

DEPARTMENT OF HEALTH

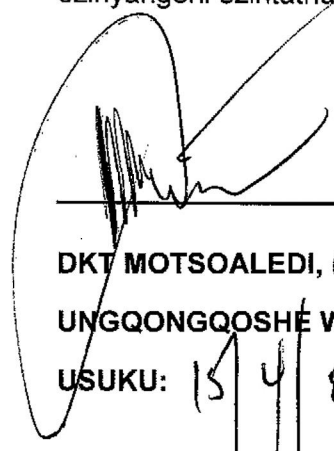
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HEALTH PROFESSIONS ACT, WE-1974 (UMTHETHO WAMA-56 WEZI-1974)**IMITHETHOZIMISO ECHAZA UMTHAMO WOBUNGCWETI BEZOKUNAKEKELWA
KOMLOMO**

UNgqongqoshe wezeMpilo uqonde, ukwenza iMithethozimiso kuSheduli, ngokwemigomo yesigaba sama-33(1) esifundwa nesigaba sama-61(2) se-*Health Professions Act, 1974* (uMthetho wama-56 wezi-1974), kanye nasezincomeni zoMkhandlu woNgcweti bezeMpilo eNingizimu Afrika kanye neBhodi loNgcweti Bezokwelashwa Kwamazinyo kanye nokuNakekelwa Komlomo.

Abantu abanentshisekelo bayamenywa ukuthi bahambise imibono yabo esekelwe noma ukumelwa kumithethozimiso ehlongoziwe kuMqondisi-Jikelele wezeMpilo, *Private Bag X828, Pretoria, 0001* (ukunakwa nguMqondisi: Amagatsha Okuphathwa Komphakathi), ezinyangeni ezintathu kushicilelwe lesi saziso.


DKT MOTSOLEDI, MP

UNGQONGQOSHE WEZEMPILO

USUKU: 15/4/2017

ISHEDULI

Izincazelo

1. Kule Mithethozimiso noma yiliphi igama noma inkulumo lapho incazelo ifakwe eMthethweni kumele iphathe leyo ncazelo, futhi ngaphandle uma ingqikithi isho okunye –

“**ibhodi**” kusho iBhodi loChwepheshe lokweLashwa kwaMazinyo kanye nokuNakekelwa koMlomo elashungulwa ngokwemigomo yesigaba se-15(1) soMthetho;

“**ukunakekelwa komlomo**” kusho ubungcweti bomuntu obhalisile njengomnakekeli womlomo ngokwemigomo yoMthetho;

“**umnakekeli womlomo**” kusho umuntu obhalisile ukuba njalo ngokwemigomo yoMthetho;

“**uMthetho**” kusho i-*Health Professions Act, 1974* (uMthetho wama-56 wezi-1974).

Umthamo wobungcweti bokunakekelwa komlomo

2. Imithetho elandelayo ibeka imithetho okumele, ibonwe njengemithetho ephathelene nobungcweti bokunakekelwa komlomo, ngezinhloso zokusetshenziswa koMthetho:

- (a) Ukuthuthukiswa, ukuqaliswa kanye nokuhlolwa kwezinhlelo zokukhuthazwa kwezempilo zomlomo.
- (b) ukuhlolwa kwesiguli ngokuxoxisana naso kanye nokuhlola kokwelapha komlomo;
- (c) ukwenziwa komfanekiso kanye nezithombe ze-eksreyi kanye nezithombe zokwelapha;

- (d) ukwenziwa kokuxilongwa ukuthola isifo somlomo kanye nokuthuthukiswa kohlelo lokwelapha olufanele phakathi emthameni wobungcweti bowezokunakekelwa komlomo.
- (e) ukululekwa kanye nokufundiswa kweziguli mayelana nokuzinakekela umlomo okufaka phakathi amakhemikhali kanye nephilisi lokwelapha ngamakhemikhali, ukweluleka ngomsoco kanye nokumiswa kogwayi;
- (f) Ukululeka iziguli ngomsoco kanye ngokudla okukhethiwe, ikhemikhali ye-fluoraydi, kanye nokulwa nezilwanyana ezibanga izifo (ngaphandle kwemithi ebulala izilwanyana ezincane) okuhambisana nokunqanda isifo somlomo;
- (g) ukusetshenziswa kwezinto zamanje njengezinto ezivikela ukubola kwamazinyo, izinto zokufakela, izinto zokwenza ukuthi amazinyo engazweli, izinto zokubulala imizwa ngaphandle kanye nezinto eziyiphilisi lokulawulo;
- (h) ukusetshenziswa kwezinto zokuvala umgodi kanye nokuvuleka
- (i) ukususwa kwezicubu, ukukala, ukususa imbangela yesifo, ukugezwa kwemifakela yamazinyo kanye nokupholisha amazinyo.
- (j) ukwenziwa kokwakheka kabusha kwezinyo ukuthi likhiqize into ekhucululayo evikela amazinyo.
- (k) *ukusetshenziswa kwenqubo engasabalali kakhulu njengenqubo ebuyiselekayo egwema ukulimazeka kwezicubu (ART) kanye nokubuyiselwa kokuvalwa, kanye nalapho kunesidingo kokusiza le nqubo, ukufakwa kanye nokususa idamu eliyisikilingi kanye nebhande elimboza izinyo.;*
- (l) ukwelashwa kokushesha ukuzwela kwamazinyo kanye ukulimala kwesibeletho sezinyo ngenxa yezinto ezithithile;

