkonzo ye-ambulensi

17. (1) Inkonzo ye-ambulensi kufuneka inyule umntu okulungeleyo kwanoseluhlwini oluvunyiweyo kwi-intermediate life support (onezifundo ezisiseko zohlangulo) ukuba alawule aze abe liliso kule nkonzo.

(2) Umanejala wenkonze ye-ambulensi kufuneka—

- (b) aqinisekise ukuba izigulane azifakwa kwisithuthi senkonzo ye-ambulensi ngaphezu kwenani elivumelekileyo ngokweziseko nemimiselo evunyiweyo, ngaphandle kwaxa isisihlo esikhulu esifuna unyango olumandla okanye xa bebaninzi abantu abenzakeleyo;

- (c) aqinisekise ukuba inkonzo ye-ambulensi ayiqhutywa ngendlela eya kuchaphazela kakubi ukhuseleko loluntu, lwesigulane okanye olwabasebenzi;
- (d) azigcine ngokusekhusini iirekhodi zezigulane njengoko umthetho umisela, kwaye kufuneka ezo rekhodi ziqwalaselwe ngugqirha ongumphathi okanye ngulowo amnyulele ukwenza loo msebenzi, ekwenza oko rhoqo nasemva kwamaxesha athile ebhala phantsi inkqubela ngokufanelekileyo ndawonye nonophelo lwempilo;
- (e) Ukwazisa iNtloko yeSebe ngembalelwano, kwisithuba seentsuku ezingama-30, ngalo naluphi na utshintsho kwiingcombolo ezibhalwe ngulowo unesigunyaziso okanye ezibhalwe egameni lakhe, oko kusenzeka ngokwale miqathango;
- (e) athembele kananjalo athobele indlela abona ngayo ugqirha ongumphathi wenkonzo ojonge yonke imicimbi yononophelonyango yokhuseleko lwempilo yabasebenzi be-ambulensi nokubeka iliso ekukhathalelweni ngezonyango izigulane ezincedwa yiloo nkonzo;
- (f) aqinisekise ukuba akukho sigulane silukhabayo unyango okanye ukuthathwa nge-ambulensi ngezizathu zokuba isigulane eso singayi kukwazi ukuhlawulela ukuthuthwa kwaso;
- (g) aqinisekise ukuba zikho iiprothokholi ezilandelwayo zonyango olufuneka ngokukhawuleza xa abasebenzi be-ambulensi besesichengeni seemeko ezifana nezebhayoloji, ikhemikhali okanye isigulane sinobungozi ngenxa yemeko yengqondo okanye emzimbeni wesigulane; kananjalo
- (h) aqinisekise ngomgangatho ofanelekileyo weenkqubo ezikhoyo ezilandelwayo xa kusetyenzwa kwinkonzo ye-ambulensi, kwankuba ezi nkqubo bayazazi bonke abasebenzi benkonzo ye-ambulensi kwangokunjalo namagosa ahlolayo.

Ulawulo lwezihlo kunye nonxibelelaniso lweenkonzo yee-ambulensi

18. (1) INTloko yeSebe iya kunyula abasebenzi beSebe ukuba balawule izihlo zongxwelerheko lwabantu abaninzi.

(2) INTloko: INkonzo yee-Ambulensi kwiSebe kufuneka inxibelelanise—

(a) amanyathelo okunonotshelwa kwempilo ngokungxamisekileyo kwangenx'engaphambili ngokuphathelele kuzo zonke izihlo ezikhulu ezifuna unyango olumandla; kananjalo

(b) uLawulo lweZihlo ezifuna uNyango oluMandla kunye neNkqubo yeNkxaso - Major Incident Medical Management and Support System (MIMMS) kwiPhondo .

Amatyala nezohlwayo

19. Umntu otyeshele umqathango 4(3) okanye 10(4) unetyala kwaye uya kufumana isohlwayo okanye avalelwe entolongweni ixesha elingayi kudlula kwiminyaka emihlanu.

Isihloko esifutshane

20. Le miqathango ibizwa ngokuba yi-Western Cape Ambulance Services Regulations, 2012.

IINKCUKACHA NGABASEBENZI

Inani labasebenzi bebonke

Inani labasebenzi maliboniswe ngokweseqinisekiso semfundo ngasinye kwezi zinikiweyo:

BAA		AEA		CCA		Oo- Gqirha		IiManejala /abaphathi	
NDIP		BTech		ECT		Oonesi		Amavolontiya	
Enye									

 Kutyikitya umfaki-sicelo

 Umhla

ISIHLOMELO B

IMALI EHLAWULWA NGOKWECANDELO 8 (1) LOMTHETHO:

Into nganye ngokoMmiselo/liNkqubo neMigangatho kufanelekileyo)	UMsebenzi	Imali
a) Isicelo senkonzo ye-ambulensi		
Ummiselo 2 (3)	Intlawulo ngesicelo	R10 000,00
b) Ukukhutshelwa kwenkonzo ye-ambulensi isigunyaziso		
Izinto eziku(a) ukuya ku(c) phantsi kweeNkqubo neMigangatho	Nge-ambulensi nganye	R300,00
Izinto eziku(d) aphantsi kweeNkqubo neMigangatho	Ngesithuthi ngasinye sokungxamisekileyo	R300,00
Izinto eziku (e) phantsi kweeNkqubo neMigangatho	Ngesithuthi ngasinye sohlangulo	R500,00
c) Ukuhlaziywa kwesigunyaziso senkonzo ye-ambulensi		
Izinto eziku(a) ukuya ku(c) phantsi kweeNkqubo neMigangatho	Nge-ambulensi nganye	R300,00
Izinto eziku(d) phantsi kweeNkqubo neMigangatho	Ngesithuthi ngasinye sokungxamisekileyo	R300,00
Izinto eziku (e) phantsi kweeNkqubo neMigangatho	Ngesithuthi ngasinye sokungxamisekileyo	R500,00
d) Ukuhlola kwenkonzo yee-ambulensi ezinesigunyaziso		
Izinto eziku (a) ukuya ku(c) phantsi kweeNkqubo neMigangatho	Nge-ambulensi nganye	R300,00
Izinto eziku(d) phantsi kweeNkqubo neMigangatho	Ngesithuthi ngasinye sokungxamisekileyo	R300,00
Izinto eziku(e) phantsi kweeNkqubo neMigangatho	Ngesithuthi ngasinye sokungxamisekileyo	R500,00