- (m) ukupholisha kanye kokwakhiwa kabusha kwezinto ezibuyiselwe ezingamanga kahle;
- (o) ukusetshenziswa kwezinto zokubulala imizwa, maqondana nesigaba sama-22A(4)(a)(v)(aa) se-*Medicines and Related Substances Act*, 1965 (uMthetho we-101 we-1965);
- (p) ukuphathwa kwezinto zokubulala imizwa, maqondana nesigaba sama-22A(4)(a)(v)(aa) se-*Medicines and Related Substances Act*, 1965 (uMthetho we-101 we-1965);
- (q) ukunika usizo abeluleki bezamazinyo, odokotela bamazinyo, kanye nochwepheshe bezamazinyo ngokwenza inqubo ethile futhi esezingeni eliphezulu lokwelapha
- (r) ukusetshenziswa inqubo ebalulekile yokwenza amazinyo ukuthi abe mhlophe;
- (s) ukwenziwa kwezinqubo elandelayo yokwelapha eyesekayo njengoba kunqume adokotela bamazinyo kanye nochwepheshe bamazinyo:
 - (i) ukuthathwa kokuhlolwa kwamasele;
 - (ii) ukuhlanganiswa kwamazinyo axegayo
 - (iii) ukusetshenziswa kanye nokususwa kwezinto ezifakwa ukusiza ukupholisha
 - (iv) ukususwa kwezitishi zokuhlinzwa;
 - (v) ukufakwa kwemifakela yesikhashana njengendlela ephuthumayo;
 - (vi) ukukhonkwa kwesikhashana kwezimbobo emazinyweni, into yokubuyisela esimweni amazinyo kanye nokuvala namagebe;
 - (vii) ukufakwa kolwelwesi oluthambile emazinyweni ukusiza isicubu;
 - (viii) ukwenziwa kokuhlaziya kokuxhumana kwamazinyo nethambo lekhandu;
 - (ix) ukudambisa ubuhlungi obenziwe izinto ebezenziwa ngaphakathi nangaphandle komlomo, njengokusikwa kwezingcingo ezigobekayo;
 - (x) ukuthathwa kwendlela yemicabango, ukukhobisa kanye nokunquma kanye nomsebenzi wokuqala;

- (xi) ukubekwa kwemishini esivele icushiwe yokuqondisa amazinyo, ukususa izinto ezinanyekwe emazinyweni zokuwaqondisa kanye namabhande (ukufakwa kanye nokususwa izincingo ezinwebekayo kanye nezixhumanisayo, ukufakwa kanye nokucushwa kwezincingo esigobekayo); kanye
- (xii) Ukukhonkwa kabusha izigcini zokuqondiswa kwamazinyo.

Ukwenziwa kwesenzo sobuchwepheshe bezokunakekelwa komlomo umfundi

3. Umfundi wobuchwepheshe kumele enze izenzo:

- (a) okukhulunywe ngazo kumthethosimiso wesi-2 (a)-(r), kuphela kaphansi kokuqashwa uchwepheshe wamazinyo, udokotela wamazinyo, umelaphi wamazinyo, noma owezokunakekelwa komlomo;
- (b) okukhulunywe ngazo kumthethosimiso wesi-2 (s) kuphela ngaphansi kokuqashwa uchwepheshe wamazinyo kanye nodokotela wamazinyo.

Izimo zokusebenza zowezokunakekelwa komlomo obhalise

- 4. (1) owezokunakekelwa komlomo obhalisile angasebenza ngokuzimela, ngobuchwepheshe bakhe kuphela -
 - (b) emuva kokusebenza isikhathi okungenani esingangonyaka owodwa ngaphansi kokuphathwa kanye nokuqashwa udokotela wamazinyo obhalisile, umelaphi wamazinyo noma omunye wezokunakekelwa komlomo, kanye nokuvunyelwa iBhodi;
 - (b) emuva kokuthola iziqu kwezokunakekelwa komlomo ezivuyelwe yiBhodi, futhi uma iziqu ezinjalo zatholakala ngaphambi konyaka wezi-2001, kumele aphinde athole ezinye futhi iziqu emisebenzini ekhulisiwe yezokunakekelwa komlomo ezihlinzekwa yinoma isiphi isikhungo sokuhlola esivunyelwe yibhodi; kanye

- (c) emuva kokuqeda ngempumelelo iZinga lesi-3 Lezosizo Lokuqala lokuqeqeshwa esikhungweni sokuqeqesha esivunyelwe yi-SETA yezeMpilo kanye nezeNhlalakahle.
- (2) Owezokunakekelwa komlomo obhalisile ohlobeni "lokusebenza okuqashiwe" kumele enze imisebenzi okukhulunywe ngayo kumthethosimiso wesi-2 ngaphansi kokuqashwa nguchwepheshe wamazinyo, udokotela wamazinyo, umelaphi wamazinyo, noma owezokunakekelwa komlomo, futhi kuphela uma owezokunakekelwa komlomo okukhulunywe ngaye kulomthethosimiswanyana ethole imfundo efanele, ukuqeqeshwa kanye enesipiliyoni esanele; futhi enza le misebenzi ngaphansi kwezimo ezifanele.

Ukuchithwa

5. Imithethozimiso eshicilelwe eSazisweni sikaHulumeni R.800 *kuSomqulu kaHulumeni* wezi-36944 wamhla ziye-17 kuMfumfu wezi-2013 ichithiwe lapha

Isihloko esincane

6. Le Mithethozimiso ibizwe ngeMithethozimiso Echaza Umthamo Wezokunakekelwa Komlomo.